Subject: GRAMA Response
Date: Monday, December 19, 2022 at 6:25:23 PM Eastern Standard Time
From: Dianna Sanchez (DHHS)
To: AO Records
Attachments: Lewis GRAMA Response 12-19-2022.pdf

EXTERNAL SENDER

Please see the attached GRAMA response.

Thank you,

American Oversight Documents.zip

Dianna Sanchez
GRAMA Coordinator
Utah Department of Human Services
385-459-8588
diannas@utah.gov
https://hs.utah.gov/

Utah Department of
Health & Human Services
Customer Experience

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SUBJECT: Explore our Jul 02, 2022 issue
FROM: The Lancet <thelancet@notification.elsevier.com>
TO: hborski@utah.gov
DATE: 01/07/2022 04:55

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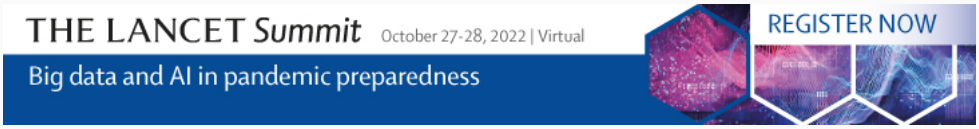

In this issue of *The Lancet*:

THE LANCET

Vol. 400
Number 10345 | Jul 02, 2022
p 1-72 | e1

FEATURES

Road Safety 2022: a 3-paper Series highlights the challenges and opportunities for the second Decade of Action for Road Safety (2021-2030) with the hope that this will be a decade of implementation and delivery that leads to a substantial decline in the risk and global health burden of road traffic injuries.
Read this Series

Compassion and connection
The 2022 Wakley Prize is now open for submissions. We invite you to tell us about what compassion and connection in medicine mean to you and why they matter.
Read this Comment

EDITORIAL

Ending child marriage: ensuring healthy futures for girls

COMMENT

Data aggregation hides Pacific Islander health disparities

Torus fractures of the distal radius: time to focus on symptomatic management

WASH services and health: syntheses and contexts

A compassion narrative for the sustainable development goals: conscious and connected action

Implications for racial inequities in maternal health if *Roe v Wade* is lost

Offline: Changing the argument for health

WORLD REPORT

Federal abortion rights end, but not legal challenges

[redacted]

New declaration on neglected tropical diseases endorsed

New Zealand launches new Māori health authority

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Digitising heart transplant rejection

The journey to greater equality

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Morton Maimon Mower

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Guidelines for pregnant individuals with monkeypox virus exposure

Monkeypox genomic surveillance will challenge lessons learned from SARS-CoV-2

The monkeypox outbreak is amplifying hidden voices in the global discourse

Shifting gender barriers in immunisation in the COVID-19 pandemic response and beyond

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Department of Error
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Life expectancy by county, race, and ethnicity in the USA, 2000–19: a systematic analysis of health disparities

Immobilisation of torus fractures of the wrist in children (FORCE): a randomised controlled equivalence trial in the UK
Open Access

Effectiveness of interventions to improve drinking water, sanitation, and handwashing with soap on risk of diarrhoeal disease in children in low-income and middle-income settings: a systematic review and meta-analysis
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Not all post-traumatic swellings are haematomas: be alert to a Morel-Lavallée lesion

SEMINAR

Complex post-traumatic stress disorder

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SUBJECT: FEMA's plan to end flood insurance for riskiest properties; Widespread fireworks cancellations; A safety group offers cities some warnings about emerging transportation tech
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 01/07/2022 05:02

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ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today
July 1, 2022

FEMA Wants to End Flood Insurance for the Nation's Riskiest Properties

KERY MURAKAMI | Democrats and counties oppose the idea. Properties that have been flood-damaged multiple times account for nearly half the program's payouts over the years.

Fireworks Are Cancelled Yet Again in Cities and Counties Across the US

JEAN DIMEO | Potential fire risks, supply chain issues and worker shortages have put a damper on these popular Independence Day events.

Safety Group Offers Warnings on Emerging Transportation Tech

DANIEL C. VOCK | They're urging state and local government leaders to prepare for new types of vehicles and to look beyond industry hype as they design policies to reduce crashes.

Brought to you by SAP

Opportunities to Leverage Federal Funds for State and Local Technology Improvements

COVID-19 pandemic, the Infrastructure Investment and Jobs Act (IIJA) and the American Rescue Plan Act (ARPA) provide state and local governments with a unique opportunity to invest in new, transformational cloud technologies. These technologies will help ensure not only the successful implementation of many wide-ranging projects and programs under the IIJA but also set a solid and resilient foundation for future infrastructure-focused innovations unachievable with current fiscal resources, technology tools, and business processes. Consider investing a portion of the funds in these five technology modernization opportunities.

Learn More!

Supreme Court Deals a Major Blow to the EPA, and All Federal Agencies

ERIC KATZ | A decision from the court's conservative majority limits agencies' ability to write new rules on major issues. The case centered on a challenge brought by West Virginia and other states.

USPS: It's Up to Mailers to Comply With State Laws on Abortion Pills

ERIC KATZ | The Postal Service says it will not crack down on the mailings, while the Biden administration promises to use the mail to expand access to the pills.

Feds Launch $1B Initiative to Rework Infrastructure That Cut Apart Cities

DANIEL C. VOCK | The Biden administration says places that prioritize community outreach as they design project proposals will have an advantage over others.

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Opportunities to Leverage Federal Funds for State and Local Technology Improvements

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Learn More!

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SUBJECT: Re: Roe Vs. Wade and How it Pertains to Child Abuse - Kris CambellThursday Discussion/Training
FROM: "David Litvack (DHS)" <davidlitvack@utah.gov>
TO: "Charri Brummer (DHS)" <cbrummer@utah.gov>
CC: Tonya Myrup <tmyrup@utah.gov>, "Moore, Diane" <dmoore@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 01/07/2022 05:23

[redacted]

Good Morning Charri -

Thank you for the e-mail and reaching-out. [redacted]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Thu, Jun 30, 2022 at 1:49 PM Charri Brummer (DHS) <cbrummer@utah.gov> wrote:

> Hi David,
>
> Just forwarding you some very rough notes I took on a google meet hosted by the hospital in regard to Roe Vs. Wade and Dobbs Vs. Jackson Women's Health Organization and how it pertains to child welfare cases involving sexual abuse and resulting pregnancy. I saw the email that DHHS sent out when the decision came down. However, I was unclear if the DHHS attorneys are meeting and discussing how it affects DCFS child clients and how our caseworkers will respond to families and doctors and others who are already starting to reach out.
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> I do not want to get too many steps ahead of ourselves, and I want to assure that I am respectful of any conversations that are taking place already that I may not be aware of. There are both ethics and laws at play here. I also have absolutely no idea how Utah plans to address it with resulting state-specific laws. I would like to meet with the child protection section of the AG's Office that represents us to begin to talk about our response, but again, I would like some guidance as to whether or not DHHS is supportive of this or if other conversations are happening at a higher level. Dr. Kristine Campbell, Associate Professor in the Dept. of Pediatrics and Division of Child Protection and Family Health at the U of U, has requested to meet with us as well. She is available to meet as desired.
>
> Please advise. Thank you so much.
>
> Charri
>
> ---------- Forwarded message ---------
> From: **Charri Brummer (DHS)** <cbrummer@utah.gov>
> Date: Thu, Jun 30, 2022 at 1:01 PM
> Subject: Roe Vs. Wade and How it Pertains to Child Abuse - Kris Cambell Thursday Discussion/Training
> To: Charri Brummer <cbrummer@utah.gov>, Moore, Diane <dmoore@utah.gov>, Tonya Myrup <tmyrup@utah.gov>
> Cc: Trisha Reynolds (DHS) <thepwort@utah.gov>, Veronica Argyle DHS <veronicaargyle@utah.gov>
>
> Charri Brummer, Veronica Argyle and Trisha Reynolds were present from Utah to listen and learn. These are very rough notes.
>
> Roe Vs. Wade and how it pertains to child abuse
>
> Discussions here are only opinions. It will not be recorded. This purpose is to learn from one another only. Does not reflect opinions of the institution.

[redacted]

Went over history of abortion laws, changes in laws and effects to child abuse pediatrics.

Supreme Court decision made in 1973. Abortion was a fundamental right to any woman in the US. State could not pass laws prior to viability.

Dobbs VS. Jackson Women's Health Organization as a result of Mississippi that said abortion illegal after 15 weeks came down from supreme court and overturned Roe Vs. Wade.

OK is most restrictive, Utah law is quite restrictive. Every state will be slightly different for enactment

What means for pediatricians - most states will allow abortion for incest and rape.

Example: 16 year old sexually assaulted and now pregnant. What will we do now? What is the right thing to do and what is legal?

What about rights to birth control and Plan B? None of this has been affected at this time, but people are concerned this may come up in the future because of the overturning. Where does confidentiality fall into this? Is it still protected? For now, yes.

We don't really know how everything is going to filter down.

Example of very young child clearly sexually abused and pregnant. Within a day of the overturned decision coming down, Ohio put a law into place that you cannot abort after 6 weeks of pregnancy and there is no exclusion for rape or incest. They had to arrange for this mother and child to go to another state.

Legal for child welfare agencies should be meeting to determine how to respond to these. How do you discuss it with families? How do you respond when the family asks how to break the law? Etc.

Discussed "aiding and abetting". AR legal advised that they can help arrange for services out of state and not consider it aiding and abetting.

CA is expecting a huge increase in abortions in their state of others coming to CA.

How will law enforcement react to this? Will anything change with them or their services in each state?

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As a physician, you would offer options. Now looking at ethics of this while it is worked out, anyone can walk in, so what are the ethics right now. Can they still say here are your options or do you say here is the big mess going on and the hospital doesn't have a response yet. What are doctors ethically bound to do for a child and family who is seeking an abortion, etc. We look at best interest of a patient, what will not cause harm, and justice. Ethically we know what we are ethically bound to do, but we will be held by these laws. More difficult that states are going "aiding and abetting". This doesn't change what is ethically right. This may create a type of Underground Railroad sort of system so that there are ways for people to get what they want/need.

Trisha and Veronica, anything more to add to my brief notes?

Kris Cambell is going to send out some ListServe messages.

I would recommend we set a meeting with the RDs, Carol, and Deb right away to discuss. [redacted]

[redacted]

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FROM: "Charri Brummer (DHS)" <cbrummer@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>
CC: Tonya Myrup <tmyrup@utah.gov>, "Moore, Diane" <dmoore@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 01/07/2022 08:25

David,

Thank you for the excellent guidance. We will set a meeting to include the child protection director and deputy director at the AG's Office, Dr. Campbell - a leading peditrician for child abuse cases in Utah, Nate and/or Tonya H., Sarah Welliver, yourself and DCFS (Diane, Tonya, and myself). I can work with EDO support staff to find some potential dates. We appreciate the support and guidance in this matter moving forward.

Charri

On Fri, Jul 1, 2022 at 5:23 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

> Good Morning Charri -
>
> Thank you for the e-mail and reaching-out. [redacted]
>
> [redacted]
>
> David
>
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> *He/Him/His*
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[redacted]

SUBJECT: Fwd: DNPAO Media Monitor 7-1-2022
FROM: Brett Mciff <bmciff@utah.gov>
TO: Alysia Ducuara <alysia@gethealthyutah.org>, Amy Bate <abate@tooelehealth.org>, Anni McKinnon <AMcKinnon@slco.org>, "Braby, Sara" <sbraby@utah.gov>, Brian Hatch <Brianl@daviscountyutah.gov>, Carrie Bennett <carrieb@utahcounty.gov>, Dacota Shell <dacota.shell@tooelehealth.org>, "Edwards, Eric" <ericse@utahcounty.gov>, Elizabeth wright <emwright@utah.gov>, Emily Jewkes <ejewkes@brhd.org>, "Fitzgerald, Jonelle" <jfitzgerald@co.wasatch.ut.us>, Heather Risbeck Borski <hborski@utah.gov>, Isa <isa@daviscountyutah.gov>, Ivy Melton Sales <Ivy@daviscountyutah.gov>, Janae Duncan <janaeduncan@utah.gov>, Jeff Coombs <jcoombs@tooelehealth.org>, Kaylie Lake <KaylieL@utahcounty.gov>, Lindsey McOmie <LindseyM@utahcounty.gov>, "Marvidikis, Debbie" <dmarvidikis@utah.gov>, Mele Lokotui <mlokotui@tooelehealth.org>, Morgan Hadden <morgan@gethealthyutah.org>, Shelley Worley <sworley@summitcounty.org>, "Sherwood,Bryce" <bsherwood@co.weber.ut.us>, "Tubbs, Jeramie" <jtubbs@tricountyhealth.com>, "Wiese, Farrin" <fwiese@brhd.org>
CC: Linnea Fletcher <linneafletcher@utah.gov>, John Stuligross <jstuligross@utah.gov>, Laura Holtrop Kohl <lholtrop@utah.gov>
DATE: 01/07/2022 08:53

FYI

Brett McIff, PhD, PAPHS
Physical Activity Coordinator
Healthy Environments Active Living (HEAL) Program
O: 801.538.6530
Bmciff@utah.gov
https://heal.health.utah.gov/

Utah Department of
Health & Human Services
Population Health

---------- Forwarded message ---------
From: **DNPAO Media Monitor** <CommHealthMediaMonitor@fhi360.org>
Date: Fri, Jul 1, 2022 at 8:34 AM
Subject: DNPAO Media Monitor 7-1-2022
To: <bmciff@utah.gov>

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DNPAO Daily Media Monitor
July 1, 2022
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- "Biden administration takes additional steps to strengthen child nutrition programs," *USDA* 6/30/2022 (Washington, DC)
- "Food insecurity in the US shows more adults are not getting recommended nutrition," *Tasting Table* 6/30/2022

Physical Activity

- "Do you live in an 'exercise desert'?," *Very Well Health* 6/30/2022

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- "Pediatric Endocrinologist: 'Solutions to childhood obesity are community specific,'" *7WSAW-TV* 6/30/2022 (Stevens Point, WI)
- "Stress during pregnancy can affect child's diet," *Medical Xpress* 6/30/2022

Breastfeeding

- "Trinity Health Of New England partners with telehealth startup to help more mothers breastfeed," *Med City News* 6/30/2022

Access to Healthy Food

How to escape food deserts, food swamps in San Antonio area
6/30/2022 — San Antonio, TX
The City of San Antonio and the San Antonio Food Bank has separate programs with the same goal: Increase healthy food options in areas of town known as "food deserts," which are defined by the U.S. Department of Agriculture as low-income areas where the nearest grocery store is more than a mile away.
Read full article here.

Fighting food deserts: Urban farming a solution for lack of fresh food
6/30/2022 — Jacksonville, FL
Twelve percent of Americans don't have enough access to fresh food, according to the United States Department of Agriculture. The health impacts of eating processed junk food are too long to list. Food deserts are a problem across the country in big cities and small towns, however, there are some solutions to food insecurity that are making a difference.
Read full article here.

Biden administration takes additional steps to strengthen child nutrition programs
6/30/2022 — Washington, DC
The Biden Administration announced today that the U.S. Department of Agriculture (USDA) will provide nearly $1 billion in additional funding to schools to support the purchase of American-grown foods for their meal programs. The department also applauds the President's recent signing of the Keep Kids Fed Act, which equips schools, summer meal sites, and child care food programs with extra resources so they can continue serving children through school year 2022-23. Both actions are a response to the significant challenges child nutrition program operators continue to face, such as high food costs and supply chain disruptions.
Read full article here.

Food insecurity in the US shows more adults are not getting recommended nutrition
6/30/2022
On top of food insecurity, Americans face a unique issue — many are getting enough calories, but not enough nutrients, leading to long-term health issues. Simply put, the highly-processed foods we eat are devoid of essential nutrients. Several factors contribute to this problem, and some populations are more at risk than others. Non-profits and government organizations across the nation are attempting to combat the issue, but there are also things that everyday Americans can do to help combat food inequity. So, what exactly is food insecurity, and what is causing these issues? Here we'll take an in-depth look at the meaning of food insecurity, the factors contributing to it, and the potential solutions.
Read full article here.

Physical Activity

Do you live in an 'exercise desert'?
6/30/2022
A quarter of Americans don't get enough physical activity, according to the Centers for Disease Control and Prevention (CDC). But some people may not be able to get enough exercise simply because of where they live. Some Americans live in an "exercise desert," where they have no access to an affordable gym, safe and well-lit green spaces, bike lanes, or well-maintained sidewalks.
Read full article here.

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SUBJECT: Top 15 health systems, per Fortune/IBM | Ariz. hospital lays off315 | Michael Dowling: The lost art of compromise | Payers' price postingstarts today: 8 things to know | Mich. hospital gets 1 mo. lifeline
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 01/07/2022 09:30

Obesity

Pediatric Endocrinologist: 'Solutions to childhood obesity are community specific
6/30/2022 — Stevens Point, WI
One in five children in the U.S. is obese, according to the Centers for Disease Control. In an article published by UW-Madison's School of Medicine and Public Health in 2018, research shows obesity rates in Wisconsin vary dramatically by age and zip code, generally showing rural areas have higher obesity rates compared to urban and suburban areas.
Read full article here.

Stress during pregnancy can affect child's diet
6/30/2022
Mother's exposure to stress during pregnancy could have long-term detrimental effects on their children's diets, and thereby on health conditions related to diet—such as increased levels of obesity and obesity-related diseases—according to new research from Michele Belot, professor in the Cornell University Department of Economics.
Read full article here.

BECKER'S HOSPITAL REVIEW

Breastfeeding
Virtual Events • Webinars • Whitepapers • OnDemand Learning • Podcasts

Trinity Health Of New England partners with telehealth startup to help more mothers breastfeed
6/30/2022

1. Michael Dowling: The lost art of compromise **Full story**
2. Arizona hospital lays off 315 workers **Full story**

If you have a community news story that you would like to see included in the report, please send the link to commhealthmediamonitor@fhi360.org.

Full story

Get back on course with intelligent automation and outsourcing.

5. Top 15 health systems of 2022, per Fortune, IBM **Full story**
6. Providence nurses strike tentative labor deals **Full story**

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8. Michigan hospital secures loan to stay open through July **Full story**
9. Supreme Court won't hear challenge to New York COVID-19 vaccination mandate **Full story**
10. Senators quietly kill plan to overhaul VA healthcare system **Full story**
11. Nearly 8% of all lab orders are clinically inappropriate. Get 5 tips to improve utilization and reduce unnecessary spend here.
12. Dartmouth-Hitchcock Health CEO: 'The decision to end a pregnancy is a medical conversation, not a legal or political one' **Full story**
13. California hospitals must begin sharing patient data in the next year **Full story**
14. Physician viewpoint: How to care for patients you resent **Full story**
15. Stats by state:

- **COVID-19 hospitalization rates**
- **COVID-19 test positivity rates**
- **Percentage of population fully vaccinated**
- **COVID-19 death rates**
- **ICU utilization**
- **Staffing shortages**
- **Booster rates**
- **COVID-19 vaccination rates up/down**
- **COVID-19 cases trend**

Becker's Learning Opportunities

1. Just 31% of health systems are taking advantage of this opportunity to attract and retain patients. See what it is here.
2. Game-changing EHR improvements at Intermountain, how one hospital CIO managed to grow ranks during the pandemic and more. These 10 must-reads offer practical advice for digital health investment.
3. Pandemic-related care delays have created a wave of sicker patients. Read this short report to learn how healthcare navigation reduces clinician burden + mitigates the effects for patients.

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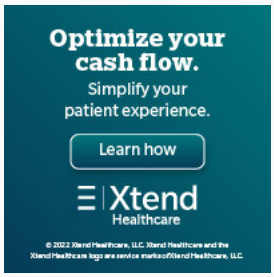

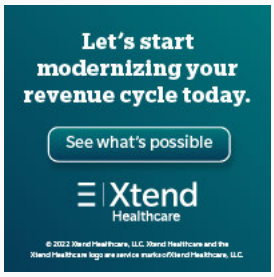

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Becker's Hospital Review, A Becker's Healthcare Publication

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TO: "Charri Brummer (DHS)" <cbrummer@utah.gov>
CC: Tonya Myrup <tmyrup@utah.gov>, "Moore, Diane" <dmoore@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 01/07/2022 11:55

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DATE: 01/07/2022 12:16

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We don't really know how everything is going to filter down.

Example of very young child clearly sexually abused and pregnant. Within a day of the overturned decision coming down, Ohio put a law into place that you cannot abort after 6 weeks of pregnancy and there is no exclusion for rape or incest. They had to arrange for this mother and child to go to another state.

Legal for child welfare agencies should be meeting to determine how to respond to these. How do you discuss it with families? How do you respond when the family asks how to break the law? Etc.

Discussed "aiding and abetting". AR legal advised that they can help arrange for services out of state and not consider it aiding and abetting.

CA is expecting a huge increase in abortions in their state of others coming to CA.

How will law enforcement react to this? Will anything change with them or their services in each state?

What about an amendment to HIPAA? Could that assist in this?

As a physician, you would offer options. Now looking at ethics of this while it is worked out, anyone can walk in, so what are the ethics right now. Can they still say here are your options or do you say here is the big mess going on and the hospital doesn't have a response yet. What are doctors ethically bound to do for a child and family who is seeking an abortion, etc. We look at best interest of a patient, what will not cause harm, and justice. Ethically we know what we are ethically bound to do, but we will be held by these laws. More difficult that states are going "aiding and abetting". This doesn't change what is ethically right. This may create a type of Underground Railroad sort of system so that there are ways for people to get what they want/need.

Trisha and Veronica, anything more to add to my brief notes?

Kris Cambell is going to send out some ListServe messages.

I would recommend we set a meeting with the RDs, Carol, and Deb right away to discuss. [redacted]

[redacted]

[redacted]

On Fri, Jul 1, 2022 at 12:08 PM Kim Kettle DHS <kkettle@utah.gov> wrote:

Hi All,

[redacted]

SUBJECT: White House Health Updates + Call Invite
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 01/07/2022 15:23

THE WHITE HOUSE
WASHINGTON

Health Community Updates

Friends – Please join us for our next bi-weekly White House Health Community Call on Wednesday, July 13th at 2:30pm ET. You can RSVP here. Please invite colleagues and members of your community – all are welcome.

Below are several important updates from this week. We are wishing you and yours a happy 4th of July weekend.

Key Resources on the Administration's Commitment to Protecting Reproductive Rights

- Video: President Biden's Remarks on the Supreme Court Decision
- ReproductiveRights.gov: The Administration launched a website on your right to access reproductive health care, including birth control,

[redacted]

abortion services, other preventative health services, and health insurance coverage.

- White House Fact Sheet (6/24/22): President Biden Announces Actions in Light of Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
- HHS Release: Secretaries Becerra, Walsh, and Yellen Underscore Contraception Coverage Requirements for Private Insurance
- Secretary Becerra's Announcements: HHS and Secretary Becerra answered the President's call for action on reproductive health care, announcing five key actions
- HHS: Guidance to Protect Patient Privacy in Wake of Supreme Court Decision on Roe
- HHS: New Grants to Bolster Family Planner Provider Training
- Video: What You Need to Know from Jennifer Klein, Director of the White House GPC
- POTUS Tweet: Supporting Changing Filibuster Rules to Codify Roe v. Wade into Law

Updated Infant Formula Resources

- US Department of Health and Human Services Infant Formula Website: hhs.gov/formula
- US Department of Health and Human Services Infant Formula Social Media Toolkit: https://www.hhs.gov/formula/social-media-toolkit/index.html
- White House Fact Sheet on the Biden-Harris Administration's Progress Addressing the Infant Formula Shortage: https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/17/fact-sheet-the-biden-harris-administrations-progress-addressing-the-infant-formula-shortage/
- White House Infant Formula Website: https://www.whitehouse.gov/formula
- Tweet from Second Gentleman Douglas Emhoff to amplify: https://twitter.com/SecondGentleman/status/1539616593306599426

DHS Statement on Supreme Court Decision on MPP (Full statement below)

As Secretary Mayorkas concluded in October 2021 after a thorough review, the prior Administration's Migrant Protection Protocols (MPP) has endemic flaws, imposes unjustifiable human costs, and pulls resources and personnel away from other priority efforts to secure our border. We welcome the Supreme Court's decision affirming that the Secretary has the discretionary authority to terminate the program, and we will continue our efforts to terminate the program as soon as legally permissible.

The Department also continues to enforce our immigration laws at the border and administer consequences for those who enter unlawfully, and will continue the court-mandated enforcement of the Centers for Disease Control and Prevention's Title 42 public health order.

FACT SHEET: Biden-Harris Administration's Monkeypox Outbreak Response

This week, the Biden-Harris Administration announced the first phase of its national monkeypox vaccine strategy, a critical part of its monkeypox outbreak response. The vaccine strategy will help immediately address the spread of the virus by providing vaccines across the country to individuals at high risk. This phase of the strategy aims to rapidly deploy vaccines in the most affected communities and mitigate the spread of the disease. You can read more here.

FACT SHEET: Health Sector Leaders Join Biden Administration's Pledge to Reduce Greenhouse Gas Emissions 50% by 2030

Yesterday, the Biden-Harris Administration announced that 61 of the largest U.S. hospital and health sector companies responded to the Administration's Health Sector Climate Pledge, committing to reduce greenhouse gas emissions 50% by 2030. The new commitments represent over 650 hospitals and thousands of other providers across the country, and include plans to strengthen resilience to climate change, protect public health, and lower costs. The health care sector accounts for 8.5% of U.S. emissions, so these bold commitments advance President Biden's goal to reduce nationwide greenhouse gas emissions 50-52% in 2030 and reach net-zero emissions in 2050. You can read more here.

Briefing on Long-Term Effect of COVID-19

The White House Office of Public Engagement invites you to join us for a briefing on Friday, July 15th at 4pm ET. The purpose of this briefing is to share an update on the status of reports on the long-term effects of COVID-19 with nongovernmental experts,

organizations, and interested parties, including individuals affected directly by the long-term effects of COVID-19. Featured speakers include Admiral Rachel L. Levine, MD, Assistant Secretary for Health and Rear Admiral Michael F. Iademarco, MD, MPH, Deputy Assistant Secretary for Science and Medicine (OASH), and other members of the Long COVID workgroups and team. Questions submitted in advance will be given priority; live questions will be accepted if time allows. This call is closed press, open registration, and free to share widely with your networks! ASL and CART will be provided.

RSVP here: https://pitc.zoomgov.com/webinar/register/WN_B7res8ipTXKLPbnkLcAEvQ

988 Toolkit and Jobs Website

The U.S. is getting close to the July 16 transition to 988 – the easy-to-remember number to reach the existing National Suicide Prevention Lifeline. This transition is an important step to strengthening and transforming the crisis care continuum in the U.S.

To help our partners communicate about 988, SAMHSA has added downloadable print files for wallet cards, magnets, and posters to its 988 Partner Toolkit. The toolkit already includes logo and brand guidelines , key messages, frequently asked questions, fact sheets (English and Spanish), radio PSA scripts (English and Spanish), and more. SAMHSA is also working to make the print materials available for ordering from the SAMHSA store and will be adding social media shareables by mid-July about the basics of 988.

SAMHSA continues to hold convenings with state, territorial, and tribal leaders – as well as crisis contact centers, public safety answering points, and behavioral health providers – to prepare for 988. One of the most urgent needs involves staffing at crisis centers. Anyone interested in serving in these critical positions is encouraged to visit the 988 jobs web page.

All best,

White House Office of Public Engagement

STAY IN THE KNOW

Share and amplify our community updates by encouraging your networks to sign up to receive this newsletter using the following link.

http://eepurl.com/hIdkdf

PRIVACY POLICY | UNSUBSCRIBE

SUBJECT: Covid Vax info request
FROM: Laura Munson <lauramunsonrn@gmail.com>
TO: hborski@utah.gov
DATE: 01/07/2022 18:41

Dear Heather Borski;

My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also been asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.

Does Utah have detailed data on adverse events happening locally? How often is the data on events and trends updated? Where can I find a detailed and updated consent form? Does the Health Department have a training program for medical professionals where they learn how to handle expected adverse events and get patients the help they need? How is the Health Department monitoring informed consent? What honest information regarding the pros and cons of these shots are being provided to the public as has been done with other pharmaceutical products?

Thank you for your time and attention to this matter.

Sincerely,

[redacted]

[redacted]
Laura Munson RN

Reply Forward

SUBJECT: Morning Consult Health Presented by Better Medicare Alliance:What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 03/07/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 3, 2022

BY GABY GALVIN

Twitter Email

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short questions about your experience with Morning Consult's news and analysis: Take the survey now.

Good morning all, and welcome back. We hope you're enjoying the holiday weekend — we'll be off tomorrow and back in your inboxes Tuesday. For our weekly quiz: What share of women voters approve of the Supreme Court's decision to strike down Roe v. Wade?

A: 21%
B: 33%
C: 46%
D: 59%
E: 63%

Check out the answer at the bottom of today's newsletter.

What's Ahead

The calendar is light this week with both the House and Senate out of town for the July 4 recess, but the health policy train moves on. Democrats are looking to resurrect a pared-back version of their social spending package in the coming weeks, after party leaders finalized a deal on drug pricing reform following private discussions between Senate Majority Leader Chuck Schumer (D-N.Y.) and Sen. Joe Manchin (D-W.Va.). Keep an eye on Sen. Kyrsten Sinema (D-Ariz.), who played a key role in scaling back her party's Medicare drug negotiation proposal last fall.

[redacted]

Abortion will continue to dominate headlines this week, as states navigate new restrictions and providers file lawsuits to block them. After a flurry of executive measures that address abortion access along the margins, President Joe Biden's call for the Senate to change its filibuster rules in order to enshrine abortion rights into federal law puts pressure back on Democratic lawmakers, given the chances that the divided Senate could pass such a bill are all but zero.

Washington Post Live will host a discussion on Black maternal mortality with filmmaker Tonya Lewis Lee at 2 p.m. Wednesday. Lee's new documentary, "Aftershock," follows the aftermath of the deaths of two Black women in childbirth. Keep in mind: Maternal deaths jumped during the pandemic, particularly among Hispanic and Black women, who are already more likely than white women to die or suffer a near-miss around pregnancy.

Events Calendar

View Full Calendar

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More Seniors Are Choosing Medicare Advantage - See Enrollment Data in Your Community

With average annual savings of nearly $2,000 for consumers, lower per-beneficiary government spending, and a 94% beneficiary satisfaction rate, Medicare Advantage is now the leading choice of Medicare coverage for seniors in more than 120 Congressional districts nationwide. What's more, 31 states have MA enrollment rates of more than 40%. Medicare Advantage is working for more than 28 million Americans. Let's protect this bipartisan healthcare success story.

Week in Review

Abortion: Health and Human Services Secretary Xavier Becerra cautioned that there is "no magic bullet" to preserve abortion access after the fall of Roe v. Wade. The Biden administration is taking a number of steps, including ensuring federal health insurance programs cover medication abortion in certain cases and shoring up medical privacy

guidelines for abortion seekers. Meanwhile, Becerra and Labor Secretary Marty Walsh met with major health insurers to ensure they comply with federal rules to offer contraceptives without co-pays. Biden said the U.S. government would protect women who cross state lines to seek abortion care and ensure medication abortion approved by the Food and Drug Administration is accessible across the country.

COVID-19 vaccines: Vaccine manufacturers are poised to update their COVID-19 shots for a fall booster campaign, after the FDA said that omicron-specific vaccines should be made available. Pfizer Inc. and BioNTech SE said their modified COVID-19 booster shot offered strong protection, and the Biden administration said it will buy another 105 million doses of the vaccine for the booster push, with funding for the $3.2 billion deal coming from earlier pandemic relief packages amid congressional gridlock over more aid.

Monkeypox: The Biden administration launched its monkeypox vaccination plan amid the international outbreak, saying it will make 296,000 doses of a monkeypox shot available to eligible Americans. In the coming months, a combined 1.6 million additional doses will be made available.

STAT OF THE WEEK

65%

The share of voters who said they're in favor of federal bans on tobacco-flavored vaping products, after the FDA ordered Juul Labs Inc. to take its products off the U.S. market.

THE MOST READ STORIES THIS WEEK

1) Government Watchdogs Attack Medicare Advantage for Denying Care and Overcharging
Fred Schulte, Kaiser Health News

2) After Slow Start, States Are Flush With COVID-19 Antiviral Pills. But Federal Data Shows Some Are Slow to Give Them Out
Gaby Galvin, Morning Consult

3) His-and-Hers Cataract Surgeries, But His Bill Was 20 Times as Much
Angela Hart, Kaiser Health News

4) CMS rolls out new payment model on improving cancer treatments
Robert King, Fierce Healthcare

5) How the Supreme Court abortion ruling changes health care
Sarah Owermohle and Krista Mahr, Politico

6) Democrats forge ahead on drug pricing, eyeing wider deal with Manchin
Tony Romm, The Washington Post

7) Biden must take stronger action on abortion, Senate Democrats say
Sarah McCammon, NPR News

8) Employers Hope FTC Probe of Pharmacy Benefits Eases Drug Prices
Sarah Hansard, Bloomberg Law

9) Top Biden officials press insurers on contraceptive coverage
Sarah Owermohle, Politico

10) 100 lawmakers ask HHS to use controversial federal laws to combat high drug prices
Ed Silverman, Stat News

OTHER HEALTH NEWS

- Biden signs law requiring more VA transparency on EHR rollout costs (Healthcare Dive)
- Supreme Court lets vaccine mandate stand without religious exemption (The Washington Post)
- Supreme Court rules that doctors need to knowingly misprescribe opioids for it to be a crime (Stat News)
- House Democrats Renew Bid to Expand Federal Abortion Funding (Bloomberg)
- Walgreens Shifts Into Recession Mode as Covid Boom Fades (The Wall Street Journal)
- California Approves $1.3 Billion in Health-Care Worker Stipends (Bloomberg Law)
- Oklahoma reaches $250 mln opioid settlement with drug distributors (Reuters)
- Nursing Homes Face Tougher Inspections, Infection Controls (Bloomberg Law)

The answer to this week's quiz is **B:** 33% of women voters — and 40% of voters overall — approve of the Supreme Court's decision to overturn the landmark abortion rights ruling. Read more here: Half of Voters Disapprove of Supreme Court Ruling to Overturn Roe v. Wade

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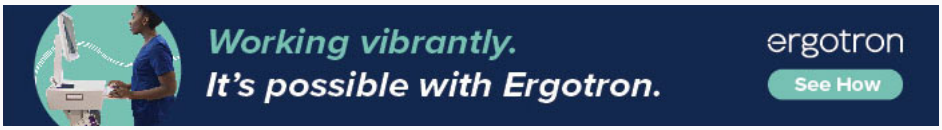
This email was sent to: hborski@utah.gov by: Morning Consult
1025 F Street NW, Suite 800, Washington, DC 20004
Update Email Preferences | Unsubscribe From All

SUBJECT: 26 exec moves | The hospital with greatest COVID strain in 19cities | 15 best, worst states for retirement | Hospitals grapple withlegal questions in end of Roe | 15 CEO + CFO job opportunities
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 03/07/2022 08:16

July 3, 2022

BECKER'S HOSPITAL REVIEW

Virtual Events • Webinars • Whitepapers • OnDemand Learning • Podcasts



1. 26 recent hospital, health system executive moves **Full story**
2. The hospital with the greatest COVID-19 burden in 19 cities **Full story**
3. The 15 best, worst states for retirement in 2022 **Full story**
4. The tumultuous events of the past few years have increased pressure on hospitals and health systems, and irrevocably impacted how they operate. Read more about AI's role in achieving healthcare ROI.
5. HCA hospitals make 16 leadership changes **Full story**
6. 10 hospitals seeking CFOs **Full story**
7. Don't overlook providers' schedules in your efforts to combat burnout. Here's the innovative approach Ochsner Health is taking.
8. Hospitals in less competitive regions have higher price transparency compliance: JAMA **Full story**
9. 10 most active private equity firms in healthcare **Full story**
10. 'There are billions of dollars being wasted': What CIOs think of digital health startups **Full story**
11. Curious about AI's place in cardiology? Demystify AI and learn how to make it part of your digital strategy.
12. 5 hospitals seeking CEOs **Full story**
13. 13 supply chain leaders on priorities for the rest of 2022 **Full story**
14. After Supreme Court abortion decision, hospitals grapple with uncertain legal landscape **Full story**

Becker's Learning Opportunities

1. Balancing healthcare's digital and physical realms may not be as difficult as it seems. Click here to find the best practices for navigating both domains.
2. Is your organization meeting evolving marketing and user engagement needs? Learn how a CDP helps health marketers individualize their

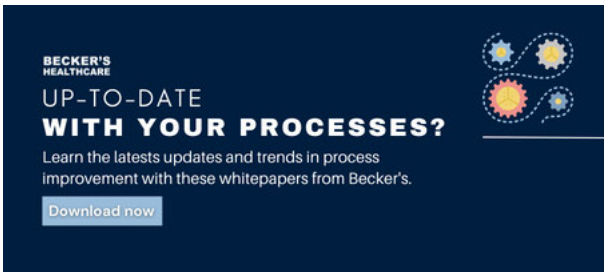
Becker's Whitepapers

Analyzing laboratory ordering to manage misutilization and reduce unnecessary spend

outreach strategies.
3. 40% of Americans live in regions with limited access to mental health professionals. Here is a step-by-step map of a better behavioral healthcare journey for all.

Using AI to fill patient medication history in Epic

Endoscopic infection control: A new way to avoid device-related infection



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Becker's Hospital Review, A Becker's Healthcare Publication

SUBJECT: Re: Spreadsheet shared with you: "State Resources for Mothers and Families"
FROM: Sarah Welliver DHS <swelliver@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>
CC: Marc Watterson <mwatterson@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Paul Ray DHS <pray@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Heather Borski <hborski@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 03/07/2022 08:20

Is this meant to be a complete list of available resources for pregnant individuals or parents with newborns? Families with children of any age?

There are definitely resources missing, but I'm not sure what the goal of this document is. I know Marc you mentioned wanting to share this with legislators and constituents.

DCFS worked with 211 Utah to create a website with parent resources, including crisis nurseries, respite care, etc. https://uw.org/211/family-strengthening/

Was this a legislative request? I want to be able to efficiently support you all on Tuesday, especially with the deadline. Any clarity will help me put something together, and loop in DCFS if needed for assistance. Thank you!

Sarah

On Sun, Jul 3, 2022 at 8:12 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Marc -

Sorry for the weekend e-mail, but I thought I better e-mail since your goal is to complete this document by COB Tuesday.

One program I did not see listed is the Newborn Safe Haven Program. This program is currently run out of PAE. DCFS plays a significant role once a parent leaves a newborn at a hospital (or other designated location).

Do we want to add this program to the resource list?

[Heather - are you aware of any programs with the Division of Population Health that may need to be included here? I am not sure if Janae has already reviewed this document, but thought I would start by asking you]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 5:45 PM Marc Watterson <mwatterson@utah.gov> wrote:

> Thanks Tracy. We'll make sure this is ready to send out by COB on Tuesday.
>
> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> Utah Department of Health & Human Services
> Legislative Affairs
>
> ********** IMPORTANT MESSAGE **********
> This message, including any attachments, may contain confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, delete this message, including from trash, and notify me by telephone or email.
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> If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.

On Fri, Jul 1, 2022 at 2:20 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

> Thank you!
>
> I would like to get this formatted since we will be sending it to all lawmakers.
>
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of Health & Human Services

[redacted]

On Wed, Jun 29, 2022 at 4:27 PM Marc Watterson <mwatterson@utah.gov> wrote:

It sounds like staff now have this information updated.

Do you want us to work with Comms to get this formatted in a way that would make it easier to share with legislators (and for them to share with their constituents)?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Fri, Jun 24, 2022 at 8:53 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you Paul!

Please make sure to get this document populated as soon as possible. Thank you!

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of
Health & Human
Services

On Fri, Jun 24, 2022 at 11:29 AM Paul Ray DHS (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

[redacted]

Paul Ray DHS shared a spreadsheet

Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

Google Workspace

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--
Sarah Welliver
Public Information Officer
C: 801.520.2777
swelliver@utah.gov
hs.utah.gov

Utah Department of
Health & Human Services
Public Affairs & Education

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FROM: Tracy Gruber DHHS <tracygruber@utah.gov>
TO: Sarah Welliver DHS <swelliver@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Paul Ray DHS <pray@utah.gov>, Amanda Slater DHS

<aslater@utah.gov>, Heather Borski <hborski@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 04/07/2022 06:12

This was the legislative request and yes, it should be as comprehensive as possible. I told Rep. Peterson we would have it for her early this week. She made the request on June 23 so this should be ready to be send soon. Thank you!

Tracy,

The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also have observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.

Thank you, we appreciate your help.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Sun, Jul 3, 2022 at 8:21 AM Sarah Welliver DHS <swelliver@utah.gov> wrote:

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David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

[redacted]

Utah Department of Health & Human Services

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Marc B. Watterson
Director
Office of Legislative Affairs
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mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jul 1, 2022 at 2:20 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you!

I would like to get this formatted since we will be sending it to all lawmakers.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Jun 29, 2022 at 4:27 PM Marc Watterson <mwatterson@utah.gov> wrote:

It sounds like staff now have this information updated.

Do you want us to work with Comms to get this formatted in a way that would make it easier to share with legislators (and for them to share with their constituents)?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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[redacted]

On Fri, Jun 24, 2022 at 8:53 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you Paul!

Please make sure to get this document populated as soon as possible. Thank you!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Jun 24, 2022 at 11:29 AM Paul Ray DHS (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

Paul Ray DHS shared a spreadsheet

Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

Google Workspace

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[redacted]

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--
Sarah Welliver
Public Information Officer
C: 801.520.2777
swelliver@utah.gov
hs.utah.gov

Utah Department of
Health & Human Services
Public Affairs & Education

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SUBJECT: Fwd: Covid vax question
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Melissa Stevens Dimond <melissastevens@utah.gov>, Janae Duncan <janaeduncan@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS <tracygruber@utah.gov>, Donovan Bergstrom DHS <dbergst@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 04/07/2022 18:16

Another line of questions on vaccines that probably would be best for Dr. Nolen

On Fri, Jul 1, 2022 at 6:37 PM Laura Munson <lauramunsonrn@gmail.com> wrote:
Dear Nate Checketts;

My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also been asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.

Does Utah have detailed data on adverse events happening locally? How often is the data on events and trends updated? Where can I find a detailed and updated consent form? Does the Health Department have a training program for medical professionals where they learn how to handle expected adverse events and get patients the help they need? How is the Health Department monitoring informed consent? What honest information regarding the pros and cons of these shots are being provided to the public as has been done with other pharmaceutical products?

Thank you for your time and attention to this matter.

Sincerely,
Laura Munson RN

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SUBJECT: Re: Covid vax question
FROM: Melissa Stevens Dimond <melissastevens@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
CC: Janae Duncan <janaeduncan@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS <tracygruber@utah.gov>, Donovan Bergstrom DHS

<dbergst@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 04/07/2022 19:08

Thanks, Nate; I received the same email from Ms Munson Fri night and was planning to follow-up tomorrow; I think it is wise to have a consistent message. I agree Dr. Nolen would be well-suited to reply. I can follow-up with her on the two you received tomorrow, unless a different approach is recommended.

I think it would be a good idea to build a FAQ/retain an inventory of responses for reference, perhaps, in case we continue receiving these inquiries, and to ensure the Immunizations Program is aware-they may be receiving/responding as well; I will forward them on tomorrow to Rich and Cindy and let them know we are asking Dr. Nolen to reply.

Thank you and hope everyone has had a nice weekend,
Melissa

Sent from my iPhone

> On Jul 4, 2022, at 6:16 PM, Nate Checketts <natechecketts@utah.gov> wrote:
>
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>
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TO: Melissa Stevens Dimond <melissastevens@utah.gov>
CC: Janae Duncan <janaeduncan@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS <tracygruber@utah.gov>, Donovan Bergstrom DHS <dbergst@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 04/07/2022 20:55

I agree that an FAQ bank of questions and responses is a good idea. I am guessing we will get other similar requests.

[redacted]

Thanks,

Nate

On Mon, Jul 4, 2022 at 7:08 PM Melissa Stevens Dimond <melissastevens@utah.gov> wrote:

Thanks, Nate; I received the same email from Ms Munson Fri night and was planning to follow-up tomorrow; I think it is wise to have a consistent message. I agree Dr. Nolen would be well-suited to reply. I can follow-up with her on the two you received tomorrow, unless a different approach is recommended.

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SUBJECT: Supreme Court Snapshot: Everything You Need To Know
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 05/07/2022 04:26

LAW360 Appellate Report

Tuesday, July 5, 2022

Follow

THE BIG PICTURE

The Firms That Won Big At The Supreme Court

Oral arguments at the U.S. Supreme Court are always a singular experience, the more so this term as the justices returned to hearing cases in person after being remote last term.

Breaking Down The Vote: The High Court Term In Review

The overturning of a long-standing precedent, the surprising leak of a draft opinion and the announcement of Justice Stephen Breyer's retirement all made for a tumultuous term at the U.S. Supreme Court. Here, Law360 takes a data dive into the numbers behind this court term.

Supreme Court Embraces Originalism In 'Momentous' Term

The October 2021 Supreme Court term will be remembered as the most consequential one in generations, experts said, pointing to sweeping rulings affecting the rights of millions of Americans and establishing a new conservative vision of constitutional law.

The Sharpest Dissents From The Supreme Court Term

Most of this term's U.S. Supreme Court dissents came from its left-leaning justices, who accused the conservative majority of voting politically, flouting decades of precedent and harming the legitimacy of the court itself.

The Chattiest Justice Of The Term Is ...

While little felt “normal” at the U.S. Supreme Court, the justices were largely back to their pre-pandemic habits when it came to speaking up from the bench, with one justice again standing out as the court's chattiest member this term.

The Funniest Moments Of The Supreme Court Term

LAW FIRMS
Arnold & Porter
Benesch
Kellogg Hansen
Kirkland & Ellis
Latham & Watkins
Wachtell, Lipton, Rosen & Katz
Orrick Herrington
Paul Weiss
Sidley Austin
Skadden, Arps, Slate, Meagher & Flom
Williams & Connolly
WilmerHale

COMPANIES
Apple Inc.
Barclays Bank International
Google LLC
H&M Hennes & Mauritz AB
Harvard University
National Association for the Advancement of Colored People
National Federation of Independent Business
New York University
Planned Parenthood Federation
Spotify Technology SA
Union Pacific Corp.
University of Virginia
Viking Cruises Inc.

GOVERNMENT AGENCIES
Bureau of Citizenship and Immigration Services
Federal Bureau of Investigation
Internal Revenue Service
Occupational Safety and Health Administration
U.S. Department of Labor
U.S. Environmental Protection Agency
U.S. Supreme Court
U.S. Tax Court
Ysleta del Sur Pueblo

While considering weighty issues, the U.S. Supreme Court justices still found moments of levity during oral arguments, ribbing one another and Justice Stephen Breyer as he floated ever more fantastical hypotheticals during his final term on the bench.

PODCAST

Pro Say & The Term Discuss A Historic Supreme Court Term

A U.S. Supreme Court term that by any measure was historic has concluded, and it takes a village of podcasters to untangle everything that happened. So this week, hosts from Pro Say team up with the hosts of The Term to discuss this momentous term.

EXPERT ANALYSIS

Why I'll Miss Arguing Before Justice Breyer

Carter Phillips at Sidley shares some of his fondest memories of retiring Justice Stephen Breyer both inside and out of the courtroom, and explains why he thinks the justice's multipronged questions during U.S. Supreme Court oral arguments were everything an advocate could ask for.

Justices Must Apply Law Evenly In Shadow Docket Rulings

In recent shadow docket decisions, the U.S. Supreme Court has inconsistently applied the requirement that parties demonstrate irreparable harm to obtain injunctive relief, which is problematic for two separate but related reasons, says David Hopkins at Benesch.

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SUBJECT: Morning Consult Health: Federal Judge Rules in Favor of DrugDistributors in West Virginia Opioid Case
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 05/07/2022 06:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 5, 2022

BY GABY GALVIN

Twitter Email

Novavax Shot Unlikely to Sway Unvaccinated Americans

Novavax Inc. says its protein-based COVID-19 shot, which is awaiting authorization from federal regulators, could be a good option for people who skipped the mRNA vaccines from Pfizer Inc.-BioNTech SE and Moderna Inc. But a new Morning Consult survey indicates unvaccinated Americans aren't too keen on the idea.

Public health experts said the Novavax vaccine's greatest promise may instead be with vaccinated people who are eyeing booster shots — if the biotech can make its shot widely available by the fall. Read more here.

Top Stories

- A federal judge dismissed claims that drug distributors AmerisourceBergen Corp., Cardinal Health Inc. and McKesson Corp. caused a public nuisance by shipping millions of opioid painkillers to a West Virginia community that was hit hard by the addiction crisis, siding with the companies over Cabell County and its seat, Huntington. The judge said their lawyers did not prove the distributors' conduct was unreasonable, following mixed results in other states on public nuisance claims during the opioid epidemic. (The Washington Post)

- Health and Human Services Secretary Xavier Becerra said President Joe Biden has asked the agency to pursue "as aggressive a strategy as we can" to protect abortion access after the fall of Roe v. Wade, though he told NBC News that the administration will "respect the law" and that the Supreme Court's decision will be "tough to overcome." He urged Congress to codify federal abortion rights as the most effective strategy. (Politico)

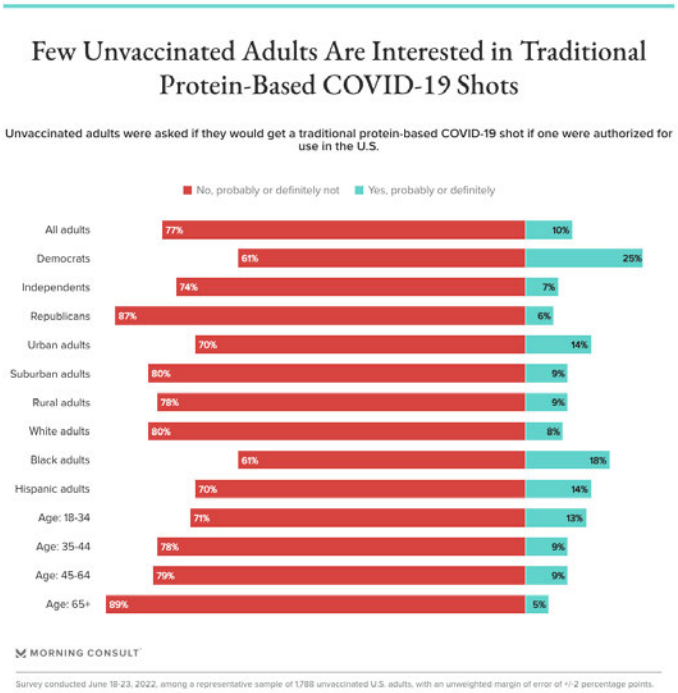
- Drugmaker Sanofi SA said it will make 30 of its treatments available at not-for-profit prices in 40 lower-income countries, primarily in Africa, and offer $25 million in local funding in a bid to expand its global reach. The drugs are on the World Health Organization's essential medicines list, including insulin and treatments for cancer, hypertension, malaria and tuberculosis. (Reuters)

- AstraZeneca PLC said it will buy the biotech TeneoTwo Inc. for up to $1.3 billion, mostly in milestone payments. AstraZeneca has been looking to expand its cancer treatment offerings, and the deal will bring a promising experimental drug for lymphomas under its purview. (Bloomberg Law)

Chart Review

Novavax's Traditional Vaccine for COVID-19 Could Hit the U.S. Soon. Most Unvaccinated Adults Wouldn't Be Swayed

Morning Consult



Events Calendar (All Times Local)

View Full Calendar

A MESSAGE FROM MORNING CONSULT

Webinar - Most Trusted Brands 2022

With a recession looming, brand trust is more important now than ever before. Good value is crucial to building trust, but how can brands build trust? And what are the top trusted brands today? Discover the answer to these questions and more in Morning Consult's upcoming Most Trusted Brands 2022 webinar. Join us on Tuesday, July 19 at 1 PM ET.

What Else You Need to Know

CORONAVIRUS

Updated Covid Shots Are Coming. Will They Be Too Late?
Benjamin Mueller, The New York Times
The government has greenlit new vaccines to defend against the latest Omicron variants. But the shots won't arrive until the fall, and cases are rising now.

How Pfizer Won the Pandemic, Reaping Outsize Profit and Influence
Arthur Allen, Kaiser Health News
The grinding two-plus years of the pandemic have yielded outsize benefits for one company — Pfizer — making it both highly influential and hugely profitable as covid-19 continues to infect tens of thousands of people and kill hundreds each day.

GSK's New Vaccine Hire Looks Beyond Covid in Quest for Next Hit
James Paton, Bloomberg
GSK Plc is planning to launch a Covid shot that comes almost two years after Pfizer Inc. took the world by storm.

Covid vaccines: how can immune imprinting help experts to rethink jabs?
Clive Cookson et al., Financial Times
A surge in Covid-19 hospital admissions driven by the BA.5 subvariant of Omicron, accompanied by the inability of vaccines to prevent reinfection, has prompted health policymakers to rethink their approach to boosters.

Reduced testing and reporting in the U.S. are blurring the real-time look at the pandemic.
Adeel Hassan and Sarah Cahalan, The New York Times
At a glance, the pandemic picture in the United States may seem remarkably stable. A closer look shows that as public testing sites run by state and local governments have winnowed, more states have also stopped giving daily data updates, creating a foggier look at the state of virus across the country.

For now, wary US treads water with transformed COVID-19
Carla K. Johnson, The Associated Press
The fast-changing coronavirus has kicked off summer in the U.S. with lots of infections but relatively few deaths compared to its prior incarnations.

GENERAL

Listeria Outbreak Is Linked to Ice Cream, C.D.C. Says
Christine Chung, The New York Times
Big Olaf Ice Cream products, which are made in Florida, have sickened people across 10 states, the federal authorities said.

'The tide is coming back': Bracing for a new global health fight
Erin Banco, Politico
For USAID's Atul Gawande, the challenge is helping vulnerable populations while the world battles multiple crises at once.

Oxford University Takes Aim at Future Pandemic Threats
James Paton, Bloomberg

The University of Oxford, one of the first to cross the finish line with a Covid-19 vaccine, is shifting its focus to health threats that could trigger the next pandemic.

Losing a pregnancy could land you in jail in post-Roe America
Robert Baldwin III, NPR News
Advocates, again, warn that pregnant people will be prosecuted for pregnancy loss — including miscarriages and stillbirths.

Mississippi's governor: Full speed ahead with new abortion restrictions
David Cohen, Politico
"This entire court battle was never about winning a court case," Gov. Tate Reeves said.

Health experts see rise in maternal mortality post-Roe
Oriana Gonzalez, Axios
The six states with the highest maternal mortality rates in the nation each quickly banned abortion following the decision to overturn Roe v. Wade, fueling concerns about more children being born in areas with poor health outcomes and with fewer safety net programs for mothers and children.

Crowdsourced Data on Overdoses Pinpoints Where to Help
Renuka Rayasam, Kaiser Health News
The University of Texas project, known as TxCOPE, is one attempt to solve a problem exasperating officials nationwide who are trying to lower the record number of drug deaths: getting an instant, accurate picture of both nonfatal and fatal drug overdoses.

PAYERS

How companies offering to cover travel for out-of-state abortions might work
Scott Neuman, NPR News
On the heels of the Supreme Court's decision to overturn Roe v. Wade, several big-name companies such as Microsoft, Nike and Tesla have announced that they plan to assist employees who live in places where abortion is restricted to travel out-of-state to undergo the procedure.

House lawmakers to CMS: Expand dental coverage in Medicare now
Robert King, Fierce Healthcare
More than 100 House lawmakers say the Centers for Medicare & Medicaid Services (CMS) has the power now to expand dental coverage.

PROVIDERS

'A scary time': Fear of prosecution forces doctors to choose between protecting themselves or their patients
Olivia Goldhill, Stat News
In the days after the U.S. Supreme Court overturned Roe v. Wade, Missouri was one of several states that rushed to pass legislation that bans physicians from terminating a pregnancy unless the mother's life is in immediate danger.

Where the Risks of Pregnancy Meet Abortion Laws and Health Care

Amanda Taub, The New York Times
Even before the wave of abortion bans, medical treatment and advice for pregnancy has largely focused on fetal safety over the mother's.

Abortion Havens Short on Spanish Speakers Scramble to Prepare
Ayanna Alexander, Bloomberg Law
Abortion providers in states billing themselves as safe havens are grappling with how best to serve an influx of clients who may not speak fluent English, given the limited resources available.

With therapists in short supply, group counseling offers alternative
Juli Fraga, The Washington Post
If it seems like a good fit, try a few sessions. Pay attention to how the interactions between the clinician and the other group members feel.

At last, medical guidelines address care for adults with Down syndrome
Erin Blakemore, The Washington Post
Now, a guide for families and caretakers breaks down a new set of advice on caring for the medical needs of adults with the chromosomal abnormality.

PHARMA, BIOTECH AND DEVICES

New Dementia Prevention Method May Be Behavioral, Not Prescribed
Paula Span, The New York Times
As experimental drugs prove ineffective against increasing dementia cases in the U.S., researchers argue that improving eyesight can have an effect.

Anebulo Pharma says study supports development of its pill as an antidote for cannabis intoxication
Adam Feuerstein, Stat News
Anebulo Pharmaceuticals said Tuesday that a single dose of its experimental pill blunted the effects of THC, the psychoactive ingredient in marijuana, supporting further development of the medicine as a potential antidote for cannabis intoxication.

A Clunky Mask May Be the Answer to Airborne Disease and N95 Waste
Andrew Jacobs, The New York Times
Experts say the U.S. government has unintentionally encouraged a dependency on imported masks by failing to promote elastomeric respirators, a reusable mask that is domestically produced.

HEALTH TECHNOLOGY

Health Insurers Have the Data. Will Patients Listen?
Isabelle Bousquette, The Wall Street Journal
Health insurers are betting big on artificial intelligence and data analytics that scan medical records and then alert members on how to improve their health. The challenge: It's difficult to get people to listen.

The Q3 health tech tracker: 11 key industry events and debates to watch
Mohana Ravindranath and Katie Palmer, Stat News
It's been a humbling first half of the year for health tech companies.

Google to erase more location info as abortion bans expand
The Associated Press
Google will automatically purge information about users who visit abortion clinics or other places that could trigger legal problems now that the U.S. Supreme Court has opened the door for states to ban the termination of pregnancies.

Health tech companies are scrambling to close data privacy gaps after abortion ruling
Katie Palmer and Casey Ross, Stat News
In the wake of the Supreme Court decision to overturn Roe v. Wade, reproductive health data in medical records is vulnerable to legal requests in states that have criminalized abortion, or will soon. But there are even fewer protections in place for the digital footprints left outside the doctor's office — and health tech companies are grappling with what to do about it.

OPINIONS, EDITORIALS AND PERSPECTIVES

Congress Can't 'Codify Roe v. Wade'
Thomas J. Molony, The Wall Street Journal
The Constitution gives it no authority to overrule state abortion restrictions.

RESEARCH REPORTS

Expanding Capacity for Vaccines Against Covid-19 and Future Pandemics: A Review of Economic Issues
Susan Athey et al., National Bureau of Economic Research
Rapidly vaccinating a large share of the global population helps avoid economic, mortality, and social losses, which in the case of Covid-19 mounted into trillions of dollars.

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SUBJECT: Employee response to DHHS email regarding supreme court decision
FROM: Diane Moore DHS <dmoore@utah.gov>
TO: Joe Dougherty DHS <joedougherty@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS

<tracygruber@utah.gov>, Monica Jimenez <mjimenez@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Sarah Welliver DHS <swelliver@utah.gov>
DATE: 05/07/2022 07:56

Greetings,

I hope everyone had a nice holiday weekend, and I am still out on personal vacation, but wanted to lift an issue to our EDO group (including legal, communications and human resources) regarding some employee responses to our formal DHHS statement on the Roe v Wade decision.

We at DHHS/DCFS often live in the crosshairs of controversial and sensitive subject matter. Our staff run the entire spectrum on social issues regarding their personal belief system. Our staff generally understand and we constantly remind them that they cannot engage in political activity using state time or devices, and that whatever they do in their personal time needs to be clear that they don't represent DCFS/DHHS/State of Utah. These parameters have generally been followed and understood.

However, some have perceived that the DHHS communication took things a bit further and moved from restrictions on political, leadership endorsement, or public activity on this topic to include any conversation at all. This may not be realistic in a workforce where connections and friendships are not only existing, but encouraged. As a result, I already have one of my top performing state office administrators informing me that as soon as they find another job, they will be leaving DCFS solely due to this DHHS communication. They don't want to leave the work and were in tears when this was discussed with me, but they felt that DHHS was no longer a psychologically safe place where they are valued or understood based on the DHHS Roe vs. Wade email. They even expressed they felt the ethics they must follow as a social worker was violated by the heavy handed language. They perceived the email as an outright ban on any mention of this ruling even with close work colleagues, including using telephone, text, chat, etc., and that this was simply too much and represented a significant shift from previous policies in its span and tone. They expressed that this was unique only to DHHS, was dehumanizing and made it a place where they cannot in good conscience continue to work. This staff member then provided two other, neutral statements from other state organizations that they had no problem with as examples of how DHHS could have handled it. They expressed that these other statements also understood and respected the Governor's position and the official position, but were done with a pragmatism and a humanity that they wished also existed at DHHS considering that we are literally about health and human services. What they heard was an explicit-- don't talk about it all with anyone at work in any way. This shutting down of connection and informal dialogue was seen as a blow to the work environment and even free speech.

Here are the three statements provided to me by this employee side by side:
[redacted]

I share this with you because I don't believe the state's position has actually changed, but some think it has based on this formal DHHS communication. I have staff who feel like they even mention it to a friend in a breakroom that they will be jeopardizing their job---even if in no position of authority, not public, not representing the state, etc. This adds a pressure to an already hot situation, and an already hot environment of turnover and overwhelm at DCFS---without potentially partnering the message with sufficient empathy, understanding, access to EAP resources, etc.

I know this is a very delicate nexus of some very complex things, but felt like I should share this with you for further consideration of these perceptions moving forward. We are all just trying so hard to retain people, and so hard to create an environment of psychological safety, that these perceptions are damaging to our work culture even if unintended. We will likely lose this one employee, and many others are grumbling about such an environment. This email struck a chord with staff negatively, regardless of where people felt on the actual topic. How can we create healthy space for employees to feel safe no matter where they are on the spectrum of this or a myriad of other issues? I believe the Governor would empathetically acknowledge and allow people that space as long as they didn't cross certain clear lines. But what people heard was don't say anything about this at all even in the most informal of ways with anyone related to the workplace. We need to provide them better tools and support than this communication did if we want them to feel safe and valued and whole with us.

Thanks for listening. Please let me know if I can be of any assistance. My desire is to support the Governor, support EDO, and support our staff. My only hope is that such feedback helps us all improve as we navigate this very complex work.

Best,
Diane

--
Diane Moore
Division Director
She/Her
C: 801.755.7302
dmoore@utah.gov
dcfs.utah.gov

Utah Department of
Health & Human Services
Child & Family Services

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[redacted]

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SUBJECT: Re: Covid vax question
FROM: Donovan Bergstrom DHS <dbergst@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
CC: Melissa Stevens Dimond <melissastevens@utah.gov>, Janae Duncan <janaeduncan@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Nate Winters <natewinters@utah.gov>
DATE: 05/07/2022 08:32

Nate,

I agree we need to be consistent and have a centralized file for constituent requests/concerns and the DHHS response. I will work on establishing a shared drive specific for "Constituent Affairs."

Donovan

On Mon, Jul 4, 2022 at 8:55 PM Nate Checketts <natechecketts@utah.gov> wrote:
I agree that an FAQ bank of questions and responses is a good idea. I am guessing we will get other similar requests.

Thanks,

Nate

On Mon, Jul 4, 2022 at 7:08 PM Melissa Stevens Dimond <melissastevens@utah.gov> wrote:
Thanks, Nate; I received the same email from Ms Munson Fri night and was planning to follow-up tomorrow; I think it is wise to have a consistent message. I agree Dr. Nolen would be well-suited to reply. I can follow-up with her on the two you received tomorrow, unless a different approach is recommended.

I think it would be a good idea to build a FAQ/retain an inventory of responses for reference, perhaps, in case we continue receiving these inquiries, and to ensure the Immunizations Program is aware-they may be receiving/responding as well; I will forward them on tomorrow to Rich and Cindy and let them know we are asking Dr. Nolen to reply.

Thank you and hope everyone has had a nice weekend,
Melissa

Sent from my iPhone

On Jul 4, 2022, at 6:16 PM, Nate Checketts <natechecketts@utah.gov> wrote:

Another line of questions on vaccines that probably would be best for Dr. Nolen

On Fri, Jul 1, 2022 at 6:37 PM Laura Munson <lauramunsonrn@gmail.com> wrote:
Dear Nate Checketts;

My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also been asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.

Does Utah have detailed data on adverse events happening locally? How often is the data on events and trends updated? Where can I find a detailed and updated consent form? Does the Health Department have a training program for medical professionals where they learn how to handle expected adverse events and get patients the help they need? How is the Health Department monitoring informed consent? What honest information regarding the pros and cons of these shots are being provided to the public as has been done with other pharmaceutical products?

Thank you for your time and attention to this matter.

Sincerely,
Laura Munson RN

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--

Donovan A. Bergstrom
Director, Division of Customer Experience
801.330.2699
dbergst@utah.gov
hs.utah.gov

Utah Department of Health & Human Services

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SUBJECT: PeaceHealth phases out travel nurses, grapples with shortage |NorthShore called 20 physicians in after parade shooting | A caveat ofpayers' current posted prices | 3 COVID forecasts for the week | CMS' newRural Emergency Hospital designation: 8 notes
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 05/07/2022 10:21

July 5, 2022

BECKER'S
HOSPITAL REVIEW

Virtual Events • Webinars • Whitepapers • OnDemand Learning • Podcasts

1. NorthShore University Health called in 20 physicians to treat July 4th parade shooting victims **Full story**

2. PeaceHealth cuts travel nurse budget, struggles with staff shortage **Full story**
3. Ransomware attack on finance company affects 600 hospitals, practices **Full story**
4. Persisting through tragedy isn't something anyone plans for their life. But, when Dr. Ilan Alhadeff tragically lost his daughter he knew he had to do just that. He became an advocate and change-maker in school safety to honor Alyssa's memory. Read his story here.
5. COVID-19 cases to jump 32% by July 16 + 2 more forecasts **Full story**
6. CMS' proposed rule for Rural Emergency Hospital designations: 8 things to know **Full story**
7. The patient care experience goes beyond the exam room. Learn from University of Michigan Health-West why patient engagement technology helps patients feel connected.
8. Cigna, Aetna among payers that will cover employees' abortion travel costs **Full story**
9. The caveat of payers' current posted prices **Full story**
10. New Hampshire system to join Beth Israel Lahey Health **Full story**
11. Building a Culture of Well-Being: A Physician & Nurse Discuss Approaches to Clinician Wellness
12. Emory Healthcare names Rashard Johnson CEO of 3 hospitals **Full story**
13. Northwell nurse to receive Presidential Medal of Freedom **Full story**
14. New tech shouldn't stress out staff, hospital CIOs say **Full story**
15. Stats by state:

- **COVID-19 hospitalization rates**
- **COVID-19 test positivity rates**
- **Percentage of population fully vaccinated**
- **COVID-19 death rates**
- **ICU utilization**
- **Staffing shortages**
- **Booster rates**
- **COVID-19 vaccination rates up/down**
- **COVID-19 cases trend**

Becker's Learning Opportunities

1. A 350-bed hospital can gain $22 million in annual revenue by focusing on financial performance rather than managing revenue cycle costs — here's how your health system can standardize RCM and focus on what's really important.
2. The cost of in-office procedures is rising. See how leading ENT practices are reining them in, while still expanding care here.
3. Let your RNs work at the top of their license. Learn how Ochsner Health + Saint Luke's benefited from virtual nursing.

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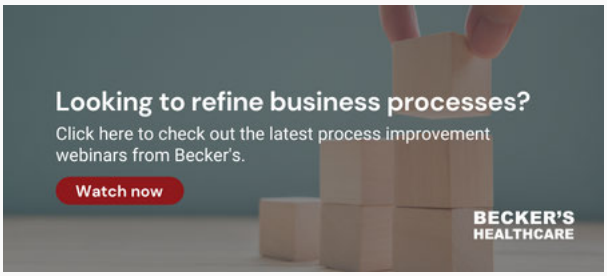

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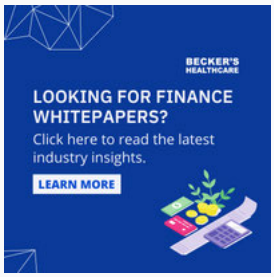

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Maternal Health In the U.S – A Mounting Crisis The Gap: Why We Should Care -- The opportunity and the imperative for hospitals and health systems 5 ways dental practices can better meet patients' communication needs

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Becker's Hospital Review, A Becker's Healthcare Publication

SUBJECT: Economic output is falling, but so is unemployment
FROM: "SmartBrief on Workforce" <workforce@smartbrief.com>
TO: hborski@utah.gov
DATE: 05/07/2022 11:16

Created for hborski@utah.gov | Director at UTAH Department of Health
Update Profile | Web Version

July 5, 2022

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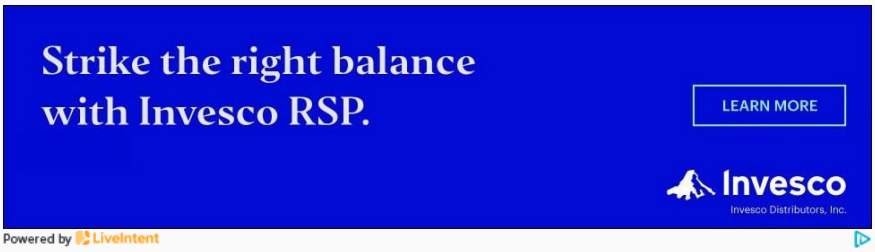

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TOP STORY

Moodsonic creates a nature-inspired sound for offices

Moodsonic spent two years developing nature-inspired "biophilic" soundscapes that can be used in offices, healthcare setting and schools. "The biophilic sounds give people a sense of mental and psychological well-being they are not able to find in other spaces," says Gale Moutrey of Steelcase, which tested the technology in its home office in Michigan.

Full Story: Installation (7/1)

Webinar: The Role of Technology in Restaurant Recruitment

Join SmartBrief on **July 21 2022, 2pm EDT** to explore how technology can help restaurant operators hire, support and retain employees. We'll cover the key drivers of the restaurant labor shortage, how restaurants can use technology tools to cast a wider net for potential employees and what employees are looking for from foodservice employers. **Register today!**

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RECRUITING & RETENTION

Economic output is falling, but so is unemployment

If the US is in or near a recession, it doesn't look like any other on record: Economic output is declining, but so is the unemployment rate. Demand for workers remains strong, and labor is scarce, with even pessimistic economists seeing only a modest job downturn in coming months. "We are going to have a very unusual conflict between the employment numbers and the output numbers for a while," Northwestern University economics professor Robert Gordon says. **Full Story:** The Wall Street Journal (7/4)

LEADERSHIP & DEVELOPMENT

Train your managers in order to keep your employees
Entrepreneur (6/28)

L.A. minimum wage increase goes into effect
Los Angeles Daily News (6/30)

How to talk to employees about abortion issues
PRWeek (6/30)

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- **Quick Reference Guide – Office 365 Essentials**

STRATEGIES FOR SUCCESS FROM TRAININGMAG.COM

How technology can democratize the workforce

Denise Leaser, president of GreatBizTools, explains how technology such as cognitive career fit tools are changing the workforce and workplace for the better. "[N]ew career-fit tools are leveling the playing field, stripping out age, gender, race, and biographical information so employers can focus on skills and potential," Leaser writes. **Full Story:** Training magazine (6/29)

BENEFITS & COMPENSATION

Millennials plan for vacation more than retirement

The majority of millennials dedicate more time to planning a vacation than planning for retirement, according to a Personal Capital survey, perhaps reflecting the fact they are young enough to embrace a "set it and forget it" savings strategy. Meanwhile, a survey by Fidelity Investments shows 45% of millennials and Generation Z see no value in retirement saving "until things return to normal." **Full Story:** Fortune (tiered subscription model) (7/1)

THE HR LEADER

4 things leaders can learn from virtual meetings

Seemingly endless months of remote meetings have demonstrated several lessons, including the value of being prepared as well as engaging everyone in discussion and giving participants breathing room when needed, writes Scott Cochrane. "You may find yourself in fewer Zoom meetings than before, but if you've been paying attention, the lessons from this season can enhance your leadership," Cochrane writes. **Full Story:** Scott Cochrane (7/1)

ABOUT THE EDITOR

Kanoe Namahoe

Preparation speaks volumes to the people we lead, as we see in today's HR Leader story. I've learned that the hard way. I've seen the looks of confusion, embarrassment or disappointment on faces when I've stumbled through something because I wasn't prepared. I discovered that you don't get multiple chances to earn people's trust. Sometimes you just get one.

I've kept that in my head. It convicts me and causes me to plan my day and time better. Leadership is a privilege. But I know I need to keep earning it daily by being prepared.

It's my mission daily.

How can I serve you better with this brief? Let me know! And if you enjoy this brief, tell others so they can benefit also.

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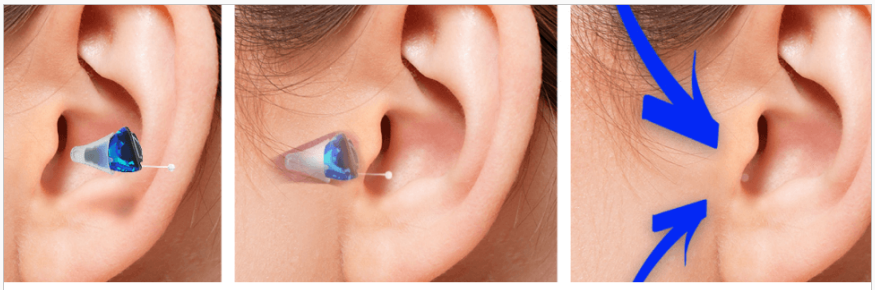
From the experience of the past, we derive instructive lessons for the future.

John Quincy Adams
statesman, diplomat, lawyer, sixth US president



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SUBJECT: Re: Spreadsheet shared with you: "State Resources for Mothers and Families"
FROM: Marc Watterson <mwatterson@utah.gov>
TO: Tracy Gruber DHHS <tracygruber@utah.gov>
CC: Sarah Welliver DHS <swelliver@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Paul Ray DHS <pray@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Heather Borski <hborski@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 05/07/2022 13:15

Here is the document we have put together so far to share with lawmakers. Please feel free to make any changes. We are working to plug in hyperlinks for each area.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Jul 4, 2022 at 6:13 AM Tracy Gruber DHHS <tracygruber@utah.gov> wrote:

> This was the legislative request and yes, it should be as comprehensive as possible. I told Rep. Peterson we would have it for her early this week. She made the request on June 23 so this should be ready to be send soon. Thank you!
>
> *Tracy,*
>
> *The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also have observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.*
>
> *Thank you, we appreciate your help.*
>
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

Utah Department of
Health & Human
Services

On Sun, Jul 3, 2022 at 8:21 AM Sarah Welliver DHS <swelliver@utah.gov> wrote:

Is this meant to be a complete list of available resources for pregnant individuals or parents with newborns? Families with children of any age?

There are definitely resources missing, but I'm not sure what the goal of this document is. I know Marc you mentioned wanting to share this with legislators and constituents.

DCFS worked with 211 Utah to create a website with parent resources, including crisis nurseries, respite care, etc. https://uw.org/211/family-strengthening/

Was this a legislative request? I want to be able to efficiently support you all on Tuesday, especially with the deadline. Any clarity will help me put something together, and loop in DCFS if needed for assistance. Thank you!

Sarah

On Sun, Jul 3, 2022 at 8:12 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Marc -

Sorry for the weekend e-mail, but I thought I better e-mail since your goal is to complete this document by COB Tuesday.

One program I did not see listed is the Newborn Safe Haven Program. This program is currently run out of PAE. DCFS plays a significant role once a parent leaves a newborn at a hospital (or other designated location).

Do we want to add this program to the resource list?

[Heather - are you aware of any programs with the Division of Population Health that may need to be included here? I am not sure if Janae has already reviewed this document, but thought I would start by asking you]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 5:45 PM Marc Watterson <mwatterson@utah.gov> wrote:

Thanks Tracy. We'll make sure this is ready to send out by COB on Tuesday.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jul 1, 2022 at 2:20 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

[redacted]

Thank you!

I would like to get this formatted since we will be sending it to all lawmakers.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Jun 29, 2022 at 4:27 PM Marc Watterson <mwatterson@utah.gov> wrote:

> It sounds like staff now have this information updated.
>
> Do you want us to work with Comms to get this formatted in a way that would make it easier to share with legislators (and for them to share with their constituents)?
>
> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> Utah Department of Health & Human Services
> Legislative Affairs
>
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>
> On Fri, Jun 24, 2022 at 8:53 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
>
> > Thank you Paul!
> >
> > Please make sure to get this document populated as soon as possible. Thank you!
> >
> > Tracy
> > **Tracy S. Gruber**
> > Executive Director
> > O: 435.772.6550
> > tracygruber@utah.gov
> >
> > Utah Department of Health & Human Services
> >
> > On Fri, Jun 24, 2022 at 11:29 AM Paul Ray DHS (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

[redacted]

Paul Ray DHS shared a spreadsheet

Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
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--
Sarah Welliver
Public Information Officer
C: 801.520.2777
swelliver@utah.gov
hs.utah.gov

Utah Department of
Health & Human Services
Public Affairs & Education

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SUBJECT: Re: Spreadsheet shared with you: "State Resources for Mothers and Families"
FROM: Marc Watterson <mwatterson@utah.gov>
TO: Tracy Gruber DHHS <tracygruber@utah.gov>
CC: Sarah Welliver DHS <swelliver@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Paul Ray DHS <pray@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Heather Borski <hborski@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 05/07/2022 13:15

Might help if I include a link:

[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
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On Tue, Jul 5, 2022 at 1:15 PM Marc Watterson <mwatterson@utah.gov> wrote:

Here is the document we have put together so far to share with lawmakers. Please feel free to make any changes. We are working to plug in hyperlinks for each area.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Jul 4, 2022 at 6:13 AM Tracy Gruber DHHS <tracygruber@utah.gov> wrote:

This was the legislative request and yes, it should be as comprehensive as possible. I told Rep. Peterson we would have it for her early this week. She made the request on June 23 so this should be ready to be send soon. Thank you!

Tracy,

[redacted]

The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also have observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.

Thank you, we appreciate your help.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Sun, Jul 3, 2022 at 8:21 AM Sarah Welliver DHS <swelliver@utah.gov> wrote:

Is this meant to be a complete list of available resources for pregnant individuals or parents with newborns? Families with children of any age?

There are definitely resources missing, but I'm not sure what the goal of this document is. I know Marc you mentioned wanting to share this with legislators and constituents.

DCFS worked with 211 Utah to create a website with parent resources, including crisis nurseries, respite care, etc. https://uw.org/211/family-strengthening/

Was this a legislative request? I want to be able to efficiently support you all on Tuesday, especially with the deadline. Any clarity will help me put something together, and loop in DCFS if needed for assistance. Thank you!

Sarah

On Sun, Jul 3, 2022 at 8:12 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Marc -

Sorry for the weekend e-mail, but I thought I better e-mail since your goal is to complete this document by COB Tuesday.

One program I did not see listed is the Newborn Safe Haven Program. This program is currently run out of PAE. DCFS plays a significant role once a parent leaves a newborn at a hospital (or other designated location).

Do we want to add this program to the resource list?

[Heather - are you aware of any programs with the Division of Population Health that may need to be included here? I am not sure if Janae has already reviewed this document, but thought I would start by asking you]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 5:45 PM Marc Watterson <mwatterson@utah.gov> wrote:

Thanks Tracy. We'll make sure this is ready to send out by COB on Tuesday.

Marc B. Watterson

[redacted]

Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jul 1, 2022 at 2:20 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you!

I would like to get this formatted since we will be sending it to all lawmakers.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Jun 29, 2022 at 4:27 PM Marc Watterson <mwatterson@utah.gov> wrote:

It sounds like staff now have this information updated.

Do you want us to work with Comms to get this formatted in a way that would make it easier to share with legislators (and for them to share with their constituents)?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jun 24, 2022 at 8:53 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you Paul!

Please make sure to get this document populated as soon as possible. Thank you!

Tracy
Tracy S. Gruber
Executive Director

O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Jun 24, 2022 at 11:29 AM Paul Ray DHS (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

Paul Ray DHS shared a spreadsheet

Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

Google Workspace

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--
Sarah Welliver
Public Information Officer
C: 801.520.2777
swelliver@utah.gov
hs.utah.gov

[redacted]

[redacted]

Utah Department of
Health & Human Services
Public Affairs & Education

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SUBJECT: Highlights from The Nation's Health: July 2022
FROM: "The Nation's Health" <apha@apha.org>
TO: hborski@utah.gov
DATE: 05/07/2022 13:29

Check out these highlights from our July issue:

More states codifying abortion access
About a dozen states are shoring up abortion rights within their borders, following threats to care after the Supreme Court decision to overturn *Roe v. Wade*.

Proposals take aim at school vaccination requirements
Emboldened by inroads against COVID-19 vaccination requirements, a surge of bills in state legislatures are taking aim at routine vaccinations for children, posing serious harm to public health.

Menthol tobacco ban could close gap in Black lung cancer mortality
FDA's move to ban menthol would be an important step toward reversing a glaring equity gap that leaves Black Americans in particular less likely to successfully quit smoking and more likely to die from it.

Pandemic presents new challenges for US injury prevention
With increases in gun-related deaths, drug overdoses and motor vehicle crashes, health workers who toil in the field of injury prevention received back-to-back reminders during the COVID-19 pandemic that their work is far from finished.

Improving US health starts with 23 key Healthy People objectives
To help health advocates drive action, Healthy People leaders have identified 23 key objectives, known as the Leading Health Indicators. Moving the needle on the indicators, which address everything from air quality and food insecurity to infant deaths and homicides, can help the nation make tremendous strides in improving health.

Healthy You: Get in tune with the health and well-being benefits of music.
Research shows that listening to or making music can help chase away the blues, alleviate anxiety and pain, lower blood pressure and improve mental alertness and memory. Read Healthy You online, and download and share a PDF in English or Spanish.

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[redacted]

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American Public Health Association
800 I St. NW, Washington DC 20001
www.apha.org
202-777-2742

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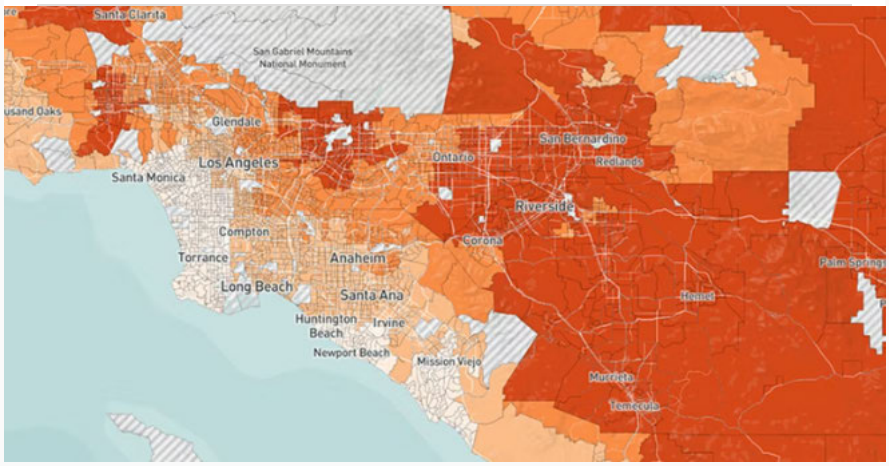
higher logic

SUBJECT: New Jobs | Gov. Newsom Declines to Invest in Health Equity & Racial Justice | Tool: Mapping Who & Where in CA Will Be Most Impacted by Extreme Heat
FROM: Public Health Institute <communications@phi.org>
TO: <hborski@utah.gov>
DATE: 05/07/2022 14:32

PUBLIC HEALTH INSTITUTE®

JUL 5, 2022



New Tool: Mapping Who & Where in CA Will Be Most Impacted by Extreme Heat

As the climate changes, how many days are temperatures expected to soar above 100°F in your community? How resilient is your neighborhood to extreme heat, including having access to community conditions like shady trees, parks and clean air? A new tool from the UCLA Luskin Center for Innovation and PHI's Public Health

Alliance of Southern California uses the Healthy Places Index to visualize who and where in California will be most impacted by extreme heat in the coming decades. The California Healthy Places Index: Heat Edition explores the intersections between heat exposure, at-risk populations and the community conditions that overlap to increase vulnerability. It also provides information on resources to support community resilience, with actionable insights for individuals, communities, state agencies, nonprofit organizations and more.

EXPLORE THE TOOL

Join a webinar on Monday, July 11, 2022 at 1:00 PM – 2:00 PM PT for an in-depth demo of the California Healthy Places Index: Heat Edition ⟶

Join PHI's Mary A. Pittman at the 2022 Women Leaders in Healthcare Conference

PHI CEO and President Mary A. Pittman was recently named as a top 25 women leaders in healthcare by Modern Healthcare. She will join their Women Leaders in Healthcare Conference in Chicago on July 13 – 15, 2022 as a moderator for “Adding Women to the C-Suite Changes How Companies Think,” where panelists will explore how the addition of women executive leaders can shift companies’ strategic approaches in a positive direction.

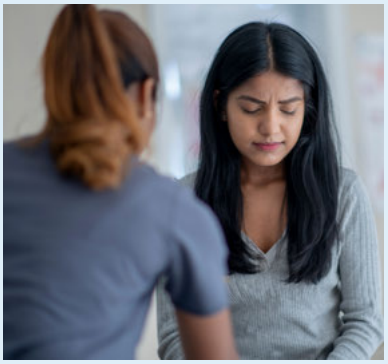
Learn more and register ⟶

Governor Newsom Declines to Invest in Health Equity & Racial Justice Fund

For a second consecutive year—and despite broad, bi-partisan support from the California legislature—Governor Newsom has declined to invest directly in the Health Equity and Racial Justice Fund, which would support community-based organizations in reducing health disparities and addressing systemic racism. "Our budgets are a

reflection of our values," says the statement from PHI and partners. "The co-sponsors of the Health Equity and Racial Justice Fund and over 200 supporting organizations ask, if not now, when will Governor Newsom make racial justice and transformative, community led programs a priority?"

Read the full statement ⟶
Listen to a *KQED* interview on why communities need sustained health equity funding ⟶



Webinar: Addressing Health Care Workers' Mental Health Needs During COVID-19

Thursday July 7th | 4:30 - 5:30am PT

Health care workers have carried a uniquely heavy burden during the COVID-19 pandemic. Hosted by PHI's Sustaining Technical and Analytic Resources and partners as part of the COVID-19 Clinical Updates for Global Practice series, this webinar will feature successful approaches to support mental health needs of the health care workforce.

REGISTER

988 is Coming: How to Align Efforts & Leverage America's New Hotline to Prevent Overdose

Wednesday July 13th | 11am - 12pm PT

This month, a new national hotline will launch to help respond to mental health emergencies. Rather than calling 911, people can dial 988 to connect directly to a crisis counselor. Join PHI's National Overdose Prevention Network to identify opportunities to align your work with the implementation of 988, and how to educate your community as an outreach strategy for overdose prevention.

JOIN

Rocky Times: Why Agile Leadership is Crucial for Impact

Thursday, July 14th | 11am - 12pm PT

This webinar will feature panelists from multi-sector partnerships that are working to advance equity in their communities. Each leader's story exemplifies the adaptive skills necessary to pivot strategy as necessary to truly meet the needs of communities and achieve higher impacts. All panelists are alumni of the Leadership Academy for the Public's Health, a program of PHI's Center for Health Leadership & Impact.

TUNE IN

Big Ideas in Overdose Prevention: Don't Reinvent the Wheel

Wednesday July 20th | 11am - 12pm PT

Evidence-based practice is essential for preventing addiction and overdose in our communities, especially interventions that have remained consistently effective over time. Join PHI's National Overdose Prevention Network for the final session in the Big Ideas in Overdose Prevention series.

REGISTER

Pathways to Global Careers

Tuesday, July 26th | 10 - 11am PT

This webinar, hosted by PHI's Global Health Technical Professionals as part of the Future Global Health Leaders Network, will help students understand how to explore career options across domestic and global health sectors. Panelists will highlight their unique global health career journeys and share advice on how to seek out similar roles.

RSVP NOW

More from PHI

Advancing Health Equity in Santa Clara County

Over the last year, fellows from PHI's Public Health Professional Development and Management Program worked within community-serving organizations in Santa Clara County, including co-authoring the Food System Work Plan in 2021 which provides background on food insecurity before and during the pandemic.

See the impact story ⟶

PHI Statement on Overturn of Roe v Wade

The recent U.S. Supreme Court decision overturning Roe v Wade "is a failure of human rights, health and justice," says PHI President and CEO Mary A. Pittman. "Making abortion illegal doesn't end abortion, it simply makes it less safe, and barriers to abortion will impact systemically excluded communities first and worst."

Read our full statement ⟶

New Data: CA Pregnancy-Related Deaths 2011-2019

For the first time, hypertensive disorders such as preeclampsia and eclampsia are no longer among the top five leading causes of pregnancy-related deaths in California, finds new data released this month by the California Pregnancy Mortality Surveillance System (CA-PMSS). The findings also show that the state's pregnancy-related mortality ratio in 2019 decreased from the previous year, and is consistently lower than the U.S. rates from 2011 through 2017, the latest available national data. PHI is a CA-PMSS collaborating partner.

See highlights and view the data ⟶

CHW Online Trainings

Community Health Workers (CHW) are frontline health workers who have a unique understanding of community needs—often acting as an intermediary between health service, social services and community members. Explore online, self-paced CHW trainings to help increase health skills and knowledge, created by the Northern ACEs Collaborative, a project of PHI's Population Health Innovation Lab. Courses cover core skills including care coordination and advocacy; healthy living; and chronic illness, and start at $100 with discounts for organizations with multiple registrants.

Explore the CHW training hub ⟶

PharmaVoice Interviews PHI's Mary A. Pittman

"The community knows their community best, and they know how to intervene if you listen to them, you engage them, and you provide them the resources that they need," says PHI President and CEO Dr. Mary A. Pittman in a recent in-depth interview in *PharmaVoice.* Dr. Pittman also discusses her decades-long career in public health, her work to address social determinants and the importance of working and learning alongside communities. In 2020, Dr. Pittman was recognized among the PharmaVoice 100.

Read the interview ⟶

Calls to Publish Graphic Images of Mass Violence Are Misguided. Here's What We Need Instead.

When journalists decide which images to pair with reporting on violence, they must take our evolving media environment into account. Documenting wrongdoing is critical, but powerful imagery on its own is not a guarantor of social change, explains PHI's Berkeley Media Studies Group. In a new article, they share recommended practices on how to cover mass shootings in ways that don't glorify the shooter or amplify the ideologies that motivate them.

See the recommendations ⟶

We're Hiring

PHI is dedicated to promoting health, well-being and quality of life for people throughout California, across the nation and around the world. Join us:

- **Research Scientist I:** Berkeley, CA. As part of PHI's Prevention Policy Group, this position will lead the implementation and management of a newly funded three-year study exploring barriers to community engagement in applying tobacco control lessons to cannabis policy.
- **Team Culture and Diversity Manager:** Oakland, CA (Remote). Located with PHI's Rise Up, this position will play a key role in leading on initiatives to sustain a positive and inclusive team culture, operationalize racial equity commitments and manage human resources.
- **Strategic Communication Specialist:** Berkeley, CA (Remote). As part of PHI's Berkeley Media Studies Group training team, the Strategic Communication Specialist will help teach both adult and youth advocates how to effectively engage with the media and make the case for solutions to a variety of public health issues.

- **O365 Desktop Support Specialist III:** Oakland, CA. This position will provide day-to-day desktop and network support to PHI staff in Oakland and at other sites in the country, and is responsible for maintaining, configuring and troubleshooting desktop/laptop computers, software applications, phone hardware, printers, and network hardware for about 150 users.
- **Environmental Analytical Chemist:** Berkeley, CA. Located with the Environmental Chemistry Laboratory at the Department of Toxic Substances Control, this role will work with programs and outside stake holders to conduct research and analysis of toxic and persistent organic pollutants, and non-targeted chemicals in humans and wildlife, products, dust and the environment.

See all open positions at PHI ⟶

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SUBJECT: Invitation: (V) Roe vs. Wade and How it Pertains to Child Abuse @ FriJul 15, 2022 11am - 12pm (MDT) (Heather Borski)
FROM: "David Litvack (DHS)" <davidlitvack@utah.gov>
TO: Heather Borski <hborski@utah.gov>, cbrummer@utah.gov, thales@utah.gov, dmoore@utah.gov, swelliver@utah.gov
DATE: 05/07/2022 14:59

Join with Google Meet

Meeting link

[redacted]

Join by phone

(US) [redacted]
PIN: [redacted]

More phone numbers

[redacted]

Internal meeting to get answers to specific questions that impact DHHS and front-line staff prior to meeting with Dr. Campbell.

When

Friday Jul 15, 2022 · 11am – 12pm (Mountain Time - Denver)

Location

Google Meet
View map

Guests

davidlitvack@utah.gov - organizer
cbrummer@utah.gov
thales@utah.gov
dmoore@utah.gov
Heather Borski
swelliver@utah.gov
View all guest info

Reply for hborski@utah.gov

Yes | No | Maybe | More options

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SUBJECT: Re: Roe Vs. Wade and How it Pertains to Child Abuse - Kris CambellThursday Discussion/Training
FROM: Lori Erickson DHS <llerickson@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>
CC: "Charri Brummer (DHS)" <cbrummer@utah.gov>, Tonya Myrup <tmyrup@utah.gov>, "Moore, Diane" <dmoore@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 05/07/2022 15:02

Invite just sent. July 15th @ 11:00

Lori Erickson
EDO Executive Assistant to
David Litvack - Deputy Director
Nate Checketts - Deputy Director
Heather Borski - Assistant Deputy Director
Tonya Hales - Assistant Deputy Director
O: 801.538.4001 C: 385.266.6971
llerickson@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 12:09 PM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Yes - Trudy or Lori can assist with the scheduling. I am ccing Lori here for convenience

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

[redacted]

On Fri, Jul 1, 2022 at 11:58 AM Charri Brummer (DHS) <cbrummer@utah.gov> wrote:
Absolutely. Shall I reach out to Trudy on some dates?

On Fri, Jul 1, 2022 at 11:55 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:
Charri -

Quick question, do you think it would be valuable to meet internally first and then meet with Dr. Campbell? I know Dr. Campbell well and she is awesome; however, I do wonder if meeting internally first to get answers to specific questions that impact our Department and our front-line staff would be helpful.

What are your thoughts?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 8:26 AM Charri Brummer (DHS) <cbrummer@utah.gov> wrote:
David,

Thank you for the excellent guidance. We will set a meeting to include the child protection director and deputy director at the AG's Office, Dr. Campbell - a leading peditrician for child abuse cases in Utah, Nate and/or Tonya H., Sarah Welliver, yourself and DCFS (Diane, Tonya, and myself). I can work with EDO support staff to find some potential dates. We appreciate the support and guidance in this matter moving forward.

Charri

On Fri, Jul 1, 2022 at 5:23 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:
Good Morning Charri -

Thank you for the e-mail and reaching-out. [redacted]

[redacted]

[redacted]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

[redacted]

On Thu, Jun 30, 2022 at 1:49 PM Charri Brummer (DHS) <cbrummer@utah.gov> wrote:

Hi David,

Just forwarding you some very rough notes I took on a google meet hosted by the hospital in regard to Roe Vs. Wade and Dobbs Vs. Jackson Women's Health Organization and how it pertains to child welfare cases involving sexual abuse and resulting pregnancy. I saw the email that DHHS sent out when the decision came down. However, I was unclear if the DHHS attorneys are meeting and discussing how it affects DCFS child clients and how our caseworkers will respond to families and doctors and others who are already starting to reach out.

I do not want to get too many steps ahead of ourselves, and I want to assure that I am respectful of any conversations that are taking place already that I may not be aware of. There are both ethics and laws at play here. I also have absolutely no idea how Utah plans to address it with resulting state-specific laws. I would like to meet with the child protection section of the AG's Office that represents us to begin to talk about our response, but again, I would like some guidance as to whether or not DHHS is supportive of this or if other conversations are happening at a higher level. Dr. Kristine Campbell, Associate Professor in the Dept. of Pediatrics and Division of Child Protection and Family Health at the U of U, has requested to meet with us as well. She is available to meet as desired.

Please advise. Thank you so much.

Charri

---------- Forwarded message ---------
From: **Charri Brummer (DHS)** <cbrummer@utah.gov>
Date: Thu, Jun 30, 2022 at 1:01 PM
Subject: Roe Vs. Wade and How it Pertains to Child Abuse - Kris Cambell Thursday Discussion/Training
To: Charri Brummer <cbrummer@utah.gov>, Moore, Diane <dmoore@utah.gov>, Tonya Myrup <tmyrup@utah.gov>
Cc: Trisha Reynolds (DHS) <thepwort@utah.gov>, Veronica Argyle DHS <veronicaargyle@utah.gov>

Charri Brummer, Veronica Argyle and Trisha Reynolds were present from Utah to listen and learn. These are very rough notes.

Roe Vs. Wade and how it pertains to child abuse

Discussions here are only opinions. It will not be recorded. This purpose is to learn from one another only. Does not reflect opinions of the institution.

Went over history of abortion laws, changes in laws and effects to child abuse pediatrics.

Supreme Court decision made in 1973. Abortion was a fundamental right to any woman in the US. State could not pass laws prior to viability.

Dobbs VS. Jackson Women's Health Organization as a result of Mississippi that said abortion illegal after 15 weeks came down from supreme court and overturned Roe Vs. Wade.

OK is most restrictive, Utah law is quite restrictive. Every state will be slightly different for enactment

What means for pediatricians - most states will allow abortion for incest and rape.

Example: 16 year old sexually assaulted and now pregnant. What will we do now? What is the right thing to do and what is legal?

What about rights to birth control and Plan B? None of this has been affected at this time, but people are concerned this may come up in the future because of the overturning. Where does confidentiality fall into this? Is it still protected? For now, yes.

We don't really know how everything is going to filter down.

Example of very young child clearly sexually abused and pregnant. Within a day of the overturned decision coming down, Ohio put a law into place that you cannot abort after 6 weeks of pregnancy and there is no exclusion for rape or incest. They had to arrange for this mother and child to go to another state.

Legal for child welfare agencies should be meeting to determine how to respond to these. How do you discuss it with families? How do you respond when the family asks how to break the law? Etc.

Discussed "aiding and abetting". AR legal advised that they can help arrange for services out of state and not consider it aiding and abetting.

CA is expecting a huge increase in abortions in their state of others coming to CA.

How will law enforcement react to this? Will anything change with them or their services in each state?

What about an amendment to HIPAA? Could that assist in this?

As a physician, you would offer options. Now looking at ethics of this while it is worked out, anyone can walk in, so what are the ethics right now. Can they still say here are your options or do you say here is the big mess going on and the hospital doesn't have a response yet. What are doctors ethically bound to do for a child and family who is seeking an abortion, etc. We look at best interest of a patient, what will not cause harm, and justice. Ethically we know what we are ethically bound to do, but we will be held by these laws. More difficult that states are going "aiding and abetting". This doesn't change what is ethically right. This may create a type of Underground Railroad sort of system so that there are ways for people to get what they want/need.

Trisha and Veronica, anything more to add to my brief notes?

Kris Cambell is going to send out some ListServe messages.

I would recommend we set a meeting with the RDs, Carol, and Deb right away to discuss. [redacted]

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SUBJECT: Re: Roe Vs. Wade and How it Pertains to Child Abuse - Kris CambellThursday Discussion/Training
FROM: "Tonya Myrup (DHS)" <tmyrup@utah.gov>
TO: Lori Erickson DHS <llerickson@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, "Charri Brummer (DHS)" <cbrummer@utah.gov>, "Moore, Diane" <dmoore@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 05/07/2022 15:45

I was not included on the invite, but I am off that day anyway. I look forward to hearing how the discussion goes.

On Tue, Jul 5, 2022 at 3:02 PM Lori Erickson DHS <llerickson@utah.gov> wrote:

> Invite just sent. July 15th @ 11:00
>
> **Lori Erickson**
> EDO Executive Assistant to
> David Litvack - Deputy Director
> Nate Checketts - Deputy Director
> Heather Borski - Assistant Deputy Director
> Tonya Hales - Assistant Deputy Director
> O: 801.538.4001 C: 385.266.6971
> llerickson@utah.gov

[redacted]

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 12:09 PM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Yes - Trudy or Lori can assist with the scheduling. I am ccing Lori here for convenience

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 11:58 AM Charri Brummer (DHS) <cbrummer@utah.gov> wrote:

Absolutely. Shall I reach out to Trudy on some dates?

On Fri, Jul 1, 2022 at 11:55 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Charri -

Quick question, do you think it would be valuable to meet internally first and then meet with Dr. Campbell? I know Dr. Campbell well and she is awesome; however, I do wonder if meeting internally first to get answers to specific questions that impact our Department and our front-line staff would be helpful.

What are your thoughts?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 8:26 AM Charri Brummer (DHS) <cbrummer@utah.gov> wrote:

David,

Thank you for the excellent guidance. We will set a meeting to include the child protection director and deputy director at the AG's Office, Dr. Campbell - a leading peditrician for child abuse cases in Utah, Nate and/or Tonya H., Sarah Welliver, yourself and DCFS (Diane, Tonya, and myself). I can work with EDO support staff to find some potential dates. We appreciate the support and guidance in this matter moving forward.

Charri

On Fri, Jul 1, 2022 at 5:23 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Good Morning Charri -

Thank you for the e-mail and reaching-out. [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Thu, Jun 30, 2022 at 1:49 PM Charri Brummer (DHS) <cbrummer@utah.gov> wrote:

Hi David,

Just forwarding you some very rough notes I took on a google meet hosted by the hospital in regard to Roe Vs. Wade and Dobbs Vs. Jackson Women's Health Organization and how it pertains to child welfare cases involving sexual abuse and resulting pregnancy. I saw the email that DHHS sent out when the decision came down. However, I was unclear if the DHHS attorneys are meeting and discussing how it affects DCFS child clients and how our caseworkers will respond to families and doctors and others who are already starting to reach out.

I do not want to get too many steps ahead of ourselves, and I want to assure that I am respectful of any conversations that are taking place already that I may not be aware of. There are both ethics and laws at play here. I also have absolutely no idea how Utah plans to address it with resulting state-specific laws. I would like to meet with the child protection section of the AG's Office that represents us to begin to talk about our response, but again, I would like some guidance as to whether or not DHHS is supportive of this or if other conversations are happening at a higher level. Dr. Kristine Campbell, Associate Professor in the Dept. of Pediatrics and Division of Child Protection and Family Health at the U of U, has requested to meet with us as well. She is available to meet as desired.

Please advise. Thank you so much.

Charri

---------- Forwarded message ---------
From: **Charri Brummer (DHS)** <cbrummer@utah.gov>
Date: Thu, Jun 30, 2022 at 1:01 PM
Subject: Roe Vs. Wade and How it Pertains to Child Abuse - Kris Cambell Thursday Discussion/Training
To: Charri Brummer <cbrummer@utah.gov>, Moore, Diane <dmoore@utah.gov>, Tonya Myrup <tmyrup@utah.gov>
Cc: Trisha Reynolds (DHS) <thepwort@utah.gov>, Veronica Argyle DHS <veronicaargyle@utah.gov>

Charri Brummer, Veronica Argyle and Trisha Reynolds were present from Utah to listen and learn. These are very rough notes.

Roe Vs. Wade and how it pertains to child abuse

Discussions here are only opinions. It will not be recorded. This purpose is to learn from one another only. Does not reflect opinions of the institution.

Went over history of abortion laws, changes in laws and effects to child abuse pediatrics.

Supreme Court decision made in 1973. Abortion was a fundamental right to any woman in the US. State could not pass laws prior to viability.

Dobbs VS. Jackson Women's Health Organization as a result of Mississippi that said abortion illegal after 15 weeks came down from supreme court and overturned Roe Vs. Wade.

OK is most restrictive, Utah law is quite restrictive. Every state will be slightly different for enactment

What means for pediatricians - most states will allow abortion for incest and rape.

[redacted]

Example: 16 year old sexually assaulted and now pregnant. What will we do now? What is the right thing to do and what is legal?

What about rights to birth control and Plan B? None of this has been affected at this time, but people are concerned this may come up in the future because of the overturning. Where does confidentiality fall into this? Is it still protected? For now, yes.

We don't really know how everything is going to filter down.

Example of very young child clearly sexually abused and pregnant. Within a day of the overturned decision coming down, Ohio put a law into place that you cannot abort after 6 weeks of pregnancy and there is no exclusion for rape or incest. They had to arrange for this mother and child to go to another state.

Legal for child welfare agencies should be meeting to determine how to respond to these. How do you discuss it with families? How do you respond when the family asks how to break the law? Etc.

Discussed "aiding and abetting". AR legal advised that they can help arrange for services out of state and not consider it aiding and abetting.

CA is expecting a huge increase in abortions in their state of others coming to CA.

How will law enforcement react to this? Will anything change with them or their services in each state?

What about an amendment to HIPAA? Could that assist in this?

As a physician, you would offer options. Now looking at ethics of this while it is worked out, anyone can walk in, so what are the ethics right now. Can they still say here are your options or do you say here is the big mess going on and the hospital doesn't have a response yet. What are doctors ethically bound to do for a child and family who is seeking an abortion, etc. We look at best interest of a patient, what will not cause harm, and justice. Ethically we know what we are ethically bound to do, but we will be held by these laws. More difficult that states are going "aiding and abetting". This doesn't change what is ethically right. This may create a type of Underground Railroad sort of system so that there are ways for people to get what they want/need.

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SUBJECT: Supreme Court Embraces Originalism In 'Momentous' Term
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 06/07/2022 02:13

Wednesday, July 6, 2022

Follow

TOP NEWS

Supreme Court Embraces Originalism In 'Momentous' Term

The October 2021 Supreme Court term will be remembered as the most consequential one in generations, experts said, pointing to sweeping rulings affecting the rights of millions of Americans and establishing a new conservative vision of constitutional law.

Read full article »

Breaking Down The Vote: The High Court Term In Review

The overturning of a long-standing precedent, the surprising leak of a draft opinion and the announcement of Justice Stephen Breyer's retirement all made for a tumultuous term at the U.S. Supreme Court. Here, Law360 takes a data dive into the numbers behind this court term.

Read full article »

Podcast

Pro Say & The Term Discuss A Historic Supreme Court Term

A U.S. Supreme Court term that by any measure was historic has concluded, and it takes a village of podcasters to untangle everything that happened. So this week, hosts from Pro Say team up with the hosts of The Term to discuss this momentous term.

Read full article »

Analysis

Justices Empower Biden To Undo AGs' Immigration Wins

The U.S. Supreme Court's ruling allowing the Biden administration to unwind the so-called Remain in Mexico program offers the White House a path to ditch other court orders tying up its immigration agenda, such as plans to lift pandemic restrictions.

Read full article »

Analysis

One Mystery Word Has Set Off A Race For Rural EB-5 Deals

As the EB-5 community publicly searches for answers to major questions regarding the law's crucial regional center program, developers behind the scenes are scrambling to line up more rural projects as players speculate about the meaning of a single word buried in a law from earlier this year.

Read full article »

LAW FIRMS IN TODAY'S NEWS

Alston & Bird
Armstrong Teasdale
Arnold & Porter
Axinn Veltrop
Blackstone Chambers
Burke Warren
Burns & Levinson
Cole Schotz
Crowell & Moring
DLA Piper
Davis+Gilbert LLP
Durbano Law Firm
Fenwick & West
Foley & Lardner
Foley Hoag
Foot Anstey
Gibson Dunn
Gilbert LLP
Girardi & Keese
Goldberg Kohn
Greenberg Traurig
Hogan Lovells
Honigman LLP
Irell & Manella
Jeffer Mangels
Jones Day
Jones Snead

Analysis

FDA Flexes Muscle On Juul And Nicotine, But At What Cost?

The U.S. Food and Drug Administration's moves at the end of June to limit nicotine in cigarettes and order Juul's e-cigarettes off the market won immediate applause from public health advocates, but some experts say the strategy may backfire by creating black markets.

Read full article »

Ky. Trial Judge Vacancy Tees Up Likely Biden-McConnell Deal

A Kentucky district judge's plan to take senior status has teed up what could be a bitter showdown over President Joe Biden's potential lifetime appointment of an anti-abortion, conservative Squire Patton Boggs attorney, who is reportedly being backed by Senate Minority Leader Mitch McConnell.

Read full article »

7th Circ. Won't Stop Obama Presidential Center Construction

Work on former President Barack Obama's presidential center in Chicago can continue after the Seventh Circuit said Friday the federal government had no duty to consider the environmental impacts for other potential locations, as it doesn't have that power.

Opinion attached | Read full article »

BANKING & SECURITIES

FDIC Finds Some Bankers Miss Having In-Person Examiners

After dabbling with fully remote bank examinations during the pandemic, the Federal Deposit Insurance Corp. says there's a "desire" among many bankers to have some in-person interaction with their examiners.

Report attached | Read full article »

NY Denies Power Plant Air Permit For Crypto Miner Greenidge

New York environmental regulators have denied a request from a coal power plant-turned-cryptocurrency mining facility at the Finger Lakes to renew its air permit, finding that the facility does not comply with the state's climate and clean energy laws.

Letter attached | Read full article »

SEC Can't Play Judge And Jury Of Its Cases, Justices Told

A Texas accountant who asserts that the U.S. Securities and Exchange Commission's administrative law judges are unconstitutionally protected from removal has told the U.S. Supreme Court that federal district courts are the proper forum for the type of enforcement action she faces.

Brief attached | Read full article »

ENERGY & ENVIRONMENTAL

The Biggest Enviro Policy Moves Of 2022: Midyear Report

The first half of 2022 has been filled with important environmental policy developments, from a groundbreaking climate change reporting rule for the financial industry to regulations that strengthen reviews for infrastructure projects that need federal approval.

Read full article »

Red States Challenge DOT's Tighter Fuel Economy Standards

A group of Republican-led states say in a new lawsuit that the U.S. Department of Transportation stepped outside its

K&L Gates
Keller & Heckman
Kellogg Hansen
Kipp & Christian
Kirkland & Ellis
Kirton McConkie
Latham & Watkins
Law Offices of Sheldon J. Schlesinger
Mackenzie & Albritton
Mayer Brown
McDermott Will
Mintz Levin
Mishcon de Reya
Morgan Lewis
Morris Nichols
Morrison Foerster
Motley Rice
Nixon Peabody
Nutter McClennen
O'Melveny & Myers
One Essex Court
Orrick Herrington
Paul Weiss
Polsinelli PC
Prince Lobel
Quinn Emanuel
Rachlis Duff
Richards Layton
Robinson & Cole
Seyfarth Shaw
Shook Hardy
Sidley Austin
Snell & Wilmer
Soltero Sapire
Squire Patton
Torys
Troutman Pepper
Venable LLP
Weil Gotshal
Wiggin and Dana
Williams & Connolly
WilmerHale
Wilson Sonsini
Young Conaway

COMPANIES IN TODAY'S NEWS

22nd Century Group Inc.
Aclaris Therapeutics Inc.
Activision Blizzard Inc.
Agilon Health Inc
Ally Financial Inc.
American Airlines Group Inc.
American Civil Liberties Union
American Civil Liberties Union of Ohio
American Humanist Association
American Immigration Council Inc.
Apple Inc.
Axon Enterprise Inc.
Booz Allen Hamilton Holding Corp.
Buckeye GP Holdings LP
C.H. Robinson Worldwide Inc.
CVS Health Corp.
Cato Institute
Center for Biological Diversity
CenterPoint Energy Inc.
Cerberus Capital Management LP
Cerner Corp.
Change Healthcare Inc.
Chimerix Inc.

authority with a decision to finalize stricter fuel economy standards for cars.

Petition attached | Read full article »

POST-ROE FALLOUT

Texas Justices Allow Enforcement Of Pre-Roe Abortion Ban

The Texas Supreme Court late Friday allowed the state to enforce a nearly century-old ban on abortion, overturning a lower court that had temporarily frozen enforcement of the law against a group of abortion providers.

2 documents attached | Read full article »

Ohio Supreme Court Declines To Block 6-Week Abortion Ban

Ohio's high court on Friday declined to immediately stop the state from enforcing a Republican-passed law essentially banning abortions after six weeks of pregnancy, rebuffing an initial attempt from clinics to try their arguments in state court following last week's major U.S. Supreme Court ruling.

Order attached | Read full article »

NJ Takes On Dobbs With Passage Of Abortion Rights Laws

New Jersey Gov. Phil Murphy on Friday signed bills designed to protect individuals who visit the state for abortions and their medical providers by shielding patient information and barring extradition for allegedly related crimes in other states following the U.S. Supreme Court's decision eliminating the constitutional right to abortion.

Read full article »

HEALTH & LIFE SCIENCES

Pa. County Sues Major Pharmacy Chains Over Opioid Controls

Pharmacy chains CVS, Rite Aid and Walgreens contributed to an epidemic of opioid addiction, overdose deaths and strains on public resources in Allegheny County, Pennsylvania, through their negligent monitoring and control of the prescriptions they filled, according to a lawsuit the county filed in Pennsylvania state court.

Complaint attached | Read full article »

EMPLOYMENT & BENEFITS

Calif. Appeals Court Rejects Challenge To PAGA

California's Private Attorneys General Act allowing workers to sue employers on behalf of the state doesn't violate the state's constitutional separation of powers, a California appellate court ruled, saying a state Supreme Court decision already made that determination.

Opinion attached | Read full article »

COMPETITION

Monthly Merger Review Snapshot

The U.S. Department of Justice moved to block a defense contractor deal while the Federal Trade Commission forced the abandonment of two hospital system mergers and reached settlements with a private equity firm over a pair of veterinary chain acquisitions. Here, Law360 looks at the biggest developments in merger reviews from June.

Read full article »

CONSUMER PROTECTION

High Court EPA Ruling Stalls 'Right To Repair' Decision Again

A federal judge for the sixth time delayed ruling on Massachusetts' expanded "right to repair" law Friday, citing the need to consider the implications of the U.S. Supreme Court's decision restricting the government's ability to

Clayton Dubilier & Rice LLC
Conagra Brands Inc.
Costco Wholesale Corp.
DISH Network Corp.
Emergent BioSolutions Inc.
Ericsson Inc.
Ernst & Young LLP
Federalist Society
Financial Industry Regulatory Authority Inc.
GE Healthcare Systems
GPM Investments LLC
General Dynamics Corp.
General Mills Inc.
General Motors Co.
Georgia State University
Getty Images Inc.
Google LLC
HCA Healthcare Inc.
Hamline University
Harvard University
Illumina Inc.
Industrial Alliance Insurance & Financial Services
Instagram Inc.
Intel Corp.
JUUL Labs Inc.
LHC Group Inc.
LexisNexis Group Inc.
LinkedIn Corp.
Lockheed Martin Corp.
Macy's Inc.
Magellan Midstream Partners LP
Meta Platforms Inc.
Microsoft Corp.
National Association for the Advancement of Colored People
National Association of Manufacturers
National Collegiate Athletic Association
New Civil Liberties Alliance
New York University
Ocado Ltd.
Ohio State University
Oracle Corp.
Paypal Holdings Inc.
Planned Parenthood Federation
PricewaterhouseCoopers LLP
Procter & Gamble Co.
Public Co. Accounting Oversight Board
Public Health Law Center
RWJ Barnabas Health Inc.
Reckitt Benckiser Group PLC
Regional Transportation District
Remington Arms Co. LLC
Rite Aid Corp.
Rogers Communications Inc.
Shaw Communications Inc.
Six Flags Entertainment Corp.
Sparc Group LLC
Spotify Technology SA
Standard General LP
Steward Health Care System LLC
Surfside
T-Mobile US Inc.
Tegna Inc.
Tesla Inc.
The Barack Obama Foundation

regulate greenhouse gas emissions and "unforeseen" scheduling issues ahead of the holiday weekend.

Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Analysis

Top Personal Injury, Med Mal News: Midyear Report

A U.S. Supreme Court ruling that Florida has broad authority to recoup Medicaid costs from plaintiffs' injury awards and a rapid $1 billion settlement of litigation related to the Surfside condo collapse are among Law360's top personal injury and medical malpractice cases for the first six months of 2022.

Read full article »

GOVERNMENT CONTRACTS

Top Gov't Contracting Policies Of 2022: Midyear Report

The White House and federal agencies introduced several high-profile policies at the intersection of labor and procurement issues during the first half of 2022. Here, Law360 looks at six prominent areas of policy changes and proposals so far this year in government contracting.

Read full article »

NATIVE AMERICAN

Wash. Tribe Loses Latest Bid For Federal Recognition

A federal judge in Washington, D.C., rejected the Pilchuck Nation's latest attempt to gain formal recognition, saying the Washington state tribe has not exhausted its nonlegal options because it never sought that status through an official process overseen by the Bureau of Indian Affairs.

Order attached | Read full article »

Utah Supports Shoshone Tribe's Hunting Rights At 9th Circ.

The state of Utah threw its support behind the Northwestern Band of the Shoshone Nation in its request for the Ninth Circuit to reverse a decision by an Idaho federal judge denying it hunting rights, which the tribe says are guaranteed by an 1868 treaty.

Brief attached | Read full article »

TELECOMMUNICATIONS

Verizon Says Local Group Caused City To Delay Cell Tower

Verizon Wireless says city officials in Fresno, California, trapped its request to build a cell tower disguised as a tree in a "bureaucratic gauntlet," accusing the city in a federal lawsuit of violating a statutory deadline for considering such projects due to opposition by a condo association and a local lawmaker.

Complaint attached | Read full article »

CANNABIS

Cannabis Bill Roundup: Pa. Scores Its Own SAFE Banking Act

Lawmakers in Pennsylvania, New Jersey and California advanced or approved bills intended to bolster their cannabis industries, while the District of Columbia may have found a workaround for Congress' refusal to let the district set up a regulated recreational market. Here are the major legislative moves in cannabis reform from the past week.

Read full article »

EXPERT ANALYSIS

Praying Coach Ruling Expands Public Employee Free Speech

Likely one of the most significant U.S. Supreme Court decisions of the term, Kennedy v. Bremerton will not only

The Center for Reproductive Rights
The Western Union Co.
TikTok Inc.
Toronto-Dominion Bank
Toyota Motor Corp.
Twitter Inc.
U.S. Venture Inc.
UCLA School of Law
Ultra Electronics Holdings PLC
Union Pacific Corp.
United Food & Commercial Workers International Union
UnitedHealth Group Inc.
University of Georgia
University of Virginia
Verizon Communications Inc.
Volkswagen AG
Vonage Holdings Corp.
WPP PLC
Walgreens Co.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
California Department of Justice
California Supreme Court
Colorado Department of Transportation
Committee on Foreign Investment in the United States
Competition Appeal Tribunal
Competition and Markets Authority
Council on Environmental Quality
Equal Employment Opportunity Commission
European Commission
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Idaho Attorney General's Office
Internal Revenue Service
National Highway Traffic Safety Administration
National Security Agency
New Jersey Legislature
New Jersey Supreme Court
New York State Department of Environmental Conservation
Northwestern Band of the Shoshone Nation
Office of Federal Contract Compliance Programs
Office of the Comptroller of the Currency
Ohio Attorney General's Office
Ohio Supreme Court
San Manuel Band of Mission Indians
State Bar of Texas
Stillaguamish Tribe
Texas Attorney General's Office
Texas Supreme Court

reshape the application of the First Amendment's religion clauses, but will also have major implications for the free speech rights of the millions of public employees across the country, says Joshua Dunn at the University of Colorado, Colorado Springs.

Opinion attached | Read full article »

Opinion

SEC Should Reject Climate Rules Over First Amendment Issue

The U.S. Securities and Exchange Commission's proposed rules imposing mandatory climate-related disclosures on publicly traded companies likely do not pass constitutional muster — for three reasons, say Thomas Berry and Jennifer Schulp at Cato.

Read full article »

Watching The Legal Sports Betting Ecosystem Take Shape

The number of U.S. states getting in on the recently legalized $4.29 billion sports-betting industry is on the rise, and stakeholders must be aware that the regulatory scheme looks dramatically different from state to state, say James Johnston and Louis DiLorenzo at Davis+Gilbert.

Read full article »

New P3 Authority Means Opportunities For Colo. Agencies

A recently passed Colorado law expanding public-private partnerships changes state-level project finance and infrastructure dramatically, allowing virtually all state agencies to avail themselves of P3 benefits including cost and schedule savings, sharing of risk, and access to innovation and private sector efficiency, say Gregory Johnson and Peter Gould at Squire Patton.

Read full article »

Make Room For Serendipity In Your Legal Job Search

Landing your dream legal job gets easier when you cultivate serendipity — which involves expanding and deepening your network, while being flexible, authentic and engaged with the world around you, says Anna Sanders at VOYLegal.

Read full article »

LEGAL INDUSTRY

The Firms That Won Big At The Supreme Court

Oral arguments at the U.S. Supreme Court are always a singular experience, the more so this term as the justices returned to hearing cases in person after being remote last term.

Read full article »

US Supreme Court Term In Review: What You Need To Know

A surprising leak. A big retirement. Blockbuster decisions. Here, Law360 looks at the moments, arguments and opinions that defined the U.S. Supreme Court's latest term.

Read full article »

Honigman Picks DEI Expert As 1st CFO

Honigman LLP has hired the founder of a nonprofit group focused on improving the lives of those with disabilities as its first chief financial officer.

Read full article »

3rd Circ. Pick Is Lauded For Keen Mind, Strong Work Ethic

U.S. Attorney's Office for the District of New Jersey
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Interior
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of California
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Navy
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
U.S. Tax Court
United States District Court for the District of Utah
Utah Attorney General's Office

Delaware Supreme Court Justice Tamika R. Montgomery-Reeves, already a trailblazer on two of the state's nationally important courts, possesses many qualities that make her well-suited to serve on the Third Circuit, one of her key mentors and others told Law360 following her nomination Wednesday by President Joe Biden.

Read full article »

Letting Atty Off Hook Will Weaken Disclosure, Ocado Warns

An attorney for Ocado told a judge on Friday that failure to approve a committal application against a former senior Jones Day lawyer for instructing a client to delete a secure messaging system would "undermine" court search orders.

Read full article »

K&L Gates Fights Health Center's Bid To Revive Billing Suit

K&L Gates LLP has urged a Utah federal judge not to revive a health center's lawsuit alleging the firm engaged in deceptive billing practices, saying its former client has tried to "forum shop" and failed.

Read full article »

Attys File For Ethics Probe In Trump NM Election Suit

An Albuquerque lawyer and another attorney who filed a federal lawsuit as part of a Donald Trump-led effort to overturn the result of the 2020 presidential election should be investigated by a court appointee, a group of New Mexico attorneys said in a court filing this week.

Read full article »

Texas Justices Won't Trim Suit From Poisoned Attorney

The Texas Supreme Court on Friday denied a paralegal's request that the court trim a lawsuit filed by her former boss accusing her of stealing from him, causing his disbarment and poisoning him with antifreeze.

Read full article »

NJ Atty Discipline Declined In 2021, But Disbarments Were Up

The New Jersey Supreme Court's office of attorney discipline brought 30% fewer ethics complaints in 2021 compared to the year prior, reflecting the lingering effects of COVID-19, the court recently announced in a yearly roundup.

Read full article »

Hub Hires: Foley Hoag, DLA Piper, Hogan Lovells

Massachusetts lawyers found new homes in June, with a former state attorney general rejoining Foley Hoag, DLA Piper adding a former lead U.S. Securities and Exchange Commission trial lawyer, and Hogan Lovells boosting its mergers and acquisitions practice.

Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

Senior in-house lawyers at Ernst & Young LLP are under review for how they failed to timely disclose knowledge that some EY professionals cheated on accounting exams. And the U.S. Supreme Court decision overturning Roe v. Wade has left general counsel grappling with the fallout, including whether a company can be criminally charged for helping an employee obtain an abortion in a different state.

Read full article »

The Top In-House Hires Of June

Legal department hires during June included high-profile appointments at Intel Corp., Procter & Gamble, and the Center for Reproductive Rights Inc. Here, Law360 looks at some top in-house announcements from the past month.

Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Read full article »

August Trial Set In 2018 Killing Of Mayer Brown Partner

The brother-in-law of former Mayer Brown LLP partner Stephen Shapiro will go on trial in late August in an Illinois state court on charges that he killed the attorney at his home north of Chicago.

Read full article »

JOBS

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Deputy Attorney General 2
New Jersey Division of Law
Trenton, New Jersey

Attorney - Assistant Attorney General - Opinions
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SUBJECT: FDA Flexes Muscle On Juul And Nicotine, But At What Cost?
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 06/07/2022 02:26

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Wednesday, July 6, 2022 Follow

TOP NEWS

Analysis

FDA Flexes Muscle On Juul And Nicotine, But At What Cost?

The U.S. Food and Drug Administration's moves at the end of June to limit nicotine in cigarettes and order Juul's e-cigarettes off the market won immediate applause from public health advocates, but some experts say the strategy may backfire by creating black markets.

Read full article »

Drug Distributors Off Hook In W.Va. Opioid Trial

The West Virginia federal judge overseeing the first federal bellwether trial found Monday that an Appalachian county failed to prove that the nation's three largest drug distributors flooded the area with huge shipments of opioids and created a public nuisance.

Verdict attached | Read full article »

Jury Hands Endo Win In Opana Pay-For-Delay Case

An Illinois jury sided with Endo Pharmaceuticals on Friday over allegations that it struck an unlawful settlement with Impax Laboratories to delay a generic version of Endo's Opana ER painkiller, finding the deal did more to boost competition than stifle it.

Read full article »

Texas Justices Allow Enforcement Of Pre-Roe Abortion Ban

The Texas Supreme Court late Friday allowed the state to enforce a nearly century-old ban on abortion, overturning a lower court that had temporarily frozen enforcement of the law against a group of abortion providers.

2 documents attached | Read full article »

Ky. Trial Judge Vacancy Tees Up Likely Biden-McConnell Deal

A Kentucky district judge's plan to take senior status has teed up what could be a bitter showdown over President Joe Biden's potential lifetime appointment of an anti-abortion, conservative Squire Patton Boggs attorney, who is reportedly being backed by Senate Minority Leader Mitch McConnell.

Read full article »

Ohio Supreme Court Declines To Block 6-Week Abortion Ban

Ohio's high court on Friday declined to immediately stop the state from enforcing a Republican-passed law essentially banning abortions after six weeks of pregnancy, rebuffing an initial attempt from clinics to try their arguments in state court following last week's major U.S. Supreme Court ruling.

Order attached | Read full article »

NJ Takes On Dobbs With Passage Of Abortion Rights Laws

New Jersey Gov. Phil Murphy on Friday signed bills designed to protect individuals who visit the state for abortions and their medical providers by shielding patient information and barring extradition for allegedly related crimes in other states following the U.S. Supreme Court's decision eliminating the constitutional right to abortion.

Read full article »

Google Vows To Delete Abortion Trip Data In Wake Of Dobbs

A Google executive unveiled a new policy Friday promising to delete user location data related to visits to abortion clinics and other health providers, following calls by Democratic lawmakers for the tech giant to delete data so that prosecutors in states where abortions are illegal can't use it in prosecutions.

Read full article »

Analysis

COMPANIES IN TODAY'S NEWS

22nd Century Group Inc.
Aclaris Therapeutics Inc.
Aerojet Rocketdyne Holdings Inc.
Agilon Health Inc
Ally Financial Inc.
Alphabet Inc.
American Civil Liberties Union
American Civil Liberties Union of Ohio
AmerisourceBergen Corp.
Apple Inc.
B. Braun Melsungen AG
BITCO Insurance Co.
C.H. Robinson Worldwide Inc.
CVS Health Corp.
Cardinal Health Inc.
Carvana Co.
Catholic Health Initiatives
CenterPoint Energy Inc.
Cerberus Capital Management LP
CommonSpirit Health
Conagra Brands Inc.
Costco Wholesale Corp.
El Pollo Loco Holdings Inc.
Endo International PLC
Ernst & Young LLP
Federalist Society
Fenway Sports Group LP
Financial Industry Regulatory Authority Inc.
Fitbit Inc.
GE Healthcare Systems
General Dynamics Corp.
Georgia State University
Google LLC
Hamline University
Harvard University
Impax Laboratories, Inc.
Intel Corp.
Ionis Pharmaceuticals Inc.
JUUL Labs Inc.
Kingston Technology Co. Inc.
Lamb Weston Holdings Inc.
LexisNexis Group Inc.
LinkedIn Corp.
Lockheed Martin Corp.
Macy's Inc.
McKesson Corp.

Insurance Coverage Questions Abound After Dobbs Decision

Abortion's status as a medical procedure in some states and a crime in others will pose a challenge to insurers and policyholders as policies often exclude coverage for criminal acts, meaning significant policy language changes may be needed in the wake of Dobbs v. Jackson Women's Health Organization.

Read full article »

POLICY & REGULATION

Cannabis Bill Roundup: Pa. Scores Its Own SAFE Banking Act

Lawmakers in Pennsylvania, New Jersey and California advanced or approved bills intended to bolster their cannabis industries, while the District of Columbia may have found a workaround for Congress' refusal to let the district set up a regulated recreational market. Here are the major legislative moves in cannabis reform from the past week.

Read full article »

LITIGATION

6th Circ. ERISA Ruling Could Lead To Circuit Split

The Sixth Circuit handed employers a win when it tossed a 401(k) mismanagement suit brought by CommonSpirit Health retirees, but experts say a circuit split could be brewing as more courts interpret the U.S. Supreme Court's ruling in a similar case against Northwestern University that addressed pleading standards.

Read full article »

B. Braun Ex-Workers Get Class Cert. In 401(k) Fees Suit

A Pennsylvania federal judge certified a class of B. Braun Medical Inc. ex-employees who say the medical device manufacturer flouted federal benefits law by charging lofty fees on their 401(k) plan, after the Third Circuit ruled on a related lawsuit.

Order attached | Read full article »

Analysis

Top Personal Injury, Med Mal News: Midyear Report

A U.S. Supreme Court ruling that Florida has broad authority to recoup Medicaid costs from plaintiffs' injury awards and a rapid $1 billion settlement of litigation related to the Surfside condo collapse are among Law360's top personal injury and medical malpractice cases for the first six months of 2022.

Read full article »

Analysis

6 Biggest Cases Of This Texas Supreme Court Term

This term, the Texas Supreme Court recognized eminent domain authority for a $30 billion high speed bullet train that was critical to the project's future, overruled its own precedent to continue the court's tradition of giving litigants leeway to make procedural mistakes and expanded when judges can consider outside evidence in insurance disputes.

Read full article »

Pa. County Sues Major Pharmacy Chains Over Opioid Controls

Pharmacy chains CVS, Rite Aid and Walgreens contributed to an epidemic of opioid addiction, overdose deaths and strains on public resources in Allegheny County, Pennsylvania, through their negligent monitoring and control of the prescriptions they filled, according to a lawsuit the county filed in Pennsylvania state court.

Complaint attached | Read full article »

Catching Up With Delaware's Chancery Court

A rising star who once shined in the First State's court of equity was nominated for a spot on the Third Circuit last

Memorial Hermann Healthcare System Inc.
Microsoft Corp.
National Association for the Advancement of Colored People
New York University
Nisource Corporate Services Co.
Ocado Ltd.
Ohio State University
Oracle Corp.
Oshkosh Corp.
Paypal Holdings Inc.
Pittsburgh Penguins
Planned Parenthood Federation
PricewaterhouseCoopers LLP
Procter & Gamble Co.
Public Health Law Center
Remington Arms Co. LLC
Rite Aid Corp.
Salesforce.com Inc.
Sanofi SA
Sirius XM Radio Inc.
Six Flags Entertainment Corp.
Sparc Group LLC
Surfside
Tax Executives Institute Inc.
Tesla Inc.
The Center for Reproductive Rights
The Motion Picture Association Inc.
The Trade Desk Inc.
The Western Union Co.
Trader Joe's Co.
Twitter Inc.
UCLA School of Law
Union Pacific Corp.
United Food & Commercial Workers International Union
UnitedHealth Group Inc.
Universal Health Services Inc.
University of Georgia
University of Virginia
WPP PLC
Walgreens Co.
eHealth, Inc.

LAW FIRMS IN TODAY'S NEWS

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Alston & Bird
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Bracewell LLP
Burns & Levinson
Capozzi Adler
Covington & Burling
Cozen O'Connor
DLA Piper
Dechert LLP
DiCello Levitt
Durbano Law Firm
Edinger Leonard
Fenwick & West
Flaherty Sensabaugh
Foley & Lardner
Foley Hoag
Foot Anstey

week, as her former colleagues in Delaware Chancery Court pounded the gavel on a local abortion-related law and dismissed suits involving El Pollo Loco and the Pittsburgh Penguins.

Read full article »

Fla. Insurance Co. Drops Suit Over Rivals' Tribal Health Plans

A Florida insurance company told a New Jersey federal judge Friday it has agreed to dismiss its lawsuit alleging that a group of insurance and marketing businesses conspired to illegally sell health plans associated with Native American tribes.

2 documents attached | Read full article »

PEOPLE

Health Hires: Lewis Brisbois, Troutman Pepper

Lewis Brisbois Bisgaard & Smith LLP and Troutman Pepper have both nabbed new partners in their health-focused practice areas, highlighting Law360's latest roundup of personnel moves in health care and life sciences.

Read full article »

EXPERT ANALYSIS

The Fed. Circ. In June: A Few Decisions To Know

Among last month's Federal Circuit decisions, Pavo Solutions v. Kingston shows how the line between correcting a typo and construing a claim term is not always a bright one, while Novartis v. Accord shows why counsel should not reject outright the possibility of rehearing, says Paul Stewart at Knobbe Martens.

2 documents attached | Read full article »

Make Room For Serendipity In Your Legal Job Search

Landing your dream legal job gets easier when you cultivate serendipity — which involves expanding and deepening your network, while being flexible, authentic and engaged with the world around you, says Anna Sanders at VOYLegal.

Read full article »

LEGAL INDUSTRY

The Firms That Won Big At The Supreme Court

Oral arguments at the U.S. Supreme Court are always a singular experience, the more so this term as the justices returned to hearing cases in person after being remote last term.

Read full article »

Supreme Court Embraces Originalism In 'Momentous' Term

The October 2021 Supreme Court term will be remembered as the most consequential one in generations, experts said, pointing to sweeping rulings affecting the rights of millions of Americans and establishing a new conservative vision of constitutional law.

Read full article »

US Supreme Court Term In Review: What You Need To Know

A surprising leak. A big retirement. Blockbuster decisions. Here, Law360 looks at the moments, arguments and opinions that defined the U.S. Supreme Court's latest term.

Read full article »

Honigman Picks DEI Expert As 1st CFO

Freed Kanner
Garwin Gerstein
Gibson Dunn
Girardi & Keese
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Greenberg Traurig
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Hogan Lovells
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K&L Gates
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Kipp & Christian
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Miller Johnson
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Morgan Lewis
Morris Nichols
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Weil Gotshal
Weiss Serota
Wiggin and Dana
Wiley Rein
Williams & Connolly
WilmerHale
Wilson Sonsini
Young Conaway

GOVERNMENT AGENCIES IN TODAY'S NEWS

Delaware Court of Chancery
Federal Bureau of Investigation

Honigman LLP has hired the founder of a nonprofit group focused on improving the lives of those with disabilities as its first chief financial officer.

Read full article »

3rd Circ. Pick Is Lauded For Keen Mind, Strong Work Ethic

Delaware Supreme Court Justice Tamika R. Montgomery-Reeves, already a trailblazer on two of the state's nationally important courts, possesses many qualities that make her well-suited to serve on the Third Circuit, one of her key mentors and others told Law360 following her nomination Wednesday by President Joe Biden.

Read full article »

Letting Atty Off Hook Will Weaken Disclosure, Ocado Warns

An attorney for Ocado told a judge on Friday that failure to approve a committal application against a former senior Jones Day lawyer for instructing a client to delete a secure messaging system would "undermine" court search orders.

Read full article »

K&L Gates Fights Health Center's Bid To Revive Billing Suit

K&L Gates LLP has urged a Utah federal judge not to revive a health center's lawsuit alleging the firm engaged in deceptive billing practices, saying its former client has tried to "forum shop" and failed.

Read full article »

Attys File For Ethics Probe In Trump NM Election Suit

An Albuquerque lawyer and another attorney who filed a federal lawsuit as part of a Donald Trump-led effort to overturn the result of the 2020 presidential election should be investigated by a court appointee, a group of New Mexico attorneys said in a court filing this week.

Read full article »

Texas Justices Won't Trim Suit From Poisoned Attorney

The Texas Supreme Court on Friday denied a paralegal's request that the court trim a lawsuit filed by her former boss accusing her of stealing from him, causing his disbarment and poisoning him with antifreeze.

Read full article »

NJ Atty Discipline Declined In 2021, But Disbarments Were Up

The New Jersey Supreme Court's office of attorney discipline brought 30% fewer ethics complaints in 2021 compared to the year prior, reflecting the lingering effects of COVID-19, the court recently announced in a yearly roundup.

Read full article »

Hub Hires: Foley Hoag, DLA Piper, Hogan Lovells

Massachusetts lawyers found new homes in June, with a former state attorney general rejoining Foley Hoag, DLA Piper adding a former lead U.S. Securities and Exchange Commission trial lawyer, and Hogan Lovells boosting its mergers and acquisitions practice.

Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

Senior in-house lawyers at Ernst & Young LLP are under review for how they failed to timely disclose knowledge that some EY professionals cheated on accounting exams. And the U.S. Supreme Court decision overturning Roe v. Wade has left general counsel grappling with the fallout, including whether a company can be criminally charged for helping an employee obtain an abortion in a different state.

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Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
New Jersey Supreme Court
Ohio Attorney General's Office
Ohio Supreme Court
San Manuel Band of Mission Indians
State Bar of Texas
Texas Attorney General's Office
Texas Supreme Court
U.S. Attorney's Office for the District of New Jersey
U.S. Court of Appeals for the Federal Circuit
U.S. Department of Justice
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of West Virginia
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. Navy
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
U.S. Tax Court
United States District Court for the District of Utah
United States District Court for the Northern District of Ohio

The Top In-House Hires Of June

Legal department hires during June included high-profile appointments at Intel Corp., Procter & Gamble, and the Center for Reproductive Rights Inc. Here, Law360 looks at some top in-house announcements from the past month.

Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Read full article »

August Trial Set In 2018 Killing Of Mayer Brown Partner

The brother-in-law of former Mayer Brown LLP partner Stephen Shapiro will go on trial in late August in an Illinois state court on charges that he killed the attorney at his home north of Chicago.

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SUBJECT: How localities are thinking big with ARPA funds; This federalcommittee is watching your federal aid spending; Mayor sparks outrage withshooting comments
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 06/07/2022 05:02

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ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today
July 6, 2022

How Cities and Counties Are Thinking Big With Their ARPA Plans

KATHERINE BARRETT & RICHARD GREENE | Across the country, some local governments are using federal aid from the American Rescue Plan to launch "transformational" projects in areas like affordable housing, public safety and ridding homes of lead—things that will endure long after the money is spent.

This Federal Committee Is Watching Over Your Pandemic Funds Spending

LIZ FARMER | The Pandemic Response Accountability Committee is on the lookout for fraud and other issues with trillions in federal Covid aid. But the watchdog is also assembling a wealth of data on programs the money is going to.

Combating Abortion Misinformation in the Post-Roe Environment

JULIA ROLLISON | COMMENTARY | False information could get worse amid rapidly changing laws around abortion access. But states, employers and others have ways to quash these efforts.

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Since 1963, Kallman Worldwide has helped state export promotion agencies and their clients connect with business partners throughout the world. Under the U.S. Small Business Administration's State Trade and Export Promotion (STEP) program, states can apply for matching funds to help qualified exporters at overseas shows. Kallman continues to offer a full range of expert export promotion services including its award-winning USA Partnership Pavilion program at leading international trade shows, custom exhibit builds, digital trade missions, and informational webinars.

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Philadelphia Mayor Sparks Outrage With Comments About a Shooting

HARRISON CANN | CITY & STATE PENNSYLVANIA | Some City Council members have called for his resignation.

New Yorkers Are Scrambling For Public Restroom Access With Limited Availability

SAHALIE DONALDSON | CITY & STATE NEW YORK | New legislation would require city departments to identify a new restroom location in every ZIP code, but stops short from ordering their completion.

Governments Begin Pushing Back on Investors Snatching Up Homes

SHARON O'MALLEY | Institutional investors purchased nearly 20% of all U.S. homes for sale in the last three months of 2021, turning most into rentals. Now, some state and local officials want to slow the trend, worried it is boxing residents out of homeownership.

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FROM: Morning Consult <reply@em.morningconsult.com>
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DATE: 06/07/2022 06:44

MORNING CONSULT

Health

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JULY 6, 2022

BY GABY GALVIN

Twitter Email

Top Stories

- The Food and Drug Administration paused its ban on sales of Juul Labs Inc.'s e-cigarettes, saying it will conduct a further review of the vaping giant's products following a federal appeals court's move to block the ban. The FDA said it will consider "scientific issues unique to the Juul application" to stay on the U.S. market after earlier arguing that the company lacked sufficient health and safety data. (The Associated Press)

- Senate Majority Leader Chuck Schumer (D-N.Y.) will submit text today to the Senate parliamentarian on a Democratic agreement to allow Medicare to negotiate prescription drug prices beginning in 2023. The move will revive the party's budget reconciliation package, though negotiations over other measures are ongoing and it's still unclear whether the full legislative package will pass. (Punchbowl News)

- An experimental drug originally used to treat cancer curbed deaths by half among people hospitalized with COVID-19, according to a study

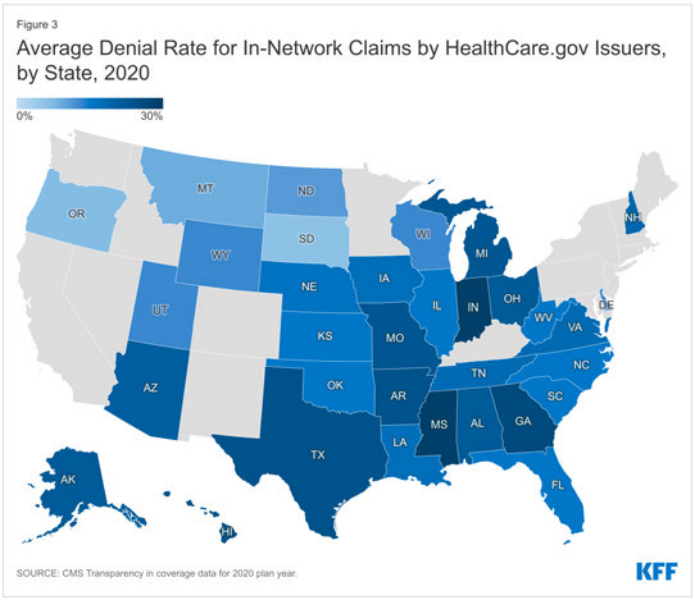
that suggests sabizabulin is more effective than other treatments for COVID-19 patients with severe disease. Miami-based drugmaker Veru Inc. asked the FDA to authorize the drug, though outside experts cautioned that the clinical trial was relatively small. (The New York Times)

- The Centers for Medicare and Medicaid Services proposed the creation of a new provider designation for rural hospitals that seeks to prevent closures and improve access to care, in line with legislation passed last year. Designated rural emergency hospitals would be able to receive Medicare payments beginning in 2023. (Healthcare Dive)

Chart Review

Claims Denials and Appeals in ACA Marketplace Plans in 2020

Kaiser Family Foundation



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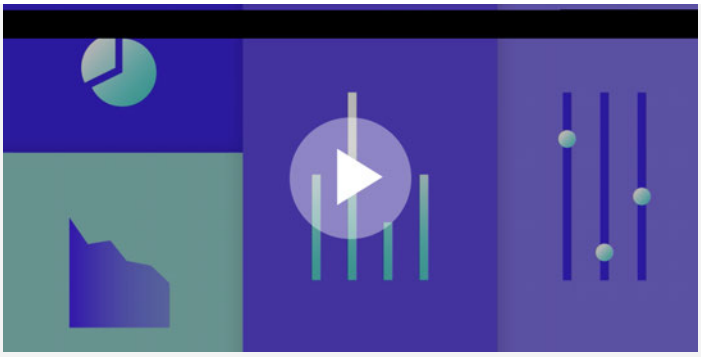

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What Else You Need to Know

CORONAVIRUS

BA.5 Subvariant Drives Majority of Recent Covid-19 Cases
Jon Kamp, The Wall Street Journal
The highly contagious Omicron BA.5 subvariant has taken over as the dominant version of the virus causing new Covid-19 cases in the U.S., the latest federal data show.

World's Covid vaccine, drugs equity program set to wind down this fall
Erin Banco and Ashleigh Furlong, Politico
The ACT-Accelerator has struggled to secure funding as Covid cases have declined from the height of the pandemic.

Covid-19 Vaccine Doses, Once in High Demand, Now Thrown Away
Peter Loftus, The Wall Street Journal
Governments, drugmakers and vaccination sites are discarding tens of millions of unused Covid-19 vaccine doses amid sagging demand, a sharp reversal from the early days of the mass-vaccination campaign, when doses were scarce.

Germany's CureVac files suit against vaccine rival BioNTech
The Associated Press
German biotech company CureVac said Tuesday it has filed a patent infringement lawsuit against rival BioNTech for work that it says contributed to the development of the BioNTech-Pfizer coronavirus vaccine. BioNTech said its work is original and it would "vigorously" contest the claim.

'My Body, My Choice': How Vaccine Foes Co-Opted the Abortion Rallying Cry
Rachel Bluth, Kaiser Health News
Armed with the language of the abortion rights movement, anti-vaccine forces have converged with right-leaning causes to protest covid

precautions.

Estimates of long Covid are startlingly high. Here's how to understand them
Elizabeth Cooney, Stat News
Knowing how many people are living with that bitter legacy of Covid-19, and who among working-age adults can't work or care for their families, is critical to their care and to the health of our society.

GENERAL

FDA Rule Exerting Authority Over Premium Cigars Found Faulty
Martina Barash, Bloomberg Law
The FDA improperly glossed over cigar industry arguments when it decided to include premium cigars in a rule subjecting electronic cigarettes, hookahs, cigars, and other items to tobacco regulation, a federal court in Washington, D.C., ruled Tuesday.

NBC pundit, public health expert Vin Gupta in line for top Biden administration spot
Adam Cancryn, Politico
FDA eyes the media-savvy adviser to improve agency's PR efforts after recent stumbles.

Abortion laws by state: Legal status of abortion changing day-by-day after Roe v. Wade overturned
Megan Messerly, Politico
In some states, the legal status of abortion has flipped back and forth multiple times since the Supreme Court's decision last month.

The national bidding war for ARPA-H
Emma Hurt, Axios
An intra-state bidding war has broken out for the chance to house the headquarters of a multibillion-dollar new science agency aimed at curing major diseases — before the agency's structure has even been finalized by Congress.

The Quest by Circadian Medicine to Make the Most of Our Body Clocks
Kim Tingley, The New York Times Magazine
Researchers are trying to figure out the right hour of the day to do everything. Can their studies sync us up with better health?

PAYERS

Report: These are the factors impacting individual, small group premiums in 2023
Paige Minemyer, Fierce Healthcare
The lingering effects of COVID-19, the end of enhanced subsidies for exchange plans and global inflation are among the key trends impacting premiums in 2023, according to a new report.

Hospital Can Sue Illinois to Enforce Medicaid Pay, Court Says
Christopher Brown, Bloomberg Law
An Illinois hospital can sue the state Medicaid department because it allegedly failed to ensure that managed care organizations promptly paid

providers, a federal appeals court said Tuesday.

PROVIDERS

More nursing homes, physicians linked to lower hospital readmissions
Arielle Dreher, Axios
Medicare patients were readmitted to hospitals less frequently in communities with more nursing home beds and primary care physicians, a new Health Affairs study shows.

Infertility Patients and Doctors Fear Abortion Bans Could Restrict I.V.F.
Jan Hoffman, The New York Times
The new state bans don't explicitly cover embryos created outside the womb, but legal experts say overturning Roe could make it easier to place controls on genetic testing, storage and disposal of them.

Abuse, discrimination, exclusion: Transgender men explain domino effect of losing reproductive care post-Roe
Orion Rummler, The 19th
"If you are trans and become pregnant and you need to access abortion services in the South, your options are really, really limited right now."

Arizona prisons' 'grossly inadequate' health, mental care unconstitutional, federal judge rules
Dave Muoio, Fierce Healthcare
Years of "grossly inadequate" healthcare for Arizona prisoners represent a violation of the inmates' constitutional rights and will require outside help to remedy, a federal judge ruled late last week.

PHARMA, BIOTECH AND DEVICES

Eisai Says Alzheimer's Drug Will Get Priority Review in US
Robert Langreth and Kanoko Matsuyama, Bloomberg
Eisai Co. and Biogen Inc.'s experimental Alzheimer's disease drug lecanemab will receive a priority review by U.S. regulators, giving the companies a second shot at a treatment designed to slow progression of the devastating form of dementia.

FDA to convene second panel of outside experts to review Amylyx Pharma's ALS treatment
Adam Feuerstein, Stat News
Amylyx Pharmaceuticals said Tuesday that the Food and Drug Administration is bringing together a panel of outside experts for a second time to review new data on the company's experimental treatment for ALS.

Older Class of Drugs May Show Promise for Some Alzheimer's Signs
Marthe Fourcade, Bloomberg
Amid the many drug failures for Alzheimer's disease, researchers found that one older class of medicines might offer some hope, although just how much is still unclear.

Beyond a CRISPR treatment's encouraging results, some scientists see a need for more data on risk
Jason Mast, Stat News

What happens when you CRISPR people? Few questions generated more contentious discussion in biotech in the mid-2010s.

After West Virginia opioid verdict, another case postponed
John Raby, The Associated Press
A trial in a lawsuit accusing three major U.S. drug distributors of causing a health crisis throughout West Virginia was postponed Tuesday, a day after the companies prevailed in another case in the state.

Drugmaker 340B contract pharmacy restrictions continue with Bausch Health
Robert King, Fierce Healthcare
Bausch Health became the 18th drugmaker to impose restrictions on sales to 340B contract pharmacies despite an ongoing legal battle other companies have faced.

Widely Used Hospital Gowns Show Signs of Exposing Workers to Infection
Brett Kelman, Kaiser Health News
Disposable gowns designed to deflect the splatter of bodily fluids, used in thousands of U.S. hospitals, have underperformed in recent and ongoing laboratory tests and may fall short of safety standards, leaving health care workers with a greater risk of infection than advertised.

HEALTH TECHNOLOGY

Telehealth lobbyists fear abortion debate could erase wins
Megan R. Wilson, Politico
They are avoiding the fallout from the Roe decision to ensure eased rules are extended beyond the pandemic.

Democratic senators want stricter HIPAA rules to protect abortion patients
Rebecca Pifer, Healthcare Dive
Two Democratic senators are urging the Biden administration to update the Health Insurance Portability and Accountability Act to prevent health data from being shared with law enforcement agencies targeting people who have an abortion, following the Supreme Court's decision last month to overturn Roe v. Wade and criminalize the procedure in some U.S. states.

Federal Patient Privacy Law Does Not Cover Most Period-Tracking Apps
Charles Ornstein, ProPublica
A patient privacy law known as HIPAA, passed in 1996, hasn't kept pace with new technologies and at-home tests.

Watson Health, under new investment firm ownership, is reborn as Merative
Dave Muoio, Fierce Healthcare
Investment firm Francisco Partners celebrated the close of its IBM Watson Health assets acquisition by announcing the launch of a new standalone data analytics company.

OPINIONS, EDITORIALS AND PERSPECTIVES

I'm a High-Risk Obstetrician, and I'm Terrified for My Patients

David N. Hackney, The New York Times
Sometime soon, I am going to meet a patient who has no ability to leave the state, and I am going to have to tell her that her baby has a lethal condition, and she is going to have to carry a pregnancy to term against her will.

RESEARCH REPORTS

Effect of an Intensive Nurse Home Visiting Program on Adverse Birth Outcomes in a Medicaid-Eligible Population
Margaret A. McConnell et al., JAMA
Compared with usual care, the program did not reduce the risk of a composite of adverse birth outcomes; however, evaluation of the effectiveness of this program is incomplete pending assessment of early childhood and birth spacing outcomes.

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SUBJECT: Re: Employee response to DHHS email regarding supreme court decision
FROM: Tracy Gruber DHHS <tracygruber@utah.gov>
TO: Diane Moore DHS <dmoore@utah.gov>
CC: Joe Dougherty DHS <joedougherty@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Monica Jimenez <mjimenez@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Sarah Welliver DHS <swelliver@utah.gov>
DATE: 06/07/2022 07:02

Diane,

Thank you for informing us of the concerns from this employee. It sounds like maybe others on your team also have concerns.

I am very sorry that staff feel that the email somehow communicated that DHHS is not providing psychological safety. As noted in the email, we were trying to encourage caution when discussing this issue or other issues where there is clear polarization in our nation, state and amongst our staff. In response to your email, I reviewed the communication with DHRM and legal and I still feel that we struck the right balance. Again, I am sorry that this particular staff member has interpreted the email in such a way that the individual is contemplating leaving the department. That is an extremely unfortunate outcome. Our leadership is more than willing to meet with the individual to talk about their concerns, if that would be helpful.

As we navigate these challenging issues, we continue to strive to provide effective communication to our staff. We will continue to draft these messages and review these messages to ensure we are doing so in a way that expresses our support for individual perspectives on these issues while trying to establish clear lines in the workplace.

Thanks again for elevating the concerns.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 5, 2022 at 7:56 AM Diane Moore DHS <dmoore@utah.gov> wrote:

Greetings,

I hope everyone had a nice holiday weekend, and I am still out on personal vacation, but wanted to lift an issue to our EDO group (including legal, communications and human resources) regarding some employee responses to our formal DHHS statement on the Roe v Wade decision.

We at DHHS/DCFS often live in the crosshairs of controversial and sensitive subject matter. Our staff run the entire spectrum on social issues regarding their personal belief system. Our staff generally understand and we constantly remind them that they cannot engage in political activity using state time or devices, and that whatever they do in their personal time needs to be clear that they don't represent DCFS/DHHS/State of Utah. These parameters have generally been followed and understood.

However, some have perceived that the DHHS communication took things a bit further and moved from restrictions on political, leadership endorsement, or public activity on this topic to include any conversation at all. This may not be realistic in a workforce where connections and friendships are not only existing, but encouraged. As a result, I already have one of my top performing state office administrators informing me that as soon as they find another job, they will be leaving DCFS solely due to this DHHS communication. They don't want to leave the work and were in tears when this was discussed with me, but they felt that DHHS was no longer a psychologically safe place where they are valued or understood based on the DHHS Roe vs. Wade email. They even expressed they felt the ethics they must follow as a social worker was violated by the heavy handed language. They perceived the email as an outright ban on any mention of this ruling even with close work colleagues, including using telephone, text, chat, etc., and that this was simply too much and represented a significant shift from previous policies in its span and tone. They expressed that this was unique only to DHHS, was dehumanizing and made it a place where they cannot in good conscience continue to work. This staff member then provided two other, neutral statements from other state organizations that they had no problem with as examples of how DHHS could have handled it. They expressed that these other statements also understood and respected the Governor's position and the official position, but were done with a pragmatism and a humanity that they wished also existed at DHHS considering that we are literally about health and human services. What they heard was an explicit-- don't talk about it all with anyone at work in any way. This shutting down of connection and informal dialogue was seen as a blow to the work environment and even free speech.

Here are the three statements provided to me by this employee side by side:

[redacted]

I share this with you because I don't believe the state's position has actually changed, but some think it has based on this formal DHHS communication. I have staff who feel like they even mention it to a friend in a breakroom that they will be jeopardizing their job---even if in no position of authority, not public, not representing the state, etc. This adds a pressure to an already hot situation, and an already hot environment of turnover and overwhelm at DCFS---without potentially partnering the message with sufficient empathy, understanding, access to EAP resources, etc.

I know this is a very delicate nexus of some very complex things, but felt like I should share this with you for further consideration of these perceptions moving forward. We are all just trying so hard to retain people, and so hard to create an environment of psychological safety, that these perceptions are damaging to our work culture even if unintended. We will likely lose this one employee, and many others are grumbling about such an environment. This email struck a chord with staff negatively, regardless of where people felt on the actual topic. How can we create healthy space for employees to feel safe no matter where they are on the spectrum of this or a myriad of other issues? I believe the Governor would empathetically acknowledge and allow people that space as long as they didn't cross certain clear lines. But what people heard was don't say anything about this at all even in the most informal of ways with anyone related to the workplace. We need to provide them better tools and support than this communication did if we want them to feel safe and valued and whole with us.

Thanks for listening. Please let me know if I can be of any assistance. My desire is to support the Governor, support EDO, and support our staff. My only hope is that such feedback helps us all improve as we navigate this very complex work.

Best,
Diane

--
Diane Moore
Division Director
She/Her
C: 801.755.7302
dmoore@utah.gov
dcfs.utah.gov

Utah Department of Health & Human Services
Child & Family Services

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TO: Tracy Gruber DHHS <tracygruber@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Monica Jimenez <mjimenez@utah.gov>, Sarah Welliver DHS <swelliver@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>
DATE: 06/07/2022 07:26

Thank you. I appreciate the support and just wanted you to be aware going forward.

I will relay your offer to this individual, and have tried to reassure them that I did not see the shift in department instruction that they did. I believe where you intended to communicate caution they heard a deeper level of restriction.

Thank you for the heightened review and response. I too hope this individual will reconsider.

On Wed, Jul 6, 2022 at 9:03 AM Tracy Gruber DHHS <tracygruber@utah.gov> wrote:
Diane,

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Best,
Diane

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Diane Moore
Division Director
She/Her
C: 801.755.7302
dmoore@utah.gov
dcfs.utah.gov

[redacted]

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SUBJECT: Flash Sale on Health Center Training Ends Today
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: hborski@utah.gov
DATE: 06/07/2022 08:15

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SUBJECT: Horizon Media unveils B2B agency, Green Thread
FROM: "4A's SmartBrief" <aaaa@smartbrief.com>
TO: hborski@utah.gov
DATE: 06/07/2022 08:36

Created for **hborski@utah.gov** | Web Version

July 6, 2022

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TOP STORY

VMLY&R, Coke Studio create music video for Halsey

(Coca-Cola/YouTube)

VMLY&R created a semi-animated music video for Coke Studio of Halsey's "So Good" song, which draws inspiration from the 1985 music video for "Take On Me" by A-ha. The push includes out-of-home elements in Los Angeles and Chicago. **Full Story:** Adweek (7/5)

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CREATIVE

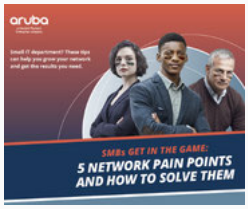
Creative lessons from Kantar's Digital Creative Awards

Effective digital ads contain five creative ingredients, including the ability to empathetically break category stereotypes and turn short ad lengths into a creative advantage, according to a summary of the winning campaigns from Kantar's 2022 Digital Creative Awards in Southeast Asia. The three grand winners were Virtue's "JW, Love for the street" YouTube spot for Johnnie Walker; BBH India and Publicis Groupe Indonesia's "KV Motion" Instagram ad for Kraft Heinz; and Fuse's "#FlexYOKCK" TikTok ad for Tide. **Full Story:** SmartBrief/Marketing (7/6)

Omelet, Google animate "Heroes of Small Business"

Trailer for "Heroes of Small Business" (Google/YouTube)

Omelet, with award-winning animator Karin Fong, created a "Heroes of Small Business" campaign for Google that features three animated spots depicting real small-business owners as superheroes with narration and an original track from rapper Tobe Nwigwe. The push is offering $10,000 grants to small businesses nominated by consumers, who will also receive $500 to spend at their favorite business if it wins. **Full Story:** Muse by Clio (7/5)



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AGENCY INSIDER

Terri and Sandy founders talk client relationships

Terri Meyer and Sandy Greenberg, co-founders of Terri and Sandy, talk about how relationship-building, not pitching, has fueled the agency's growth. "It was unusual for creatives like us in the big agency world to have the depth of relationships," Greenberg says of the pair's time at FCB, adding, "We always knew that it was our security and our power." **Full Story:** Adweek (7/5)

Jeffrey Butterworth on taking a stand

Jeffrey Butterworth, creative director and founder of ButterCo, writes about the viral reaction to his LinkedIn post on abortion and how it made him realize the importance of agencies and brands taking a stand, because there are benefits along with the risks. "Taking a stand also means helping people, furthering causes, amplifying voices when they need it. It's a bat signal to those who care about the same things you do," Butterworth writes. **Full Story:** Muse by Clio (7/5)

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AGENCY NEWS

Horizon Media unveils B2B agency, Green Thread

Horizon Media has created a new business-to-business unit named Green Thread, which will be led by President Chris Hummel, who also serves as faculty member of advisory firm Revenue Enablement Institute, which has been purchased by the agency. B2B "is a space that hasn't been hasn't been well served in a lot of the agency ecosystem, in particular, the media side," Hummel said, adding, "There's also a real blurring between B2B and B2C." **Full Story:** Digiday (tiered subscription model) (7/6)

MEDIA & TECHNOLOGY TRENDS

Are marketers getting the most out of AR filters?

Marketers focusing on augmented reality filters for e-commerce may be overlooking opportunities to tap AR filters for brand awareness and engagement. For example, Campbell Francis Group CEO Annelise Campbell says AR filers will increasingly be integrated into live events to enhance experiences and boost social sharing.
Full Story: Morning Brew (7/5)

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The Beginning of the End can feel a lot like the middle when you are living in it.

Karen Russell
Writer

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SUBJECT: Adventure time! 🎒 Earn up to 4X points
FROM: "IHG One Rewards" <IHGOneRewards@mc.ihg.com>
TO: <HBORSKI@UTAH.GOV>
DATE: 06/07/2022 13:31

[redacted]

Start earning towards 4X points

It's easy. Boost your rewards simply by enjoying more nights with us. Register now, then book and stay with us through August 31, 2022 and see how quickly your points add up.

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By clicking, you are agreeing to the campaign's terms & conditions.

2X

Earn 2X points
on nights 2 – 5

3X

Earn 3X points
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Earn 4X points
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Terms and Conditions

You must be an IHG® One Rewards member and must register in order to participate in the "Earn up to 4X" promotion ("Promotion"). Members can pre-register for this Promotion starting May 4, 2022 through May 17, 2022. Members will be able to stay and earn IHG® One Rewards bonus points under this Promotion beginning May 18, 2022 and ending on August 31, 2022 ("Promotion Period"). Members who did not register during the period for pre-registration may register for the Promotion during the Promotion Period. By clicking the "click to register" button for the Promotion, a member is registering for the Earn up to 4X Promotion and accepting these Terms & Conditions.

After registering for the Promotion, a member can earn IHG® One Rewards bonus points based on the number of qualifying nights they have during the Promotion Period, as follows: "2X points" on their 2nd through 5th qualifying nights; "3X points" on their 6th through 14th qualifying nights; and "4X points" on their 15th qualifying night and all subsequent qualifying nights. The bonus points earning structure for "2X points", "3X points", and "4X points" is described in more detail below and is subject to a total promotional bonus points cap of 100,000 points. For IHG® Rewards members residing in the U.S. who have an IHG® One Rewards Credit Card from Chase, this Promotion also includes an opportunity to earn up to 6,000 additional bonus points if certain requirements are met for stays during the Promotion Period. This offer for cardmembers is also described in more detail below. **The time needed for awarding points can vary with each promotion, so please allow up to 6 weeks for any earned bonus points to be posted to your account.**

For purposes of this Promotion, the qualifying nights must be part of one or more Qualifying Stays at participating IHG® Hotels & Resorts, Mr and Mrs Smith properties, or participating Six Senses® Hotels, Resorts, & Spas (as identified on each hotel's booking page), and each qualifying night must be completed during the Promotion Period, which is from May 18, 2022 through August 31, 2022. No retroactive credit will be given for nights prior to registration for the Promotion, and any nights outside of the Promotion Period will not be eligible for bonus points under the Promotion. A Qualifying Stay is a minimum 1-night stay booked under a Qualifying Rate, with total spend exceeding US $30 (or local currency equivalent) for each night. Only one room per member per Qualifying Stay will be eligible for the applicable bonus points under the Promotion. If more than one member checks into the same room, only one member is eligible for the bonus points available under the Promotion. If a member books more than one room on the same night, they will only receive bonus points for the Promotion on the room with the higher room rate for each qualifying night. For additional details on Qualifying Stays and Qualifying Rates, please see the full IHG® One Rewards Members Terms and Conditions.

For this Promotion, earning "2X" or "2X points" or "Double Points" on a member's 2nd, 3rd, 4th, and 5th qualifying night stay during the Promotion Period means the total number of regular "base points" and promotional "bonus points" combined will equal two (2) times the base points the member would normally receive just for being an IHG® One Rewards member. For example, under this Promotion, for a member's second qualifying night during the Promotion Period with a room rate of $100.00 at an IHG hotel with a 10 points per USD earn rate for base points, the member would earn 1,000 base points (10 points x $100 = 1,000 points) and an additional 1,000 promotional bonus points, for a total of 2,000 points.

Similarly, earning "3X" or "3X points" or "Triple Points" on a member's 6th through 14th qualifying room night during the Promotion Period means the total number of regular "base points" and promotional "bonus points" combined will equal three (3) times the base points the member would normally receive just for being an IHG® Rewards member. For example, a qualifying night after a member has already stayed five (5) previous qualifying nights within the Promotion Period would be considered the 6th qualifying night. If that 6th qualifying night has a room rate of $100.00 at an IHG hotel with a 10 points per USD earn rate for base points, the member would earn 1,000 base points (10 points x $100 = 1,000 points) and an additional 2,000 promotional bonus points, for a total of 3,000 points for the 6th qualifying night, which would be in addition to the base points and bonus points the member had previously earned under the Promotion for their 2nd, 3rd, 4th, and 5th qualifying nights.

Earning "4X" or "4X points" or "Quadruple Points" on a member's 15th qualifying room night, and all subsequent qualifying room night stays, during the Promotion Period has similar meaning: The total number of regular "base points" and promotional "bonus points" combined will equal four (4) times the number of base points the member would normally receive just for being an IHG® Rewards member. By way of example, for a member's 2-night Qualifying Stay for their 15th and 16th qualifying nights within the Promotion Period, with a per night room rate of $100.00 at an IHG hotel with a 10 points per USD earn rate for base points, the member would earn 2,000 base points (10 points x $100/night x 2 nights = 2,000 points) and an additional 6,000 promotional bonus points, for a total of 8,000 points. These 8,000 points is for the 15th and 16th qualifying nights and are in addition to the base points and bonus points the member had already earned during the Promotion Period for qualifying nights 2 through 14.

The promotional bonus points that can be earned under the 2X, 3X, and 4X promotion part of the Promotion, as described above, are calculated based solely on the base points the member is eligible to earn for the qualifying night just for being an IHG® One Rewards member, and any Elite status bonus points or any other bonus or promotional points the member may be eligible to receive for the same stay are not included.

For cardmembers in the United States with an IHG® Credit Card from Chase, an additional 3,000 bonus points will be awarded after the cardmember's first three (3) qualifying nights and another 3,000 bonus points after the cardmember's second three (3) qualifying nights. Each qualifying night must be part of a Qualifying Stay at participating IHG® Hotels and Resorts during the Promotion Period, booked under a Qualifying Rate with total spend exceeding US $30 (or local currency equivalent) for each night and paid for by the member using their IHG® credit card. No additional bonus points for IHG® credit card use will be awarded past the sixth qualifying night. For new Chase IHG® Credit Card accounts opened during the Promotion Period, please allow up to 6 weeks after the Promotion Period for bonus points to be credited. The "up to 6,000 bonus points" cardmembers can earn from this offer are separate from points earned from credit card spend on IHG transactions. IHG reserves the right of final interpretation of this offer to cardmembers. This offer is not from Chase. Chase is not responsible for the provision of, or failure to provide, the stated benefits and services. Bonus points will post directly to your IHG® Rewards account and will not appear on your credit card statement. The "up to 6,000 bonus points" cardmembers can earn from this offer is in addition to the bonus points a cardmember can earn under the 2X-3X-4X part of the Promotion. As a result, cardmembers qualifying for this offer have an opportunity to earn a maximum of 106,000 promotional bonus points over the entire Promotion Period.

The points earned during the Earn up to 4X Promotion can be used toward Reward Nights, can be redeemed for merchandise, or can be used for other redemption opportunities, as permitted under the IHG® Rewards program. The Promotion is subject to the IHG® Rewards program terms and conditions and earning structure, which can be found IHG® One Rewards Membership Terms and Conditions or by visiting www.ihgonerewards.com . Members can only participate in one promotion at a time, unless otherwise specifically allowed by IHG. IHG expressly reserves the right to remove a member's points or cancel a member's account if fraudulent use of the Promotion is detected, and any fraudulent activity relating to a member's account, or this Promotion is subject to the IHG® One Rewards Membership Terms and Conditions, including any of the identified actions that may be taken in response to such activity. To the extent permitted by applicable law, IHG reserves the right of final interpretation of the Promotion, as well as the right to cancel, terminate, suspend and/or modify the Promotion at any time. Members must make any promotional inquiries 60 days from the end of the Promotion Period; the end of the Promotion Period is August 31, 2022.

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IHG® One Rewards terms and conditions apply. For complete program details, visit ihg.com/terms. Benefits and rewards may vary

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To unsubscribe from IHG One Rewards Special Offers & Promotions, please click here. If you unsubscribe from IHG One Rewards email subscriptions, we will continue to send you important, time-sensitive messages related to a recent transaction, such as reservation confirmations.

You may also contact the IHG One Rewards Service Center directly at IHG One Rewards, P.O. Box 30320, Salt Lake City, UT 84130-0320, USA.

To change/update any other IHG One Rewards email communication preferences, please:
1. Go to ihg.com.
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[redacted]

[redacted]

SUBJECT: [NWCPHP-Announce] July Hot Topics webinar: Abortion Access isPublic Health
FROM: Northwest Center for Public Health Practice Announcements<nwcphp-announce@u.washington.edu>
TO: nwcphp-announce@uw.edu
DATE: 06/07/2022 14:06

Northwest Center
FOR PUBLIC HEALTH PRACTICE
SCHOOL OF PUBLIC HEALTH

hot topics in practice

Abortion Access is Public Health

Tuesday, July 26, 2022
12:00 to 1:00 p.m. PT

REGISTER

Access to quality sexual and reproductive health services, including abortion, is key to a person's well-being. On June 24th, the Supreme Court overturned Roe v. Wade and Planned Parenthood of Southeastern Pa. v. Casey, which has implications for federally protected abortion access and state laws that are aimed at limiting abortion access. The **July session** of *Hot Topics in Practice* will share why abortion access is a public health issue and how Washington state has addressed it through a public health framework.

During this one-hour webinar, Cynthia Harris and Rizza Cea with the Washington State Department of Health's Sexual and Reproductive Health Program will share why and how the state approaches abortion access with a public health framework. Regardless of the Supreme Court ruling on Roe v. Wade, access to abortion remains legal in Washington State. Washington state will continue to support reproductive health access and abortion access using a public health framework through current state laws and legislation. As other states pass stricter abortion laws that limit access, Washington state is strengthening their position and resources in efforts that center equity and reproductive justice.

The Washington State Department of Health's Sexual and Reproductive Health Program receives state and federal funding to provide sexual and reproductive health services. Federal and state funding supports Title X services through 16 contractors across the state. Title X is a federal grant program dedicated to providing individuals with comprehensive family planning and related preventive health services such as STI screening and treatment, contraception, and cancer screening. Focus populations are uninsured and underinsured, BIPOC, Hispanic, limited English proficiency, adolescents, and people who live in rural locations. Abortion services are not allowed under this grant, but Title X clinics are required to provide all options counseling including abortion, and Title X clinics can provide abortion services separate from this project. The Sexual and Reproductive Health Program supports access to abortion services with state funding. Better understand why abortion access is a public health issue and how your organization can better integrate this information into your work. **Register today**.

Presenters

Cynthia Harris (she/her)
Sexual and Reproductive Health Program Manager and Title X Project Director
Washington State Department of Health
Rizza Cea (she/her), DNP, MA, CNM, ARNP
Sexual and Reproductive Health Program Clinical Consultant and Title X Medical Director
Washington State Department of Health

IMPORTANT NOTES ABOUT HOT TOPICS

Speaker slides are posted on our **website** the morning of the webinar. Each session is recorded and made available by the next day. Audio is available through computer or by phone. Closed captioning will also be available during the webinar.

Hot Topics in Practice is a monthly webinar hosted by the Northwest Center for Public Health Practice. Guest speakers from local, state, tribal, and national organizations present on current issues affecting public health practice.

*Up to 1 CPH recertification credit may be earned by viewing this webinar. Visit the **National Board of Public Health Examiners** to learn more.*

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SUBJECT: CLOCC News for July 6, 2022: Under 30 Percent of U.S. Kids HaveHigh Scores for Heart Health
FROM: CLOCC <info@clocc.net>
TO: hborski@utah.gov
DATE: 06/07/2022 15:02

July 6, 2022

Consortium to Lower Obesity in Chicago Children
clocc
CELEBRATING 20 years

CLOCC NEWS

Study: Under 30 Percent of America's Children Have High Scores for Heart Health

Ann & Robert H. Lurie Children's Hospital of Chicago

Most children and adolescents living in the U.S. have suboptimal scores for cardiovascular health (CVH), according to the first study to use the American Heart Association's new "Life's Essential 8" metrics and scoring algorithm for quantifying CVH levels in adults and children. Overall, under 30 percent of 2-19-year-olds had high CVH. The proportion of children with high CVH declined markedly with older age: 56 percent of 2-5-year-old children had high CVH, compared with 33 percent of 6-11-year-olds and 14 percent of 12-19-year-olds. Findings were published in the journal ***Circulation***.

"We found that among U.S. children, scores were lowest for the diet metric, which is comparable to what we saw in adults," said senior author **Amanda Marma Perak**, MD, a cardiologist at Ann & Robert H. Lurie Children's Hospital of Chicago and Assistant Professor of Pediatrics at Northwestern University Feinberg School of Medicine. "Individuals and families who improve their eating patterns can markedly improve their total cardiovascular health, even independent of weight change. In addition to families' efforts to improve, we also need policy-level support for better diets, such as subsidies for fruit and vegetable production or making healthier foods more readily available and removing sugar-sweetened beverage options in schools."

Read More

Keep Kids Fed Act Signed by President Biden, Establishing Safety Net for Summer Meals

An expanded school lunch waiver program established as a pandemic response was set to expire in June before the House

[redacted]

and Senate, urged on by child-health advocates, fast-tracked an approval of the Keep Kids Fed Act. The legislation includes an extension of free summer meals for all kids and was signed into on law June 25th by President Biden.

“Although these waivers were set to expire, the problems they were intended to address continue and, in many cases, have gotten worse," said Share our Strength Senior Vice President Lisa Davis. "Schools and community meal providers continue to face extreme challenges in feeding kids, including staff shortages, rapidly rising food costs, skyrocketing gas prices and severe supply chain disruptions. The flexibilities included in the legislation are essential for them to run their meal programs in these challenging times."

According to the USDA, the Keep Kids Fed Act will assist food providers by:

- Extending nationwide flexibilities to summer meal programs through September 2022, including allowing sites to continue serving meals in all areas, at no cost to families;
- Providing schools with an additional temporary reimbursement of 40 cents per lunch and 15 cents per breakfast, and child care centers with an extra 10 cents reimbursement per meal;
- Providing all family day care homes with the higher temporary reimbursement rate for school year 2022-23;
- Equipping USDA with additional flexibilities to support schools, as needed, based on their local conditions.

While the Keep Kids Fed Act delays an immediate reduction in healthy food accessibility for children and families, the waiver's new expiration date of September is already on the horizon. Per the USDA, free school lunches will still be available based on financial need, however families may need to prepare to return to pre-pandemic processes for obtaining meal assistance.

USDA Announcements

- **Biden Administration Takes Additional Steps to Strengthen Child Nutrition Programs**
- **School Meal Changes are Coming in the 2022-2023 School Year**

Final Chance to Nominate a Future Local Health Leader

20 UNDER 20

Consortium to Lower Obesity in Chicago Children clocc CELEBRATING 20 years

CLOCC has extended the nomination deadline for our **20 Under 20 campaign**, honoring the work of Consortium founder **Kathy Kaufer Christoffel**. We invite you to join us in identifying and celebrating young Chicagoans who, through participation in school and/or community programs, or their own individual initiative, are inspiring their peers to make healthy choices in their own lives, and building environments that support health in their schools, neighborhoods, and communities.

Twenty honorees will be recognized from July to November in CLOCC’s various communications, including several honorees who will be featured at CLOCC’s 20th Anniversary convening in late 2022. Each honoree will also receive a gift card to

support their continued health and wellbeing. To submit a nomination for CLOCC's 20 Under 20, please review the guidelines and use the **provided form**. Questions can be submitted to **info@clocc.net**.

Nomination Guidelines

- Nominations must be submitted by an organization, school or other partner aligned with CLOCC's work.
- You may nominate an individual or group, but only one gift card will be supplied per award; all stipulations below still apply to groups
- Nominees must be 19 years old or younger prior to the original submission deadline of June 17, 2022 (Nominees must be born after June 17, 2002).
- A nominee's efforts towards community health should be demonstrable and have already occurred or be ongoing (no future or proposed efforts) at the time of nomination.
- A nominee's efforts should be focused within the City of Chicago.
- Examples of CLOCC-affiliated work include (but are in no way limited to!):
- Creating or leading a gardening, healthy cooking or food pantry club
- Introducing exercise, sports or other physical activity opportunities to peers
- Cleaning or improving parks, playgrounds or other community spaces
- Participating in or leading a group that supports unhoused kids and families
- Advocating for cycling lanes, bicycle parking or similar infrastructure

Submit a Nomination

Visit the 20 Under 20 homepage

The submission deadline expires today, July 6, 2022

Upcoming Events

Show Me the Money! Bringing Active Transportation Funding to Your Community; Thursday, July 14

Hosted by the Active Transportation Alliance, Metropolitan Planning Council and Metropolitan Mayors Caucus

Tune in on Thursday, July 14 at noon for a lunchtime webinar, *Show Me the Money! Bringing Active Transportation Funding to Your Community.*

Finding the right funding source for a walking or biking project is one of the biggest challenges local agencies face in improving transportation options in their communities. However, with increased federal and state transportation funding coming into our state from the national Bipartisan Infrastructure Law and the Rebuild Illinois capital plan, we have more opportunities than ever to advance active transportation projects at the local and regional level.

Panelists will provide an overview of frequently used and upcoming pedestrian and bicycle funding opportunities and share tips for creating

successful grant applications and navigating the funding process.

RSVP

Career Opportunities

First Mile Care

First Mile Care is an early-stage healthcare startup sitting at the intersection of public health, technology, on-demand economy, and community building.

Regional Program Coordinator – South Side, Chicago

The Regional Program Coordinator will work closely with the Director of Operations on key needs of the DPP program as it relates to the sessions and coordination of program schedules and coaching assignments. **Learn more and apply**.

Diabetes Prevention Program Coach – Garfield Park and/or Lawndale, Chicago, IL Area

This individual will lead small groups of people with prediabetes or at high risk for developing type 2 diabetes through a year-long program clinically proven to reduce the risk of diabetes. **Learn more and apply**.

Diabetes Prevention Program Coach – South Side Chicago, IL

The Diabetes Prevention Program Coach will lead small groups of people with prediabetes or at high risk for developing type 2 diabetes through a year-long program clinically proven to reduce the risk of diabetes. **Learn more and apply**.

Full-Time Early Childhood Teacher

Loop Learning Center

Loop Learning Center is currently seeking a highly motivated, knowledgeable educator to join our team. We have been serving children and families for over 35 years. We are an Excelerate Illinois Gold Circle of Quality & NAEYC Accredited Program.

The teacher must possess the following:

- Associate's Degree in Early Childhood Education
- Early Childhood Credential Level 4 or higher
- Infant Toddler Credential Level 3 or higher

Duties Include:

- Develop and engage students in developmentally appropriate activities using The Creative Curriculum for Infants, Toddlers & Twos.
- Observe and assess each student's growth and development using the online assessment tool Teaching Strategies Gold.
- Create an engaging child-centered learning environment.

Benefits include:

$500 Signing Bonus after 90 Days Employed 401K Paid Vacation & Sick Time Free Tuition Scholarship through DFSS Career Advancement Reduced Child Care Costs

Please send your resume via email to **looplearningcenter@yahoo.com**.

Associate Government Relations Manager

American Heart Association

The Associate Government Relations Manager is responsible for supporting the management of federal policy priorities as assigned, including those related to health care coverage, delivery and affordability including public health and prevention, medical research, tobacco use prevention, nutrition security, physical activity, and new and emerging policy priorities. The Associate Government Relations Manager aids the Federal Advocacy Team by drafting letters, testimony, and other advocacy materials, scheduling and/or representing AHA at meetings with congressional and agency staff and coalition partners, conducting background research, and coordinating with teams across the advocacy enterprise to develop coordinated campaigns that achieve federal advocacy goals. **Learn more or apply**.

Academic Coordinator

Nutrition Policy Institute, University of California

The Academic Coordinator provides strategic leadership and expertise on program development, research and evaluation activities to inform and improve policies and practices related to nutrition and physical activity behaviors and obesity prevention primarily in California. Duties include budget development and management, management of project deliverables, and priority setting. This position is expected to lead and oversee a complex, multi-component, and multi-million-dollar state-wide evaluation of a SNAP-Ed program with impact on the national program, play a leadership role on additional regional, state and national research and evaluation programs as needed, and facilitate and develop new funding opportunities and partnerships. This position also provides leadership for future proposals and strategic planning for the Nutrition Policy Institute (NPI) and has impact at the regional, state and national levels. **Learn more or apply**.

Submit Job Openings and Future Events to be Listed on CLOCC.net and in the CLOCC Newsletter

Connect with CLOCC's network of nearly 3,000 childhood obesity prevention advocates by listing your organization's upcoming events or current job openings on the Consortium's website. Upon submission, postings will be approved by CLOCC staff; events and careers applicable to the CLOCC network may also be featured in this newsletter. If you have questions or are not able to access the webpage, contact **info@clocc.net**. CLOCC will not publish for-profit services or events, or products for sale.

clocc careers

Click here, or the image above, to view the latest job opportunities in obesity prevention and public health. Are you looking to fill an opening? Submit your listing using the button below.

Submit an Opening

clocc events

Click here, or the image above, to view upcoming events targeted for child health and obesity prevention, as well events hosted by local partners. Submit your own event using the button below.

Submit an Event

Focus Upstream

CLOCC focuses upstream to identify the fundamental root causes of obesity, and to broaden the scope of our obesity prevention strategies. This work draws from local and national attention to health equity and social influencers of health, such as immigration, education, poverty and racism, all of

which have an impact on people's ability to eat healthy and be active where they live, work, learn, and play. If you have comments or questions about this focus, we invite you to reach out to info@clocc.net.

UPSTREAM NEWS:

- **How Child Poverty Could Increase Without the Protections of Roe v. Wade** - *The Hill*

Childhood Obesity in the Media

- **Stress During Pregnancy Can Affect Child's Diet** - *MedicalXpress*
- **America's Newest National Security Threat: Obesity** - *The Hill (Opinion)*
- **Kellogg Loses UK Fight to Block Ban on Sugary Cereal Promos** - *AP News*
- **American College of Physicians Calls US Food Insecurity a Threat to Public Health** - *The Hill*
- **Subsidization of Supermarkets May Help Reduce Obesity Risk in Children** - *Physician's Weekly*
- **Wire WIC to Better Serve Food-Insecure Families** - *Harvard H.T. Chan School of Public Health*
- **Are Coke and Pepsi Campuses Bad for Public Health?** - *Chronicle of Higher Education*
- **How to Maximize the Results of Wearable Health Devices** - *MedicalXpress*
- **American College of Physicians Calls US Food Insecurity a Threat to Public Health** - *The Hill*
- **'Buy Nothing' Groups Are Doubling as Food Distribution Networks** - *CivilEats*
- **Small Grocers Do Their Part to Eliminate 'Food Deserts' — but Against Considerable Odds** - *New England Public Media*
- **An Avoidable Hunger Crisis Still Looms for Millions of Children: Opinion** - *ABC News*
- **Pediatric Endocrinologist: 'Solutions to Childhood Obesity Are Community Specific'** - WSAW (Wausau, WI)
- **Do You Live in an 'Exercise Desert'?** - *VeryWell Health*

COVID-19: News and Resources

For questions related to testing criteria and general information about COVID-19 and children, please contact the COVID-19 Call Center at Ann & Robert H. Lurie Children's Hospital at 312.227.5300. The Call Center is staffed by Lurie Children's nurses and is available Monday through Friday, 8:00 AM to 5:00 PM CT, and Saturday, 8:00 AM to 1:00 PM CT.

GO-TO SOURCES FOR CORONAVIRUS (COVID-19) INFORMATION:

- **Clinical Guidance from the American Academy of Pediatrics (AAP)**
  - **Obesity Management and Treatment During COVID-19 (AAP)**
- **Ann & Robert H. Lurie Children's Hospital of Chicago**
- **Lurie Children's Hospital Resources in Spanish/Recursos Relacionados con el Nuevo Coronavirus (COVID-19)**
- **Chicago Department of Public Health (CDPH)**
- **Illinois Department of Public Health (IDPH)**

VACCINE RESOURCES

On June 19, the CDC recommended COVID-19 vaccine for children younger than 5 years of age. Important information for COVID-19 vaccine can be found **here** (children) and **here** (all ages).

The CDC recommends Moderna or Pfizer vaccines for this age group. Both vaccines are safe and effective. Lurie Children's Hospital will be offering Moderna to children younger than 5 years old and will continue to offer Pfizer to those age 5 years and older.

COVID Vaccine Scheduling at Lurie Children's Hospital

Funding and Recognition Opportunities

The Center for Science in the Public Interest's (CSPI's) first round of grantmaking for 2022 is now open. CSPI seeks to support communities as they explore local, state, and federal policy interventions to elicit systemic change and advance a just and equitable food environment. CSPI is focused on identifying strategies and passing policies aimed at increasing purchasing power for, and access to, nutritious food that meets people's needs, supporting a healthier food environment, and reducing health disparities across demographic groups. Several opportunities are currently open, with **details available here**.

CLOCC.NET RESOURCES

- LATEST NEWS
- JOB OPENINGS
- EVENTS
- RESOURCE LIBRARY
- *5-4-3-2-1 Go!*
- *five*SMART

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CONSORTIUM TO LOWER OBESITY IN CHICAGO CHILDREN (CLOCC) | 225 E. Chicago Ave., Box #157, Chicago, IL 60611

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SUBJECT: Calif. Court Overturns Trump-Era Endangered Species Rules
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 07/07/2022 01:48

PUBLIC POLICY

LAW360®

Thursday, July 7, 2022

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TOP NEWS

Calif. Court Overturns Trump-Era Endangered Species Rules

A California federal court overturned on Tuesday several steps that the Trump administration took to weaken the Endangered Species Act, after the government last year cited "substantial concerns" with those measures and said it intended either to revise or rescind them.

Order attached | Read full article »

Cushman In Contempt Over NY AG's Trump Subpoenas

A New York state judge held Cushman & Wakefield in contempt Tuesday after the former Trump Organization appraiser failed to hand over documents in the state attorney general's fraud investigation, saying the firm will be fined $10,000 a day for flouting a court order.

Order attached | Read full article »

Following Subpoena, Cipollone Agrees To Talk To Jan. 6 Panel

Days after getting a subpoena from the House committee investigating the insurrection at the U.S Capitol, former White House counsel Pat Cipollone has agreed to testify, a source familiar with the matter said Wednesday.

Read full article »

8th Circ. Clips Claims In No-Knock Warrant Death Suit

The Eighth Circuit has thrown out most of the claims against St. Louis Metropolitan Police Department officers from the family of a man who was shot 24 times and killed during the execution of a no-knock warrant searching for marijuana and other drugs, but will allow excessive force claims against most of the officers to go forward.

Order attached | Read full article »

Biden Planned To Name Anti-Abortion Ky. Judge, Emails Show

President Joe Biden had planned to nominate a conservative, anti-abortion attorney to a new vacancy in the Eastern District of Kentucky the same week the U.S. Supreme Court ultimately ruled to overturn the constitutional right to an abortion, according to newly released emails in response to a public records request.

Read full article »

Mass. Justices Hint Early Voting Law May Survive GOP Suit

A recent Massachusetts law enshrining early voting may avoid a head-on collision with the Bay State constitution because it expands voting access to everyone, a justice of the state high court said Wednesday.

Read full article »

Federal Courthouse Named After 1st Black Fla. Justice

The federal courthouse in Tallahassee will be named after the late Joseph Woodrow Hatchett, who was the first Black

LAW FIRMS IN TODAY'S NEWS

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Baker Botts
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Florida Supreme Court justice and a former Akerman LLP partner.

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BANKING & SECURITIES

Ex-OCC Acting Chief, Simpson Thacher Atty Joins Patomak

Financial consulting firm Patomak Global Partners LLC announced a former acting Comptroller of the Currency and a former partner of Simpson Thacher & Bartlett LLP has joined its ranks in Washington, D.C., to head up the firm's banking supervision and regulation group.

Read full article »

ENERGY & ENVIRONMENTAL

Energy Litigation To Watch In The Second Half Of 2022

The U.S. Supreme Court fielding a fresh request to keep climate change torts against fossil fuel companies in federal courts, and circuit courts grappling with carbon calculation metrics and regulation of vehicle greenhouse gas emissions highlight the key role climate change will play in energy-related litigation worth watching in the second half of 2022.

Read full article »

EPA Must Face Arkansas' Suit Over Pollution Permits

An Arkansas federal court refused to dismiss claims that the U.S. Environmental Protection Agency waited too long to file objections to a state wastewater authority's pollution discharge authorizations, finding that the finality of the permits in question remains in dispute.

Order attached | Read full article »

Enviros Say EPA Blew Deadlines For Smog Plans In 4 States

The Center for Biological Diversity and the Center for Environmental Health said Tuesday they intend to sue the U.S. Environmental Protection Agency over its alleged failure to make sure effective smog-reduction plans are in place in Colorado, Pennsylvania, North Dakota and three areas of California.

Letter attached | Read full article »

Groups Say Feds Flubbed Enviro Permit On 400-Home Project

Two environmental groups asked a judge to block a permit for a 314-acre housing development in Chico, California, arguing that federal officials failed to consider its effect on seasonal wetlands, species of shrimp and a rare plant native to the region.

Motion attached | Read full article »

HEALTH & LIFE SCIENCES

FDA, USPTO Heads Look At Teaming Up On Drug Pricing

Amid congressional calls for the U.S. Patent and Trademark Office and the U.S. Food and Drug Administration to work more closely on generic-drug matters, leaders at both agencies said Wednesday that they were trying to strengthen the patent system to curb abuse.

Read full article »

Premium Cigar Groups Get Win In Suit Over FDA Rulemaking

A D.C. federal judge has found that the U.S. Food and Drug Administration acted arbitrarily when it opted not to exempt hand-rolled premium cigars from regulations requiring warning labels, saying that the FDA's decision said there was "no data" provided on their use despite the agency receiving two studies on the subject.

Order attached | Read full article »

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Earthjustice
Erie Insurance Inc.
Ethereum GmbH
Getty Images Inc.
Google LLC
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Instagram Inc.
JUUL Labs Inc.
Lambda Legal Defense & Educational Fund
Levi Strauss & Co.
LinkedIn Corp.
Major League Baseball Inc.
Medicare Payment Advisory Commission
Meta Platforms Inc.
Mexican American Legal Defense & Educational Fund
Microsoft Corp.

IP & TECHNOLOGY

5th Circ. Grapples With Whether Fed. Circ. Should Take Fintiv

A Fifth Circuit panel on Wednesday asked difficult questions of both US Inventor and the federal government when trying to figure out whether it or the Federal Circuit should oversee challenges to the U.S. Patent and Trademark Office's practice of discretionarily denying patent challenges.

Read full article »

EPO Board Says AI Can't Be Inventor, But Offers Alternative

The board that oversees European Patent Office appeals on Wednesday explained its reasons for rejecting patent applications naming an artificial intelligence machine as the inventor, but suggested that it may be possible to name the computer's user or owner instead.

Decision attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

NY, NJ To Split Hudson Tunnel, Bridge Projects Cost

New York and New Jersey will split the remaining costs after federal funding of constructing a train tunnel under the Hudson River and replacing the Portal North Bridge in the first phase of the states' railway investment initiative.

Read full article »

INSURANCE

3rd Circ. Asked To Wait For Pa. Panels On COVID Coverage

A group of Pennsylvania businesses seeking coverage for their pandemic-related losses asked the Third Circuit to pause its consideration of several appeals, saying the Superior Court of Pennsylvania and state Supreme Court should weigh in first on issues surrounding COVID-19 coverage.

Motion attached | Read full article »

REAL ESTATE

Eviction Default Buffer Lifts For Some In NYC Housing Court

A New York City administrative judge has lifted a procedural buffer that gave certain tenants an extra shot to match with a lawyer and mount defenses in housing court before facing a default judgment, citing the "changing course of the pandemic."

Read full article »

COMPETITION

DOJ's Antitrust Division Taps Former Microsoft Economist

The U.S. Department of Justice's Antitrust Division is padding its ranks with a top economist, tapping a Stanford professor and former Microsoft consulting chief economist as the agency moves forward with major technology cases and considers a broad rethink of how competition enforcement should work.

Read full article »

FTC Told Ban On Juul Sales Bolsters Altria Deal Challenge

Federal Trade Commission staffers have told the commissioners that health regulators' recently paused ban on marketing of Juul products supports the agency's case for challenging Altria Group Inc.'s $12.8 billion acquisition of a minority stake in the electronic cigarette maker.

2 documents attached | Read full article »

Mobilization for Justice Inc.
NJOY Inc.
Natural Resources Defense Council
New Jersey Transit Corp.
Ohio State University
Oracle Corp.
PJM Interconnection LLC
Pacific Legal Foundation
Patomak Global Partners LLC
Paypal Holdings Inc.
Regents of the University of California
Sierra Club
State Bar of Georgia
Suncor Energy Inc.
The Gap Inc.
The Hartford Financial Services Group Inc.
TikTok Inc.
Trump Organization Inc.
Twitter Inc.
U.S. Xpress Enterprises Inc.
USI Insurance Services
University of Virginia
Venmo LLC

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arizona Attorney General's Office
Bureau of Citizenship and Immigration Services
California Air Resources Board
California Natural Resources Agency
Central Intelligence Agency
Commodity Futures Trading Commission
Congressional Research Service
Consumer Financial Protection Bureau
Equal Employment Opportunity Commission
European Union
Executive Office of the President
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Housing Finance Agency
Federal Trade Commission
Fish and Wildlife Service
Florida Supreme Court
Food and Drug Administration
Georgia Supreme Court
Government Accountability Office
Massachusetts Supreme Judicial Court
Missouri Attorney General's Office
Montana Attorney General's Office
National Marine Fisheries Service
National Railroad Passenger Corp.
National Security Agency
New Jersey Attorney General's Office
New York Attorney General's Office
Office of the Comptroller of the Currency
Pennsylvania Supreme Court
Serious Fraud Office
Small Business Administration
Solicitors Regulation Authority
Texas Attorney General's Office

Meta Says FTC Is 'Hiding' WhatsApp, Instagram Probe Docs

Meta has told a D.C. federal court that the Federal Trade Commission is refusing to turn over material from its reviews of Facebook's Instagram and WhatsApp purchases before they closed — the deals at the core of the FTC's antitrust case against the social media giant.

Brief attached | Read full article »

CYBERSECURITY & PRIVACY

Ex-CIA Coder Pokes At Semi-Secret WikiLeaks Trial Witnesses

A former CIA programmer suspected of stealing hacking secrets and feeding them to WikiLeaks got a former colleague to opine Wednesday that the spy agency's computer security was not as strong as the National Security Agency's.

Read full article »

Lawmakers Urge FTC Probe Into TikTok's Consumer Data Use

A bipartisan pair of senators are calling for a Federal Trade Commission probe of reports that China's government can access the private data of millions of Americans who use the popular video-sharing platform TikTok.

2 documents attached | Read full article »

SPORTS & BETTING

FTC Implements Horse Racing Rules Despite La. Lawsuit

A new set of federal horse racing regulations went into effect under the Horseracing Integrity and Safety Act on Friday despite a last-minute request from the State of Louisiana for a temporary restraining order that would delay implementation while a lawsuit against the new rules makes its way through the Louisiana Western District Court.

Complaint attached | Read full article »

GOVERNMENT CONTRACTS

SBA Proposes Certification Program For Vet-Owned Small Biz

The Small Business Administration issued a proposed rule on Wednesday to establish a governmentwide certification program for veteran-owned small businesses, which would end self-certification for contractors working outside the U.S. Department of Veterans Affairs.

Proposed Rule attached | Read full article »

Gov. Didn't Mislead Research Co. In $22M Bid, GAO Says

The Government Accountability Office denied a bid challenge from a North Carolina-based research company that claimed the government sabotaged its $22 million proposal, finding a lack of evidence that the government held "misleading discussions" during its selection process.

Decision attached | Read full article »

INTERNATIONAL TRADE

WTO Expects To Rule On US Security Tariffs By Year's End

The World Trade Organization panel overseeing a series of legal challenges to Trump-era national security tariffs on steel and aluminum expects to issue its ruling before the year is out, according to WTO documents circulated this week.

6 documents attached | Read full article »

IMMIGRATION

U.S. Agency for International Development
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office
U.S. Attorney's Office for the Southern District of New York
U.S. Attorney's Office for the Western District of Washington
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Defense Office of Inspector General
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Veterans Affairs
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Arkansas
U.S. District Court for the Eastern District of California
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Louisiana
U.S. District Court for the Western District of Washington
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Supreme Court
World Trade Organization

6th Circ. Strikes Down Ohio Injunction Blocking ICE Guidance

The Sixth Circuit has undone an Ohio judge's nationwide order preventing immigration officers from prioritizing the removal of noncitizens who pose a security threat pursuant to Biden administration policy, saying the guidance didn't directly injure the three states challenging it.

Opinion attached | Read full article »

5th Circ. Doubtful Of Biden's Rebuff Of Order Neutering DACA

A Fifth Circuit panel on Wednesday appeared skeptical of the Biden administration's attempts to salvage an Obama-era program shielding young immigrants from deportation, with one judge emphasizing evidence indicating that Texas could lower its public services spending if the program was terminated.

Read full article »

Judge Shuts Down Early Win Bid By DHS In Visa Delay Suit

A Washington federal judge has denied the U.S. Department of Homeland Security's bid for an early win in a case lodged by nonimmigrant spouses who sued the department for delaying visa and work authorization decisions, saying the spouses still had live claims.

Order attached | Read full article »

5th Circ. Asks If 'Remain In Mexico' Ruling Moots Border Suit

The Fifth Circuit on Tuesday asked for supplemental briefing in Texas and Missouri's lawsuit against the federal government over U.S.-Mexico border wall construction halts, asking them to explain whether the U.S. Supreme Court's decision last week in the "Remain in Mexico" policy case moots the instant appeal.

1 document attached | Read full article »

US Cos. Say Fabrics, Yarn Access Key To Mitigating Migration

A group of American companies and manufacturers pushed the White House on Tuesday to invest more in the textile and apparel manufacturing industries within the Western Hemisphere, and provide access to more fabrics and yarns, which they said could create more jobs and mitigate migration from Central America.

Read full article »

TELECOMMUNICATIONS

Google Wants Intact 'Common Carrier' Suit Kept Together

Google wants to face Ohio's state court lawsuit seeking to forcibly regulate it as a "common carrier" all at once, arguing that a recent ruling keeping the suit intact demonstrates there is no reason to split the dispute, as Ohio enforcers have urged.

Response attached | Read full article »

FCC Calls For $220K Fraud Fine Over Broadband Subsidy

The Federal Communications Commission has slapped Cleo Communications and its CEO Kyle Traxler with a $220,210 fine for using interstate wires to defraud consumers hoping to participate in the Emergency Broadband Benefit program.

Notice attached | Read full article »

CANNABIS

Pot Regulators Urge Biden To Reinstate Obama-Era Policy

The Biden administration should act to undo the previous administration's restrictions when it comes to federal enforcement of marijuana-related drug offenses and reinstate the more lenient guidance put in place under President Barack Obama, a group of minority cannabis regulators has said.

Letter attached | Read full article »

Sens. Call Biden's Pot Position 'Extraordinarily Disappointing'

A group of Democratic U.S. senators on Wednesday renewed their request to the Biden administration to decriminalize cannabis and to wipe out the federal convictions of people charged with nonviolent marijuana-related crimes, blasting the administration's response to their previous request as "extraordinarily disappointing."

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EXPERT ANALYSIS

How Federal Data Privacy Bill Would Affect Businesses

The proposed American Data Privacy and Protection Act represents a needed step toward federal protection of individual privacy rights, but businesses should expect additional amendments as it works its way through passage, with significant deference toward Federal Trade Commission rulemaking, say Brandon Robinson and Kelsi Long at Balch & Bingham.

Read full article »

'Remain In Mexico' Ruling May Affect Immigration Battles

The U.S. Supreme Court's decision in Biden v. Texas allowing the administration to end the "Remain in Mexico" policy means that future challenges to immigration policies won't result in injunctions if they are grounded in the Immigration and Nationality Act, says César García Hernández at Ohio State University.

Opinion attached | Read full article »

An Uncertain Future For HHS Drug Reimbursement Rates

The U.S. Supreme Court's decision in American Hospital Association v. Becerra, rejecting the U.S. Department of Health and Human Services' rules reducing Section 340B drug reimbursements, is not a straightforward reversal of the rate changes and raises questions concerning how HHS will implement the decision, say Stephanie Webster and Margaux Hall at Ropes & Gray.

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LEGAL INDUSTRY

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TO: hborski@utah.gov
DATE: 07/07/2022 01:58

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Thursday, July 7, 2022 Follow

TOP NEWS

Justices Urged To Mend Circuit Split Over FCA Scienter

Two whistleblowers have urged the U.S. Supreme Court to review a contentious decision that a supermarket chain's alleged overcharging of federal health care programs was not a False Claims Act violation, saying circuit courts are deeply split on how to determine defendants' knowledge of wrongdoing.

1 document attached | Read full article »

Biden Planned To Name Anti-Abortion Ky. Judge, Emails Show

President Joe Biden had planned to nominate a conservative, anti-abortion attorney to a new vacancy in the Eastern District of Kentucky the same week the U.S. Supreme Court ultimately ruled to overturn the constitutional right to an abortion, according to newly released emails in response to a public records request.

Read full article »

Premium Cigar Groups Get Win In Suit Over FDA Rulemaking

A D.C. federal judge has found that the U.S. Food and Drug Administration acted arbitrarily when it opted not to exempt hand-rolled premium cigars from regulations requiring warning labels, saying that the FDA's decision said there was "no data" provided on their use despite the agency receiving two studies on the subject.

Order attached | Read full article »

FDA Stays Juul Ban, Says More Review Needed

The U.S. Food and Drug Administration on Tuesday said it would allow Juul products to stay on store shelves pending

COMPANIES IN TODAY'S NEWS

Altria Group Inc.
American Academy of Family Physicians
American Bar Association
American Civil Liberties Union
American Gateways
American Hospital Association
Associated Press
AutoZone Inc.
DDB Worldwide Communications Group Inc.
Ethereum GmbH
Immigration Equality Inc.

additional review of scientific evidence "unique" to the company's application to market its e-cigarettes.

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Federal Trade Commission staffers have told the commissioners that health regulators' recently paused ban on marketing of Juul products supports the agency's case for challenging Altria Group Inc.'s $12.8 billion acquisition of a minority stake in the electronic cigarette maker.

2 documents attached | Read full article »

North Korea Accused Of Hitting Health Cos. With Ransomware

North Korean actors have hit multiple health care organizations with ransomware attacks since May 2021 as part of an ongoing campaign exploiting the sector's heightened need to keep its computer systems running, U.S. officials warned Wednesday.

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POLICY & REGULATION

FDA, USPTO Heads Look At Teaming Up On Drug Pricing

Amid congressional calls for the U.S. Patent and Trademark Office and the U.S. Food and Drug Administration to work more closely on generic-drug matters, leaders at both agencies said Wednesday that they were trying to strengthen the patent system to curb abuse.

Read full article »

Sens. Call Biden's Pot Position 'Extraordinarily Disappointing'

A group of Democratic U.S. senators on Wednesday renewed their request to the Biden administration to decriminalize cannabis and to wipe out the federal convictions of people charged with nonviolent marijuana-related crimes, blasting the administration's response to their previous request as "extraordinarily disappointing."

Read full article »

ENFORCEMENT & COMPLIANCE

NC Medical Supplier Cops To $17M Medicare Billing Fraud

A health care executive in North Carolina admitted to cheating Medicare out of $17 million through bogus medical equipment billing and using the ill-gotten gains to buy homes and luxury cars, federal prosecutors said Wednesday.

Read full article »

LITIGATION

Ga. Justices To Review If Kids Can Claim Wrongful Death

The Georgia Supreme Court granted certiorari Wednesday to a daughter trying to revive a wrongful death suit she filed on behalf of her father against a doctor and medical group after a lower court said only a surviving spouse could bring the case.

Order attached | Read full article »

Arbitration Ruled 'Unconscionable' In Pa. Wrongful Death Suit

The Pennsylvania Superior Court has ruled that a nursing home's arbitration agreement signed by a partially blind woman in severe pain and on medication was "unconscionable," and could not be used to resolve her family's wrongful death suit against the facility.

Opinion attached | Read full article »

JUUL Labs Inc.
Johnson & Johnson
Lambda Legal Defense & Educational Fund
Major League Baseball Inc.
Medicare Payment Advisory Commission
NJOY Inc.
Pharmaceutical Research and Manufacturers of America
Porsche
Safeco Insurance Co.
State Bar of Georgia
Supervalu Inc.
U.S. Chamber of Commerce
U.S. Xpress Enterprises Inc.
United Natural Foods Inc.

LAW FIRMS IN TODAY'S NEWS

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Ellis George
Foley & Lardner
Genova Burns
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Goode Casseb
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Gray Reed
Helmer Martins
Hogan Lovells
Jones Day
Kang Haggerty
Kazan McClain
Kirkland & Ellis
Kobre & Kim
Munck Wilson
O'Melveny & Myers
Otterbourg PC
Parkins & Rubio
Polsinelli PC
Ropes & Gray
Sheppard Mullin
Sidley Austin
Simon Greenstone
Simpson Thacher
Squire Patton
Steptoe & Johnson LLP
Venable LLP
Wachtell Lipton
Wilkes & Associates
Wilkinson Stekloff
Wollmuth Maher

GOVERNMENT AGENCIES IN TODAY'S NEWS

Congressional Research Service
Consumer Financial Protection Bureau
Equal Employment Opportunity Commission
European Union
Executive Office of the President
Federal Bureau of Investigation

Old Spice Talc Supplier Escapes $3M In Punitive Damages

A California appeals court has vacated $3 million in punitive damages against Whittaker Clark & Daniels Inc. in a suit by a 79-year-old Vietnam War veteran, saying the veteran could not prove that the company deliberately hid the mesothelioma risks in its talc or that it didn't test its products thoroughly.

Opinion attached | Read full article »

BANKRUPTCY

J&J Talc Unit Headed For Pivotal Ch. 11 Hearing

The New Jersey bankruptcy judge presiding over the Chapter 11 case of Johnson & Johnson's talc unit urged the debtor, its insurers and the committee representing thousands of talc injury claimants to continue meaningful engagement in mediation ahead of a critical hearing set for later this month.

Read full article »

PEOPLE

Sheppard Mullin Adds Another Polsinelli Health Atty In LA

Sheppard Mullin Richter & Hampton LLP announced Wednesday it is continuing to expand its health care team by adding another Polsinelli PC expert — the sixth this year — to its Los Angeles office.

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EXPERT ANALYSIS

An Uncertain Future For HHS Drug Reimbursement Rates

The U.S. Supreme Court's decision in American Hospital Association v. Becerra, rejecting the U.S. Department of Health and Human Services' rules reducing Section 340B drug reimbursements, is not a straightforward reversal of the rate changes and raises questions concerning how HHS will implement the decision, say Stephanie Webster and Margaux Hall at Ropes & Gray.

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Following Subpoena, Cipollone Agrees To Talk To Jan. 6 Panel

Federal Housing Finance Agency
Federal Trade Commission
Florida Supreme Court
Food and Drug Administration
Georgia Supreme Court
Office of Foreign Assets Control
Serious Fraud Office
Solicitors Regulation Authority
U.S. Army
U.S. Attorney's Office for the Eastern District of North Carolina
U.S. Bankruptcy Court for the District of New Jersey
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. District Court for the District of Columbia
U.S. Drug Enforcement Administration
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Supreme Court

Days after getting a subpoena from the House committee investigating the insurrection at the U.S Capitol, former White House counsel Pat Cipollone has agreed to testify, a source familiar with the matter said Wednesday.

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Federal Courthouse Named After 1st Black Fla. Justice

The federal courthouse in Tallahassee will be named after the late Joseph Woodrow Hatchett, who was the first Black Florida Supreme Court justice and a former Akerman LLP partner.

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SRA Takes Steps Toward Probing Dechert Over ENRC Case

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FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 07/07/2022 06:29

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Health

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JULY 7, 2022

BY GABY GALVIN

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Top Stories

- Senate Democrats will propose raising taxes on some high-income Americans to delay a shortfall in the Medicare trust fund until 2031, aides told The Associated Press, with legislative text expected in the coming days. (The Associated Press) Senate Democrats also unveiled their new drug pricing plan, which would allow Medicare to negotiate drug prices and encourage biosimilar competition, but differs from a House-passed bill on issues such as insulin payment and transparency from pharmacy benefit managers. (Stat News)

- The Food and Drug Administration said state-licensed pharmacists can prescribe Pfizer Inc.'s COVID-19 antiviral pill Paxlovid to eligible patients, in a bid to ensure widespread access to the treatment. Pharmacists will be subject to some parameters around prescribing,

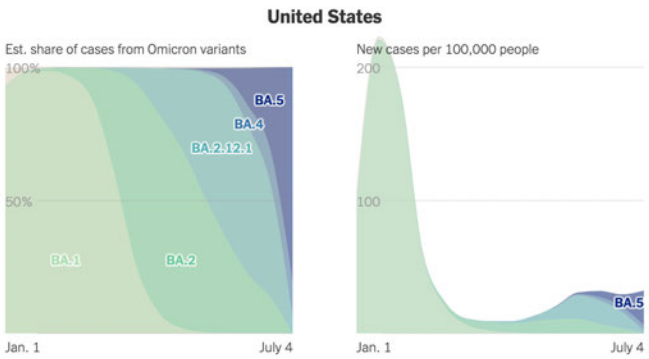
and the FDA said people who test positive for COVID-19 should first consider seeking care from a doctor or a test-to-treat site. (Bloomberg)

- The FDA will develop a new framework to help overseas baby formula manufacturers market their products in the United States after the formula shortage eases, a move that could increase competition and strengthen the supply chain. The FDA would offer technical assistance to companies seeking to enter the U.S. market and issue guidelines for those selling formula on a temporary basis during the shortage. (The Wall Street Journal)

- The Department of Health and Human Services and the Department of Justice won or negotiated more than $5 billion in health care fraud cases in fiscal 2021, a record high, while nearly $1.9 billion was returned to the federal government, according to a new report. About $1.2 billion went to the Medicare trust funds, while about $99 million was transferred back to the Centers for Medicare and Medicaid Services. (Healthcare Dive)

Chart Review

What the BA.5 Subvariant Could Mean for the United States
The New York Times



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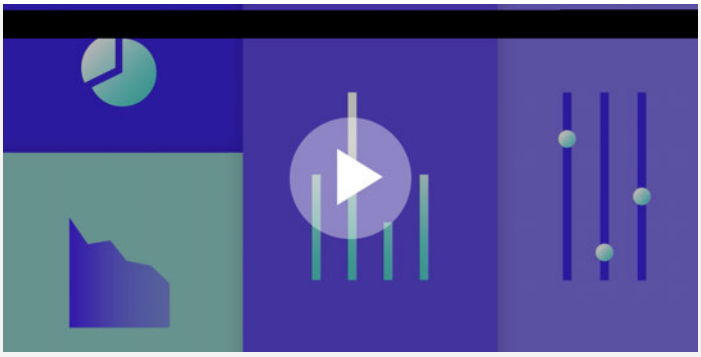

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What Else You Need to Know

CORONAVIRUS

Europe Is at Center of New Wave of Covid Infections, WHO Says
Deirdre Hipwell, Bloomberg
Europe is at the center of a resurgence in Covid-19 infections as more people mix at large-scale events and travel, according to the World Health Organization.

Doctors are clamoring for more clarity on Paxlovid prescribing amid Covid-19 rebound concerns
Edward Chen, Stat News
Six months after regulators issued an emergency use authorization for Paxlovid, physicians say they still have significant questions about prescribing guidelines for the leading treatment for high-risk Covid patients.

GENERAL

Juul Continues Selling Vaping Products After FDA Stays Ban
Robert Langreth, Bloomberg
Juul Labs Inc. said it's continuing to sell its vaping products that are at the center of an ongoing standoff with the Food and Drug Administration.

In the search for an ARPA-H director, the White House is zeroing in on DARPA veterans
Lev Facher, Stat News
The White House is zeroing in on former DARPA officials as candidates to lead the Biden administration's new high-stakes science agency, ARPA-H.

Democrats Criticize Biden Plan to Nominate Antiabortion Republican to Judgeship

Andrew Restuccia, The Wall Street Journal
The White House told Kentucky Gov. Andy Beshear's office that President Biden planned to nominate to the federal bench a Republican who has defended the state's efforts to restrict access to abortions, according to newly released documents.

Gun laws vs. mental health support: 'We can't screen our way out of this,' expert says
Kim Bellware, The Washington Post
As the familiar debate over mental health support and gun restrictions plays out in the wake of another deadly shooting, one expert who studies mass shooting events said that, although both are important, only firearm regulations have proved to have a significant effect of curbing future tragedies.

Prenatal screening brings risk in post-Roe landscape
Adriel Bettelheim, Axios
Pregnant people who get routine prenatal screening may be at greater risk of prosecution in states with strict, new abortion bans, even if they plan to continue the pregnancy, bioethicists write in the journal Cell Reports Medicine.

WHO to consider again whether monkeypox outbreak is public health emergency of international concern
Jacqueline Howard, CNN
As monkeypox cases continue to rise globally, the World Health Organization plans to reassess whether the outbreak constitutes a public health emergency of international concern.

Lesions, headaches, debilitating pain: Gay men with monkeypox share their stories
Benjamin Ryan, NBC News
Men who have sex with men comprise the vast majority of monkeypox cases in this unprecedented outbreak. Eighteen of them talked to NBC News about their experiences.

From social media to pink billboards, it's suddenly 'hot' to discuss gut diseases
Isabella Cueto, Stat News
Near the corner of busy Santa Monica Boulevard and Corinth Avenue, underneath lines of skinny palm trees and against an almost perpetually bright-blue sky, a hot pink billboard declared: Hot girls have IBS.

PAYERS

CMMI finds implicit bias in 3 major payment models
Robert King, Fierce Healthcare
An analysis of three existing payment models found certain screening tools and other designs led to some Medicare beneficiaries being excluded and prompted the creation of a new guide on how to root out bias in models.

PROVIDERS

Mississippi's last abortion clinic will shutter as trigger ban begins

Katie Shepherd, The Washington Post
Mississippi's only abortion clinic, Jackson Women's Health Organization, will lock its doors after the close of business on Wednesday following a trial judge's refusal to block the state's trigger law from taking effect, instituting a near-total abortion ban.

Whole Woman's Health to close clinics in Texas following near-total abortion bans
Oriana Gonzalez, Axios
Whole Woman's Health, one of the leading abortion providers in Texas, announced Wednesday that it is closing down its four locations due to the near-total bans that have been enacted in the state.

Abortion Providers and Advocacy Groups Face New Legal Barriers to Marketing Their Services
Patrick Coffee, The Wall Street Journal
The Supreme Court decision overturning Roe v. Wade has created a legally fraught landscape for organizations that advertise abortion services or provide information about getting them.

Feds Want a Policy That Advocates Say Would Let Hospitals Off the Hook for Covid-Era Lapses
Lauren Weber, Kaiser Health News
The Centers for Medicare & Medicaid Services is responding to the chaos of the covid-19 pandemic by proposing to hide from the public a rating that lets consumers compare hospitals' safety records and to waive approximately $350 million in financial penalties for roughly 750 hospitals with the worst patient-safety track records.

Hospitals Curbing Emissions Switch Anesthesia Gases, Plug Leaks
Shira Stein, Bloomberg Law
Hospitals under growing pressure to curb their greenhouse gas emissions are finding that taking a fresh look at how they use anesthesia can have a big payoff.

'Phantom' provider lists limit Medicaid mental healthcare access, study finds
Susan Kelly, Healthcare Dive
Researchers found significant discrepancies between provider directories and the actual availability of providers in a large study examining access to mental health services among Medicaid recipients in Oregon.

GOP AGs Support Alabama Ban on Medical Care for Trans Kids
Peter Hayes, Bloomberg Law
Fifteen Republican attorneys general are urging the Eleventh Circuit to overturn a partial injunction against Alabama's recently enacted law criminalizing gender-affirming medical care for children.

PHARMA, BIOTECH AND DEVICES

Senate Report Hits AbbVie's Bermuda Tax Structure for U.S. Humira Sales
Richard Rubin, The Wall Street Journal
Illinois-based AbbVie Inc. makes the bulk of its profits from arthritis drug Humira on sales in the U.S., but the company reports almost all its taxable income in foreign subsidiaries, according to a Senate Finance

Committee report that criticizes the pharmaceutical company's use of entities in Bermuda and Puerto Rico to reduce its tax burden.

To get banned abortion pills, patients turn to legally risky tactics
Christopher Rowland, The Washington Post
Mail-forwarding services and telehealth appointments from border-state parking lots circumvent state bans on FDA-approved drugs.

Montana Clinics That Provide Abortions Preemptively Restrict Pill Access for Out-of-State Patients
Katheryn Houghton and Arielle Zionts, Kaiser Health News
The four states bordering Montana have "trigger laws" in effect or pending now that the U.S. Supreme Court has ended federal protections for abortion, making conservative Big Sky Country an unlikely haven for women seeking to end their pregnancies.

Merck Is in Advanced Talks to Buy Seagen for Roughly $40 Billion or More
Cara Lombardo et al., The Wall Street Journal
Merck & Co. is in advanced talks to acquire Seagen Inc. and is aiming to agree on a purchase of the cancer biotech in the next few weeks, according to people familiar with the matter, in a deal that could be worth roughly $40 billion or more.

Genomics giant Illumina is looking beyond the sequencing box. But investors aren't sold on CEO Francis deSouza's 'legacy-defining' $8 billion gamble.
Andrew Dunn, Insider
Illumina's CEO, Francis deSouza, is moving the gene-sequencing giant into drugs and diagnostics.

HEALTH TECHNOLOGY

Teladoc adds medication delivery, in-home phlebotomy to primary care service Primary360
Paige Minemyer, Fierce Healthcare
Teladoc is further building out its primary care offering, Primary360, with new services that enhance care coordination and grow in-home options.

COVID-19 reappeared in top 5 telehealth diagnoses in April
Hailey Mensik, Healthcare Dive
COVID-19 made its way back into the top five telehealth diagnoses nationally on Fair Health's monthly tracker in April for the first time since January, according to the report out Wednesday.

Teladoc, Amwell Settle Patent Suit on Remote Health-Care Tech
Christopher Yasiejko, Bloomberg Law
Teladoc Health Inc. and American Well Corp. settled a patent-infringement lawsuit over technologies used in remote health care, a sector that vaulted to prominence during the stay-at-home phase of the Covid-19 pandemic, according to a filing Wednesday in Delaware federal court.

OPINIONS, EDITORIALS AND PERSPECTIVES

The End of the Illusion That Smoking Is a Choice

Sarah Milov, The New York Times

The Food and Drug Administration recently proposed lowering the nicotine content in cigarettes to less addictive levels. If adopted, this regulation would finally test one of the tobacco industry's favorite claims: that smoking is a choice.

RESEARCH REPORTS

Estimated Number of COVID-19 Infections, Hospitalizations, and Deaths Prevented Among Vaccinated Persons in the US, December 2020 to September 2021

Molly K. Steele et al., JAMA Network Open

COVID-19 vaccination was estimated to prevent 27 million infections, 1.6 million COVID-19-associated hospitalizations and 235,000 deaths among vaccinated adults through September 2021.

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FROM: NIHCM Foundation <nihcm@nihcm.org>
TO: <hborski@utah.gov>
DATE: 07/07/2022 08:35

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NIHCM NEWSLETTER - July 2022

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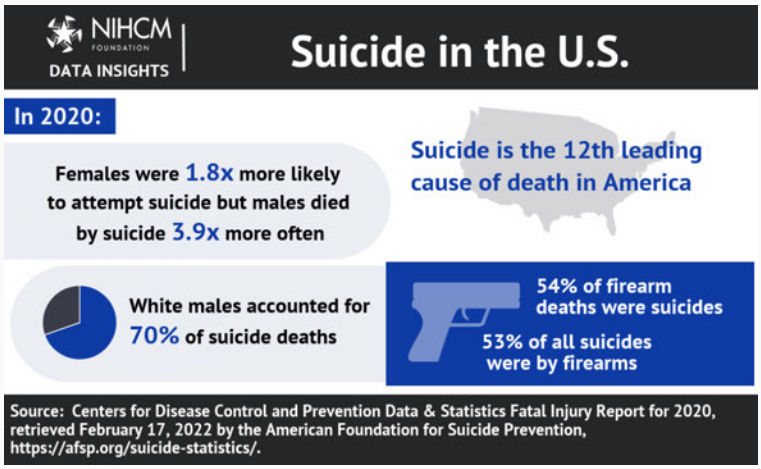
- Impact of Overturning Roe on Health Care
- The Pandemic & Children's Health
- In Other Public Health News…



More on this Data Visualization

Launch of 988

The launch of the three-digit National Suicide Prevention Lifeline number on July 16, 2022, will direct callers to crisis centers. 988 callers who are suicidal or experiencing a mental health crisis will be connected to counselors that are part of the existing National Suicide Prevention Lifeline network. However, there is concern the Lifeline will not be able to handle the increase in call volume.

- **Youth Suicide:** The Lifeline has already struggled to handle the increase in youth suicide rates during the COVID-19 pandemic. The growing mental health crisis disproportionately impacts LGBTQ youth and youth of color.
- **Suicide and Mental Health:** A recent study shows that most male suicides in the U.S. are not linked to mental health issues. These suicides are associated with acute stressors and are more likely to involve a firearm.
- **Racial Disparities:** A new Blue Cross Blue Shield Association report shows racial disparities in the diagnosis and treatment of major depression.

Resources & Initiatives:

- The American Academy of Pediatrics recommends that all youth 12 and older should be screened for suicide risk.
- The BlueCross BlueShield of South Carolina Foundation is partnering with schools and community organizations to address the mental health care workforce shortage for adolescents.
- Learn more about the struggle to staff the 988 crisis line from NIHCM grantee, *Tradeoffs* podcast.
- Blue Cross NC invests in behavioral health care services in rural and marginalized communities.
- Read the Bipartisan Policy Center's report on the three areas essential to the implementation of 988: interagency collaboration, the behavioral health workforce, and financing.

Impact of Overturning Roe on Health Care

Source: FiveThirtyEight, Overturning Roe v. Wade Could Make Maternal Mortality Even Worse, May 31, 2022

The U.S.' maternal mortality rate exceeds that of any other high-income country. The court ruling on *Dobbs v. Jackson Women's Health Organization*, overturning *Roe v. Wade*, allows states to set their own regulations on whether or not abortion is legal, and with what exceptions, if any. Numerous medical organizations and journals warn that the ruling will have implications beyond abortion, potentially increasing maternal mortality.

- **Implications on the Health Care System:** The verdict creates significant confusion among medical groups and hospitals across the nation, especially those specializing in in vitro fertilization. Providers will now have to follow each state's directive on the definition of an abortion. The Supreme Court's decision could place a heavier burden on already strained obstetric units around the country, such as rural maternity units.
- **Dangerous Pregnancies:** As restrictions continue to grow, many are concerned about whether people will be able to receive care for high-risk pregnancies. The new ruling also complicates what providers are able to do in cases of miscarriages, stillbirths, or pregnancies where the fetus is unlikely to survive, in which carrying to term will not only have a physical and mental health toll on the mother but some doctors argue is life-threatening.
- **Restricted Medical Training & Treatment:** Many of the procedures and medications used in treating miscarriages are also used in abortion care. New restrictions could curtail where doctors are able to receive training for this care, which has been a requirement for obstetrics and gynecology (OB/GYN) residency programs. A study in *Obstetrics and Gynecology* estimates that the number of OB/GYN residents with access to some level of abortion training will decline from the 92% reported in 2020 to at most 56%.

Resources:

- Learn more about what is happening in your state with Guttmacher Institute's interactive map and latest resources.
- *Kaiser Health News* released an article on what to know now that *Roe v. Wade* has been overturned.

Initiatives to Improve Maternal Health:

- Anthem Blue Cross Foundation committed more than $14.5 million in grants to improve maternal health, including addressing maternal health disparities.
- Highmark Blue Cross Blue Shield of Western New York recently announced a new grant cycle with added focus on maternal health disparities.

The Pandemic & Children's Health

Source: Imperial College London, COVID-19 Orphanhood

The pandemic continues to challenge children's health. More than 200,000 U.S. children have lost one or both parents to COVID, with youth of color disproportionately impacted. Additionally, child food insecurity remains a

concern as Congress passes legislation to extend free meals and other food assistance for children.

- **ACEs:** Stressors in childhood, known as Adverse Childhood Experiences or ACEs, can increase risk of disease later in life. This science informs the many challenges orphans of COVID could face in the future and the disproportionate impact on marginalized communities.
- **COVID Vaccines:** The Centers for Disease Control and Prevention recommends vaccines for children 6 months to 5 years old. However, disparities in health care may influence whether a child receives the shot. Rural pediatricians are less likely to recommend the COVID vaccines than their urban counterparts.
- **Child Hunger:** A new report from the Food Research Action Center showed that 95% of the country's largest school districts reported that the waivers helped reduce child hunger in their school district.

Resources & Initiatives:

- Learn more about addressing childhood trauma and the importance of family support.
- Blue Cross Blue Shield of Montana and Blue Cross Blue Shield of Michigan partnered with The Children's Trust Fund to help raise awareness about the prevention of child abuse and neglect.
- *PBS NewsHour,* a NIHCM grantee, highlighted how workforce shortages exacerbate the mental health crisis among American teens.
- Physicians (who are also moms of young kids) answer your questions about the COVID vaccine for children in this resource from Blue Cross NC
- See NIHCM's infographic on the pandemic's impact on children, with a focus on the mental health crisis.

In Other Public Health News…

- **Juul Ban:** The Food and Drug Administration recently ordered all Juul e-cigarette products to be removed from U.S. markets over public health concerns, including the role the company may have played in the "disproportionate rise in youth vaping." The FDA temporarily paused the ban for additional review.
- **Gun Bill:** On June 25, 2022, President Biden signed a bipartisan gun law into legislation, marking the most significant federal legislation to address gun violence since 1994. Learn more about the main objectives of this bill with *PBS NewsHour*.
- **Monkeypox:** More than 5,700 cases of monkeypox have been reported worldwide, around 460 cases of those are within the U.S. According to the World Health Organization, monkeypox is not yet a public health emergency of international concern.
- **COVID-19:** Throughout June, the average daily number of COVID-19 cases in the U.S. ranged between 95,000 and 115,000. A study published in *The Lancet Infectious Diseases* estimates that COVID-19 vaccines reduced the global death toll by more than half within the first year of use, preventing nearly 20 million deaths.
- **Environmental Protection Agency Ruling:** In the case of *West Virginia v. EPA*, the Supreme Court ruled to eliminate some of the

agency's ability to reduce and regulate carbon pollution, which was initially granted under the Clean Air Act. This ruling has environmental health implications.

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SUBJECT: Fwd: A Message from Marc Harrison, MD on the Recent Supreme Court Decision
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>
DATE: 07/07/2022 08:43

Michelle shared this with me at the end of last week. I think it's useful given the dialogue with DCFS.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 8:50 PM Michelle Hofmann <Michelle.Hofmann@hsc.utah.edu> wrote:

Worthwhile read on Dr. Harrison's response to the overturning if RVW

Sent from my iPhone

Begin forwarded message:

From: Physician and APP Professional Affairs <PhysicianandAPPProfessionalAffairs@imail.org>
Date: July 1, 2022 at 4:00:18 PM MDT

[redacted]

To: Michelle Hofmann <michelle.hofmann@hsc.utah.edu>
Subject: A Message from Marc Harrison, MD on the Recent Supreme Court Decision

Intermountain® Healthcare

July 1, 2022

A Message from Marc Harrison, MD on the Recent Supreme Court Decision

As we head into the holiday weekend, I would like to address the recent United States Supreme Court decision that ultimately overturned *Roe v. Wade*. The decision further empowers state legislatures to make their own laws governing pregnancy termination. This is already leading to new state laws across the country that will set new and different rules regarding abortion.

It's an issue that is deeply personal to many Americans, with passionate sentiments on all sides. I personally feel saddened by the division we're seeing play out on the news and in social media. Intermountain cannot resolve the deep cultural divide on this issue. But I ask that all caregivers continue to set the standard of civility and mutual understanding-recognizing and respecting we all have different personal opinions about this issue.

For health systems like ours, there's added confusion as to what it all means for our patients, our caregivers, and our communities. I'd like to address this uncertainty. Earlier this week, Intermountain's Chief Clinical Officer Dr. JP Valin provided an update on what this ruling means for caregivers who live in Idaho and Utah where new laws are taking effect. We will continue to be transparent and provide you with as much clarity as possible during this uncertain transition to a state-based approach to abortion laws.

For caregivers who specifically practice in the area of women's health, I've heard from many of you who are concerned about your potential legal liability as new state rules are enacted. As you all know, Intermountain has not performed elective abortions, yet pregnancy terminations have been performed for a host of clinical reasons. There are other clinical practices-around miscarriages, for example-where caregivers may be understandably confused as new laws are implemented. In addition to regularly informing you of these new policies, Intermountain will always support every caregiver who follows the law and practices evidence-based medicine.

What about our role in public policy making? Just as we have before, we will be passionate advocates for all our caregivers. In this case, especially those who practice in the area of women's health. This will include working with relevant authorities, including prosecutors and elected officials, in ensuring that as new changes are considered, they don't lead to unintended consequences that put our caregivers or patients at risk.

In conclusion, I want to promise you the following: We will always follow the law. We will always keep you informed. We will always have your back. This approach will continue to empower us to fulfill our mission of helping people live the healthiest lives possible.

Thank you for all you do for our patients. And please have a safe and fun holiday weekend.

Marc Harrison, MD
President and CEO

[redacted]

This is an internal message from Intermountain Healthcare's Office of Physician-APP Professional Affairs

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FROM: "AHIP Solutions SmartBrief" <ahip@smartbrief.com>
TO: hborski@utah.gov
DATE: 07/07/2022 08:51

Created for **hborski@utah.gov** | Web Version

July 7, 2022

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TOP STORIES

1.2M Americans spend over 40% of family income on insulin

An analysis of data from the 2017 and 2018 Medical Expenditure Panel Surveys found that almost 1.2 million Americans who used insulin spent over 40% of their postsubsistence family income on the treatment. The study found that 14.1% of Americans who filled insulin prescriptions during the period experienced catastrophic spending in one year, and almost two-thirds of them were Medicare beneficiaries, according to the study published in Health Affairs. **Full Story:** HealthDay News (7/5)

Senate Dems reach deal on drug pricing legislation

Senate Democrats have reached an agreement on a measure that would allow Medicare to negotiate prices for the costliest drugs, starting with 10 medications in 2026, and the legislation would also repeal a Trump administration rule that eliminates safe harbor protections for drug rebates in Part D. In addition, the measure would impose fines on drug firms if they increase prices faster than inflation and would cap out-of-pocket drug costs in Medicare to $2,000 annually. **Full Story:** Reuters (7/6), FierceHealthcare (7/6)

PROVIDERS & SUPPLIERS

Lower readmissions seen when hospitals have PCPs, nursing beds nearby

A study by Vanderbilt University Medical Center researchers found that hospitals with more home health agencies nearby had higher rates of readmission, most likely due to care interruptions such as staffing changes. At the same time, hospitals tended to have lower 30-day readmission rates when they had a palliative care program or a larger number of local primary care physicians, skilled nursing beds or licensed nursing home beds in the area. **Full Story:** Home Health Care News (7/5)

New guidance for inpatients with diabetes, hyperglycemia

The Endocrine Society has updated its 2012 guideline for managing hospitalized patients with diabetes or stress-induced hyperglycemia, and has published the new guidance in The Journal of Clinical Endocrinology & Metabolism. Updates include guidance for inpatient use of continuous glucose monitoring and insulin pump therapy as well as inpatient diabetes education for improved glycemic control after discharge from the hospital. **Full Story:** Endocrinology Advisor (7/5)

MEDICAL UPDATE

Study: COVID-19 vaccines saved 235K lives in 10 months

A computer modeling study estimates that COVID-19 vaccination prevented 27 million infections, 1.6 million hospitalizations and 235,000 COVID-19 deaths in the US from December 2020 to September 2021. "COVID-19 vaccination potentially reduced the overall impact of COVID-19 by about one-third," said epidemiologist Molly Steele, lead author of the study published in JAMA Network Open. **Full Story:** HealthDay News (7/6)

Study shows decreases in cardiometabolic health

(Pixabay)

A survey of 55,000 American adults showed decreases in cardiometabolic health from 1999-2000 to 2017-2018, with 1 in 3 adults maintaining a normal weight in 1999, compared with 1 in 4 by 2018, researchers reported in the Journal of the American College of Cardiology. There were disparities in the measures based on sex, age, race, ethnicity and education. **Full Story:** HealthDay News (7/5), Healio (free registration) (7/5)

TOUCHPOINTS PODCAST

This episode is brought to you by Wellframe

Why your CX is only as good as your EX

Health care is as personal as it gets, yet employees who feel overwhelmed and unheard can't deliver the kind of compassion and care members need. Ingrid Lindberg of Chief Customer and Michele Gabron of Wellframe share what health plan leaders need to know to meet the needs of their teams, so they can meet the needs of their members. **Listen to the episode.**

EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

Fewer Black, Hispanic patients receive hospice care

A study in JAMA Network Open found that a smaller proportion of Black and Hispanic patients used hospice than white patients, and a higher proportion of Black and Hispanic patients were hospitalized or went to the emergency department than white patients. "These disparities probably are not intrinsic to race and ethnicity," researcher Pei-Jung Lin said. "We need to contextualize these disparities by race and ethnicity and other social determinants of health," such as education, income and social support." **Full Story:** Medscape (free registration) (7/1)

Disparities documented among childhood cancer survivors

A study published in JAMA Network Open found that childhood cancer survivors of certain racial and ethnic groups were prone to more hospitalizations for various conditions. Hospitalization was 70% more common among American Indian and Alaska Native children and 50% more common among Black children up to five years after diagnosis, while mortality was similar across all groups, according to the study of 4,222 cases of pediatric cancer diagnosed from 1987 to 2012. **Full Story:** Medscape (free registration) (6/30)

HEALTH INSURANCE PROVIDER COMPANY NEWS

- **Kaiser Permanente's Chief Health Officer Bechara Choucair, MD: What the pandemic taught us about public health**
- **Magellan Health Appoints Derrick Duke as Chief Executive Officer**
- **Molina Healthcare of Illinois Partners with Minority-Owned Clark Resources to Bring Jobs to Oak Brook**
- **NGL: Marita LaChapell promoted to Senior Vice President, Chief Administrative Officer**

SOLUTIONS PROVIDER NEWS

- **Lyn Health Appoints Dr. Thirath Chau as Company's First Chief Medical Officer**
- **Teladoc Health Expands Innovative Whole-Person Primary Care Offering, Primary360**

PHARMA NEWS

FDA: Licensed pharmacists can prescribe Paxlovid

The FDA has amended the emergency use authorization for Paxlovid to allow licensed pharmacists to prescribe Pfizer's COVID-19 oral treatment to eligible patients. Patients who test positive for COVID-19 must present their health records, as well as a list of medications they use, before pharmacists may prescribe the drug.
Full Story: CBS News/Bay City News Service (7/6), Reuters (7/6)

Biosimilar comparable to insulin glargine in trial

Biosimilar insulin had similar efficacy and safety compared with insulin glargine in reducing A1C among patients with type 2 diabetes, according to a study in Diabetes, Obesity and Metabolism. Rates of hypoglycemia and vascular events were similar. **Full Story:** Healio (free registration)/Endocrine Today (7/5)

POLICY WATCH

Postpartum Medicaid extension takes effect in Va.

As of this month, Virginia is providing Medicaid coverage for beneficiaries for a full year after childbirth, two years after a state budget provision was passed to start the expansion. Advocates say the change may help reduce pregnancy-related deaths in the state, which disproportionately affect Black communities. **Full Story:** Virginia Mercury (Richmond) (7/5)

AHIP NEWS

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Nick Hornby

writer, screenwriter

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SUBJECT: ECHO Colorado Monthly eNews: What's ECHOing in June
FROM: ECHO Colorado <susan.stoveall@cuanschutz.edu>
TO: <hborski@utah.gov>
DATE: 07/07/2022 10:09

July 2022

Check out the new What is ECHO? video
Take three minutes and get a refresher on what you can expect - and what's expected of you - during an ECHO series.
Then check out the series that are coming this summer and fall!

ECHO COLORADO IS HIRING!
We're hiring for two remote positions.
Continuing Education and Implementation Project Coordinator
Instructional Design Program Manager
See if you're a good fit or share with colleagues.

COMING IN JULY

Family Health Centers of San Diego, the ECHO Institute, University of Washington and University of Colorado have collaborated to provide a CDC-funded monthly webinar-style **ECHO learning session** and an **online course** to rapidly disseminate Post-COVID Conditions (PCC) and Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (ME/CFS) findings and emerging best practices.

Next ECHO session July 14
Practical Strategies for Symptom Management featuring
Tracy Herring, PhD, Assistant Professor, Department of Rehabilitation Medicine, University of Washington
CLICK HERE to register
(Webinars are held on the second Thursday of the month.)

Long COVID and Fatiguing Illness Recovery Program Short Course 2
Online now through September 5
CLICK HERE to read more

This series is a statewide partnership between ECHO Colorado and the Colorado Department of Public Health and Environment bringing you the most relevant information on rapidly evolving public health topics including the COVID pandemic, epidemiology,

state-distributed therapeutics, vaccines and more.

Topics for this series continue to evolve based on the educational needs of Colorado healthcare providers in staying up-to-date on relevant public health guidelines and new information.

Ongoing monthly ECHO sessions | Next session July 22

LEARN MORE

This series offers health care providers and other staff working in health care settings strategies to name, normalize, and validate worries and experiences during this pandemic and beyond. By understanding stress along a continuum, participants will learn how to manage stress and loss, increase capacity to prevent burnout, elevate connectedness and mindfulness, and promote self-efficacy and quality patient care.

Six weekly ECHO sessions | Wednesdays starting July 20

LEARN MORE

This series will review important adolescent reproductive health topics such as taking an adolescent sexual health history, minor consent and confidentiality, and STIs in teens.

Five weekly ECHO sessions | Thursdays starting July 28

LEARN MORE

ONGOING ECHOS

This series is designed to support clinical providers interested in improving care for transgender and gender non-binary patients. Participants will increase their knowledge and confidence in providing gender-affirming care including routine primary care, hormone therapy management, surgical options and supporting mental health.

Next Session August 4:
Eating Disorders in the Transgender Community

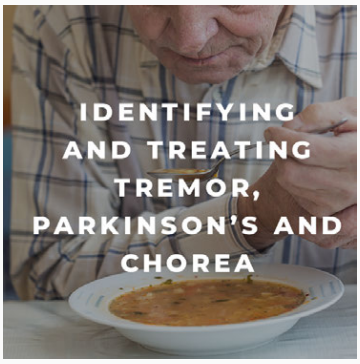
Ongoing monthly ECHO sessions | Thursdays

LEARN MORE

COMING THIS FALL & WINTER

Pre-register to receive advance notification of registration open date.

This series introduces quick exam techniques to assess tremor and rapidly narrow your differential diagnosis. You will learn about treatment basics in PD and when to refer. The series will cover reliable recognition and differential diagnosis of chorea and highlight the most common genetic cause of chorea and Huntington's Disease (HD), as well as effective new treatments for chorea.



PRE-REGISTER

The goal of this series is to improve patient care experiences and access to high-quality healthcare for women from diverse racial and ethnic groups who are experiencing menopause. The series will provide an evidence-based, comprehensive curriculum covering the current state of knowledge on racial and ethnic disparities, opportunities to increase provider self-awareness and confidence, and opportunities to improve communication with patients.

Participants will have the opportunity to apply their knowledge actively in immersive experiences with virtual reality avatars!

Seven weekly ECHO sessions | Wednesdays starting September 14

PRE-REGISTER

This ECHO series is designed to support clinicians who care for pregnant patients in the evaluation and treatment of common mental health conditions presenting in the perinatal period. Facilitated by a multidisciplinary team including obstetrician gynecologists, perinatal psychiatrists, psychologists and social workers, each session will include a brief presentation by an expert followed by discussion of participant-submitted cases.

Eight weekly ECHO sessions | Tuesdays starting January 10

PRE-REGISTER

ECHO COLORADO | EXTENSION FOR COMMUNITY HEALTH OUTCOMES | ECHOCOLORADO.ORG

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SUBJECT: July News & Events
FROM: Utah Law <communications@law.utah.edu>
TO: hborski@utah.gov
DATE: 07/07/2022 11:02

THE UNIVERSITY OF UTAH
S.J. QUINNEY
COLLEGE OF LAW

July 2022

Stay Connected!

This year the University of Utah launched Forever Utah, a new networking platform that gives you a dedicated place to connect with other alumni, share resources, and get news about your alma mater.

The College of Law has its own dedicated alumni community on Forever Utah, and we invite you to create a profile—which is quick and easy using your existing LinkedIn log-in information. From there, you'll be able to see other Utah Law alumni, explore special sub-groups, and begin engaging with other alumni. Once you have a Forever Utah profile, you can also:

- Post jobs
- Explore Utah Law alumni by practice area
- Volunteer to be a mentor, or look for a mentor yourself
- Network to give or receive referrals
- Get news about upcoming Utah Law events

If you have questions about creating a profile or using Forever Utah, please feel free to contact Alumni Relations Director Lori Nelson at lori.nelson@law.utah.edu.

Learn more »

Robert Adler Scholarship

The Robert W. Adler Endowed Scholarship was established in June 2022 in celebration of his retirement, outstanding legal career, and service to the law school and legal community. Bob dedicated 28 years of teaching and leadership service to the S.J. Quinney College of Law. Preference will be given to students interested in natural resources law.

Contribute here »

College of Law Events

July
7
Thursday

SJQ Reception at the Utah State Bar

3:00–5:00 p.m., Loews Coronado Bay
Join ULaw staff and alumni at the S.J. Quinney College of Law reception at the Utah State Bar Convention at Loews

Coronado Bay. More Info

Save These August Dates!

August 11 - Trying Times: Conservation Easements and Federal Tax Law 2022
August 31 - Dean's Book Review

College of Law News

Utah Law faculty members weigh in on the Supreme Court ruling that overturned Roe v. Wade

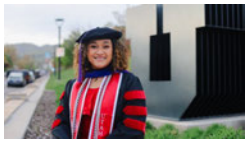
On June 24th, 2022, the Supreme Court of the United States officially reversed Roe v. Wade, declaring that the constitutional right to abortion no longer exists and instead allowing abortion rights to be determined by states. The legal experts on faculty at the University of Utah S.J. Quinney College of Law weigh in on this historic decision.

See news stories »

College of Law News

Master of Legal Studies Director Carolynn Clark wins peacekeeper award

Carolynn Clark has dedicated her professional life to conflict resolution, mediation, and teaching. She has been a Board member of the Utah Council on Conflict Resolution for 14 years and served as UCCR's Chair and as a Symposium Chair. Read more »



Recent U Law grad Bernadine Ott pushes for representation and accessibility in the legal field

"Why not law school?" Bernadine Ott was working in the University of Utah U Card office as the end of her time as a political science undergraduate student approached. She was talking with her supervisor about her plans for after graduation when he brought up law school as an option. Read more »

Alum Paul Burke Takes on LGBTQ+ Discrimination at Soccer Stadiums

Paul C. Burke is Exhibit A in the case that taking a chance on one opportunity often leads to another. The 1997 alumnus is now general counsel, shareholder, and director at Ray Quinney & Nebeker, where he complements his labor and employment litigation practice with an impressive pro bono docket. Read more »

College of Law News Bytes

Professor Christina Koningisor wins award for outstanding scholarship in privacy law

Professor RonNell Andersen Jones discusses defamation law in light of the Depp-Heard trial with the New York Times

Utah Law welcomes local sixth graders exploring their dream careers

Professor Chris Peterson discusses payday lending with American Banker

Professor Leslie Francis and recent Utah Law grad present at ELSIcon2022

Faculty News

Presentations

Paul Cassell, "The Content of Victim Impact Statements: Lessons from the 164 Victim Impact Statements in the Larry Nassar Case," Triennial Convention of the World Society of Victimology, San Sebastian, Spain

Jorge Contreras, Enabling Openness in Australian Stem Cell Research (EOAR), "Genomic Commons – History and Challenges," University of Adelaide

Leslie Culver, Christina Scholars Conference Roundtable Discussion on Race and Law, Lipscomb University, Nashville, TN

Amos Guiora, Conference on Bullying and Aggression, Bystanders in the Holocaust, University of Ottawa

Amos Guiora, Melbourne Victims' Collective Good Faith Foundation, Criminalizing the Enabler and the Bystander, Australia

RonNell Andersen Jones, Presented "Defamation, Disinformation, and the Press Function," Privacy and Free Speech Forum, University of Stockholm

Laura Kessler, Miscarriage of Justice: Early Pregnancy Loss and the Limits of U.S. Employment Law, Family Law Scholars and Teachers Conference, Temple University Beasley School of Law

Heather Tanana, "Tribal Public Health Law," 2022 Health Law Professors Conference, Sandra Day O'Connor College of Law, Arizona State University

Matt Tokson, "The Carpenter Test as a Transformation of Fourth Amendment Law," Privacy Law Scholars Conference, Northeastern University School of Law

Alumni Award Nominations Now Open!

Nominations for the Alumni of the Year and Young Alumni of the Year have started. To better prepare for the annual alumni reunion event in May nominations have been moved to the fall. Nominations are due by September 12, 2022.

Nomination Form »

[redacted]

S.J. QUINNEY COLLEGE OF LAW

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SUBJECT: After Roe: What's next for abortion access, law, and politics
FROM: "The Studio at Harvard Chan School" <studio@hsph.harvard.edu>
TO: hborski@utah.gov
DATE: 07/07/2022 12:02

THE STUDIO | HARVARD T.H. CHAN SCHOOL OF PUBLIC HEALTH

Presented jointly with Reuters

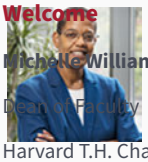
After Roe: What's next for abortion access, law, and politics

Thursday, July 14, 2022, 12-1 pm ET

Register for free to submit your questions.

In overturning Roe v. Wade, the U.S. Supreme Court has ignited fundamental legal and political questions and radically shifted the healthcare landscape. Amidst the furor, those who want to keep abortion safe and legal ponder the path forward. This panel of experts from across Harvard will assess the fallout, evaluate a variety of responses to the ruling, and share their roadmaps to a post-Roe America.

Welcome

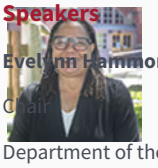


Michelle Williams (@HarvardChanDean)
Dean of Faculty
Harvard T.H. Chan School of Public Health

Angelopoulos Professor in Public Health and International Development

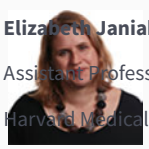
Harvard T.H. Chan School of Public Health and Harvard Kennedy School

Speakers



Evelynn Hammonds
Chair
Department of the History of Science, Harvard Faculty of Arts and Sciences

Professor, Harvard T.H. Chan School of Public Health



Elizabeth Janiak (@JaniakElizabeth)
Assistant Professor
Harvard Medical School and Harvard T.H. Chan School of Public Health
Research Investigator, Brigham and Women's Hospital

Director of Social Science Research, ASPIRE Center at Planned Parenthood League of Massachusetts

Jenny Mansbridge

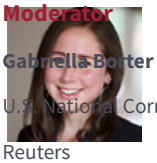
Adams Professor of Political Leadership and Democratic Values, Emerita

Harvard Kennedy School

Mary Ziegler (@maryrziegler)

Professor, UC Davis School of Law

Visiting Professor of Constitutional Law, Harvard Law School (spring 2022)



Moderator

Gabriella Borter (@gabriellaborter)

U.S. National Correspondent

Reuters

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[redacted]

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ASPPH FRIDAY LETTER

July 1, 2022

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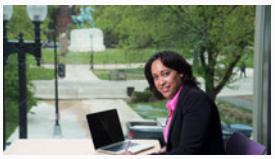

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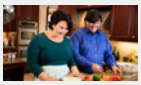

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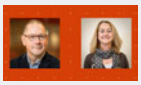

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UAB
The Influence Of Mental Health and Respiratory Symptoms on the Association Between Chronic Lung Disease and E-Cigarette

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Berkeley
The Supreme Court Overturned Roe v. Wade: Now What Happens?

South Carolina
Study Finds Varying Health Outcomes Among States with Different Medical Malpractice Liability Laws

Iowa
Report Shows Significant Increase in Alcohol-involved Deaths

University at Buffalo
COVID-19 Vaccine Development: Milestones, Lessons and Prospects

Northwestern
Rate of Pregnancy-related High Blood Pressure Disorders Doubled from 2007 to 2019

Taiwan

Un(ac)countable No-bodies: The Politics of Ignorance in Global Health Policymaking

WashU
A Framework to Assess Speed of Translation of Health Innovations to Practice and Policy

Texas A&M
Speaking of Safety: How to Overcome Language Barriers During Training

Michigan
Increasing Public Health Measures Could Have Helped Prevent Thousands of COVID-19 Deaths in India

George Mason
Nutritional Supplements and Education Decrease Inflammation in Diabetic Patients with Foot Ulcers

Colorado
Colorado Healthy Kids Survey Results Show Decreases in Substance Use Among Teens Statewide, Increases in Depression, Str

SLU
Understanding Factors That Promote Uptake of HIV Self-testing Among Young People in Nigeria

West Virginia
WVU Research Finds LGBTQ People Face Barriers to Health Care, Especially in Rural Areas

UMiami
Long-term Outcomes of Patients with Conjunctival Extranodal Marginal Zone Lymphoma

Georgia Southern
Ensuring Food Safety for Americans: The Role of Local Health Departments

UNLV
Advancing Gerontological Health Research with Sexual and Gender Minorities Across the Globe

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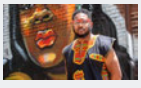
STUDENT & ALUMNI ACHIEVEMENTS

North Texas
Texas Nurse Follows Her Heart to Public Health, Where Doctoral Degree Leads to Top-Ranking Postgrad Fellowship



Louisville
Trinidad Jackson Receives Top Honor Among 2022 Graduates

South Florida
COPH Student Works to End "pinkwashing"

UMass
Ayande Awarded Margaret McNamara Education Grant

IUPUI
Common Spirit Health Names Wright L. Lassiter III, MHA'94, as CEO

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PARTNER NEWS

NIH
The All of Us Research Program's dataset is available to help researchers unlock answers related to long COVID, social determinants of health, health disparities, and more

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Visit our Events Calendar ▸

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SUBJECT: Re: FW: Friday Letter: New CDC Funding Opportunity Released
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: Steven Lacey <steven.lacey@utah.edu>
DATE: 07/07/2022 15:17

Yes, thank you-----we are definitely applying! We're currently in the early stages of planning.
HB

Heather R. Borski, MPH, MCHES
Assistant Deputy Director, Community Health & Well-Being
C: 385.348.1340
hborski@utah.gov
health.utah.gov
hs.utah.gov

Utah Department of Health & Human Services

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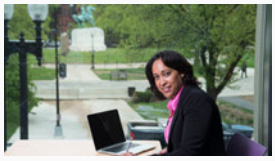

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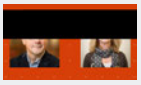

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July 1, 2022

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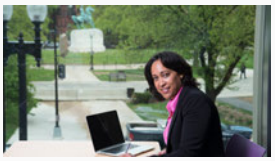

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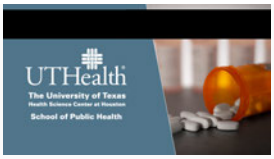

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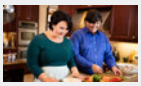

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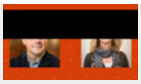

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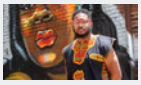

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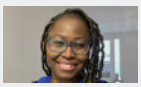

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FROM: Steven Lacey <steven.lacey@utah.edu>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: Mia Hashibe <u0684691@umail.utah.edu>
DATE: 07/07/2022 15:29

Excellent.

I've copied in Mia Hashibe, our Director of Research & Practice -- she can help coordinate/triage as your needs come together...

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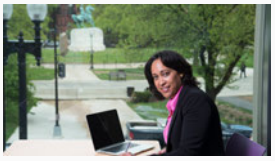

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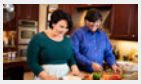

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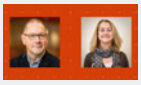

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FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 07/07/2022 16:00

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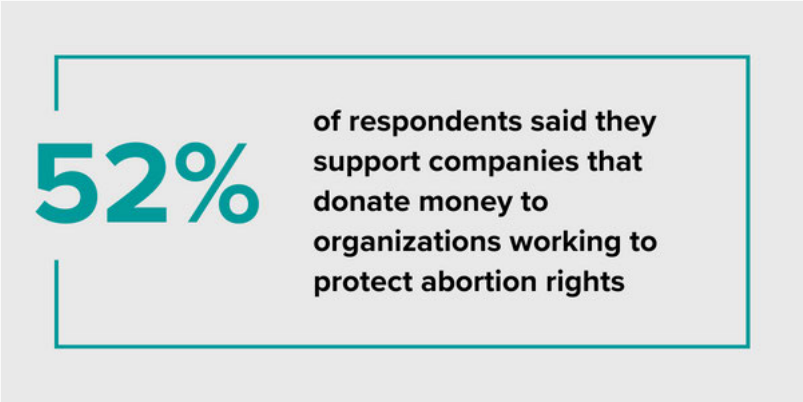

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Americans Want the Corporate Sector to Support Abortion Rights and Access

The U.S. Supreme Court's June 24 ruling overturning Roe v. Wade, which eliminated the constitutional right to abortion, has now rippled throughout the

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business worlds. A new Morning Consult survey found that corporate efforts in support of abortion access are much more popular among U.S. adults than those that support the Supreme Court's decision. Read more.

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Most Trusted Brands 2022 Webinar

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The Crypto Report: Our Analysts on the State of Cryptocurrency

Consumers around the world are committed to crypto, despite its volatility. Our latest report offers a comprehensive, unparalleled overview of consumers' opinions on cryptocurrency in the United States and around the world. Download today.

REPORT

U.S. Jobs & Labor Market Trends Report

Inflation, financial volatility and talk of a looming recession have weighed heavily on consumer sentiment in 2022, and now the mood among workers is souring as well. Morning Consult examines these trends and more in our latest U.S. Jobs & Labor Report. Download now.

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FROM OUR ANALYSTS

GEOPOLITICS

Jumping on the 'Friend-Shoring' Bandwagon Will Yield Marginal Revenue Benefits for Most Companies: Consumers in major economies strongly prefer imports from friendly countries, but only 1 in 4 are willing to pay more for friend-shored goods. Read more.

WHAT WE'RE TRACKING

Taking the Temperature

Two in 5 registered voters said they are confident that the United States will reduce its carbon emissions and slow the impacts of climate change in the next decade. Learn more.

Smart Journey

More U.S. adults report having traveled domestically in the last month than in any month since December 2021. Learn more.

Global Leader Approval

Fumio Kishida, Prime Minister of Japan saw a 4-point drop in net approval to -8, a new tracking low since he took office in October 2021. Learn more.

GET IN TOUCH

FROM OUR NEWSROOM

ENERGY

After Supreme Court Hands Down Ruling on Carbon Emissions, Public Split on Whether Decision Will Have Major or Minor Impact on U.S. Climate Targets: In the wake of the Supreme Court's ruling that limits the Environmental Protection Agency's ability to regulate greenhouse gases, a new Morning Consult survey found the public is essentially split on the decision's impact on U.S. emissions reduction efforts. Read more.

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SUBJECT: CDCF MOA Amendment - Utah
FROM: Lauren Bader <lbader@cdcfoundation.org>
TO: Heather Borski <hborski@utah.gov>
CC: Robert Foley <rfoley@cdcfoundation.org>, Amber Johnson<amberjohnson@cdcfoundation.org>
DATE: 07/07/2022 18:26

Dear Heather,

The CDC Foundation thanks you for your partnership in the Vaccine and Public Health Workforce Initiative. In June, you received notification of plans for continuing this project after July 31, 2022.

To continue any type of staffing support after July, we are required to amend the existing memorandum of agreement (MOA) supporting this initiative. The current package contains the master MOA and two attachments (one for each of our project's respective funding mechanisms). The master MOA has no end date (or it terminates far enough into the future where the date does not create an issue) and does not need to be amended. However the attachments end on July 31, 2022. As all of the CDC Foundation's field employees supported under the Vaccine funding (41116) are being transferred to the Workforce funding (41120), there is only a need to amend the end date for Attachment A: 41120.

To facilitate this adjustment, we have prepared the amendment for you to review and sign. This amendment simply changes the end date from July 31, 2022, to October 15, 2022; note that all amendments for each jurisdiction are being processed with a new end date of October 15, 2022. If this transition date does not meet your jurisdictional needs, please reach out to us for a discussion using the contact information below.

We know you will need time to review the document, and route it through your internal channels. If you or anyone in your jurisdiction has questions or suggested edits to the proposed amendment, please email Robert Foley, one of the CDC Foundation's senior project directors, at rfoley@cdcfoundation.org, and Amber Johnson, project assistant, at amberjohnson@cdcfoundation.org. If you are able to sign the amendment, please send it back to Robert and Amber, and cc me. We will get it countersigned by Foundation leadership and return the executed copy to you (or whomever you name as the point of contact).

The Foundation does not have a standard protocol directing who at the jurisdiction should sign the amendment, as long as they are authorized to sign on behalf of the jurisdiction. The amendment signatory does not need to be the same person who signed the original MOA documents. Additionally, this amendment needs to be executed prior to July 31, 2022. Please let us know if you anticipate any challenges, or have questions regarding the language, intent or process.

Warm regards,
Lauren

Lauren Bader, MPH (she/her/hers | *what's this?*)
Area Coordinator
COVID-19 Vaccine and Workforce Project
CDC Foundation
Together our impact is greater
303.482.7737 (cell)
www.cdcfoundation.org
twitter . linkedin . facebook . instagram

SUBJECT: Fewer Abortion Facilities Accept Health Insurance, While PatientsFace Higher Out-of-Pocket Expenses for Abortion
FROM: AIS Health Daily <aishealthdaily@aishealth.com>
TO: hborski@utah.gov
DATE: 08/07/2022 06:04

AIS Health Daily

July 8, 2022

This Week's Featured Stories

FDA's Rinvoq Approval Brings New Ulcerative Colitis Option
Radar on Specialty Pharmacy

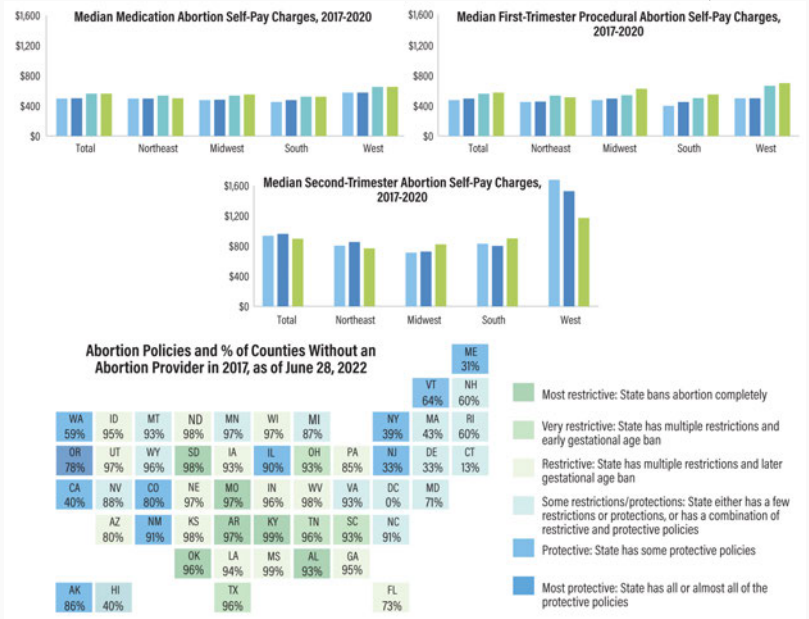
Centene Raises Full-Year 2022 Financial Guidance, Cites Redetermination Delay as Major Reason
Health Plan Weekly

People With Rare Diseases Face Challenges, Require Support
Radar on Specialty Pharmacy

Featured Infographic

Fewer Abortion Facilities Accept Health Insurance, While Patients Face Higher Out-of-Pocket Expenses for Abortion

The proportion of open abortion facilities that accept any type of health insurance declined from 89% in 2017 to 80% in 2019 and 2020, while median patient self-pay charges for abortion are going up, according to a study published in Health Affairs in April. The South has the lowest percentage of health insurance acceptance, yet the Midwest saw the largest decrease over the four years, from 88% in 2017 to 75% in 2020. The Supreme Court on June 24 overturned Roe v. Wade, ending the federal standard protecting the constitutional right to abortion before a pregnancy is considered viable. The ruling will likely have major ramifications for the health care system, with states choosing vastly different paths on access to abortion care. According to the Guttmacher Institute, 26 states are certain or likely to ban abortion, and 13 of them have "trigger laws" that take effect automatically or by quick state action when Roe is overturned.



SOURCES: "Lay of the Land: Abortion Policies and Access in the United States," Guttmacher Institute. "Trends In Self-Pay Charges And Insurance Acceptance For Abortion In The United States, 2017–20," Health Affairs 41, No. 4 (2022): 507-515.

From Health Plan Weekly

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SUBJECT: Morning Consult Health: Biden to Issue Executive Order Aimed atReinforcing Abortion Rights
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 08/07/2022 06:30

MORNING CONSULT

Health

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JULY 8, 2022

BY GABY GALVIN

Twitter Email

Americans Still in the Dark on Health Care Costs

Beginning this month, health insurers must post their negotiated rates online, and surprise medical billing has been banned for half a year. But a new Morning Consult survey indicates many Americans still don't know what they'll pay for health care: 1 in 5 adults said they or their families have received an unexpected medical bill in 2022.

Further, roughly 1 in 4 adults said they have delayed or skipped health care altogether this year over concerns that they'd receive an unexpected bill, and 55% said they are not confident they would know their emergency room bill up front. Read more here.

Top Stories

- President Joe Biden will sign an executive order today that aims to shore up abortion rights by protecting access to medication abortion and emergency contraception, bolstering patient privacy and legal options and directing Health and Human Services Secretary Xavier Becerra to increase public outreach for reproductive health services. The move comes as Biden faces growing criticism from Democrats for

not responding more urgently to the fall of Roe v. Wade. (The Washington Post)

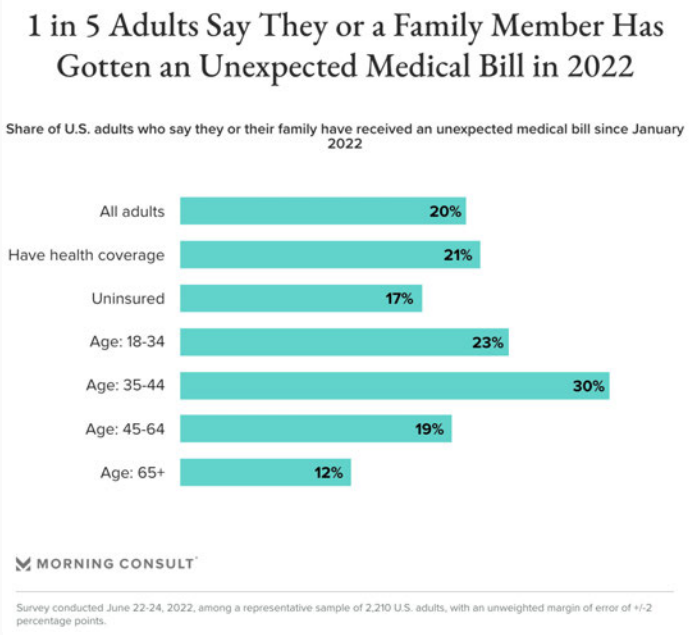
- HHS will ship another 144,000 doses of monkeypox vaccine to cities and states beginning Monday, adding to the 56,000 doses made available last week, as the monkeypox outbreak continues to grow. Commercial labs are also ramping up their testing capacity for monkeypox, as officials confirm 700 cases in the United States and more than 7,200 globally. (NBC News)

- The Centers for Medicare and Medicaid Services proposed a slight decline in Medicare payments for doctors in 2023, reflecting the expiration of a pandemic payment bump this year. The agency also proposed more coverage for dental and behavioral health services and reforms to the accountable care organization program as part of the 2023 Physician Fee Schedule rule. (Fierce Healthcare)

- Beginning next year, pharmaceutical companies must repay Medicare for any injectable and infused drugs that come in single-dose vials and go unused, in a bid to cut down on the billions of dollars that are wasted every year on discarded drugs. Drug companies that don't comply with the rule will be fined 25% of what they were supposed to refund Medicare, the federal government said. (Stat News)

Chart Review

Surprise Medical Bills Have Been Banned Since January. 1 in 5 Americans Say They or Their Family Have Gotten an Unexpected Charge Anyway
Morning Consult



Events Calendar (All Times Local)

View Full Calendar

A MESSAGE FROM MORNING CONSULT

U.S. Jobs & Labor Market Trends Report

Inflation, financial volatility and talk of a looming recession have weighed heavily on consumer sentiment in 2022, and now the mood among workers is souring as well. Morning Consult examines these trends and more in our latest U.S. Jobs & Labor Report. Download now.

What Else You Need to Know

CORONAVIRUS

Sandra Lindsay, the first to be vaccinated in the U.S., is among those awarded the Presidential Medal of Freedom.
Johnny Diaz, The New York Times
Sandra Lindsay, the New York critical care nurse who was the first American vaccinated against the coronavirus outside of a clinical trial, was among those presented with the Presidential Medal of Freedom on Thursday by President Biden.

WTO faces new battle over COVID tests, drugs
Emma Farge, Reuters
Less than a month after a hard-won deal was reached on a partial waiver of intellectual property rights for COVID-19 vaccines, a fresh battle may be looming at the World Trade Organization over extending the waiver to treatments and tests.

Pfizer Pill Prescribing Power Spurs Pharmacist Calls to Medicare
Celine Castronuovo, Bloomberg Law
The FDA's decision to let pharmacists prescribe Pfizer Inc.'s Paxlovid could be a game-changer in expanding Covid-19 treatment access—but only if pharmacies are adequately paid for their work, trade groups say.

California is seeing a surge in cases as BA.5, a rapidly spreading subvariant, takes root.

Soumya Karlamangla, The New York Times
California is in the grip of its third-largest coronavirus surge of the pandemic, with roughly 19,000 new cases being reported here each day on average, according to a New York Times database. The true number of people falling sick is undoubtedly even higher, since most at-home test results aren't included in official case counts.

The summer of subvariants
Tina Reed, Axios
As this summer heats up, so has the spread of the hot new version of COVID-19.

GENERAL

Vaccine and Testing Delays for Monkeypox Echo Failures in Early Covid Response
Michelle Andrews, Kaiser Health News
The first monkeypox case in the United States was confirmed in mid-May. As the number of monkeypox cases reached 605 nationwide as of July 6, some public health experts saw echoes of covid-19 in the government's halting response.

Young Black leukemia patients have worse outcomes, study finds
Arielle Dreher, Axios
Younger Black leukemia patients were likelier to die early or not go into complete remission than their white peers when receiving the same intensive treatment, according to a new study in Blood Advances.

The Push for Abortion Lawmaking After 'Dobbs' Is Unique, Legal and Political Experts Say
Arielle Zionts, Kaiser Health News
The end of nationwide abortion protections has been met with a wave of calls from lawmakers and governors in at least a dozen states for special legislative sessions that would reshape the state-by-state patchwork of laws that now govern abortion in the U.S.

PAYERS

UnitedHealthcare Accused of Underpaying Telehealth Providers
Jacklyn Wille, Bloomberg Law
UnitedHealthcare Insurance Co. was sued Thursday in Connecticut federal court by a plan participant who says the insurer underpaid for covered telehealth services in the midst of the Covid-19 pandemic and the attendant increase in telehealth care.

Study: Medicare Advantage beneficiaries less likely to get pricey diabetes treatments
Robert King, Fierce Healthcare
Patients with diabetes on Medicare Advantage were more likely to get access to preventive treatments than their counterparts on traditional Medicare but were also less likely to get prescribed newer and more expensive treatments, a new study found.

Chronically Ill Patients Want Voice in FTC Pharmacy Agent Probe
Celine Castronuovo, Bloomberg Law

Chronically ill patients are pushing the Federal Trade Commission to incorporate their experiences getting treatment into the agency's study on the entities that manage prescription drug benefits.

PROVIDERS

'Fighting for one day': Louisiana abortion clinic still open
Rebecca Santana, The Associated Press
For years, Louisiana's abortion clinics have operated under increasing layers of restrictions designed to limit who can get an abortion and when.

Major payment vendor data breach, North Korean threat raise ransomware concerns for hospitals
Rebecca Pifer, Healthcare Dive
A recently disclosed ransomware attack could have exposed patient data from more than 650 healthcare providers.

After failed merger bid, Care New England vows to remain independent
Samantha Liss, Healthcare Dive
Care New England's board of directors voted unanimously to remain an independent health system after a failed bid to merge with Lifespan, Rhode Island's largest health system.

Nearly 150 US facilities earn best hospital awards in Leapfrog, Money rankings
Hailey Mensik, Healthcare Dive
The Leapfrog Group and Money, a digital financial publication, gave 148 general hospitals, children's hospitals, teaching hospitals and rural hospitals across the U.S. best hospital awards in a new list of hospital ratings out Wednesday.

PHARMA, BIOTECH AND DEVICES

Scientists look to people with Down syndrome to test Alzheimer's drugs
Jon Hamilton, NPR News
For Frank Stephens, 40, the effort to defeat Alzheimer's is personal.

Senator Wyden Releases Interim Report on Big Pharma Tax Probe
Alisa Parenti, Bloomberg Law
Senate Finance Committee Chair Ron Wyden releases a report on the tax practices of big pharmaceutical companies.

With 'do-over' NASH results, Intercept will seek approval for first-ever treatment for fatty liver condition
Adam Feuerstein, Stat News
Intercept Pharmaceuticals said Thursday that an extensive re-analysis of a large clinical trial involving its experimental treatment for the fatty liver disease known as NASH once again achieved its primary efficacy goal.

Newsom announces California will produce its own 'low cost' insulin
Maureen Breslin, The Hill
California Gov. Gavin Newsom (D) announced on Thursday that his state will be producing its own "low cost" insulin, stating, "People should not go into debt to get lifesaving medication."

HEALTH TECHNOLOGY

Former Theranos President Ramesh 'Sunny' Balwani Found Guilty on All 12 Fraud Counts
Heather Somerville and Meghan Bobrowsky, The Wall Street Journal
A federal jury convicted Ramesh "Sunny" Balwani, the former top lieutenant to Theranos Inc. founder Elizabeth Holmes, on all 12 charges that he helped perpetuate a yearslong fraud scheme at the blood-testing startup.

Tech Giants Brace for Legal Mess of Abortion Data Subpoenas
Dina Bass and Mark Bergen, Bloomberg
Companies including Google and Microsoft would have evidence on users seeking abortions. Will they fight government demands for private information?

AI tech founders abroad seek partnerships to navigate U.S. healthcare
Jessica Kim Cohen, Modern Healthcare
Dr. John Halamka, president of Mayo Clinic's healthcare technology and big data effort, Mayo Clinic Platform, last week traveled more than 6,000 miles to kick off the Rochester, Minnesota-based health system's latest technology initiative: a partnership with Sheba Medical Center in Tel Aviv.

Scientists design a cheap device that can detect ear problems with the help of a smartphone
Edward Chen, Stat News
In a preliminary new study, published last month in Communications Medicine, the researchers report that their smartphone-based device performed nearly as well as commercially available tympanometers that can cost thousands of dollars.

Digital Mental Health Companies Draw Scrutiny and Growing Concerns
Harris Meyer, Kaiser Health News
Often backed by venture capital firms, these for-profit businesses offer a wide mix of services, including one-on-one and group video therapy visits with licensed professionals, supportive texting, coaching videos, and prescriptions for medications.

Medical billing startup Cedar cuts 24% of workforce as market constricts
Heather Landi, Fierce Healthcare
As health tech companies try to navigate a market downturn, Cedar joins other digital health startups in cutting its workforce with an eye on its bottom line.

CVS Introduces New C-Level Role to Guide Tech Strategy
Isabelle Bousquette, The Wall Street Journal
CVS Health Corp. is creating a new senior technology role that will oversee its chief information officer and other tech leaders while focusing on tech strategy and business growth.

So, a robot walks into a nursing home…
Jennifer A. Kingson, Axios
A 4-foot-tall droid named Pepper — preprogrammed with hundreds of jokes — is one of two robots now working at a nursing home in Roseville, Minnesota, entertaining residents and helping monitor their health.

OPINIONS, EDITORIALS AND PERSPECTIVES

The worst virus variant just arrived. The pandemic is not over.
Editorial Board, The Washington Post
The arrival of subvariant BA.5 should be a reminder that the finish line in this race is nowhere to be seen.

Drugmakers Aren't Driving Inflation
Dana Goldman and Erin Trish, The Wall Street Journal
And price controls would hinder medical innovation.

RESEARCH REPORTS

Hospitalization Outcomes Among Patients With COVID-19 Undergoing Remote Monitoring
Bradley H. Crotty et al., JAMA Network Open
In this cohort study of 9,378 patients, participation in a remote monitoring program was associated with lower odds of hospitalization 2 to 14 days after a positive COVID-19 test, after an adjusted analysis using inverse propensity score weighting.

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SUBJECT: Re: Question about UT's maternal health policy
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: Khanh Nguyen <khanh.nguyen@ncsl.org>
CC: Laurie Baksh <lbaksh@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 08/07/2022 06:43

Good Morning Khanh -

I agree, it was great connecting with you at the NGA Summit! I have very fond memories of participating with NCSL during my legislative service, so it was nice to make another connection to such a great organization!

Thank you for reaching-out to me with your question. I am cc'ing Laurie Baksh here, our Director of the Office of Maternal & Child Health and who was also at the NGA Summit, as she is the best person to help answer this question. Ironically, Laurie and I actually discussed this very issue at the NGA Summit.

I am also including Heather Borski -- Assistant Deputy Director for DHHS' Community Health & Well-Being Section -- on this e-mail as Heather and Laurie are looking at attending NCSL's Maternal & Child Health State Collaborative at the end of August and want to connect you with the both of them.

Thank you again for reaching-out to me; Laurie will be able to help answer your question.

Respectfully,

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Thu, Jul 7, 2022 at 4:33 PM Khanh Nguyen <khanh.nguyen@ncsl.org> wrote:

> Good afternoon!
>
> It was a pleasure connecting with you briefly at the NGA roundtable on MCH last month. I hope you are doing well!
>
> I am reaching out with a request I am hoping you will be able to help with. I'm trying to verify whether Utah has passed legislation extending postpartum coverage to 12 months. The budget bill HB 3 includes the following line item:
> 1347 To implement the provisions of Pregnancy and Postpartum
> 1348 Medicaid Coverage Amendments (House Bill 220, 2022
> 1349 General Session)
>
> However, I saw that HB 220 was not enacted. Would you happen to know the status of postpartum Medicaid extension in UT or would you be able to point me to someone who would?
>
> I really appreciate your help!
>
> All the best,
> Khanh
>
> **Khanh H. Nguyen, MSW, MPH**
> National Conference of State Legislatures
> Project Manager, Health Program
> 303.856.1402 (o)
> 720.713.0325 (m)
> khanh.nguyen@ncsl.org
>
> NCSL LEGISLATIVE SUMMIT DENVER • 2022
> AUGUST 1-3

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SUBJECT: Explore our Jul 09, 2022 issue
FROM: The Lancet <thelancet@notification.elsevier.com>
TO: hborski@utah.gov
DATE: 08/07/2022 07:46

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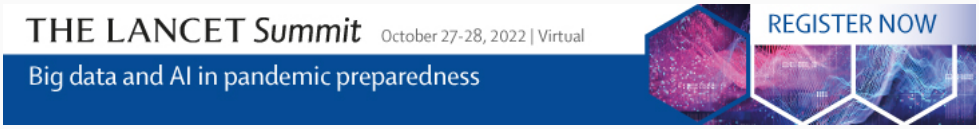
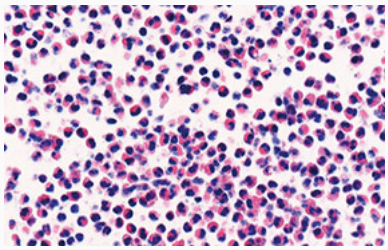


In this issue of *The Lancet*:

THE LANCET

Vol. 400
Number 10346 | Jul 09, 2022
p 73-136

FEATURES



Eosinophilic gastroenteritis with ascites: a 41-year-old woman presented to the emergency department with a 1-month history of worsening abdominal pain, nausea, and vomiting.
Read this Clinical Picture

Sharpening the focus on powerful health stories: we invite submissions of pictures that focus on crucial health stories, covering any health-related topic and from diverse environments and settings.
Read this Comment

EDITORIAL

Road safety: more than reducing injuries

COMMENT

COVID-19 vaccination for children aged 5–11 years

Intravenous thrombolysis before thrombectomy for acute ischaemic stroke

The UK benefits from a truly National Health Service

Reducing the threat of epidemic-prone infections at mass gathering religious events

Is the US infant formula shortage an avoidable crisis?

WORLD REPORT

“Chaos” for patients and providers after US abortion ruling

6 million female health workers are unpaid or underpaid

[redacted]

Visa bureaucracy causing GPs to leave the UK

PERSPECTIVES

Leandro Mena: advancing sexual health in the USA

Plant agency and planetary health

OBITUARY

Kwaku Ohene-Frempong

CORRESPONDENCE

The fall of *Roe v Wade*: a call to action for religious medical providers

Clinical severity of omicron lineage BA.2 infection compared with BA.1 infection in South Africa

Tachi Yamada: a missed global health leader

ARTICLES

Effectiveness of BNT162b2 vaccine against SARS-CoV-2 infection and severe COVID-19 in children aged 5–11 years in Italy: a retrospective analysis of January–April, 2022

Thrombectomy alone versus intravenous alteplase plus thrombectomy in patients with stroke: an open-label, blinded-outcome, randomised non-inferiority trial

Endovascular thrombectomy versus standard bridging thrombolytic with endovascular thrombectomy within 4·5 h of stroke onset: an open-label, blinded-endpoint, randomised non-inferiority trial

CLINICAL PICTURE

Eosinophilic gastroenteritis with ascites: an enigmatic diagnosis

SERIES

The political and social contexts of global road safety: challenges for the next decade

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SUBJECT: RE: [EXTERNAL] Re: Question about UT's maternal health policy
FROM: Khanh Nguyen <khanh.nguyen@ncsl.org>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: Laurie Baksh <lbaksh@utah.gov>, Noel Taxin <ntaxin@utah.gov>, HeatherBorski <hborski@utah.gov>
DATE: 08/07/2022 09:09

Thank you so much, David! I'm glad you have fond memories of NCSL and hope we can stay connected. And thank you for passing on my question to the MCH team!

Laurie and Heather, wonderful to hear that you may attend the state policy collaborative in Portland! Please let me know if you have any questions or want to chat.

All the best,
Khanh

Khanh H. Nguyen, MSW, MPH
National Conference of State Legislatures
Project Manager, Health Program
303.856.1402 (o)
720.713.0325 (m)
khanh.nguyen@ncsl.org

From: David Litvack (DHHS) <davidlitvack@utah.gov>
Sent: Friday, July 8, 2022 6:43 AM
To: Khanh Nguyen <khanh.nguyen@ncsl.org>
Cc: Laurie Baksh <lbaksh@utah.gov>; Noel Taxin <ntaxin@utah.gov>; Heather Borski <hborski@utah.gov>
Subject: [EXTERNAL] Re: Question about UT's maternal health policy

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Khanh

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Project Manager, Health Program
303.856.1402 (o)
720.713.0325 (m)
khanh.nguyen@ncsl.org

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SUBJECT: The President's Executive Order on Reproductive Rights – 2pm Briefing Call Today
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 08/07/2022 09:26

THE WHITE HOUSE
WASHINGTON

Health Community Updates

Friends - Today, President Biden will sign an Executive Order protecting access to reproductive health care services. See toplines and the full Fact Sheet below, as well as an invite to a White House briefing at 2pm ET. We hope you can make it, and please share with members of your community - all are welcome.

JOIN TODAY

- **At 11:30am EDT, the President will deliver remarks on protecting access to reproductive health care services**. The Vice President and the Secretary of Health and Human Services will attend. The President's remarks can be viewed at whitehouse.gov/live/.
- **At 2:00pm EDT, White House Senior Leaders will host a briefing to discuss the Executive Order, the Administration's actions on reproductive rights, and our priorities moving forward**. This call will be closed press and off the record. **REGISTER HERE:** https://pitc.zoomgov.com/webinar/register/WN_7jnJU4-kRqSLhLmn2xOUig
- **At 4:00pm EDT, the Vice President will convene state legislative leaders from Indiana, Florida, South Dakota, Nebraska, and Montana** who are fighting on the frontlines to protect reproductive rights. The Vice President's and the participants' opening remarks will be livestreamed on whitehouse.gov/live/.

KEY ASSETS

- FACT SHEET**:** President Biden to Sign Executive Order Protecting Access to Reproductive Health Care Services

THE EXECUTIVE ORDER

The Executive Order builds on the actions the Administration has already taken to defend reproductive rights by:

- Safeguarding access to reproductive health care services, including abortion and contraception – building on steps HHS has already taken to ensure medication abortion, emergency contraception, long-acting contraception is as widely available as possible and the Attorney-General's commitment to fight any attack by a state or local official who attempts to interference with women exercising their right to travel out of state for medical care.
- Protecting the privacy of patients and their access to accurate information – building on steps HHS Office of Civil Rights has taken to ensure doctors and medical providers and plans know that they are not required – with limited exceptions – to disclose patients' private information.
- Promoting the safety and security of patients, providers, and clinics; and
- Coordinating the implementation of Federal efforts to protect reproductive rights and access to health care.

All best,

White House Office of Public Engagement

STAY IN THE KNOW

Share and amplify our community updates by encouraging your networks to sign up to receive this newsletter using the following link.

http://eepurl.com/hIdkdf

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SUBJECT: The President's Executive Order on Reproductive Rights – 2pm Briefing Call Today
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 08/07/2022 09:28

THE WHITE HOUSE
WASHINGTON

Women's Community Update

Friends - Today, President Biden will sign an Executive Order protecting access to reproductive health care services. See toplines and the full Fact Sheet below, as well as an invite to a White House briefing at 2pm ET. We hope you can make it, and please share with members of your community - all are welcome.

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[redacted]

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All best,

White House Office of Public Engagement

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SUBJECT: Hormonal Contraception - Pharmacists
FROM: "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
TO: Michelle Hofmann <mhofmann@utah.gov>
CC: "Nickee Andjelic (DHHS)" <npalacios@utah.gov>, Lynne Nilson <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>
DATE: 08/07/2022 13:14

Dr. Hofmann -

We have put together information related to the pharmacist dispensing of emergency contraception (Ella) and depo (overview, sample protocols and orders) in this google drive: [redacted]

Discussion points:

The current language of both SB184 (standing order) and HB178 (Pharmacist prescribing) define "self-administered hormonal contraceptives" as follows: "Self-administered hormonal contraceptive includes an oral hormonal contraceptive, a hormonal vaginal ring, and a hormonal contraceptive patch."

Emergency Contraception - The Ella website notes that Ella is a progesterone agonist/antagonist emergency contraceptive.

DEPO - Subcutaneous depot medroxyprogesterone acetate (DMPA-SC): The states that we identified as offering DMPA through pharmacies do so through pharmacist administration of the injection. The CDC recommends allowing for self-administration, but note: *"Although the FDA label states that DMPA-SC is only to be administered by a healthcare professional, health care providers might prescribe an FDA-approved drug for off-label use (including administering a drug in a different way, such as self-administration) when medically indicated, as determined by the health care provider, for their patient."*

The language in current Utah code may be contradictory to adding either the injectable or Ella to the standing order or allowing for pharmacist prescribing. Your clinical/medical insight is needed to determine if either fits the definition of "self administered hormonal contraceptive".

Please let us know if you need any additional information or have questions.

Thank you,
Laurie

Links to legislation: https://le.utah.gov/~2021/bills/static/HB0178.html
https://le.utah.gov/~2018/bills/static/SB0184.html

--
Laurie Baksh, MPH
Manager, Maternal and Infant Health Program

[redacted]

Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Family Health

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SUBJECT: White House | Women's Community Update
FROM: The Office of Public Engagement <noreply@mail.whitehouse.gov>
TO: <hborski@utah.gov>
DATE: 08/07/2022 16:19

THE WHITE HOUSE
WASHINGTON

Women's Community Update

All,
Read below for updates on the Biden-Harris Administration's response to the Supreme Court's decision overturning *Roe v. Wade.*

Administration Actions on Protecting Reproductive Rights
President Biden announced actions that his Administration is taking to protect women. Read the President's Executive Order, Remarks, and Fact Sheet here.

President Biden Signed Executive Order Protecting Access to Reproductive Health Care Services

Today, President Biden signed an Executive Order Protecting Access to Reproductive Health Care Services. This Executive Order builds on the actions his Administration has already taken to defend reproductive rights by:

- Safeguarding access to reproductive health care services, including abortion and contraception;
- Protecting the privacy of patients and their access to accurate information;
- Promoting the safety and security of patients, providers, and clinics; and
- Coordinating the implementation of Federal efforts to protect reproductive rights and access to health care.

Safeguarding Access to Reproductive Health Care Services

The President has directed the Secretary of Health and Human Services (HHS) to take the following actions and submit a report to him within 30 days on efforts to:

- **Protect Access to Medication Abortion.** HHS will take additional action to protect and expand access to abortion care, including access to medication that the FDA approved as safe and effective over twenty years ago. These actions will build on the steps the Secretary of HHS has already taken at the President's direction following the decision to ensure that medication abortion is as widely accessible as possible.
- **Ensure Emergency Medical Care.** HHS will take steps to ensure all patients – including pregnant women and those experiencing pregnancy loss – have access to the full rights and protections for emergency medical care afforded under the law, including by considering updates to current guidance that clarify physician responsibilities and protections under the Emergency Medical Treatment and Labor Act (EMTALA).
- **Protect Access to Contraception.** HHS will take additional actions to expand access to the full range of reproductive health services, including family planning services and providers, such as access to emergency contraception and long-acting reversible contraception like intrauterine devices (IUDs). In all fifty states and the District of Columbia, the Affordable Care Act guarantees coverage of women's preventive services, including free birth control and contraceptive counseling, for individuals and covered dependents. The Secretary of HHS has already directed the Centers for Medicare and Medicaid Services to take every legally available step to ensure patient access to family planning care and to protect family planning providers.
- **Launch Outreach and Public Education Efforts.** HHS will increase outreach and public education efforts regarding access to reproductive health care services—including abortion—to ensure that Americans have access to reliable and accurate information about their rights and access to care.
- **Convene Volunteer Lawyers.** The Attorney General and the White House Counsel will convene private pro bono attorneys, bar associations, and public interest organizations to encourage robust legal representation of patients, providers, and third parties lawfully seeking or offering reproductive health care services throughout the country. Such representation could include protecting the right to travel out of state to seek medical care. Immediately following the Supreme Court decision, the President announced his Administration's position that Americans must remain free to travel safely to another state to seek the care they need, as the Attorney General made clear in his statement, and his commitment to fighting any attack by a state or local official who attempts to interfere with women exercising this right.

Protecting Patient Privacy and Access to Accurate Information

The President's Executive Order takes additional steps to protect patient privacy, including by addressing the transfer and sales of sensitive health-related data, combatting digital surveillance related to reproductive health care services, and protecting people seeking reproductive health care from inaccurate information, fraudulent schemes, or deceptive practices. The Executive Order will:

- **Protect Consumers from Privacy Violations and Fraudulent and Deceptive Practices.** The President has asked the Chair of the Federal Trade Commission to consider taking steps to protect consumers' privacy when seeking information about and provision of reproductive health care services. The President also has directed the Secretary of HHS, in consultation with the Attorney General and Chair of the FTC, to consider options to address deceptive or fraudulent practices, including online, and protect access to accurate information.
- **Protect Sensitive Health Information.** HHS will consider additional actions, including under the Health Insurance Portability and Accountability Act (HIPAA), to better protect sensitive information related to reproductive health care. The Secretary of HHS has already directed the HHS Office for Civil Rights to take initial steps to ensure patient privacy and nondiscrimination of patients, as well as providers who provide reproductive health care, including by:
    - Issuing new guidance to address how the HIPAA Privacy Rule protects the privacy of individuals' protected health information, including information related to reproductive health care. The guidance helps ensure doctors and other medical providers and health plans know that, with limited exceptions, they are not required – and in many cases, are not permitted – to disclose patients' private information, including to law enforcement.
    - Issuing a how-to guide for consumers on steps they can take to make sure they're protecting their personal data on mobile apps.

Promoting Safety and Security

The Executive Order addresses the heightened risk related to seeking and providing reproductive health care and will:

- **Protect Patients, Providers, and Clinics.** The Administration will ensure the safety of patients, providers, and third parties, and to protect the security of other entities that are providing, dispensing, or delivering reproductive health care services. This charge includes efforts to protect mobile clinics, which have been deployed to borders to offer care for out-of-state patients.

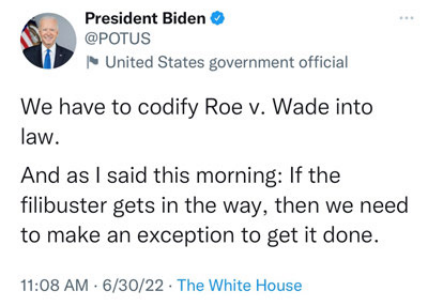
Coordinating Implementation Efforts

To ensure the Federal government takes a swift and coordinated approach to addressing reproductive rights and protecting access to reproductive health care, the President's Executive Order will:

- **Establish an Interagency Task Force.** The President has directed HHS and the White House Gender Policy Council to establish and lead an interagency Task Force on Reproductive Health Care Access, responsible for coordinating Federal interagency policymaking and program development. This Task Force will also include the Attorney General. In addition, the Attorney General will provide technical assistance to states affording legal protection to out-of-state patients as well as providers who offer legal reproductive health care.

Calling on Congress to Codify *Roe v. Wade*

Last week, President Biden made clear he would support an exception to the filibuster in order to codify a woman's right to choose into law. See his tweet below.



Administration-wide Engagements on Protecting Reproductive Rights

HHS Secretary Becerra Visits Planned Parenthood

Secretary Becerra visited a Planned Parenthood in Conneticut to reaffirm the Administration's commitment to protecting reproductive healthcare. See the Tweet here.

Vice President Harris Remarks on Protecting Reproductive Rights

On Saturday July 2nd, Vice President Harris traveled to New Orleans, Louisiana to attend the 28th ESSENCE Festival of Culture, where she participated in a fireside conversation with Emmy Award-winning actress Keke Palmer. The Vice President spoke to the most critical issues facing Black women, including the implications of the Supreme Court overturning *Roe v. Wade.* While in New Orleans, the Vice President also met with the leaders of reproductive justice organizations. Read and Watch the full conversation here.

Meeting with Governors to Defend Reproductive Rights

Last week, President Biden convened nine Democratic Governors from across the country to discuss efforts to defend reproductive rights. Moderated by Director of the White House Gender Policy Council Jennifer Klein, the conversation focused on actions the Governors are taking to defend reproductive rights. The President thanked the Governors for their work on this issue, and told them his Administration looks forward to continued partnership to protect access to reproductive health care. See the full Readout here.

Engaging with State Attorney Generals

Last week, Vice President Harris met with Attorneys General Dana Nessel of Michigan and Keith Ellison of Minnesota to discuss efforts underway in key states to protect reproductive rights. This follows her recent convening of Attorneys Generals from seven states to discuss the fight for reproductive rights. Vice President Harris reaffirmed the Administration's commitment to fighting for reproductive rights. The Vice President discussed the pivotal role that Attorneys General play in safeguarding the rights of the people of their states, and she encouraged them to continue to use their authority to defend reproductive rights and freedoms. See the full Readout here.

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SUBJECT: Fwd: EC as "self-administered, hormonal contraception"
FROM: "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
TO: Michelle Hofmann <mhofmann@utah.gov>
CC: Lynne Nilson <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Nickee Palacios <npalacios@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 08/07/2022 18:23

Dr. Hofmann -

After sending my earlier email, I realized I neglected to include the information contained in this email for your consideration as well.

Thanks,
Laurie

---------- Forwarded message ---------
From: **Jessica Sanders** <jessica.sanders@hsc.utah.edu>
Date: Fri, Jul 1, 2022 at 8:19 AM
Subject: Re: EC as "self-administered, hormonal contraception"
To: Laurie Baksh <lbaksh@utah.gov>, Lynne Nilson <lpnilson@utah.gov>
Cc: Sarah Elliott <sarah.elliott@hsc.utah.edu>, Jami Baayd <jami.baayd@hsc.utah.edu>, Rebecca Simmons <rebecca.simmons@hsc.utah.edu>

Quick point of clarification “contraception access policy roadmap” these were policies being assessed and supported with FPE evidence not policies that passed necessarily

Jessica N Sanders, PhD, MSPH
Family Planning Research Director
Assistant Professor
Pronouns: she/her

Obstetrics & Gynecology
30 North 1900 East, 2B200
Salt Lake City, Utah 84132 |801.581.2143
Jessica.sanders@hsc.utah.edu

Indigenous Land Acknowledgement: We acknowledge that this land, which is named for the Ute Tribe, is the traditional and ancestral homeland of the Shoshone, Paiute, Goshute, and Ute Tribes. The University of Utah recognizes and respects the enduring relationship that exists between many Indigenous peoples and their traditional homelands. We respect the sovereign relationship between tribes, states, and the federal government, and we affirm the University of Utah's commitment to a partnership with Native Nations and Urban Indian communities through research, education, and community outreach activities.

From: Jessica Sanders <jessica.sanders@hsc.utah.edu>
Date: Friday, July 1, 2022 at 8:16 AM
To: Laurie Baksh <lbaksh@utah.gov>, Lynne Nilson <lpnilson@utah.gov>
Cc: Sarah Elliott <sarah.elliott@hsc.utah.edu>, Jami Baayd <jami.baayd@hsc.utah.edu>, Rebecca Simmons <rebecca.simmons@hsc.utah.edu>
Subject: FW: EC as "self-administered, hormonal contraception"

Hello Laurie and Lynne, I have no doubt you all, like us, have be caught in the whirlwind of the last week with the SCOTUS decision.

I wanted to follow up on our last conversation and to share the presentation that we prepared to present to the board of pharmacy. I have also forwarded the correspondence with Rep. Ray Ward (below) clarifying the appropriateness of including oral Emergency Contraception in the interpretation of self-administered, hormonal contraception in the standing order.

I have also shared our community facing document on EC in English, we have a Spanish version available as well-to support any updates you may want to include in the UDOH website.

Please let me know if there are additional resources we share and ways we can support each other.

Take care,
Jess

Jessica N Sanders, PhD, MSPH
Family Planning Research Director
Assistant Professor
Pronouns: she/her

Obstetrics & Gynecology
30 North 1900 East, 2B200
Salt Lake City, Utah 84132 |801.581.2143
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From: Raymond Ward <rayward@le.utah.gov>
Date: Monday, June 27, 2022 at 3:30 PM
To: Jessica Sanders <jessica.sanders@hsc.utah.edu>, rayward1024@yahoo.com <rayward1024@yahoo.com>
Cc: CPSheard@afstores.com <CPSheard@afstores.com>, Sarah Elliott <sarah.elliott@hsc.utah.edu>
Subject: Re: EC as "self-administered, hormonal contraception"

Hello Jessica and Chris,

Thanks for sending me over that email.

I agree with what you have laid out here and that the intent of the bill was to include all self-administered hormonal contraceptive medications, which would then include oral contraception that can be taken as emergency contraception. Given the safety and efficacy of both oral levonorgestrel and ulipristal acetate (a.k.a Ella), it is an appropriate interpretation of the code to include both of these as self-administered hormonal contraception.

[redacted]

I hope this is helpful and happy to answer any additional questions that might come up.

RW

From: Jessica Sanders <jessica.sanders@hsc.utah.edu>
Sent: Monday, June 27, 2022 12:59 PM
To: rayward1024@yahoo.com <rayward1024@yahoo.com>; Raymond Ward <rayward@le.utah.gov>
Cc: CPSheard@afstores.com <CPSheard@afstores.com>; Sarah Elliott <sarah.elliott@hsc.utah.edu>
Subject: EC as "self-administered, hormonal contraception"

Dear Representative Ward, MD,
Thank you for all you have done to support contraceptive access in Utah. As our ASCENT Center works to ensure all Utahns have access to contraception, pharmacies and clinics remain vital points of access for individuals seeking contraception. It is our hope to keep pharmacists, providers, and administrators up-to-date with best practices and current clinical guidelines.

Under the tenants of the "Pharmacy Practice Act," Utah Code Section 58-17b-101, et seq. (the "Act"), the "Family Planning Access Act," Utah Code Section 26-62-101, et seq. (the "FPAA") and Utah Administrative Code R433-200 (the "Rule") pharmacists are able to dispense "self-administered hormonal contraceptives."

A question that has been brought to our attention is whether oral emergency contraceptives (EC), which includes oral levonorgestrel and oral ulipristal acetate fall into the category of "self-administered hormonal contraceptives." From a scientific and pharmacological standpoint, the answer is "yes," as these are oral hormonal medications that are self-administered for contraceptive purposes. and do not interfere with an existing pregnancy.

In hopes that we can stay clear and consistent in our communication we would like to confirm this interpretation and ensure that this in inline with the intent of the original legislation. I have cc'd Chris Sheared, who is on the Board of Pharmacy and can share with his colleagues who might be interested as well.

Thank you again for all your work as a clinician-policymaker,

Jess Sanders and the ASCENT team

Jessica N Sanders, PhD, MSPH
Family Planning Research Director
Assistant Professor
Pronouns: she/her

Obstetrics & Gynecology
30 North 1900 East, 2B200
Salt Lake City, Utah 84132 |801.581.2143
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--
Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Family Health

[redacted]

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SUBJECT: Morning Consult Health: What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 10/07/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 10, 2022

BY GABY GALVIN

Twitter Email

Good morning all. This is my last edition of Morning Consult Health. It's been a wild two years on the health care beat, and I'm glad to have spent it with you all. You're in good hands with senior editor Matt Bracken taking over the newsletter for now.

Let's dig in: Novavax Inc. is awaiting authorization for its traditional protein-based COVID-19 vaccine. What share of unvaccinated adults said they would get this type of shot if one were available?

A: 10%
B: 26%
C: 31%
D: 46%
E: 67%

Check out the answer at the bottom of today's newsletter.

What's Ahead

Congressional Democrats have a three-week sprint ahead if they want to pass a budget reconciliation bill by the August recess. The Senate parliamentarian is reviewing Democrats' latest drug pricing plan, which would allow Medicare to negotiate prescription drug prices, but lawmakers are still negotiating tax and climate measures for the scaled-back domestic policy package.

There are four congressional hearings this week on abortion and reproductive care in post-Roe America: The Senate Judiciary

[redacted]

Committee will meet at 10 a.m. Tuesday, the House Oversight and Reform Committee will meet at 9:30 a.m. Wednesday, the Senate Health, Education, Labor and Pensions Committee will convene at 10 a.m. Wednesday and the House Judiciary Committee will meet at 10 a.m. Thursday.

With federal abortion rights legislation all but dead in the divided Senate, expect more messaging hearings ahead of the midterm elections. Sen. Patty Murray (D-Wash.), chair of the Senate HELP Committee and a vocal reproductive health care advocate, will also likely take the opportunity to pressure the Biden administration to do more to protect access to abortion and birth control.

The Senate Finance Committee will hold a hearing at 10 a.m. Tuesday on Rebecca Haffajee's nomination to be assistant secretary for planning and evaluation at the Department of Health and Human Services. Haffajee would be elevated from the office's deputy role, and serve as a chief policy adviser to HHS Secretary Xavier Becerra.

The Bipartisan Policy Center will hold a panel at 2:30 p.m. Tuesday on the state of the pandemic, featuring White House COVID-19 coordinator Dr. Ashish Jha. The Biden administration is preparing for a fall booster shot campaign and working to make antiviral pills more accessible — and grappling with a growing monkeypox outbreak that raises questions about the federal government's preparedness to manage another public health crisis.

UnitedHealth Group Inc. will report second-quarter earnings Friday. The health care giant has faced a mixed bag lately: It announced plans to buy a U.K. health tech company to bolster its Optum health services business, but its acquisition of home health provider LHC Group Inc. was delayed last month by a Federal Trade Commission request for more details on the deal.

Events Calendar

View Full Calendar

A MESSAGE FROM MORNING CONSULT

U.S. Jobs & Labor Market Trends Report

Inflation, financial volatility and talk of a looming recession have weighed heavily on consumer sentiment in 2022, and now the mood among

workers is souring as well. Morning Consult examines these trends and more in our latest U.S. Jobs & Labor Report. Download now.

Week in Review

Drug pricing: Senate Democrats unveiled their latest drug pricing plan, which would allow Medicare to negotiate prescription drug prices beginning in 2023 and encourage biosimilar competition, but differs from a House-passed bill on issues such as insulin payment and transparency from pharmacy benefit managers. They are also weighing a plan to raise taxes on some high-income Americans to delay a shortfall in the Medicare trust fund until 2031.

Abortion: President Joe Biden signed an executive order that aims to shore up abortion rights by protecting access to medication abortion and emergency contraception, bolstering patient privacy and directing Becerra to increase public outreach for reproductive health services. The Biden administration decided against declaring a public health emergency following the fall of Roe v. Wade, according to people familiar with the matter, deciding that the impact of the move wouldn't be worth the inevitable legal wrangling.

Juul: Juul Labs Inc.'s e-cigarettes will remain on the market after the Food and Drug Administration paused its sales ban, saying it will conduct a further review of the vaping giant's products. The agency said it will consider "scientific issues unique to the Juul application" — walking back its earlier argument that the company lacked sufficient health and safety data.

STAT OF THE WEEK

20%

The share of U.S. adults who say they've gotten an unexpected medical bill in 2022.

THE MOST READ STORIES THIS WEEK

1) Dems want to tax high earners to protect Medicare solvency
Alan Fram, The Associated Press

2) What the BA.5 Subvariant Could Mean for the United States
Lauren Leatherby, The New York Times

3) Here's what Democrats changed in their latest drug pricing bill
Rachel Cohrs, Stat News

4) To aid rural hospitals, CMS proposes rule for new provider type
Susan Kelly, Healthcare Dive

5) CMMI finds implicit bias in 3 major payment models
Robert King, Fierce Healthcare

6) How companies offering to cover travel for out-of-state abortions might work
Scott Neuman, NPR News

7) Novavax's Traditional Vaccine for COVID-19 Could Hit the U.S. Soon. Most Unvaccinated Adults Wouldn't Be Swayed
Gaby Galvin, Morning Consult

8) House lawmakers to CMS: Expand dental coverage in Medicare now
Robert King, Fierce Healthcare

9) Schumer moves to allow Medicare to negotiate prescription drug costs
Punchbowl News

10) Feds brokered record $5B in healthcare fraud cases last year
Rebecca Pifer, Healthcare Dive

OTHER HEALTH NEWS

- HHS was asked to seek an 'aggressive strategy' on abortion by Biden, Becerra says (Politico)
- Cancer Drug Greatly Reduces Deaths in Hospitalized Covid Patients (The New York Times)
- U.S. FDA grants full approval to Pfizer COVID vaccine for ages 12-15 (Reuters)
- Pharmacists Can Prescribe Pfizer's Covid Pill Under FDA Order (Bloomberg)
- FDA Will Help Overseas Baby-Formula Makers Keep Selling in U.S. Beyond Shortages (The Wall Street Journal)
- BA.5 Subvariant Drives Majority of Recent Covid-19 Cases (The Wall Street Journal)
- Sanofi launches global health brand with non-profit treatments (Reuters)
- Astra Agrees to Pay up to $1.3 Billion for Biotech TeneoTwo (Bloomberg Law)
- U.S. to ship 144,000 more monkeypox shots and expand testing as cases top 700 (NBC News)
- CMS proposes slight doc pay cut in 2023 and several reforms to ACOs, dental service coverage (Fierce Healthcare)

- Drug companies will have to start refunding Medicare for certain drugs that get thrown out (Stat News)

- Judge rejects claim distributors fueled W.Va. community's opioid crisis (The Washington Post)

The answer to this week's quiz is **A:** 10% of unvaccinated adults said they would get a traditional protein-based COVID-19 shot if one were available. Read more here: Novavax's Traditional Vaccine for COVID-19 Could Hit the U.S. Soon. Most Unvaccinated Adults Wouldn't Be Swayed

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FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 10/07/2022 08:08

July 10, 2022

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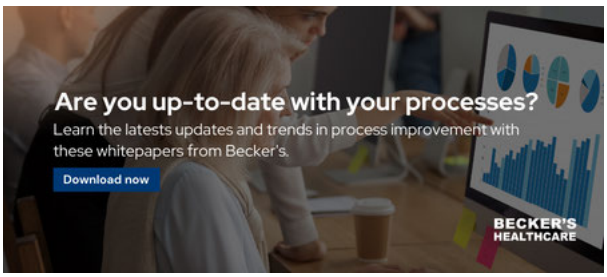
1. 24 recent hospital, health system executive moves **Full story**
2. COVID-19 cases dip slightly as BA.5 threat looms: 10 CDC findings **Full story**

3. 73% of male physicians say there is no gender pay gap at work: 5 Medscape findings **Full story**
4. Are you on target to meet your 2022 revenue goals? Discover solutions that increase cash flow while reducing costs, process times, and workloads.
5. 5 states most people moved to, left since 2020 **Full story**
6. Patient-billing startup Cedar lays off 24% of workforce **Full story**
7. Learn what worked - and what didn't - when Baylor, Scott & White set out to integrate medical device strategy. Spoiler: It resulted in cost savings and fewer incidents.
8. 441 rural hospitals at risk of losing services or closing **Full story**
9. 148 best US hospitals, per Money and Leapfrog **Full story**
10. 11 statistics on physician assistant salary by specialty **Full story**
11. Healthcare's double whammy: Inflation during a pandemic. Understand how the best hospitals can achieve growth while cutting costs.
12. CMS pitches physician payment rule for 2023: 7 things to know **Full story**
13. 8 recent payer moves to exit or enter markets **Full story**
14. In a slow rollout, 1.5% of children under 5 are vaccinated against COVID-19 **Full story**
15. Biden takes executive action to protect abortion access Full story

Becker's Learning Opportunities

1. Hospitals generate mountains of data but many can't use the information when they need it. Get the 9 steps needed to connect with your content.
2. Patients are tired of seeing 'pay in full' as the only option on their medical statements. Drive better payment results with these strategies.
3. Balancing healthcare's digital and physical realms may not be as difficult as it seems. Click here to find the best practices for navigating both domains.



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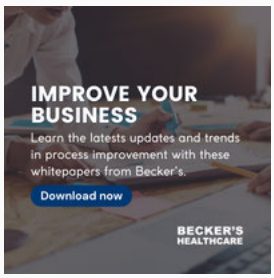

Becker's Whitepapers

Debunking PPE-Related Myths
The digital future of healthcare staffing
The ultimate guide to automating care coordination

SUBJECT: Experts Split On Gorsuch's Power To Uphold Tribal Rights
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 11/07/2022 02:38

LAW360

Monday, July 11, 2022

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TOP NEWS

Analysis

Experts Split On Gorsuch's Power To Uphold Tribal Rights

Following Justice Neil M. Gorsuch's fiery dissent in a case involving Oklahoma's authority to prosecute certain crimes on Native American reservations, experts are divided over whether the justice — once poised to reshape the federal judiciary's view of Indian law — can still champion tribal interests at the Supreme Court.

Read full article »

Analysis

2 Mistrials, 1 Acquittal & A DOJ Listening Problem

The defense said the case should have never been brought. The judge told the U.S. Department of Justice's top antitrust official to "reflect" on the evidence after two separate juries deadlocked on price-fixing charges against chicken industry executives.

Read full article »

Analysis

Top SEC Controversies In 2022: Midyear Report

SEC Chair Gary Gensler has issued a progressive spring rulemaking agenda including climate risk, corporate board diversity, cybersecurity and so-called digital engagement practices, amid pushes for cryptocurrency regulation and a setback for SEC judges, in the first half of 2022.

Read full article »

Analysis

How Justices Impacted Transportation: Midyear Review

The U.S. Supreme Court tightened the scope of a Federal Arbitration Act carveout for interstate transportation workers, but ignored entreaties from the commercial trucking and airline industries to clarify what they contend are conflicting state and federal regulations governing their West Coast operations.

Read full article »

DC Circ. Narrows House Subpoena For Trump Financial Docs

A House committee can obtain some, but not all, of former President Donald Trump's financial documents that it requested from his former accounting firm, the D.C. Circuit said Friday, narrowing the scope of the congressional subpoena for the records.

Opinion attached | Read full article »

Biden Orders Agencies To Protect Abortion Access

President Joe Biden has told his top health official to take measures to make sure patients have access to safe abortions, like medication abortions, in the wake of the U.S.

LAW FIRMS IN TODAY'S NEWS

Addleshaw Goddard
Ahmad Zavitsanos
Allen & Overy
ArentFox Schiff
Arnold & Porter
Baker & Hostetler
Baker Donelson
Ballard Spahr
Bracewell LLP
CMS Cameron McKenna Nabarro Olswang
Cadwalader Wickersham
Capstone Law APC
Carlos F. Gonzalez PA
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DAC Beachcroft
DLA Piper
Davidoff Hutcher
Day Pitney
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Duane Morris LLP
Faegre Drinker
Fisher Phillips
Fredericks Law Firm
Gibson Dunn
Goldberg Segalla

Supreme Court decision erasing the constitutional right to the procedure.

Read full article »

BANKING & SECURITIES

Crypto Risks Call For Stronger Rules, Fed Vice Chair Warns

Digital assets are vulnerable to many of the same risks as traditional finance and need comparable regulatory guardrails to protect investors and the financial system at large, Federal Reserve Vice Chair Lael Brainard said Friday.

Read full article »

Feds' De-Risking Guidance May Not Move Needle At Banks

Federal regulators have put out a new call for banks to refrain from categorically shunning independent ATM operators and other groups of customers as illicit finance risks, but some financial services attorneys say the guidance may have limited practical effect.

Statement attached | Read full article »

ENERGY & ENVIRONMENTAL

Analysis

Biggest Energy-Related Rulings Of 2022: Midyear Report

A blockbuster U.S. Supreme Court ruling that curbs the federal government's climate change authority capped a first half of 2022 that produced several court decisions with major implications for the energy industry. Here's a rundown of some of the biggest energy-related court decisions issued so far this year.

Read full article »

Analysis

Pa. Midyear Report: Pay, Carbon, Venue Shopping Drive Regs

Pennsylvania rules and regulations commencing this summer will give tipped workers bigger paychecks and other benefits, while energy companies wanting to join the Regional Greenhouse Gas Initiative will have to wait pending the outcome of a challenge by the coal industry.

Read full article »

DC Circ. Backs FERC Redo Of $2.1B Pipeline Approval

The D.C. Circuit on Friday said the Federal Energy Regulatory Commission has now adequately justified its decision granting Nexus Gas Transmission LLC eminent domain authority for its $2.1 billion pipeline, after previously directing the agency to beef up its legal arguments.

Opinion attached | Read full article »

Biden Admin Floats State Roadway Emissions Tracking

The Biden administration has set its sights on reducing transportation emissions as its latest step in the fight against climate change with a new rule that will require states to establish declining greenhouse gas emissions targets for vehicles.

Read full article »

Fla. Justices Say Utility Can Recover $16M From Customers

Florida's utility regulator was wrong to block a Duke Energy unit from recouping $16 million in replacement power costs from customers after needing to operate a power plant at reduced capacity because the utility's actions were "prudent," the Florida Supreme Court said.

Opinion attached | Read full article »

Federal Approval Of Lobster Fishery Violates ESA, Judge Says

Gowling WLG
Guerra King
Holland & Hart
Holland & Knight
Hunton Andrews
Jenner & Block
Jones Day
Katten Muchin
King & Spalding
Kirkland & Ellis
Latham & Watkins
Lewis Brisbois
Linklaters
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Reed Smith
Robins Kaplan
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Saul Ewing
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Seyfarth Shaw
Sheppard White
Shumaker Loop
Shutts & Bowen
Sidley Austin
Silverman Thompson
Simpson Thacher
Skadden Arps
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COMPANIES IN TODAY'S NEWS

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California Trucking Association
Center for Biological Diversity
Centerra Group LLC
Chevron Corp.
Conservation Law Foundation
Costco Wholesale Corp.
Cox Media Group Inc.
DTE Energy Co.
Defenders of Wildlife
Deloitte Touche Tohmatsu Ltd.

A federal judge Friday invalidated approvals for a lobster fishery in the North Atlantic after finding the government failed to adequately protect a threatened whale species, which environmental groups said needs strict protection so the whales don't die in fishing lines.

Opinion attached | Read full article »

HEALTH & LIFE SCIENCES

NYS Courts Again Hit With Suit Over Vax Mandate

The New York judiciary has been hit with another lawsuit by court employees attempting to end a mandate that they vaccinate against the COVID-19 virus.

Complaint attached | Read full article »

MEDIA & ENTERTAINMENT

2nd Circ. Blocks Trump Transition Docs Release

The Second Circuit on Friday ruled that the U.S. Secret Service does not have to turn over documents relating to former President Donald Trump's 2015 transition into public office.

Opinion attached | Read full article »

Tegna, Standard General Deny Public Harm From $8.6B Deal

Broadcast giant Tegna and hedge fund Standard General are urging the Federal Communications Commission to grant approvals necessary to complete their $8.6 billion tie-up, calling opponents off the mark in claiming potential public harm.

Response attached | Read full article »

REAL ESTATE

11th Circ. Affirms Investors' Loss In Honduras Property Spat

A group of American real estate investors have again been rebuffed over their claims that Honduras helped expropriate a multiuse development in the Central American nation, as the Eleventh Circuit found no evidence of a government effort to nationalize the project.

Opinion attached | Read full article »

EMPLOYMENT & BENEFITS

Texas Pol Threatens Sidley With Charges Over Abortion Policy

The chair of the Texas Freedom Caucus warned Sidley Austin LLP in a letter on Thursday that the firm could face criminal liability and that its attorneys would be disbarred for aiding employees that need abortions, under legislation they plan to introduce in the next session.

Letter attached | Read full article »

Judge Pares Challenge To Fla. Classroom, Work Training Law

A Florida federal judge on Friday largely kept alive a challenge by students and teachers to the constitutionality of a controversial state law that regulates classroom instruction of race, but tossed a portion of the suit claiming that the law's restrictions on employers' workplace training programs are invalid.

Order attached | Read full article »

COMPETITION

DOJ Defends Army Swag Bid Rigging Case Against Dismissal

The U.S. Department of Justice has urged a Florida federal court not to toss antitrust charges against a man accused of rigging bids for customized promotional products sold to the U.S. Army, saying his dismissal bid misconstrues the law.

2 documents attached | Read full article »

Devon Energy Corp.
Duke Energy Corp.
Dynamex, Inc.
Earthjustice
Enbridge Inc.
Endo International PLC
Ernst & Young LLP
FedEx Corp.
FirstEnergy Corp.
Getty Images Inc.
Grant Thornton LLP
Humane Society of the United States
IVECO SpA
Impax Laboratories, Inc.
KPMG International
Koch Foods
Levi Strauss & Co.
LexisNexis Group Inc.
Major Lindsey & Africa LLC
Martha Stewart Living Omnimedia Inc.
Massachusetts Lobstermen's Association
MasterCard Inc.
Mazars LLP
Mazor Robotics
Medtronic PLC
Mirant Corporation
NFL Enterprises LLC
National Association of Manufacturers
National Australia Bank Ltd.
National Cable & Telecommunications Association
National District Attorneys Association
National Retail Federation Inc.
Netflix Inc.
Organization for Economic Cooperation and Development
PGA TOUR Inc.
PJM Interconnection LLC
Paragon Offshore PLC
Pilgrim's Pride Corp.
Shell PLC
Skyworks Solutions Inc.
Southwest Airlines Co.
Standard General LP
StoneTurn Group LLP
Suncor Energy Inc.
Tegna Inc.
The Gap Inc.
TransUnion LLC
Trump Organization Inc.
U.S. Chamber of Commerce
United Farm Workers
Virgin America Inc.
Virgin Media Inc.
Vodafone Group PLC
Warner Bros. Entertainment Inc.
White Castle Management Co.
Yale University

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bank of England
Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Bureau of Labor Statistics
California Supreme Court

CONSUMER PROTECTION

FCC Revs Up Campaign Against Auto Warranty Robocalls

The Federal Communications Commission took additional steps Thursday to crack down on billions of unlawful auto warranty robocalls directed at consumers across the United States.

Notice attached | Read full article »

INTERNATIONAL TRADE

DC Circ. Says 'No Dice' To FedEx's Export Regulation Appeal

The D.C. Circuit picked apart Federal Express's claims against the U.S. Department of Commerce on Friday, telling the company that an agency rule holding couriers liable for unwittingly transporting sensitive technology to unauthorized recipients aligned seamlessly with settled law.

Opinion attached | Read full article »

IMMIGRATION

Biden Urges Justices To Restore Priority Deportation Memo

The Biden administration on Friday filed an emergency application with the U.S. Supreme Court, asking the justices to shut down a Texas federal court order blocking its policy for immigration enforcement and arguing that Texas and Louisiana haven't justified such "disruptive" relief.

Order attached | Read full article »

WHITE COLLAR

Bannon Attorney 'Reluctantly' Seeks To Exit Contempt Case

A Davidoff Hutcher & Citron LLP partner said Friday that he was withdrawing from defending former Trump White House aide Steve Bannon against criminal contempt charges over Bannon's refusal to cooperate with the House committee investigating the Jan. 6 insurrection, saying he might be called to testify at Bannon's trial this month in D.C. federal court.

1 document attached | Read full article »

NATIVE AMERICAN

Freedmen Descendants' Land Suit Tossed Once More

A D.C. federal judge has again dismissed a suit filed by descendants of slaves held by Native American tribes, ruling that they're not due an accounting of the U.S. government's alleged breaches of fiduciary duty related to funds derived from land allotted to minor children of former slaves.

Order attached | Read full article »

ND Tribal Court Should Hear Smoking Ban Case, 8th Circ. Told

The Mandan, Hidatsa and Arikara Nation is urging the Eighth Circuit to let its own courts hear a claim that employees of an out-of-state energy company violated a contractual smoking ban while drilling for fossil fuels on the tribe's North Dakota reservation.

Brief attached | Read full article »

TELECOMMUNICATIONS

Analysis

Can EPA Ruling Zap Net Neutrality? Not Everyone Agrees

Net neutrality backers grew more jittery about the Federal Communications Commission's ability to restore Obama-era network traffic rules after the U.S. Supreme Court in late June sapped agencies' regulatory power in a case against

Chickasaw Nation
Commodity Futures Trading Commission
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Financial Institutions Examination Council
Federal Reserve System
Federal Trade Commission
Financial Crimes Enforcement Network
Florida Public Service Commission
Florida Supreme Court
Health Canada
Hopland Band of Pomo Indians
Illinois Supreme Court
Maryland Medical Cannabis Commission
National Credit Union Administration
National Marine Fisheries Service
Navajo Nation
New York State Unified Court System
Office of the Comptroller of the Currency
Pennsylvania Supreme Court
State Bar of Texas
Three Affiliated Tribes of the Fort Berthold Reservation
U.S. Agency for International Development
U.S. Army
U.S. Attorney's Office
U.S. Census Bureau
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the Middle District of Florida

the Environmental Protection Agency, but not everyone sees the decision as a huge stumbling block.

Read full article »

EXPERT ANALYSIS

How Congress Is Addressing Employment Visa Backlog

Although immigration reform is far from reach, six bills recently proposed in Congress represent an increased interest in solving the employment-based immigration backlog that currently affects more than 1 million people and puts strain on employers to extend temporary work authorizations, say attorneys at Faegre Drinker.

Read full article »

New Fla. Law Is Good For Both Gig Workers And Employers

A recently effective Florida law, shielding companies that aid gig workers from misclassification claims, helps protect both independent contractors and their employers during times of emergency, and could be a road map for other states looking to extend similar protections, says Brett Owens at Fisher Phillips.

Read full article »

Insights And Omissions From Calif. Privacy Rules Draft

The California Privacy Protection Agency's recently released draft regulations provide clarity on aspects of the California Privacy Rights Act and insight into the agency's priorities, but also add new requirements beyond the scope of the CPRA and leave out significant regulations that businesses have been eagerly awaiting, say attorneys at Gibson Dunn.

1 document attached | Read full article »

FERC Interconnection Revamp Plan: Some Pain, Big Gains

While the Federal Energy Regulatory Commission's recent proposal for major changes to electric generator interconnection procedures will likely cause some initial complications for transmission providers and generation developers, the reforms should ultimately make the process faster and more efficient, say attorneys at Day Pitney.

Read full article »

A Former Cannabis Regulator On Shaping A Nascent Industry

Matthew McCarthy at Duane Morris shares three insights gleaned from his time as the lead prosecutor in regulatory enforcement actions at the Maryland Medical Cannabis Commission, highlighting personnel issues stemming from employees' prior experience in the illegal market, lessons from Canada, and recommendations for industry self-governance.

Read full article »

Opinion

Law School Admissions Shouldn't Hinge On Test Scores

The American Bar Association recently granted law schools some latitude on which tests it can consider in admissions decisions, but its continued emphasis on test scores harms student diversity and is an obstacle to holistic admissions strategies, says Aaron Taylor at AccessLex.

Read full article »

LEGAL INDUSTRY

U.S. District Court for the Northern District of Florida
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Secret Service
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Colorado
United States District Court for the Southern District of Ohio
Ysleta del Sur Pueblo

Legal Sector Adds 3K Jobs In June As Industry Rebounds

The legal industry added 3,000 jobs in June as employment in the sector continued to rebound after a slow start to the year, according to preliminary data released Friday by the U.S. Department of Labor.

Read full article »

Allen & Overy To Expand Outsourcing Platform To California

Allen & Overy LLP said Friday that it is poised to bring its flexible sourcing platform Peerpoint to California, after introducing the service in New York last fall, as firms grapple with turmoil in the job market sparked by the pandemic and amid growing economic strains.

Read full article »

Mayer Brown Adds Private Equity Pro From Katten

Mayer Brown LLP has hired a private equity specialist in London from Katten Muchin Rosenman LLP as part of an effort to expand its global practice.

Read full article »

Security Guards Union Loses COVID Protocol Suit For Good

A lawsuit alleging federal courthouses weren't properly cleaned and sterilized during the COVID-19 pandemic met its end in New York federal court Friday, with a judge ruling that the union behind the litigation failed to show how it was harmed by the alleged uncleanliness.

Read full article »

1 In 20 Death Row Reversals Tied To Prosecutor Misconduct

Over the last 50 years, prosecutor misconduct has played a role in 550 sentence reversals and exonerations of prisoners on death row, a recent study shows.

Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

A former Goldman top lawyer is helping the NFL's Dan Snyder as a U.S. House committee tries to subpoena the embattled Washington Commanders owner, and BigLaw leaders said they're focusing on retaining talent, investing in new technologies and growing. These are some of the stories in corporate legal news you may have missed in the past week.

Read full article »

UK Litigation Roundup: Here's What You Missed In London

The past week in London has seen Warner Bros in two separate suits over copyright, Visa facing another competition suit over its fees, and a Scottish businessman suing a finance company for professional negligence over a failed Scottish news venture. Here, Law360 looks at these and other new claims in the U.K.

Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Read full article »

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[redacted] ECHO Colorado Monthly eNews: What's ECHOing in August

SUBJECT: 8.5.22 DHHS Weekly Briefing: Please Review and Add Appropriate Items
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: dhhsedo@utah.gov, "Joe Dougherty (DHHS)" <joedougherty@utah.gov>, "Melissa Stevens Dimond (DHHS)" <melissastevens@utah.gov>
DATE: 02/08/2022 09:43

Good morning,

Attached is the Governor's Weekly Briefing template for this week, please add items as needed.

I'm also attaching the index/catalogue of past items for your review to see if there are items from past reports we should provide updates for.

Here's a list of topics from the previous reports:

988 Launch
Administration for Children and Families Visit.
Bebtelovimab Supply
Block Grant Letter
CDC/FDA approval for COVID-19 vaccines for children 6 months+
Clinical Response Team for JJYS
Concerns about case file accuracy for DCFS
COVID-19 Test Kits in Libraries and Food Pantries
COVID-19 Therapeutics
DHHS Consolidation – IT Merge Planning
DHHS Results-Based Accountability Plan & Metrics
Disposal of Expired COVID Test Kits
EPA Letter.
FEMA Reimbursement
Improve Coordination w/Local Health Dept
Infant formula shortages
Interim Legislative session updates
Juvenile Justice and Youth Services (JJYS)
Martha Hughes Cannon Birthday and Merger Implementation Event
Medical Cannabis.
Monkeypox Update
Nicotine Lawsuit
Office of Medical Examiner–NY Times
OME Update
Opening of a new youth center in American Fork
PEHP Rebates
Policies Supporting Women, Children & Families
Public Health Infrastructure, Workforce, and Data Systems grant application
Renewal of Medicaid 1115 Waiver
SCOTUS
Senior Leadership Positions.
Trigger Law
UDDC
Utah Forensic Settlement Agreement (Utah State Hospital).
Utah Resources for Mothers and Families

Please let me know if you have any questions! Thank you!

[redacted]

[redacted]

[redacted]

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: RE: CDCF MOA Amendment - Utah
FROM: Lauren Bader <lbader@cdcfoundation.org>
TO: Heather Borski <hborski@utah.gov>
CC: Robert Foley <rfoley@cdcfoundation.org>, Janae Duncan<janaeduncan@utah.gov>, Mark Schwarz <markschwarz@utah.gov>
DATE: 02/08/2022 11:04

Hello Utah Department of Health partners,

I wanted to follow up regarding the MOA attachment amendment needed to retain CDC Foundation staff supporting your jurisdiction through mid-October. If it would be helpful to set up a brief call to discuss the amendment and any questions you may have, please let me know.

Having gone back through my email, I realize Janae and Mark were involved in executing the Master MOA and initial attachments, so I've looped them in as well.

Warm regards,
Lauren

Lauren Bader, MPH (she/her/hers | *what's this?*)
Area Coordinator
COVID-19 Vaccine and Workforce Project
CDC Foundation
303.482.7737 (cell)

From: Lauren Bader
Sent: Thursday, July 28, 2022 12:36 PM
To: Heather Borski <hborski@utah.gov>
Cc: Robert Foley <rfoley@cdcfoundation.org>
Subject: RE: CDCF MOA Amendment - Utah

Hello Heather,

I hope your week is going well. We have been sending a lot your way recently, so I wanted to check in to see if you have had a chance to review the attached MOA attachment A amendment and if you had any questions.

Amber Johnson is no longer with CDC Foundation, so please direct any questions you may have to Robert Foley.

Best,
Lauren

Lauren Bader, MPH (she/her/hers | *what's this?*)
Area Coordinator
COVID-19 Vaccine and Workforce Project
CDC Foundation
303.482.7737 (cell)

From: Lauren Bader
Sent: Thursday, July 7, 2022 6:27 PM
To: Heather Borski <hborski@utah.gov>
Cc: Robert Foley <rfoley@cdcfoundation.org>; Amber Johnson <amberjohnson@cdcfoundation.org>
Subject: CDCF MOA Amendment - Utah

Dear Heather,

The CDC Foundation thanks you for your partnership in the Vaccine and Public Health Workforce Initiative. In June, you received notification of plans for continuing this project after July 31, 2022.

To continue any type of staffing support after July, we are required to amend the existing memorandum of agreement (MOA) supporting this initiative. The current package contains the master MOA and two attachments (one for each of our project's respective funding mechanisms). The master MOA has no end date (or it terminates far enough into the future where the date does not create an issue) and does not need to be amended. However the attachments end on July 31, 2022. As all of the CDC Foundation's field employees supported under the Vaccine funding (41116) are being transferred to the Workforce funding (41120), there is only a need to amend the end date for Attachment A: 41120.

To facilitate this adjustment, we have prepared the amendment for you to review and sign. This amendment simply changes the end date from July 31, 2022, to October 15, 2022; note that all amendments for each jurisdiction are being processed with a new end date of October 15, 2022. If this transition date does not meet your jurisdictional needs, please reach out to us for a discussion using the contact information below.

We know you will need time to review the document, and route it through your internal channels. If you or anyone in your jurisdiction has questions or suggested edits to the proposed amendment, please email Robert Foley, one of the CDC Foundation's senior project directors, at rfoley@cdcfoundation.org, and Amber Johnson, project assistant, at amberjohnson@cdcfoundation.org. If you are able to sign the amendment, please send it back to Robert and Amber, and cc me. We will get it countersigned by Foundation leadership and return the executed copy to you (or whomever you name as the point of contact).

The Foundation does not have a standard protocol directing who at the jurisdiction should sign the amendment, as long as they are authorized to sign on behalf of the jurisdiction. The amendment signatory does not need to be the same person who signed the original MOA documents. Additionally, this amendment needs to be executed prior to July 31, 2022. Please let us know if you anticipate any challenges, or have questions regarding the language, intent or process.

Warm regards,
Lauren

Lauren Bader, MPH (she/her/hers | *what's this?*)
Area Coordinator
COVID-19 Vaccine and Workforce Project
CDC Foundation
Together our impact is greater
303.482.7737 (cell)
www.cdcfoundation.org
twitter . linkedin . facebook . instagram

[redacted]

SUBJECT: Fwd: CDCF MOA Amendment - Utah
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: JANAE DUNCAN <janaeduncan@utah.gov>, Melissa Stevens Dimond <melissastevens@utah.gov>
CC: Mark Schwarz <markschwarz@utah.gov>
DATE: 02/08/2022 11:18

I apologize---I never realized I was the only one included on the original email, and since I haven't been directly involved with the Foundation for quite a while, I missed doing anything to act on it. Can you please work to process this for signatures?

Thank you, and again, apologize for the delay I've created.
HB

---------- Forwarded message ---------
From: **Lauren Bader** <lbader@cdcfoundation.org>
Date: Tue, Aug 2, 2022 at 11:04 AM
Subject: RE: CDCF MOA Amendment - Utah
To: Heather Borski <hborski@utah.gov>
Cc: Robert Foley <rfoley@cdcfoundation.org>, Janae Duncan <janaeduncan@utah.gov>, Mark Schwarz <markschwarz@utah.gov>

Hello Utah Department of Health partners,

I wanted to follow up regarding the MOA attachment amendment needed to retain CDC Foundation staff supporting your jurisdiction through mid-October. If it would be helpful to set up a brief call to discuss the amendment and any questions you may have, please let me know.

Having gone back through my email, I realize Janae and Mark were involved in executing the Master MOA and initial attachments, so I've looped them in as well.

Warm regards,
Lauren

Lauren Bader, MPH (she/her/hers | *what's this?*)
Area Coordinator
COVID-19 Vaccine and Workforce Project
CDC Foundation
303.482.7737 (cell)

From: Lauren Bader
Sent: Thursday, July 28, 2022 12:36 PM
To: Heather Borski <hborski@utah.gov>
Cc: Robert Foley <rfoley@cdcfoundation.org>
Subject: RE: CDCF MOA Amendment - Utah

Hello Heather,

I hope your week is going well. We have been sending a lot your way recently, so I wanted to check in to see if you have had a chance to review the attached MOA attachment A amendment and if you had any questions.

Amber Johnson is no longer with CDC Foundation, so please direct any questions you may have to Robert Foley.

Best,
Lauren

Lauren Bader, MPH (she/her/hers | *what's this?*)
Area Coordinator
COVID-19 Vaccine and Workforce Project
CDC Foundation
303.482.7737 (cell)

From: Lauren Bader
Sent: Thursday, July 7, 2022 6:27 PM
To: Heather Borski <hborski@utah.gov>
Cc: Robert Foley <rfoley@cdcfoundation.org>; Amber Johnson <amberjohnson@cdcfoundation.org>
Subject: CDCF MOA Amendment - Utah

Dear Heather,

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We know you will need time to review the document, and route it through your internal channels. If you or anyone in your jurisdiction has questions or suggested edits to the proposed amendment, please email Robert Foley, one of the CDC Foundation's senior project directors, at rfoley@cdcfoundation.org, and Amber Johnson, project assistant, at amberjohnson@cdcfoundation.org. If you are able to sign the amendment, please send it back to Robert and Amber, and cc me. We will get it countersigned by Foundation leadership and return the executed copy to you (or whomever you name as the point of contact).

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let us know if you anticipate any challenges, or have questions regarding the language, intent or process.

Warm regards,
Lauren

Lauren Bader, MPH (she/her/hers | *what's this?*)
Area Coordinator
COVID-19 Vaccine and Workforce Project
CDC Foundation
Together our impact is greater
303.482.7737 (cell)
www.cdcfoundation.org
twitter . linkedin . facebook . instagram

SUBJECT: ECHO Colorado Monthly eNews: What's ECHOing in August
FROM: ECHO Colorado <susan.stoveall@cuanschutz.edu>
TO: <hborski@utah.gov>
DATE: 02/08/2022 12:53

August 2022

Check out our new *What Is ECHO?* video!
Learn about or get a refresher on what to expect when you participate in an ECHO series.

COMING IN AUGUST

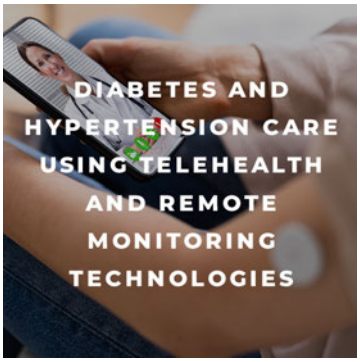
Family Health Centers of San Diego, the ECHO Institute, University of Washington and University of Colorado have collaborated to provide a CDC-funded monthly webinar-style **ECHO learning session** and an **online course**

to rapidly disseminate Post-COVID Conditions (PCC) and Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (ME/CFS) findings and emerging best practices.

Next ECHO session August 11
Physical Activity and Post COVID Conditions
CLICK HERE to register
(Webinars are held on the second Thursday of the month.)

Long COVID and Fatiguing Illness Recovery Program Short Course 2
Online now through September 12
CLICK HERE to read more

The goal of this series is to provide updates and practical guidance on the use of telehealth tools and programming in diabetes, hypertension and high blood cholesterol management. The three-session series will provide practical information on incorporating remote patient monitoring (RPM) in your practice, including the use of continuous glucose monitors (CGM) and self-measured blood pressure (SMBP) monitoring.



Three weekly ECHO sessions | Wednesdays starting August 17

LEARN MORE

This series is a statewide partnership between ECHO Colorado and the Colorado Department of Public Health and Environment bringing you the most relevant information on rapidly evolving public health topics including the COVID pandemic, epidemiology, state-distributed therapeutics, vaccines and more.

Topics for this series continue to evolve based on the educational needs of Colorado healthcare providers in staying up-to-date on relevant public health guidelines and new information.

Ongoing monthly ECHO sessions | Next session August 26

LEARN MORE

COMING IN SEPTEMBER

This series offers clinically relevant topics for those who provide or are looking to build, expand and improve care to preteens through young adults. Once completed, participants will be able to evaluate and manage common conditions in adolescent reproductive health.

Six weekly ECHO sessions | Thursdays starting September 1

LEARN MORE

Autism: Core Concepts for Primary Care Part 2 supports providers in the screening, diagnosis and management of patients with an autism spectrum disorder and related developmental delays. Sessions include a brief didactic presentation by an expert and discussion of participant-submitted cases.

Five weekly ECHO sessions | Wednesdays starting September 7

LEARN MORE

ONGOING ECHOS

This series is designed to support clinical providers interested in improving care for transgender and gender non-binary patients. Participants will increase their knowledge and confidence in providing gender-affirming care including routine primary care, hormone therapy management, surgical options and supporting mental health.

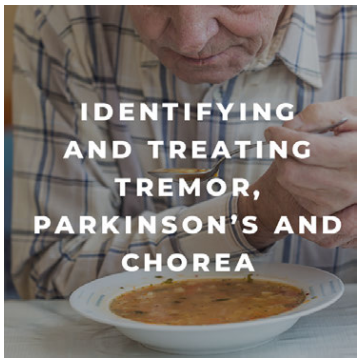
Next Session August 4:
Eating Disorders in the Transgender Community
READ ABOUT THE SPEAKER
Barbara Kessel, DO

Ongoing monthly ECHO sessions | Thursdays

LEARN MORE

COMING THIS FALL / WINTER

Pre-register to receive advance notification of registration open date.



This series introduces quick exam techniques to assess tremor and rapidly narrow your differential diagnosis. You will learn about treatment basics in PD and when to refer. The series will cover reliable recognition and differential diagnosis of chorea and highlight the most common genetic cause of chorea and Huntington's Disease (HD), as well as effective new treatments for chorea.

PRE-REGISTER

The goal of this series is to improve patient care experiences and access to high-quality healthcare for women from diverse racial and ethnic groups who are experiencing menopause. The series will provide an evidence-based, comprehensive curriculum covering the current state of knowledge on racial and ethnic disparities, opportunities to increase provider self-awareness and confidence, and opportunities to improve communication with patients.

Participants will have the opportunity to apply their knowledge actively in immersive experiences with virtual reality avatars!

Seven weekly ECHO sessions | Wednesdays starting September 14

PRE-REGISTER

This ECHO series is designed to support clinicians who care for pregnant patients in the evaluation and treatment of common mental health conditions presenting in the perinatal period. Facilitated by a multidisciplinary team including

obstetrician gynecologists, perinatal psychiatrists, psychologists and social workers, each session will include a brief presentation by an expert followed by discussion of participant-submitted cases.

Eight weekly ECHO sessions | Tuesdays starting January 10

PRE-REGISTER

ECHO COLORADO | EXTENSION FOR COMMUNITY HEALTH OUTCOMES | **ECHOCOLORADO.ORG**

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You are receiving this email because you opted in via our website.

Our mailing address is:
ECHO Colorado
13055 E 17th Ave Stop F801
Aurora, CO 80045-2505

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

SUBJECT: (V) PREP - Interim Session
FROM: mwatterson@utah.gov
TO: apinna@utah.gov, aslater@utah.gov, austinpreston@utah.gov, davidlitvack@utah.gov, "Heather Borski (DHHS)" <hborski@utah.gov>, joedougherty@utah.gov, jstrohecker@utah.gov, kharvey@utah.gov, mhofmann@utah.gov, natechecketts@utah.gov, natewinters@utah.gov, pray@utah.gov, rebeccab@utah.gov, swatkins@utah.gov, thales@utah.gov, tracygruber@utah.gov, trentbrown@utah.gov, trudyellis@utah.gov, xthomas@utah.gov, mwatterson@utah.gov
DATE: 02/08/2022 15:10

Notes and Outstanding Items:
Shari to reach out to get further clarification from LFA staff on some items.
Nate and Tonya to follow-up with Brent Kelsey and Eric Tedahara on presentations/reports/draft legislation
Questions that came up after 3pm:
* Not sure if Russell will be presenting on Services for Pregnant Women or if our Staff is being expected to present for the 20 minutes set aside?
* Will Nate Winters be presenting on the Performance Measures Audit follow-up?

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

(V) PREP - Interim Session

Tuesday Aug 2, 2022 · 2pm – 3pm (Mountain Time - Denver)

Purpose: To verify the agenda items and requests of the Department (i.e. presentations).

Location
Join with Google Meet , MASOB-4-Admin 4058 (30) [Jamboard Smart Board, Projector, Web Cam]
View map

Guests
trudyellis@utah.gov - organizer
aslater@utah.gov
davidlitvack@utah.gov
Heather Borski (DHHS)
mhofmann@utah.gov
mwatterson@utah.gov
natechecketts@utah.gov
natewinters@utah.gov
pray@utah.gov
rebeccab@utah.gov
swatkins@utah.gov
thales@utah.gov
tracygruber@utah.gov
xthomas@utah.gov
joedougherty@utah.gov
trentbrown@utah.gov
apinna@utah.gov
jstrohecker@utah.gov
austinpreston@utah.gov
kharvey@utah.gov

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SUBJECT: UDHHS COVID-19 I/T/U Call Tomorrow 8.3.22 at 1 pm
FROM: "Melissa Zito (DHHS)" <mzito@utah.gov>
TO: ike Jensen <mjensen@unhsinc.org>, Stephanie Singer <stephanies@unhsinc.org>, Shawn Begay <sbegay@unhsinc.org>, Keldon Brown <kbrown@unhsinc.org>, "Tyler Goddard (IHS/PHX)" <tgoddard@fourpointshealth.org>, Candace Bear <candaceb@svgoshutes.com>, Lorena Horse <lorenah@schc.net>, Helen Steele <helen.steele@ctgr.us>, "Steele, Christine" <christine.steele@ctgr.us>, Rupert Steele <rupert.steele@ctgr.us>, Rupert Steele <rupertsteele@yahoo.com>, Selwyn Whiteskunk <Selwyn.Whiteskunk@utemountain.org>, "Trocheck, John" <jtrocheck@utemountain.org>, Hunter Timmboo <htimbimboo@nwbshoshone.com>, "George E. Gover" <ggover@nwbshoshone.com>, Felecia Cuch <feleciac@utetribe.com>, Rick Chapoose JR <rickchapoosejr@utetribe.com>, Ryan Ward <rward@iwic.org>, Jamie Ritchey <Jamie.Ritchey@itcaonline.com>, "Zubel, Lawrence (IHS/PHX)" <Lawrence.Zubel@ihs.gov>, Lesa Jenkins <Lesajenkins12@gmail.com>, "LeAnna VanKeuren, MBA/HSA" <leanna.vankeuren@ihs.gov>, Rozanna Padilla <RozannaP@utetribe.com>, Davis Filfred <Dave.fred23@yahoo.com>, "Mark A. Freeland" <m.freeland@navajo-nsn.gov>, Shaun Chapoose <shaunc@utetribe.com>, Luke Dunkin <luked@utetribe.com>, Manuel Rico <mrico@navajo-nsn.gov>, Nathaniel Brown <nbrown@navajo-nsn.gov>, Charlaine Tso <charlainetso@navajo-nsn.gov>, "cparry@nwbshoshone.com" <cparry@nwbshoshone.com>, Shane Parashonts <sparashonts@utahpaiutes.org>, Felecita <felecitaf@utetribe.com>, "Jonathan S Flitton (IHS/PHX)" <Jonathan.flitton@ihs.gov>, Manuel Heart <Manuel.Heart@utemountain.org>, "A. Byron Clarke" <bclarke@unhsinc.org>, Del Yazzie <dely@navajo-nsn.gov>, Ramona Antone-Nez <r.antonenez@navajo-nsn.gov>, "Jill Jim, PhD, MHA, MPH" <JillJim@navajo-nsn.gov>, "David L. Foley" <dlfoley@navajo-nsn.gov>, Dondie Howell <dondieh@utetribe.com>, Kirby Arrive <KirbyArrive@utetribe.com>, Marissa Maxwell-Kaime <mmaxwell-kaime@utemountain.org>, "Herman Daniels, Jr." <hdaniels@navajo-nsn.gov>, "Donovan A. Hanley" <dahanley@navajo-nsn.gov>, Dennis Alex <banner02@gmail.com>, Jessica Sutherland <jessica@svhealthclinic.com>, Adrian Dominguez <AdrianD@uihi.org>, Malcolm Lehi <malcolm.lehi@utemountain.org>, "Johnson, Hope (IHS/PHX)" <Hope.Johnson@ihs.gov>, Gwen Cantsee <gcantsee@utemountain.org>, Josh Anderson <josha@schc.net>, Greselda Rogers <grogers@utemountain.org>, Victor <victor@svhealthclinic.com>, Nicole Slowman <nicoleslowman@navajo-nsn.gov>, Johnathan Nez <jonathannez@navajo-nsn.gov>, Myron Lizer <myronlizer@navajo-

nsn.gov>, Yvonne Kee Billison <yvonnekeebillison@navajo-nsn.gov>, Paulson Chaco <paulsonchaco@navajo-nsn.gov>, Candelora Lehi <c.lehi@sanjuanpaiute-nsn.gov>, Kendra Tortalita <Ktortalita@utemountain.org>, "Michele L. Morris" <michelemorris@navajo-nsn.gov>, "McDonald, Brent (IHS/PHX)" <Brent.McDonald@ihs.gov>, Tamara Borchardt - Slayton <indianpeaks@utahpaiutes.org>, "Harrell, Janette L (IHS/ALB)" <janette.harrell@ihs.gov>, Torrie <vmigoli@iwic.org>, Corrina Bow <corrina_bow@yahoo.com>, daniel.sherron@ihs.gov, "Dr. Leland Leonard" <l.leonard@sanjuanpaiute-nsn.gov>, juliusm@utetribe.com, christ@utetribe.com, Reannin Tapoof <reannint@utetribe.com>, Ed Secakuku <edreds@utetribe.com>, Tom Stephenson <tstephenson@utemountain.org>, J.lehijr@sanjuanpaiute-nsn.gov, Louise Tallman <L.tallman@sanjuanpaiute-nsn.gov>, Richard Graymountain <r.graymountain@sanjuanpaiute-nsn.gov>, Tina Groves <kgroves@iwic.org>, Katie Jones <katiej@sacredcircle.com>
CC: Heather Borski <hborski@utah.gov>, Alex Merrill <armerrill@utah.gov>, Hilary Makris <hmakris@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Kassie John <kassiejohn@utah.gov>, Larry Echo Hawk <lechohawk@agutah.gov>, Dorrie Reese <dmreese@utah.gov>, Anna Boynton <aboynton@utah.gov>, James Toledo <jtoledo@utah.gov>, Dustin Jansen <djansen@utah.gov>, Dominique Talahaftewa <dtalahaftewa@utah.gov>, Jeremy Taylor <jeremytaylor@utah.gov>
DATE: 02/08/2022 17:01

Good afternoon UIHAB representatives, PHEP coordinators, TEC & IHS partners, and Tribal Leadership,

I hope this finds you doing well and ready for our monthly COVID-19 I/T/U call. Please find below the meeting call/link information should you need it:

Meeting ID
[redacted]
Phone Numbers
(US [redacted]
PIN: [redacted]

As a reminder for your information and references, here is the website you can order Home Testing Kits and PPE:
Home Testing Kits
[redacted]

PPE Ordering
[redacted]

I have also included some general websites for references:
Coronavirus Case Counts
https://coronavirus.utah.gov/case-counts/

COVID-19 Steady State
https://coronavirus.utah.gov/steady-state/

Monkeypox Video by Dr. Nolan
[redacted]

Alex's Epi Update will follow. If you have any questions or require any additional information, please don't hesitate to reach out to me or the team.

Talk with you tomorrow afternoon!

Best regards,
Melissa

--
Melissa Zito, MS, RN
Indian Health Liaison/Health Policy Consultant
O: 801-538-6771 C: 801-712-9346 F: 801-538-6780
mzito@utah.gov

Utah Department of
Health & Human Services
American Indian/Alaska Native Health & Family Services

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SUBJECT: US Levies New Russia Sanctions On Elites, Finance Cos.
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 03/08/2022 01:23

PUBLIC POLICY

[redacted]

LAW360®

Wednesday, August 3, 2022

Follow

TOP NEWS

US Levies New Russia Sanctions On Elites, Finance Cos.

The U.S. Department of the Treasury's Office of Foreign Assets Control announced new sanctions against Russia on Tuesday, targeting certain Russian "elites" and finance companies that generate "substantial" revenue for the Kremlin.

Read full article »

Pennsylvania Justices Uphold Mail-In Voting Law

The Supreme Court of Pennsylvania upheld the state's 2019 voting law on Tuesday, finding that the legislature didn't need to amend the state's constitution to broaden mail-in voting beyond the categories of absentee voters enumerated there.

4 documents attached | Read full article »

Garland Outlines Abortion Protections In New Post-Dobbs Suit

The U.S. Department of Justice has filed its first lawsuit challenging a state-level abortion ban in the wake of the U.S. Supreme Court's Dobbs decision, targeting a law in Idaho that Attorney General Merrick Garland said Tuesday prevents doctors from providing "the emergency medical treatment that federal law requires."

Complaint attached | Read full article »

Why PE-Driven Law Firms Aren't Sweating Dems' Inflation Bill

A new bill proposed by the Senate Democrats could make private equity and hedge fund managers pay more income taxes. But the tax increase won't likely have a dramatic effect on advisory firms, industry experts said, suggesting the rule changes may even lead to more legal work in the short run.

Read full article »

Analysis

Delaying Eligibility At USPTO Seems To Have Limited Appeal

Only about one-third of patent applicants invited to take part in a pilot program allowing them to postpone dealing with patent eligibility rejections have accepted the offer, which attorneys say reflects a sense that doing so often has limited benefits, and can present risks.

Read full article »

DOL Defends Biden's Power To Hike Contractors' Min. Wage

The U.S. Department of Labor defended its implementation of the Biden administration's rule increasing federal contractors' minimum hourly wage to $15, telling a Colorado federal judge Tuesday that the president didn't overstep his authority when he mandated the wage hike.

Motion attached | Read full article »

CFIUS Reviews Reached 10-Year High In 2021

The Committee on Foreign Investment in the United States reviewed more transactions in 2021 than it has any year in the past decade, according to its annual report to Congress released Tuesday, signaling CFIUS' reinvigoration following statutory updates.

Report attached | Read full article »

Trans W.Va. Medicaid Participants Win Bias Suit

A class of over 600 transgender Medicaid participants in West Virginia won their suit alleging that the state program violated the Affordable Care Act's anti-discrimination provisions, with a federal judge ruling Tuesday that the state's law to deny gender-affirming care to transgender people is unconstitutional.

2 documents attached | Read full article »

LAW FIRMS IN TODAY'S NEWS

Arnold & Porter
BD&J
Bartlett LLP
Beveridge & Diamond
Bloom Firm
Bochetto & Lentz
Boyden Gray & Associates
Bryan Cave
Cleary Gottlieb
Consumer Litigation Associates
Debevoise & Plimpton
Denton Navarro
Dhillon Law Group
Dillon McCandless
Fain Anderson
Farnan LLP
Farrar & Ball
Foley & Lardner
Gehman Law
Gibson Dunn
Hangley Aronchick
Hausfeld LLP
Haynes & Boone
Hogan Lovells
Holland & Knight
Irell & Manella
Kinsella Weitzman
Kirkland & Ellis
Latham & Watkins
McDowell Hetherington
Morris Nichols
Nichols Kaster
O'Melveny & Myers

Senate Confirms Virginia District Court Judge Pick

The Senate voted in bipartisan fashion Tuesday to confirm U.S. Magistrate Judge Elizabeth Hanes as a district judge for the Eastern District of Virginia.

Read full article »

BANKING & SECURITIES

NY Hits Robinhood Crypto With $30M Fine

The cryptocurrency unit of Robinhood Markets Inc. will pay a $30 million fine as part of a settlement resolving "significant" lapses in its compliance with anti-money laundering and cybersecurity regulations, New York's financial services agency said Tuesday.

1 document attached | Read full article »

Bank Groups Want CFPB To Supervise Data Aggregators

Banking industry groups on Tuesday urged the Consumer Financial Protection Bureau to extend its supervision to data aggregators, saying that technology companies' use of consumer financial data warrants closer scrutiny.

Petition attached | Read full article »

ENERGY & ENVIRONMENTAL

States, Groups Line Up To Defend Fuel Economy Standards

Numerous environmental groups, transportation electrification advocates, 21 states and several cities are seeking to intervene on the side of the Biden administration as it defends its move to finalize stricter fuel economy standards for cars.

4 documents attached | Read full article »

DC Circ. Backs FERC's OK Of Adelphia Pipeline Purchase

A D.C. Circuit panel on Tuesday upheld the Federal Energy Regulatory Commission's decision to approve a natural gas pipeline takeover project in Pennsylvania and Delaware, rejecting claims that the commission was required to conduct a more rigorous environmental review.

Opinion attached | Read full article »

DC Circ. Urged To Ax EPA Drinking Water PFAS Advisory

A chemical industry group wants the D.C. Circuit to vacate recent health advisories issued by the U.S. Environmental Protection Agency that lowered the levels at which certain PFAS chemicals are deemed safe in drinking water, arguing the agency's action wasn't rooted in sound science.

Petition attached | Read full article »

EPA Tells 9th Circ. It Will Blow Weedkiller Review Deadline

The U.S. Environmental Protection Agency on Monday told the Ninth Circuit that it wasn't given enough time to reevaluate its determination that the active ingredient in Monsanto's weedkiller Roundup was not likely to cause cancer.

Petition attached | Read full article »

Water Districts Say DC Circ. Botched Hydropower Permit Case

Two California irrigation districts on Monday asked the D.C. Circuit for en banc review of a panel's decision that upheld the Federal Energy Regulatory Commission's determination that a state agency properly denied Clean Water Act certificates for hydropower projects.

Petition attached | Read full article »

IP & TECHNOLOGY

New Senate Bill Calls For Study On Improving Patent Quality

The leaders of the U.S. Senate's intellectual property subcommittee introduced a bill Tuesday calling for the evaluation of patent examinations, with the goal of ensuring they lead to valid patents and uncover evidence of fraud in applications.

Bill attached | Read full article »

EMPLOYMENT & BENEFITS

Unions Assert Right To Challenge Tegna Go-Private Deal

Two major broadcast unions asserted their standing to fight Virginia-based broadcasting giant Tegna's plan to go

OGC Law LLC
Paul Weiss
PilieroMazza
Ropes & Gray
Rothwell Figg
Schaerr Jaffe
Seyfarth Shaw
Shearman & Sterling
Shuman McCuskey
Sidley Austin
Simpson Thacher
Sprouse Shrader
Stillman & Friedman
Stoel Rives
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Atrium Medical Corp.
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CTIA
CannaCraft Inc.
Change Healthcare Inc.
Commerzbank
Consumer Bankers Association
Costco Wholesale Corp.
Council for Responsible Nutrition
Covidien PLC
Cox Media Group Inc.
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Delaware Riverkeeper Network
Democracy Forward Foundation
Environmental Defense Fund Inc.
FanDuel Inc.
Fifth Third Bancorp
Financial Industry Regulatory Authority Inc.
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Las Vegas Raiders LLC
LinkedIn Corp.
Medtronic PLC
Mitsubishi UFJ Financial Group Inc.
Monsanto Co.
Natural Resources Defense Council

private in an $8.6 billion deal with hedge fund Standard General based on the premise that the move would harm local Tegna employees and consumers.

1 document attached | Read full article »

COMPETITION

Change CEO Says UnitedHealth Deal Won't Harm Rivals

Change Healthcare's CEO testified on Tuesday as part of the U.S. Department of Justice's efforts to preserve the health care technology company's value as an "independent" source of health insurance claims data for UnitedHealth Group's insurer rivals, only to repeatedly argue that the agency's challenge to the $13.8 billion proposed merger has it all wrong.

Read full article »

Stephen King Testifies The More Publishers, The Better

Author Stephen King told a D.C. federal court on Tuesday that it's become tougher for writers to make a living from writing, testifying for the government in its bid to block Penguin Random House's planned acquisition of Simon & Schuster.

Read full article »

DC Court Won't Revive AG's Antitrust Suit Against Amazon

A District of Columbia Superior Court judge has denied the Washington attorney general's bid to reverse his decision tossing a complaint accusing Amazon of stifling e-commerce competition, saying the complaint relies on repeated and conclusory statements that lack factual information to support claims of anti-competitive conduct and harm.

Order attached | Read full article »

AEROSPACE & DEFENSE

Texas Air Force Vax Challengers Ask For Stricter Freeze

A group of service members behind a religious freedom challenge to the U.S. Air Force's COVID-19 vaccine mandate is urging a Texas federal court to issue its own order freezing the requirement, arguing a nationwide halt granted by an Ohio federal judge last week doesn't go far enough.

Memorandum attached | Read full article »

Senate Again Passes Bill To Help Toxic-Exposed Vets

After delays from some Republican lawmakers, and with vocal support from comedian Jon Stewart, the U.S. Senate on Tuesday passed a broad, bipartisan bill that would expand access to benefits for veterans with health conditions linked to exposure to toxic substances, including fumes from open-air burn pits and the notorious Agent Orange.

Read full article »

BANKRUPTCY

Ex-Atty Off Hook For Calif. Bar's Victim Repayments

The Ninth Circuit said that a disbarred lawyer's debt stemming from restitution payments made by the State Bar of California to victims of a foreclosure scam can be discharged in his Chapter 7 bankruptcy.

Order attached | Read full article »

TELECOMMUNICATIONS

FCC 'Kicked Can' Down Road In Antenna Fight, DC Circ. Told

A company claiming that federal rules block a California city's revocation of antenna permits has urged the D.C. Circuit to compel the Federal Communications Commission to act on the issue after it purportedly "kicked the can down the road."

1 document attached | Read full article »

Senators Focus On Need To Extend FCC Auction Authority

A key panel of U.S. senators on Tuesday zeroed in on proposals to extend a Sept. 30 expiration of the Federal Communications Commission's authority to auction off the airwaves, as a bipartisan group agreed at least a short-term extension is critical.

5 documents attached | Read full article »

Optum Inc.
Pacific Legal Foundation
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Public Citizen Inc.
Rabobank
Rad Power Bikes Inc.
Robinhood Markets Inc.
Russian Direct Investment Fund
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Simon & Schuster Inc.
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Standard General LP
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Tegna Inc.
The Brattle Group Inc.
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The Chemours Co.
Trividia Health Inc.
Twitter Inc.
Union of Concerned Scientists
UnitedHealth Group Inc.
University of Arkansas for Medical Sciences
Vista Outdoor Inc.
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Zeughauser Group LLC
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California State Transportation Agency
California Supreme Court
Centers for Medicare & Medicaid Services
Committee on Foreign Investment in the United States
Consumer Financial Protection Bureau
Council on Environmental Quality
Executive Office of the President
Federal Aviation Administration
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Government Accountability Office
Hoopa Valley Tribe
Internal Revenue Service
Massachusetts Cannabis Control Commission
National Highway Traffic Safety Administration
National Marine Fisheries Service
National Telecommunications and Information Administration
New York Department of Financial Services
Occupational Safety and Health Administration
Office of Foreign Assets Control

Dem Lawmakers Ask FCC To Boost Tribes' Spectrum Access

A group of 10 Democratic lawmakers on Capitol Hill have urged Federal Communications Commission Chairwoman Jessica Rosenworcel to find ways to increase Native American broadband access and consider how to better advance tribes' ownership of spectrum over their lands.

Letter attached | Read full article »

CANNABIS

Mass. Lawmakers OK Pot Industry Reform Bill

Massachusetts lawmakers reached a compromise for a legislative package late on Sunday that is designed to bolster social equity in the Bay State's cannabis industry.

Bill attached | Read full article »

Arkansas Marijuana Initiative Inches Closer To Statewide Vote

The Arkansas Board of Election Commissioners is expected to decide Wednesday if residents will get to vote in November on an amendment to the state constitution legalizing cannabis for adult use, after the proposed ballot reached the 90,000 signatures required for consideration.

2 documents attached | Read full article »

Smoke Shop Says Texas City Can't Escape Harassment Suit

A Texas city should not be allowed to escape a smoke shop's accusations that it has been trying to harass the shop out of business just because the city is also prosecuting it in state court, a federal court heard.

Response attached | Read full article »

EXPERT ANALYSIS

'Waters Of US' Meaning May Get 'Major Questions' Scrutiny

After the U.S. Supreme Court's invocation of the so-called major questions doctrine in its recent decision in West Virginia v. U.S. Environmental Protection Agency, the court is primed to use this concept to restrict federal wetlands protections under the ambiguous term "waters of the United States," says Peter Alpert at Ropes & Gray.

Read full article »

Benefits Of The Extended SBA Place Of Business Moratorium

The Small Business Administration recently extended a moratorium on the requirement that government contractors participating in the agency's 8(a) business development program establish a bona fide location, which should allow more companies to participate until Congress amends the outdated rule, says Meghan Leemon at PilieroMazza.

Read full article »

Opinion

DOJ's Fraud-On-The-FDA Liability Theory Is Problematic

The U.S. Department of Justice's renewed interest in a False Claims Act liability theory, arguing that misstatements before the U.S. Food and Drug Administration can render payment claims to other agencies false, encourages whistleblowers to stretch the FCA to its breaking point, say attorneys at Sidley.

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Ore. Employers Must Heed Challenged Heat, Smoke Rules

Although the Oregon Occupational Safety and Health Division's recently adopted rules regarding employee exposure to heat and smoke are being challenged in court, employers should not wait on the outcome of the case before taking steps to ensure they are in compliance, say Louis Ferreira and Matthew Tellam at Stoel Rives.

Read full article »

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Pennsylvania Department of State
Pennsylvania Supreme Court
Small Business Administration
U.S. Air Force
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U.S. Court of Appeals for the District of Columbia Circuit
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U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
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U.S. District Court for the Northern District of Texas
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U.S. District Court for the Southern District of West Virginia
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U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Colorado
West Virginia Department of Health & Human Resources

LEGAL INDUSTRY

Del. Judge Calls VLSI's Funding Disclosure 'Inadequate'

Delaware Chief U.S. District Judge Colm Connolly has taken VLSI Technology to task for providing "clearly inadequate" disclosures of how it is funding patent litigation against Intel and improperly sealing a declaration from its CEO.

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Garland Outlines Abortion Protections In New Post-Dobbs Suit

The U.S. Department of Justice has filed its first lawsuit challenging a state-level abortion ban in the wake of the U.S. Supreme Court's Dobbs decision, targeting a law in Idaho that Attorney General Merrick Garland said Tuesday prevents doctors from providing "the emergency medical treatment that federal law requires."

Complaint attached | Read full article »

Eli Lilly 'Proud' Of Drug Rebate Specialist's Process

Eli Lilly and Co. tapped the right person to calculate drug rebate payments for Medicaid under vague rules and regulations, and the company didn't defraud the government of $60 million simply because her metrics were wrong, an Illinois federal jury heard Tuesday.

Read full article »

Sofia Vergara's Ex Tells Panel Jury Should Hear Embryo Suit

Sofia Vergara's ex-fiance Nick Loeb urged a California state appeals court Tuesday to reverse a lower court's ruling that prevents him from using their frozen pre-embryos, telling the panel the trial judge wrongly discounted his claims that he signed an agreement under duress due to her abuse.

Read full article »

Pa. Panel Puts Atty DQ Back On Table In Med Mal Suit

A Pennsylvania appellate panel Tuesday reinstated a medical malpractice plaintiff's efforts to disqualify defense counsel for a discovery violation in a suit accusing an anesthesiologist of botching a knee surgery patient's treatment, saying a defense attorney had improper communications with the nonparty surgeon who performed the surgery.

Opinion attached | Read full article »

W.Va. County Appeals Opioid Bellwether Ruling

A West Virginia county on Tuesday said it was appealing a verdict in favor of the nation's three largest drug distributors in the first federal bellwether trial over the opioid crisis, a day after the companies inked a $400 million deal to end similar claims from other cities in the state.

1 document attached | Read full article »

Cherokee Say Okla. Court Should Proceed With Opioid Suit

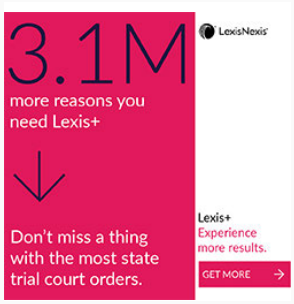
The Cherokee Nation says three national pharmacy chains accused of causing widespread opioid addiction cannot halt civil litigation they face in Oklahoma while the Tenth Circuit considers returning the issue to the federal judiciary, claiming the state court has "undisputed jurisdiction" over those proceedings.

Motion attached | Read full article »

POLICY & REGULATION

Senate Again Passes Bill To Help Toxic-Exposed Vets

After delays from some Republican lawmakers, and with vocal support from comedian Jon Stewart, the U.S. Senate on Tuesday passed a broad, bipartisan bill that would



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CVS Health Corp.
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Horizon Bank
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expand access to benefits for veterans with health conditions linked to exposure to toxic substances, including fumes from open-air burn pits and the notorious Agent Orange.

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2 documents attached | Read full article »

ENFORCEMENT & COMPLIANCE

Former Sixers Player Cops A Plea In NBA Health Fraud Case

A former Philadelphia 76ers guard admitted Tuesday to submitting a fake dental claim to the National Basketball Association's benefits plan, becoming the fourth league veteran to plead out of the Manhattan U.S. attorney's $4 million fraud crackdown.

Read full article »

LITIGATION

Trans W.Va. Medicaid Participants Win Bias Suit

A class of over 600 transgender Medicaid participants in West Virginia won their suit alleging that the state program violated the Affordable Care Act's anti-discrimination provisions, with a federal judge ruling Tuesday that the state's law to deny gender-affirming care to transgender people is unconstitutional.

2 documents attached | Read full article »

Senior Center Loses Bid To Toss Insurer's Suit

A Berkshire Hathaway unit can continue its efforts to avoid coverage in a wrongful death suit against a senior living center, an Illinois federal judge said, finding that it's too early to toss the insurer's arguments.

Opinion attached | Read full article »

SEIU Pension Fund Escapes Hospital's Contributions Suit

A Service Employees International Union-run pension fund escaped a lawsuit challenging its pursuit of over $288,000 in contributions from a Pittsburgh-area hospital, with a Pennsylvania federal judge ruling Tuesday that SEIU Healthcare Pennsylvania should be the only defendant in the litigation.

Order attached | Read full article »

Ohio Justices Mull Time Limit To Sue Fleeing Surgeon

The Ohio Supreme Court on Tuesday weighed whether the time limit for medical malpractice claims can be stretched due to an "absent" defendant, as lawyers for an indicted Cincinnati surgeon who fled the country look to toss a patient's claims that he was severely injured by a botched surgery.

Read full article »

Ohio Justices Skeptical Of Co.'s Cyber Coverage Argument

Ohio Supreme Court justices seemed mostly unwilling to accept that something intangible like software can suffer direct physical damage, grilling a medical billing company's attorney in a case of first impression in the state over whether losses from a ransomware attack can be covered under a traditional property policy.

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Texas' COVID Deadline Extension Deemed OK In Med Mal Suit

A Texas appellate court on Tuesday declined to toss a suit accusing a physician of medical malpractice, saying the state high court's emergency orders extending court deadlines due to the COVID-19 pandemic did not require a need-based showing.

Opinion attached | Read full article »

Health Care Co. To Get $2.8M Monthly Bond In Hospital Suit

Texas-based Steward Health Care System LLC and five Florida hospitals must pay a $2.8 million a month bond pending a ruling on whether Tenet Healthcare Corp. has a contract right to terminate information technology and data services to the sites, the Delaware Chancery Court ruled Monday.

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Las Vegas Raiders LLC
LinkedIn Corp.
Los Angeles Clippers
McKesson Corp.
Medtronic PLC
Memphis Grizzlies
Mitsubishi UFJ Financial Group Inc.
National Basketball Association Inc.
Optum Inc.
Pac-12 Enterprises LLC
Philadelphia 76ers
Planned Parenthood Federation
Rabobank
Rad Power Bikes Inc.
Service Employees International Union
SmileDirectClub LLC
Steward Health Care System LLC
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Tenet Healthcare Corp.
The Center for Reproductive Rights Inc.
Trividia Health Inc.
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UpHealth Resolves Board Dispute, Chancery Suit Nixed

The splintered leadership of Florida-based digital health company UpHealth Inc. has settled its litigation in Delaware's Chancery Court after agreeing that some board members will resign and a controlling stockholder group will not nominate a competing director slate at the company's upcoming annual meeting.

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3 Firms Vie To Lead Dentsply Revenue Reporting Investor Suit

Bleichmar Fonti & Auld LLP, Robbins Geller Rudman & Dowd LLP and Bernstein Litowitz Berger & Grossmann LLP have filed competing lead counsel bids in a proposed investor class action accusing dental supply company Dentsply Sirona Inc. of manipulating how it recognized certain revenue and artificially inflating its stock price.

3 documents attached | Read full article »

BetterHelp Owner Hit With Investor Suit Over Growth Claims

The owner of the mental health platform BetterHelp was hit with a proposed securities class action in a New York federal court Tuesday, accusing the company of misrepresenting the sustainability of its growth and providing unrealistic financial projections before its stock price fell earlier this year.

Complaint attached | Read full article »

PEOPLE

This Week's Regulatory Hires Span Finance, Gaming, Health

The past week has seen strong compliance, legal and risk hiring, with a variety of companies across the health care, sports and betting, and financial arenas plugging additions they said will help further growth and keep their businesses in line with their respective regulatory frameworks.

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Polsinelli Adds 6 Attys To Health Care Litigation, IP Groups

Polsinelli PC has hired six new attorneys for its growing practices, including a former federal prosecutor and ex-NASA engineer, the firm announced Monday.

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EXPERT ANALYSIS

Opinion

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Employers Can Use COVID Models To Address Monkeypox

With New York, Illinois and California recently declaring emergencies in response to the global monkeypox outbreak, employers can rely on COVID-19 frameworks to reduce the impact of monkeypox in the workplace, and to stay ahead of concerns related to federal anti-discrimination laws, say April Boyer and Erinn Rigney at K&L Gates.

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Centers for Medicare & Medicaid Services
Cherokee Nation
Delaware Court of Chancery
Equal Employment Opportunity Commission
Federal Communications Commission
Federal Trade Commission
Food and Drug Administration

LEGAL INDUSTRY

Why PE-Driven Law Firms Aren't Sweating Dems' Inflation Bill

A new bill proposed by the Senate Democrats could make private equity and hedge fund managers pay more income taxes. But the tax increase won't likely have a dramatic effect on advisory firms, industry experts said, suggesting the rule changes may even lead to more legal work in the short run.

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Senate Confirms Virginia District Court Judge Pick

The Senate voted in bipartisan fashion Tuesday to confirm U.S. Magistrate Judge Elizabeth Hanes as a district judge for the Eastern District of Virginia.

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Del. Judge Calls VLSI's Funding Disclosure 'Inadequate'

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ECHO Colorado Monthly eNews: What's ECHOing in August

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AUGUST 3, 2022

BY MATT BRACKEN

Twitter Email

Democrats' Drug Pricing Measures Remain Extremely Popular
As Senate Democrats wait on pins and needles for Sen. Kyrsten Sinema's (D-Ariz.) response to the Inflation Reduction Act of 2022, they can do so with the knowledge that most of the provisions in their plan have majority support from voters — and especially strong backing for prescription drug measures.

The new Morning Consult/Politico survey found that roughly 3 in 4 voters support the three measures to lower prescription drug costs in Democrats' reconciliation bill. That includes support from about 7 in 10 Republicans on all three provisions. Support for a three-year extension of Affordable Care Act subsidies also enjoys majority support (56%), though more GOP voters than not oppose that measure.

Check out the full story here: Unpacking Voters' Perceptions of the Inflation Reduction Act.

Top Stories

- Kansas voters emphatically rejected a ballot measure that would have allowed the state's Republican-controlled legislature to toughen restrictions on abortion or ban the procedure altogether. In the first statewide referendum on abortion following the Supreme Court's ruling to overturn Roe v. Wade, proponents of abortion rights prevailed by roughly 20 percentage points in an election that turned out voters at levels comparable to a fall gubernatorial race. (The Associated Press)

- The Department of Justice sued Idaho over a law that would enforce a near-total ban on abortion starting Aug. 25, with the DOJ arguing in its first post-Roe v. Wade lawsuit that the state's "trigger" ban is a violation of federal rules to provide medical care when the life or health of a pregnant person is on the line. (The Washington Post) President Joe Biden, meanwhile, is set to sign

[redacted]

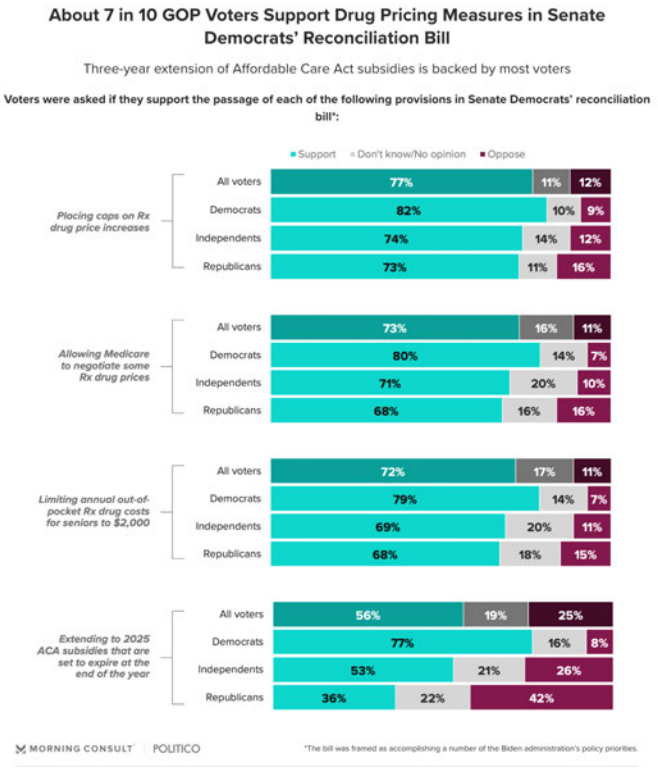
his second abortion-related executive order today, directing the Health and Human Services secretary to consider using funds from Medicaid to aid the travel of patients seeking abortion care out of state. (Bloomberg)

- A new HHS analysis of household survey data found that a record-low 8% of Americans were uninsured at the start of the year, as more than 5 million people have added coverage since 2020 following expansion of Medicaid in states through the Affordable Care Act, enhanced ACA premium subsidies and more targeted and sustained outreach. People in poverty and those earning incomes between 200% and 400% of the federal poverty level experienced the largest drops in uninsured rates. (USA Today)

- CVS Health Corp. reported second-quarter net income of $2.95 billion and revenue of $80.64 billion, up from $2.78 billion and $72.62 billion, respectively, from the year-ago period, as same-store sales climbed 8%. (CNBC) Moderna Inc. reported $4.5 billion in second-quarter sales of its COVID-19 vaccine, besting analyst expectations, while the drugmaker continues to project full-year vaccine sales of $21 billion, a figure unchanged despite its $1.74 billion deal with the federal government last week on a reformulated vaccine targeting omicron subvariants. (Reuters)

Chart Review

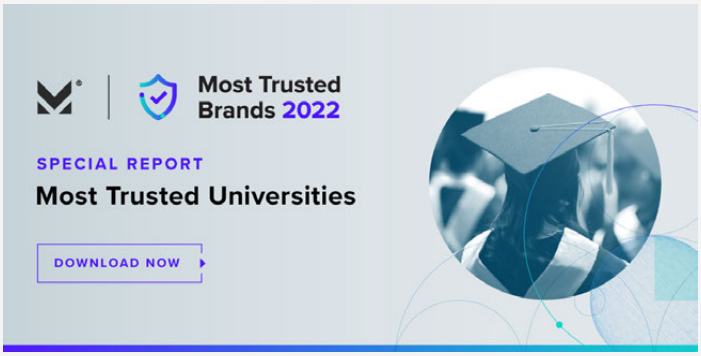
Unpacking Voters' Perceptions of the Inflation Reduction Act
Morning Consult



Events Calendar (All Times Local)

View Full Calendar

A MESSAGE FROM MORNING CONSULT



Most Trusted Universities Report 2022

Morning Consult's Most Trusted Universities Report measures the public view of trust in 135 doctoral universities featured in the U.S. News' 2022 Best National University Rankings. Our research breaks down how trust varies across diverse groups and different types of institutions while exploring key findings. Download today.

What Else You Need to Know

CORONAVIRUS

Fourth Pfizer Dose Slashed Risk of Catching Omicron in Study
Dong Lyu, Bloomberg
Hospital workers who got a fourth dose of Pfizer Inc.'s messenger RNA vaccine were far less likely to get Covid than triple-vaccinated peers in a study.

Covid can rebound even in people who haven't taken Paxlovid, study finds
Reynolds Lewis, NBC News
Around a third of people with Covid will experience a rebound of their symptoms, regardless of whether they've been treated with the antiviral Paxlovid, according to a study posted online Tuesday.

Doctor: Biden's COVID symptoms return, in 'good spirits'
The Associated Press
President Joe Biden's "loose cough" has returned as he faces a rebound case of COVID-19, his doctor said Tuesday, though he "continues to feel well."

US stuck in a 'horrible plateau' of COVID-19 deaths, experts say. Here's why.

Adrianna Rodriguez, USA Today
Despite a slight uptick in July, the pace of COVID-19 deaths has remained steady since May at about 400 a day, according to a USA TODAY analysis of Johns Hopkins University data.

CNN Sheds Defamation Suit by Hydroxychloroquine-Touting Doctor
Mary Anne Pazanowski, Bloomberg Law
A Texas doctor who stood on the steps of the US Supreme Court and made a speech touting hydroxychloroquine as a treatment for Covid-19 has lost a defamation suit against CNN, after a Texas federal court said she didn't show the network's statements were false.

Omicron better at invading young noses than other variants
Nancy Lapid, Reuters
The Omicron variant may be more efficient at infecting children through the nose than previous versions of the coronavirus, a small study suggests.

GENERAL

Democrats confident about budget vote as GOP plans amendments
Lindsey McPherson and Laura Weiss, Roll Call
Sinema is likely anxious to see whether the prescription drug pricing provisions change significantly during the parliamentarian's review. Democrats are adding insulin provisions and making other tweaks, like replacing a 95 percent excise tax penalty on drugmakers who won't negotiate under the terms of the bill with a civil monetary penalty.

Veterans toxic exposure bill clears Senate after tortuous path
David Lerman, Roll Call
More than 3.5 million veterans who were exposed to toxic substances on overseas deployments will gain easier access to health and disability benefits under a bill that cleared the Senate Tuesday.

Health officials seek monkeypox vaccines, urge health emergency
Ariel Cohen, Roll Call
Public health officials are pressing the Biden administration to declare a public health emergency for monkeypox and say a lack of resources has forced clinics to ration vaccines and treatments and even motivated some patients to head to Canada for monkeypox vaccines.

Change Healthcare CEO Defends UnitedHealth Merger in Court
John Tozzi, Bloomberg
Change Healthcare Inc. Chief Executive Officer Neil de Crescenzo defended the company's proposed combination with UnitedHealth Group Inc. in court Tuesday as Justice Department attorneys attempted to prove the deal would harm competition.

Indiana doctors raise worries about proposed abortion ban
Arleigh Rodgers and Tom Davies, The Associated Press
Doctors fear they could face criminal charges when they provide emergency treatment for pregnant women if a proposal aimed at banning nearly all abortions in Indiana becomes law, several physicians told state lawmakers Tuesday.

Even simple exercise may help aging brain, study hints

Lauran Neergaard, The Associated Press
New research hints that even a simple exercise routine just might help older Americans with mild memory problems.

988 mental hotline sees 45% increase in calls and texts since debuting number
Jenny Goldsberry, Washington Examiner
The 988 mental health hotline has received over 96,000 calls, texts, and chats in a little over two weeks since it changed its number.

If You Grew Up in the US, You're Probably Already Vaccinated for Polio
Carrington York, Bloomberg
If you grew up in the US, chances are good that you're vaccinated against polio. It's also likely that you haven't given it much thought given that the disease has been teetering toward global eradication for years. But after a case appeared in suburban New York, stirring panic on social media about whether the US is taking a dangerous step back, here's what you should know:

Signify Health Considers Strategic Alternatives, Including a Sale
Laura Cooper and Cara Lombardo, The Wall Street Journal
Signify Health Inc. is working with bankers to explore strategic alternatives including a sale, according to people familiar with the matter, roughly 18 months after the healthcare-services company's initial public offering of stock.

Kentucky judge reinstitutes state abortion ban, reversing lower court
Andrew Jeong, The Washington Post
The decision by Kentucky Court of Appeals Judge Larry E. Thompson means abortions are again illegal in the state, unless a woman or other pregnant individual is at risk of death or serious permanent injury, with no exceptions for rape or incest. Health-care workers who provide abortion services can face up to five years in prison, though pregnant individuals are not subject to criminal liability.

PAYERS

Medicare reverses course on plan to hide hospital safety data next year
Tara Bannow, Stat News
Medicare will continue to report hospital safety data as usual next year after the program, apparently swayed by backlash from patient safety advocates, reversed course on its plan to keep some information under wraps.

Optum, Sanofi team to make low-cost insulin available to uninsured
Paige Minemyer, Fierce Healthcare
Optum is teaming with Sanofi to make low-cost insulin available to people with diabetes who do not have insurance.

PROVIDERS

Senate Democrats unveil legislation to protect abortion providers
Joseph Choi, The Hill
A group of Senate Democrats on Tuesday introduced legislation that would protect physicians who provide abortion services in states where

they are still legal from what one of the lawmakers referred to as "non-stop attacks from Republicans."

Warren says she won't back bipartisan abortion rights bill
Axios
Sen. Elizabeth Warren (D-Mass.) told NBC News Tuesday night she'll vote against a new bipartisan bill on federal abortion protections introduced in response to the Supreme Court overturning Roe v. Wade.

Retailers, payers and startups could capture 30% of primary care market by 2030: report
Heather Landi, Fierce Healthcare
Primary care has become a hot market as U.S. retailers place big bets on healthcare and payers and startups like Oak Street Health see a sector that's ripe for disruption. The primary care market is estimated to be worth around $260 billion.

Providers say inpatient pay adjustment for inflation not sufficient
Shannon Muchmore, Healthcare Dive
Providers remained largely unhappy early this week despite a final ruling issued by the CMS on Monday that increases inpatient payments to hospitals by more than was initially proposed.

Patient safety advocate cheers CMS' reversal on quality reporting, but hospitals say the data are no good
Dave Muoio, Fierce Healthcare
The Centers for Medicare & Medicaid Services (CMS) has pulled back on plans to pause public reporting on certain hospital safety data in the wake of pushback from patient safety advocates.

Five states think assistant physicians can improve access. Doctors disagree.
Mari Devereaux, Modern Healthcare
Created to address clinical staffing shortages in underserved areas, the assistant physician role is also designed to employ medical school graduates who have not matched into a residency program.

J.D. Power: Mail-order pharmacies a growing threat to brick-and-mortar retailers
Frank Diamond, Fierce Healthcare
Patients are much more comfortable getting routine healthcare at brick-and-mortar pharmacies than they were in the past, thanks in large part to them having to flock to those pharmacies during the COVID-19 pandemic.

PHARMA, BIOTECH AND DEVICES

Gilead quarterly profit falls as COVID antiviral sales decrease
Deena Beasley, Reuters
Gilead Sciences Inc (GILD.O) on Tuesday said its second-quarter adjusted profit fell due to higher research and royalty costs as well as a downturn in sales of its COVID-19 antiviral drug Veklury.

Democrats' backdoor crackdown on pharma "gaming"
Caitlin Owens, Axios
Democrats' drug pricing plan could end drugmakers' practice of taking out overlapping patents around one drug — a strategy which fends off

competitors but that the industry argues incentivizes innovation after a drug is approved.

U.S. appeals court panel decides AbbVie's 'patent thickets' for Humira don't thwart competition
Ed Silverman, Stat News
In a significant victory for AbbVie, a U.S. appeals court panel declined to revive a lawsuit that accused the company of using a so-called patent thicket to forestall competition for its Humira medication, a franchise product that generates billions of dollars in sales each year.

Teva Facing Adderall Supply Disruptions as Demand Soars
Ike Swetlitz, Bloomberg Law
Teva Pharmaceutical Industries Ltd., the biggest seller of Adderall in the US, has been experiencing "supply disruptions" of the popular ADHD drug at a time when demand is at all-time highs, a spokesperson for the company said.

As new Alzheimer's drugs have failed, scientists are shifting focus to other potential causes
Berkeley Lovelace Jr., NBC News
As yet another Alzheimer's drug targeting plaque buildup in the brain fails to improve cognition in patients, leading scientists said a significant shift is underway in the search for effective treatments for the disease.

HEALTH TECHNOLOGY

Rob Schutz, cofounder of telehealth startup Ro, is leaving the company
Jessica Bursztynsky, Fast Company
Schutz told employees in a memo on Tuesday that he will transition into an advisory role and continue to serve on the board.

How much are patients actually using mental health apps? Research on engagement is elusive
Mario Aguilar, Stat News
A new paper scrutinizing six clinical trials supporting four mental health apps cleared by the Food and Drug Administration argues there's an urgent need to close the "gap between intention and real-world efficacy for digital therapeutics" — specifically, the dearth of data on how much people actually use digital treatments.

Another class action over Meta's alleged patient data mining lists UCSF, Dignity Health as defendants
Dave Muoio, Fierce Healthcare
A second class action lawsuit has been filed against Facebook parent company Meta related to allegations of hospital website data collection, this time also listing UCSF Medical Center and Dignity Health as co-defendants.

OPINIONS, EDITORIALS AND PERSPECTIVES

Amazon's Foray into Primary Care Won't Be Easy
David Blumenthal and Lovisa Gustafsson, Harvard Business Review
America's health care system seems, paradoxically, both endlessly innovative and profoundly dysfunctional. On the one hand, we hear

almost daily about flashy new ventures like, most recently, Amazon's recent purchase of One Medical, a large provider of primary care, that promise transformative improvements in health care efficiency, quality, and service. On the other hand, the day-to-day performance of the U.S. health care system is an international embarrassment.

RESEARCH REPORTS

Physician Flash Report: August 2022

Kaufman Hall

Physician practices across the country stayed busy throughout the second quarter of 2022, as physician productivity and revenues all rose with higher patient volumes between the first and second quarter of the year. However, higher volumes also contributed to higher investments/ subsidies to assist physician practices. They also led to continued expense increases as practices contend with inflation and a tight labor market.

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FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Leisha Nolen (DHHS)" <lnolen@utah.gov>, "Joe Dougherty (DHHS)" <joedougherty@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>
DATE: 03/08/2022 08:00

I would like us to consider more messaging to the public at this point, as mentioned in this article. It's our role to provide transparent and clear messaging. I understand the balance with the gay community but there is enough dialogue and attention out there that it is starting to cause confusion with the public with respect to who is at risk and what can be done.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted] ECHO Colorado Monthly eNews: What's ECHOing in August

---------- Forwarded message ---------
From: **The New York Times** <nytdirect@nytimes.com>
Date: Wed, Aug 3, 2022 at 4:37 AM
Subject: The Morning: Monkeypox, explained
To: <tracygruber@utah.gov>

The New York Times
The Morning
August 3, 2022

By German Lopez

Good morning. Monkeypox is not Covid, but there are good reasons to take precautions.

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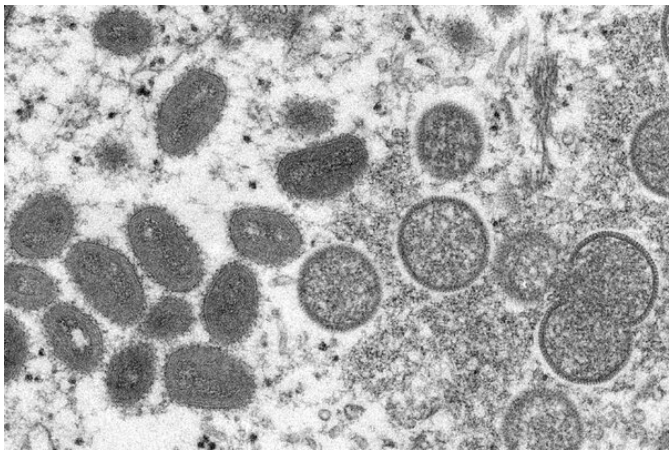


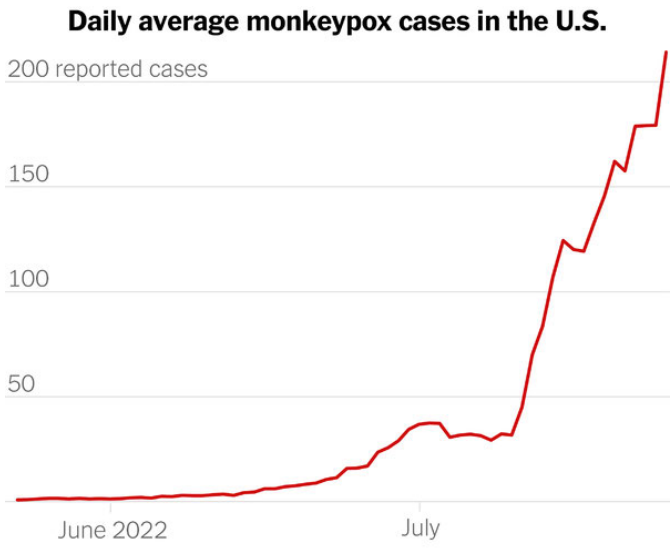
An electron microscope image of monkeypox virions. CDC, via Associated Press

A painful illness

The viral disease monkeypox is spreading around the world. So far, there are more than 6,300 known cases in the U.S., almost entirely among gay and bisexual men. New York, California, Illinois and some cities have declared states of emergency, following the World Health Organization's own declaration of a global emergency.

The headlines are grim enough that you might be worried that monkeypox is like SARS or Covid: another virus that could disrupt or even threaten your life. The good news is monkeypox is much less contagious and much less likely to be deadly than Covid. There are also vaccines and treatments originally developed for smallpox that work on monkeypox.

[redacted]



But while monkeypox probably will not kill you, it can be excruciating enough that you want to avoid it nonetheless: It can cause pain that some patients compare to glass shards scraping against the skin. And although the virus is afflicting mostly gay and bisexual men now, that could change if it continues to spread unchecked. Nothing about the virus limits its spread to only men who have sex with men (not all of whom identify as gay or bisexual).

Today's newsletter explains what we know about monkeypox and what people can do to stay safe.

How bad is it?

Monkeypox produces symptoms that can range from unpleasant to painful, although they are rarely deadly. At least six deaths, out of 25,000 cases, have been reported in places where the virus was not known to exist before the current outbreak. The risk of death is higher for young children and people who are immunocompromised or pregnant.

The telltale symptom is sores, which can look like pimples or blisters. They can hurt, especially in sensitive areas like the genitals and anus.

"I was scared to use the bathroom," a recent monkeypox patient, Gabriel Morales, told The Times. He described the sores as feeling like "broken glass" in his body.

Other symptoms include fever, headache, muscle aches, swollen lymph nodes, chills and exhaustion. The disease typically lasts two to four weeks.

How does it spread?

Monkeypox mostly spreads through close physical contact, typically skin-to-skin touch. Most infections in the current outbreak have occurred through close contact during sex. The virus also can spread through contaminated surfaces, including clothes and bedding. Brief contact, like a handshake, is not usually enough to spread monkeypox. Unlike Covid, it does not seem to spread much through the air.

Nearly half of known U.S. cases have occurred in the first three states to declare emergencies: New York, California and Illinois.

So far, about 98 percent of cases worldwide are among men who have sex with men. Many of them have had multiple partners, sometimes strangers. Some early superspreader events were gay parties in Europe, which appeared to introduce the virus into the social networks of men who have sex with men.

Public health officials have struggled with acknowledging some of these factors, fearing that they could stigmatize gay and bisexual men. But part of a proper public health response is targeting the people most at risk and the riskiest activities, and that requires an honest assessment of what is happening.

A line for the monkeypox vaccine in San Francisco. Jim Wilson/The New York Times

What can you do?

Most people are not currently at serious risk of catching monkeypox, with the virus concentrated among gay and bisexual men for now. “Your risk depends on who you are,” my colleague Apoorva Mandavilli, who has covered the current outbreak since the first U.S. case was identified, told me.

To lower their risk, gay and bisexual men can try to make sure their male sex partners do not have monkeypox, watching out for sores. They can use a condom, which can at least reduce the chances of getting sores in sensitive areas. They can temporarily reduce their number of sexual partners or avoid riskier activities, such as anonymous sex and sex parties. Practicing good hygiene, like frequent hand-washing, can help, too.

Vaccines and tests for monkeypox also exist, although they are not widely available right now because of supply shortages and strict government rules about access.

If someone is infected, the C.D.C. recommends isolating at home and staying away from others if possible. But that can be very difficult with a disease that can last four weeks — another reason to prioritize prevention and slow the spread.

What are officials doing?

Public health officials are trying to make vaccines, treatments and testing more available. President Biden yesterday named a national monkeypox response coordinator to oversee those efforts.

But progress has been slow. As monkeypox spread in May and June, 300,000 vaccine doses owned by the U.S. sat in Denmark.

Officials are also trying to raise public awareness of monkeypox, given that it is a new virus to most Americans.

Their main goal now is to avoid a wider outbreak that makes monkeypox an endemic virus that spreads regularly across the U.S., like influenza. If monkeypox keeps spreading unchecked, it could eventually spill over to a broader population than gay and bisexual men, said Dr. Céline Gounder, a senior fellow at the Kaiser Family Foundation.

“It’s still containable,” she added. “But it is going to require more aggressive

screening, testing and vaccination."

The bottom line

Monkeypox is not typically fatal, but it still can cause painful disease and permanent scarring. The risk is not high for most people now, but that could change if the virus continues to spread. And the people who are at serious risk can take steps to stay safe and prevent the outbreak from getting worse.

Related

- Stopping the spread of monkeypox will depend on three crucial questions.
- Some gay men see echoes of H.I.V./AIDS.
- From Times Opinion: Monkeypox is about to become the next U.S. public health failure, writes Scott Gottlieb, the former head of the F.D.A.

THE LATEST NEWS

Primaries

Voters in St. Louis yesterday. Whitney Curtis for The New York Times

- Kansas voted to keep abortion protections in the State Constitution, a major victory for abortion rights in a red state.
- In Arizona, a Donald Trump-backed newcomer won the Republican Senate nomination. A 2020 election denier became the party's choice for secretary of state.
- In Michigan, Representative Peter Meijer, a Republican who voted to impeach Trump, lost his primary.
- Tudor Dixon, a conservative media personality who has questioned the 2020 election results, will face Democrat Gretchen Whitmer in the Michigan governor's race.
- Eric Greitens, a scandal-ridden former governor, lost Missouri's Republican Senate primary.

Nancy Pelosi in Taiwan

A billboard welcoming Nancy Pelosi to Taipei. Chiang Ying-Ying/Associated Press

- Speaker Nancy Pelosi has left Taiwan after meeting with its president today. Her trip set up a standoff with China.
- China will respond with military drills. Analysts believe they're aimed at projecting strength rather preparing for an invasion. (Here's why China is angry.)

Politics

- The Senate passed a bill to expand medical care for veterans exposed to toxic burn pits.
- Two officials involved in Trump's plan to falsely claim he had won Arizona in 2020 told lawyers they feared accusations of treason.

Other Big Stories

- Russia's invasion has displaced a third of Ukraine's population, creating Europe's biggest migration crisis since the aftermath of World War II.
- The C.I.A. had tracked Al Qaeda's leader, Ayman al-Zawahri, for decades. His morning routine on the balcony provided a window to strike.
- A 12-year-old girl escaped captivity in rural Alabama, and the authorities found two decomposing bodies where she had been held.
- "Originalists" like Justice Samuel Alito have never quite explained how their theory squares with racial integration, writes Adam Liptak, The Times's Supreme Court reporter.

Opinions

Bret Stephens applauds Pelosi for standing up to China. **Thomas Friedman** thinks her trip endangers Taiwan.

America's decline is eroding other countries' faith in democracy, **Farah Stockman** argues.

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MORNING READS

Outdoor cats: Neighborhood mascot or menace?

Silent killer: A simple alarm can detect carbon monoxide. Why don't more hotels have them?

A Times classic: Why "Euphoria" enthralls.

Advice from Wirecutter: How to clean your yoga mat.

Lives Lived: Vin Scully served as the announcer for Dodgers baseball games for 67 years, first in Brooklyn and later in Los Angeles. He died at 94.

SPORTS NEWS FROM THE ATHLETIC

A history-making M.L.B. trade: By last night, the news that 23-year-old superstar Juan Soto had been shipped from the Nationals to the Padres had barely sunk in. Even The Athletic's seen-it-all squad was stunned by the deal. As for the return, it might be the biggest prospect haul ever.

Soto will *probably* debut with the Padres tonight. For more: Winners and losers of the trade deadline.

King of Queens: After 391 days, Mets ace Jacob deGrom looked like himself in his return to a big-league mound.

ARTS AND IDEAS

Pickle-flavored products. Zack Wittman for The New York Times

Sprinkle on some pickle

It's the summer of the pickle. Not actual pickles — although they're as popular as ever — but the flavor, which is everywhere, Christina Morales writes.

Pickle spice adds a sweet-and-sour flavor, which complements snack foods like popcorn and pizza. Frito-Lay now makes pickle-flavored Lays, Doritos and Ruffles chips. Trader Joe's said its dill pickle seasoning blend sold out soon after it hit shelves in May.

Social media has helped spur the flavor's popularity. Meg and Maddie Antonelli, a mother-and-daughter TikTok duo, make pickle pizzas at home, slather pickle dip on burgers and pair pasta with dill pickle seasoning. "I wish this was always trending," Meg Antonelli said, "because I love pickles."

PLAY, WATCH, EAT

What to Cook

Ryan Liebe for The New York Times

This skillet chicken recipe is inspired by ingredients used in Moroccan cuisine: orange and ground turmeric.

What to Listen to

Six podcasts about political scandals.

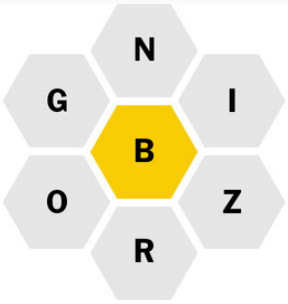
What to Watch

In the film "Shalom Taiwan," a Buenos Aires rabbi hits the road to raise money for his community center.

Late Night

The hosts discussed the killing of al-Zawahri.

Now Time to Play



The pangram from yesterday's Spelling Bee was *picnicked*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Ocean motion (four letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — German

Correction: Yesterday's newsletter incorrectly said that Russia began its invasion of Ukraine last year. It began in February.

P.S. Times journalists won awards from the Asian American Journalists Association.

Here's today's front page.

"The Daily" is about the primaries. On "Popcast," Beyoncé's robust return.

Matthew Cullen, Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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FROM: Utah Law <communications@law.utah.edu>
TO: hborski@utah.gov
DATE: 03/08/2022 11:14

THE UNIVERSITY OF UTAH
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August 2022

LAW

Trying Times: Conservation Easements and Federal Tax Law 2022

Thursday, August 11

9:00-1:00 p.m., MT, S.J. Quinney College of Law, Moot Courtoom (Level 6)

This four-hour program will address the latest case law and IRS guidance impacting conservation easements. Experts will offer practical advice to land trust staff and board members, government employees, attorneys, appraisers, and landowners. Attendees will have the opportunity to hear the IRS's perspective and ask questions of a diverse group of panelists who collectively have almost 200 years of experience with conservation easements and tax incentives. Each of three panel presentations will be followed by time devoted solely to Q&A.

4.0 hours Utah CLE (pending).

Learn more »

College of Law Events

August
10
Wednesday

Continuing the Conversation about Race and Racism: Empire of the Summer Moon

A University of Utah Alumni Webinar

12:00-1:00 p.m., Zoom Link ~ Register Here »
Since George Floyd's murder in the summer of 2020, Martell Teasley, interim senior vice president for academic affairs, and Elizabeth Kronk Warner, dean of the S.J. Quinney College of Law, have hosted several book discussions about racism, anti-racism, diversity, equity, and inclusion. This event is the next installation in the Continuing Conversation about Race and Racism discussion series. 1 hour Utah CLE (pending). More Info

August
31
Wednesday

The Aftermath: How the *Dobbs* Decision May Impact Same Sex Marriage, Contraception and Other Rights

A College of Law CLE Webinar

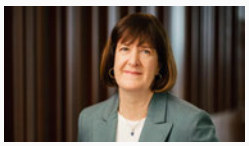
8:00–9:00 a.m., Registration coming soon
This is the first of two panel discussions on the U.S. Supreme Court's *Dobbs* decision regarding abortion rights. After briefly overviewing the *Dobbs* decision, the panel will focus its discussion on "what's next" – the aftermath of the *Dobbs* decision. Many commentators have speculated, for example, that the *Dobbs* decision may imperil previous Supreme Court decisions on same sex marriage and contraception, as well as others. Panelists will dive into these and other topics in exploring the potential aftermath of *Dobbs*. 1 hour Utah CLE (pending). More Info

Save These September Dates!

The beginning of a new school year is a great time to give back. Stay tuned for an exciting scholarship gift campaign.

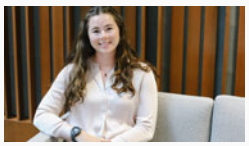
September 1 - What Does The *Dobbs* Decision Mean For Medical Professionals?
September 16 - College of Law CLE webinar
September 28 - Dean's Book Review

College of Law News



Suzanne M. Darais appointed as new Utah Law library director

Suzanne M. Darais, JD, MLS, has been appointed director of the James E. Faust Law Library



Rising 3L Meg Glasmann explores opportunities and builds community at Utah Law

Four years into a psychology PhD program, Meg Glasmann suddenly realized something:

Professor Nancy McLaughlin discusses abuse of conservation easements in a Reuters special report

Boeing and dozens of other companies have granted

at the University of Utah. Read more »

While she enjoyed the study of psychology, she didn't love the application of it in a job setting. Read more »

"conservation easements" on some of the most contaminated land in the U.S. Read more »

College of Law News Bytes

Professor RonNell Andersen Jones and alumnus elected to American Law Institute

Recent Utah Law grads elected to Order of the Coif

Utah Law faculty members present at Law and Society Conference

Professor Paul Cassell discusses recent Utah Supreme Court ruling in favor of crime victims' rights with the Salt Lake Tribune

Faculty News

Presentations
Jonas Anderson: Testimony before the Senate Judiciary Subcommittee on Intellectual Property

Teneille Brown: Fudging Foresight—how governments ignored public mental health during the pandemic, International Association of Law and Mental Health Conference

Jorge Contreras: Boston University Technology Policy Research Initiative, IP Day 2022 "The Open Covid Pledge"

Leslie Culver: Legal Writing Institute - Biennial Conference, Georgetown Law

Leslie Francis: Federalism and Interstate Movement: Implications of Medical Aid in Dying for Abortion, Law & Society Association, Lisbon, Portugal

Leslie Francis: Justice in Surveillance for Covid 19, International Association of Bioethics World Congress, Basel, Switzerland

Amos Guiora: Keynote Speaker, Utah Bar Association, Enablers in Sexual Assaults

Laura Kessler: Miscarriage of Justice: Early Pregnancy Loss and the Limits of U.S. Employment Law, Law and Society Annual Meeting, Lisbon, Portugal

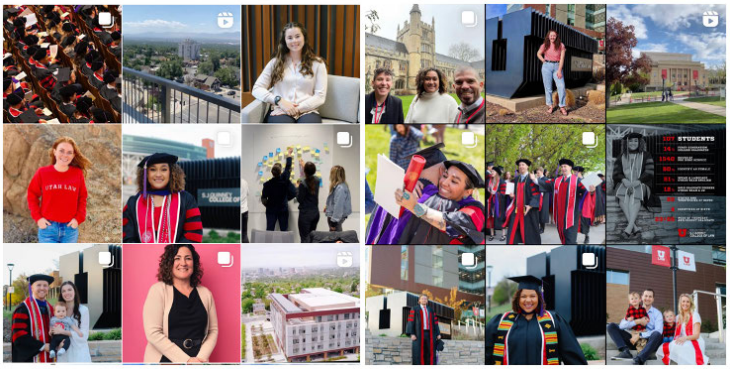
Heather Tanana: Law & Society Association Global Meeting, Securing Indigenous Futures (with Dean Kronk Warner)

Media
Amos Guiora, LA Times, Enablers in Higher Education

Other
Paul Cassell: Won pro bono case before the Utah Supreme Court in F.L. v. Court of Appeals (court held that F.L. was entitled to be heard regarding any release of her mental health counseling records in appellate proceedings)

John Ruple: Appointed a Trustee at Large by the Foundation for Natural Resources and Energy Law. The Foundation is an educational non-profit dedicated to the scholarly and practical study of all aspects of natural resources and energy law and includes 36 law schools, 13 bar associations, and 18 mining and oil and gas industry associations.

Heather Tanana: Serving as co-chair, ABA SEER Native American Resources Committee for 2022-23 term



S.J. Quinney Social Media

Get all the news, notes, event info and photos from the College of Law. Follow us on social media! Click on the buttons below to follow us.

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Unsubscribe hborski@utah.gov
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Sent by communications@law.utah.edu

SUBJECT: White House Health Updates + Briefing Invites
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 03/08/2022 11:41

THE WHITE HOUSE
WASHINGTON

Health Community Updates

Friends – Please join us for our next bi-weekly White House Health Community Call on **Wednesday, August 10th** at 2:30pm ET. You can RSVP here. Please invite colleagues and members of your community – all are welcome.

Below are several important updates and invites. Have a wonderful rest of the week.

Biden-Harris Actions to Protect Access to Reproductive Rights + Briefing Invite
Today, President Biden will issue an Executive Order on Securing Access to Reproductive and Other Healthcare Services, building on actions that the Biden-Harris Administration has taken to protect access to reproductive healthcare services and defend women's fundamental rights. See this fact sheet for more information. **Today at 2:00 pm ET**, the President and the Vice President will deliver remarks at the first meeting of the interagency Task Force on Reproductive Healthcare Access, which will be livestreamed at whitehouse.gov/live.

Tomorrow, Thursday, 8/4 at 12:30pm ET, join Senior White House Officials for a briefing on additional steps President Biden is taking to protect access to reproductive rights and care for all Americans. You can RSVP here. Note: this call is closed to press and off the record.

Full RSVP link: https://pitc.zoomgov.com/webinar/register/WN_0-cY8LG8RmKJjynisskU5w

Last night, President Biden issued a statement on Kansans' overwhelming rejection of a ballot initiative to remove the right to abortion from the state constitution. Yesterday, the Justice Department filed a lawsuit challenging Idaho's near-total abortion ban, arguing that the state law conflicts with, and is preempted by, the Emergency Medical Treatment and Labor Act (EMTALA).

President Biden Announces Team to Lead Monkeypox Response + Briefing Invite
Yesterday, President Biden named FEMA's Robert Fenton as the White House National Monkeypox Response Coordinator and Dr. Demetre Daskalakis as the White House National Monkeypox Response Deputy Coordinator. Fenton and Daskalakis will lead the Administration's

strategy and operations to combat the current monkeypox outbreak, including equitably increasing the availability of tests, vaccinations and treatments. You can read more about the announcement here.

You are also invited to join the Department of Health and Human Services Office of Intergovernmental and External Affairs, Centers for Disease Control and Prevention (CDC), U.S. Food and Drug Administration (FDA), and Office of the Assistant Secretary for Preparedness and Response (ASPR) for a weekly Monkeypox briefing on Thursdays at 2:00 PM EST.

Call Details:
Date: Every Thursday
Time: 2:00 PM EST
Zoom Link: https://www.zoomgov.com/webinar/register/WN_q2g0KSUoQFWnS0tTB8BZlA

988 Suicide Lifeline Resources and Workforce Opportunities Briefing
The 988 Suicide & Crisis Lifeline is a network of more than 200 state and local call centers supported by HHS through the Substance Abuse and Mental Health Services Administration (SAMHSA). You are invited to join a special briefing on 988 resources and workforce opportunities taking place on Monday, 8/8 at 4pm ET. All information is below.

Date: Monday, August 8th
Time: 4:00 PM ET
Register for the briefing here.

Lowest Percent of Americans Uninsured in History
Under President Biden's leadership, the percent of uninsured Americans is eight percent – the lowest in history. Since President Biden took office, five million more people have gained health insurance. Read the President's statement here about this historically low uninsured rate and read more about the Biden-Harris Administration's efforts to expand coverage and lower costs through the American Rescue Plan.

All best,

White House Office of Public Engagement

STAY IN THE KNOW
Share and amplify our community updates by encouraging your networks to sign up to receive this newsletter using the following link.
http://eepurl.com/hIdkdf

PRIVACY POLICY | UNSUBSCRIBE

SUBJECT: Biden-Harris Actions to Protect Access to Reproductive Rights + Briefing Invite
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 03/08/2022 12:01

THE WHITE HOUSE
WASHINGTON

Women's Community Update

Friends - **Today, President Biden will issue an Executive Order on Securing Access to Reproductive and Other Healthcare Services**, building on actions that the Biden-Harris

Administration has taken to protect access to reproductive healthcare services and defend women's fundamental rights. See this fact sheet for more information. **Today at 2:00 pm ET**, the President and the Vice President will deliver remarks at the first meeting of the interagency Task Force on Reproductive Healthcare Access, which will be livestreamed at whitehouse.gov/live.

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All best,

White House Office of Public Engagement

Stay Connected

Make sure you are following The White House Gender Policy Council on Twitter
https://twitter.com/WhiteHouseGPC

Privacy Policy | Unsubscribe

SUBJECT: CDC COVID-19 Partner Key Updates: August 3, 2022
FROM: CDC IMS 2019 NCOV Response STLT Policy and Public Health Partnerships<eocevent382@cdc.gov>
TO: CDC IMS 2019 NCOV Response STLT Policy and Public Health Partnerships<eocevent382@cdc.gov>
CC: "Weakland, Aliki P. (CDC/DDID/NCEZID/DPEI)" <agp4@cdc.gov>
DATE: 03/08/2022 14:54

[redacted]

Good Afternoon, Partners,

Please see below the CDC COVID-19 Partner Key Update* on COVID-19 related publications, resources, and engagements. This week's update also includes 1) two new reports on Long Covid to support patients and further research and 2) resources and updates to the COVID Data Tracker.

If you have any questions about the information provided, please email CDC at eocevent382@cdc.gov.

Thank you for your ongoing partnership.

**Please note this update has been formatted to properly display in email applications. If viewing through a web browser, you may encounter formatting or display issues. We apologize for any inconvenience.*

August 3, 2022

Two New Reports on Long COVID to Support Patients and Further Research

Today, the Biden–Harris Administration released two new reports on Long COVID to support patients and further research. In April, President Joe Biden issued a *Memorandum on Addressing the Long-Term Effects of COVID-19*, which called for the creation of two reports. Within 120 days, the U.S. Department of Health and Human Services (HHS), leading a whole-of-government response, developed the following reports that together, pave an actionable path forward to address Long COVID and associated conditions.

- *The Services and Supports for Longer-Term Impacts of COVID-19 Report* (Services Report) outlines federal services available to the American public to address longer-term effects of COVID-19, including Long COVID and related conditions, as well as other impacts on individuals and families.
- *The National Research Action Plan on Long COVID The Research Report* (the Research Plan), created in coordination with 14 government departments and agencies, introduces the first U.S. government-wide national research agenda focused on advancing prevention, diagnosis, treatment, and provision of services and supports for individuals and families experiencing Long COVID.

Additional information related to the announcement and release of the reports:

- Long COVID Reports: COVID.Gov
- Long COVID Research, Services, And Supports: A Call To Action
- Addressing the Long-term Effects of COVID-19
- Fact Sheet: The Biden Administration Accelerates Whole-of-Government Effort to Prevent, Detect, and Treat Long COVID

COVID Data Tracker Resources and Updates

COVID Data Tracker is CDC's home for COVID-19 data. It combines county, state, national, and global data from across the response in a series of interactive dashboards. Recent COVID Data Tracker releases and updates include:

- The July 29th COVID Data Tracker Weekly Review Interpretative Summary focused on mental health outcomes among public health workers, highlighting a recent CDC survey. The July 22nd COVID Data Tracker Weekly Review Interpretative Summary focused on COVID-19 trends, including rising cases, hospitalizations, and deaths, as well as information on COVID-19 booster uptake.
- On July 29th, the Rates of Laboratory-Confirmed Hospitalizations by Vaccination Status tab was updated to display June 2022 rates of COVID-19-associated hospitalization comparing unvaccinated people, fully vaccinated people, and people with additional or booster doses. The tab was also updated to include data on second boosters for adults ages 50 years and older.
- On July 28th:
  - The Vaccination Demographics and Vaccination Demographic Trends tabs were updated to display data on second booster doses for people 50 years and older by age, sex, and race/ethnicity.
  - The COVID-19 During Pregnancy tab was removed from COVID Data Tracker. As of March 2022, CDC no longer recommends universal case investigation and contact tracing and recommends that health department jurisdictions prioritize specific settings and groups at increased risk. In addition, a decreasing number of case reports include information on pregnancy status. For these reasons, CDC stopped reporting data on this page on July 28th.
- On July 21st, a new Nationwide Commercial Lab Pediatric Antibody Seroprevalence tab was released, which provides estimates of the U.S. pediatric population (ages 6 months to 17 years) with evidence of antibodies from at least one resolving or past infection with SARS-CoV-2, the virus that causes COVID-19.

Recently Published COVID-19 Related Morbidity and Mortality Weekly Report (MMWRs)

- Workplace Perceptions and Experiences Related to COVID-19 Response Efforts Among Public Health Workers — Public Health Workforce Interests and Needs Survey, United States, September 2021–January 2022
- Symptoms of Mental Health Conditions and Suicidal Ideation Among State, Tribal, Local, and Territorial Public Health Workers — United States, March 14–25, 2022
- Effectiveness of 2, 3, and 4 COVID-19 mRNA Vaccine Doses Among Immunocompetent Adults During Periods when SARS-CoV-2 Omicron BA.1 and BA.2/BA.2.12.1 Sublineages Predominated — VISION Network, 10 States, December 2021–June 2022
- Safety Monitoring of COVID-19 mRNA Vaccine First Booster Doses Among Persons Aged ≥12 Years with Presumed Immunocompromise Status — United States, January 12, 2022–March 28, 2022

Upcoming Meetings

- **CDC COVID-19 All-State, Tribal, Local, and Territorial (STLT) Update Call**: The CDC COVID-19 All-STLT Update Call will occur on the third Monday of each month from 2:00–2:30 PM ET. **The next call will be on Monday, August 15th, from 2:00–2:30 PM ET.** If you have any questions, please contact eocevent382@cdc.gov.

  Upcoming Calls:
  - August 15th
  - September 19th

  To register for this call series, click here.

COVID-19 Resources

New & Updated

- On July 26th, the White House held a Summit on the Future of Vaccines. The summit outlined a path towards innovative, next-generation COVID-19 vaccines and featured leaders who are on the cutting-edge of discoveries. For a recording of the event, click here.
- On July 27th, a new Nationwide Commercial Lab Pediatric Antibody Seroprevalence tab was added to the COVID Data Tracker. The tab provides estimates of the proportion of the U.S. pediatric population (ages 6 months to 17 years) with evidence of at least one resolving or past infection with SARS-CoV-2, the virus that causes COVID-19.
- On July 19th, CDC endorsed the Advisory Committee on Immunization Practices' (ACIP) recommendation that the Novavax COVID-19 vaccine can be used as an option for adults ages 18 years and older.

- On July 12th, the White House COVID-19 Team announced its strategy to manage BA.5, a subvariant of the Omicron variant. The strategy relies on ensuring that Americans continue to have easy and convenient access to the vaccines, treatments, tests, and other tools that protect against and treat COVID-19.

COVID-19 Resources

- COVID-19 Community Levels: Check your county's COVID-19 Community Level to know which prevention steps to take.
- COVID Data Tracker combines county, state, national, and global data in a series of interactive dashboards.
- What You Need to Know About Variants provides information on current variants of concern.
- Vaccines for COVID-19
  - Get answers to frequently asked questions, bust myths about vaccines, stay up to date with your vaccines, and find COVID-19 vaccines and boosters near you.
  - Get COVID-19 vaccine information for certain groups of people, including moderately or severely immunocompromised people, children and teens, people who would like to have a baby, and people pregnant or breastfeeding.
- COVID-19 Testing: Learn about COVID-19 testing and how to receive free, at-home COVID-19 tests.
- Quarantine and Isolation: Access recommendations and tools to help determine how long you need to isolate, quarantine, or take other steps to prevent spreading COVID-19.
- CDC COVID-19 Travel: Get the latest information on travel orders and regulations, and check your destination's COVID-19 situation and travel requirements (domestic, international, cruise ship).
- Operational Guidance for K-12 Schools and Early Care and Education Programs to Support Safe In-Person Learning: Guiding principles and strategies to protect students, teachers, staff, and communities. See accompanying Frequently Asked Questions and Interactive School Ventilation Tool.
- School Testing for COVID-19: Find tools and resources to start and support school-based testing.
- Find COVID-19 guidance and Information for people experiencing homelessness, people living in prisons or jails, and people living in high congregate settings.
- Learn more about Long COVID or Post-COVID Conditions.

References to non-CDC sites are provided as a service and do not constitute or imply endorsement of these organizations or their programs by CDC or the U.S. Department of Health and Human Services. CDC is not responsible for the content of pages found at these sites. URL addresses listed were current as of the date of publication.

Kind regards,

STLT Policy, Public Health Partnerships & Communication
State, Tribal, Local, and Territorial Support Task Force (STLT TF)
COVID-19 Response
Centers for Disease Control and Prevention (CDC)
eocevent382@cdc.gov

[redacted]

[redacted]

SUBJECT: Biden Issues Another Order To Protect Abortion Access
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 04/08/2022 01:41

Thursday, August 4, 2022

Follow

TOP NEWS

Biden Issues Another Order To Protect Abortion Access

President Joe Biden on Wednesday signed another executive order aimed at protecting access to abortions, this time with the goal of helping patients travel to other states to access reproductive health care services.

Read full article »

These Abortion Ballot Measures Are Next After Kansas Vote

After an overwhelming majority of voters in Kansas handily rejected an amendment to the state's constitution that would allow the state's Republican legislature to ban abortion, voters in at least five other states will be going to the ballot on similar issues in November.

6 documents attached | Read full article »

DOJ Hits Peter Navarro With Suit Over White House Emails

The U.S. Department of Justice on Wednesday slapped former Trump trade adviser Peter K. Navarro with a civil suit alleging that he's refusing to hand over emails from his time at the White House, a violation of federal law on presidential record-keeping.

Complaint attached | Read full article »

Biden Admin. Urges High Court To Preserve Affirmative Action

The Biden administration is asking the U.S. Supreme Court to rule in favor of Harvard University and the University of North Carolina in their landmark affirmative action cases, arguing in a Monday brief that diversity is crucial to the military and federal agencies.

Brief attached | Read full article »

Analysis

4 Key Takeaways From The China Tariffs Remand

The Biden administration's new explanations on duties covering Chinese exports worth $300 billion reveal a steady commitment to meet presidential demands and emphasize the government's prior responses to public input as it crafted the tariffs.

Read full article »

Dems Want Transparency On Pacific, Americas Trade Talks

Nine lawmakers have urged the Biden administration to engage in "robust consultations" with Congress and other stakeholders as negotiations begin over the Indo-Pacific Economic Framework and the Americas Partnership for Economic Prosperity, warning that the talks may be undermined without appropriate transparency.

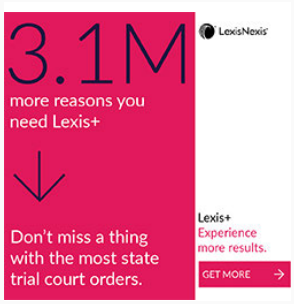
Letter attached | Read full article »

Labor Experience Lacking On Appellate Courts, Report Says

Federal appellate courts severely lack representation from judges with professional backgrounds in union-side labor law, employee wage and hour law, and civil legal aid, according to a new report Wednesday from the progressive organization Alliance for Justice.

Read full article »

Analysis



LAW FIRMS IN TODAY'S NEWS

3 Verulam Buildings
Adams & Reese
Arnold & Porter
Bartlett LLP
Best Best & Krieger
Blackstone Chambers
Bredhoff & Kaiser
Brick Court Chambers
Bryan Cave
Burke Williams
Butler Snow LLP
Charles Fussell
Chiesa Shahinian
Cleary Gottlieb
Clifford Chance
Consovoy McCarthy
DWF LLP
Dechert LLP
Essex Court Chambers
Farrar & Ball
Foot Anstey
Freeh Sporkin
Freeman Mathis
Goodwin Procter
Gordon & Rees
Greenberg Traurig
Hall Booth
Hochman Salkin

Patent Eligibility Bill May Clarify Law But Spur New Fights

A bill introduced Tuesday by Sen. Thom Tillis, R-N.C., aimed at setting more precise rules on which inventions are eligible for patents would add helpful clarity on some issues, but includes ambiguous language that could take years of litigation to sort out, experts say.

Bill attached | Read full article »

BANKING & SECURITIES

Senate Bill Would Put Crypto Spot Markets Under CFTC

The Commodity Futures Trading Commission would get broad oversight over the cryptocurrency industry, including cryptocurrency spot markets, under a bipartisan bill introduced in the Senate on Wednesday.

Read full article »

CFPB Says Mortgage Firm Can't Shake Court Penalties

The Consumer Financial Protection Bureau told the Ninth Circuit that an Ohio mortgage services company should pay a nearly $8 million judgment and millions more in refunds to customers who alleged they were misled by the firm's marketing, saying the company's constitutional arguments for dismissal fall flat.

2 documents attached | Read full article »

6th Circ. Urged To Rehear Bank Exec's FDIC Penalty Challenge

A handful of groups are asking the full Sixth Circuit to reconsider a panel's decision to uphold the Federal Deposit Insurance Corp.'s removal of a former bank CEO, saying the panel erred when it failed to consider and rule on the constitutionality of the FDIC's structure.

Brief attached | Read full article »

ENERGY & ENVIRONMENTAL

Canada Says Koch Has No Claim In Cap-And-Trade Fight

Canada is pushing back against Koch Industries' claim that it is owed millions of dollars after Ontario's sudden cancelation of its cap-and-trade program in 2018 allegedly wiped out the Kansas-based conglomerate's carbon allowances trading business, arguing that the company is trying to manufacture jurisdiction.

Brief attached | Read full article »

5th Circ. Considers Phillips 66, Shell's Harbor Dues Dispute

A Fifth Circuit panel on Wednesday questioned how much progress must be made on an estimated $1.2 billion waterway improvement project in a Gulf of Mexico shipping channel before the agency that oversees it can collect harbor fees from companies including Phillips 66 and a unit of Shell.

Read full article »

HEALTH & LIFE SCIENCES

FDA Seeks Chance To Redo Cigar Label Rule

The U.S. Food and Drug Administration urged a D.C. federal judge on Tuesday to let the agency amend its decision requiring the application of warning labels to hand-rolled premium cigars, rather than strike down the rule altogether.

2 documents attached | Read full article »

UnitedHealth Judge Probes Health Tech Co.'s Data Safeguards

The D.C. federal judge slated to decide the fate of UnitedHealth Group's proposed $13.8 billion acquisition of Change Healthcare pressed a Change executive on Wednesday to explain whether internal safeguards can prevent data abuses that the U.S. Department of Justice is worried about.

Read full article »

TRANSPORTATION & INFRASTRUCTURE

US DOT Floats Stiffer Airline Ticket Refund Rules

The U.S. Department of Transportation said Wednesday it is considering imposing stricter, more explicit rules to ensure that airlines refund customers for canceled flights or major changes to flight itineraries, an effort to help travelers frustrated by widespread flight delays and cancellations.

1 document attached | Read full article »

Hogan Lovells
Holland & Knight
Hunton Andrews
Irell & Manella
Jackson Lewis P.C.
Jenner & Block
Jomarron Lopez
Jones Day
King & Spalding
Kirkland & Ellis
Kobre & Kim
Lewis Brisbois
Littler Mendelson
Loevy & Loevy
Lotfi Legal LLC
Lowenstein & Weatherwax
Mac Murray & Shuster
Marshall Dennehey
McDonnell Boehnen
McDowell Hetherington
McElroy Deutsch
Mishcon de Reya
Morvillo Abramowitz
Motley Rice
Munger Tolles
Nilan Johnson
Norton Rose
Nossaman LLP
O'Melveny & Myers
One Essex Court
Orgain Bell
Perkins Coie
Phelps Dunbar
Pike & Gilliss
Plunkett Cooney
Proskauer Rose
Reed Smith
Sanford Heisler
Seyfarth Shaw
Shearman & Sterling
Sher Garner
Simpson Thacher
Squire Patton
Steptoe & Johnson LLP
Stoel Rives
Vinson & Elkins
Werman Salas
White and Williams
Wiley Rein
Williams & Connolly
WilmerHale
Wilson Elser
Womble Bond

COMPANIES IN TODAY'S NEWS

AT&T Inc.
AbbVie Inc.
Amazon.com Inc.
American Bar Association
American Civil Liberties Union
Americans for Prosperity Foundation
Anheuser-Busch Inbev SA/NV
Asian American Center for Advancing Justice
Asian American Legal Defense and Education Fund
Asian Americans Advancing Justice
Avnet Inc.

REAL ESTATE

La. Real Estate Board Says FTC Decision Moots Antitrust Row

A state appraisers board urged a Louisiana federal judge to toss claims that the regulator broke federal antitrust laws, arguing that the suit from a Pittsburgh-based real estate company is moot following a deal with the Federal Trade Commission barring the board from setting appraisers' fees.

Motion attached | Read full article »

COMPETITION

Judge Queries Simon & Schuster CEO On Bidding For Books

A D.C. federal judge peppered Simon & Schuster's CEO with questions about the frequency of competitive bidding for book acquisitions during testimony Wednesday on the government's bid to stop Penguin Random House from purchasing the rival publishing house.

Read full article »

ELECTIONS

Texas DA Ordered To Face Voter Discrimination Suits

Groups advocating for minorities and voting rights may proceed with their bid to block the Harris County, Texas, district attorney from enforcing new election laws they call discriminatory, a federal judge held Tuesday, saying the groups' claims implicate the prosecutor's role in enforcing violations of those rules.

Order attached | Read full article »

Ill. Panel Revives Lawyer, Ex-Rep's Defamation Suit

An Illinois appellate panel has revived a defamation suit filed by Loevy & Loevy attorney and former Illinois Rep. Scott Drury against a conservative radio host and political action committee, finding a lower court erred in granting the defendants summary judgment before resolving a discovery dispute.

Opinion attached | Read full article »

TAX

NJ Wants $13M Casino Payment Order Paused For Appeal

New Jersey has asked a state court to pause an order requiring it to pay over $13 million to Atlantic County following a dispute over how casinos should help fund government services, arguing its planned appeal will undo that order anyway.

3 documents attached | Read full article »

IMMIGRATION

Senators Urge Biden To Ramp Up Refugee Admissions

Thirty Democratic senators urged the Biden administration to immediately increase the target refugee admissions and take proactive steps to admit a higher number of refugees in the next fiscal year, emphasizing the need to assist refugees fleeing war and persecution.

Letter attached | Read full article »

Biden Ordered To Revisit Visa Apps Nixed In Trump Travel Ban

A California federal judge ordered the Biden administration to revisit the tens of thousands of visa applications that were denied under Trump-era travel restrictions, finding that targeted foreigners were still bruised from the travel ban, long after their revocation.

Order attached | Read full article »

NATIVE AMERICAN

Alaska Native Co. Asks 9th Circ. Not To Revisit Land Swap

Alaska Native village company King Cove Corp. has urged the full Ninth Circuit to reject a bid by conservation groups to rehear a split circuit panel's ruling clearing the way for a land swap between the village and the federal government for a potential road, saying a Trump administration official amply justified his decision to greenlight the project.

Brief attached | Read full article »

TELECOMMUNICATIONS

FCC Opens 17 GHz Band For Space-To-Earth Signals

Bertelsmann AG
CashCall Inc.
Change Healthcare Inc.
Coinbase Global Inc.
Danaher Corp.
Disability Rights Texas
George Washington University
Getty Images Inc.
Guttmacher Institute
Hachette Book Group Inc.
HarperCollins Publishers LLC
Harvard University
International Centre for Settlement of Investment Disputes
KBR Inc.
Koch Industries Inc.
Lex Machina Inc.
LexisNexis Group Inc.
LinkedIn Corp.
Myriad Genetics Inc.
NAACP Legal Defense and Educational Fund Inc.
National Association for the Advancement of Colored People
National Immigration Law Center
New Civil Liberties Alliance
Ocado Ltd.
Optum Inc.
Palo Alto Networks Inc.
Phillips 66
QUALCOMM Inc.
RELX PLC
Scholastic Corporation
Service Employees International Union
Simon & Schuster Inc.
Texas Civil Rights Project
The DIRECTV Group, Inc.
UCLA School of Law
UnitedHealth Group Inc.
Walmart Inc.
Washington & Lee University
Washington Legal Foundation

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Citizenship and Immigration Services
Centers for Disease Control and Prevention
Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Trade Commission
Food and Drug Administration
Illinois Attorney General's Office
NAFTA
National Archives and Records Administration
National Institutes of Health
North Carolina Department of Justice
Office of the U.S. Trade Representative
Serious Fraud Office

The Federal Communications Commission agreed Wednesday to open a swath of 17 gigahertz spectrum to allow space-to-Earth signals from geostationary satellite orbit operations.

1 document attached | Read full article »

CANNABIS

Calif. Pot Cos. Settle Application Suit With Pasadena

Two California cannabis companies and the city of Pasadena have settled their lawsuit over the city's administration of its recreational marijuana licensing process, according to a joint stipulation entered in Los Angeles state court.

Settlement attached | Read full article »

PEOPLE

GT Lands Squire Patton's Ex-Corporate Governance Chair

Greenberg Traurig LLP has hired a partner from Squire Patton Boggs LLP to lead the firm's U.S. corporate governance practice.

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EXPERT ANALYSIS

Wage Theft Bill Would Increase Risk, Severity Of FLSA Claims

A recently introduced bill would amend the Fair Labor Standards Act in extreme ways that go well beyond the commonsense idea that people should be paid the wages they have earned, thereby sharply increasing the threat of claims against employers, with implications for arbitration, collective bargaining and more, say Christopher Pardo and Beth Sherwood at Hunton.

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How The Metaverse Will Affect Business And Legal Processes

It is time to start thinking about virtual reality's effects on cybersecurity, business dealings, case strategy and more, as the metaverse takes shape and organizations open banks, host law firm offices and create retail strategies digitally, says Samantha Green at Epiq.

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LEGAL INDUSTRY

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Analyst Wins Revival Of Kobre & Kim Discrimination Suit

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U.S. Department of Labor
U.S. Department of State
U.S. Department of Transportation
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Louisiana
U.S. District Court for the Northern District of California
U.S. District Court for the Western District of Texas
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
Wage and Hour Division

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SUBJECT: UnitedHealth Judge Probes Health Tech Co.'s Data Safeguards
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 04/08/2022 02:11

HEALTH

LAW360®

Thursday, August 4, 2022

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TOP NEWS

UnitedHealth Judge Probes Health Tech Co.'s Data Safeguards

The D.C. federal judge slated to decide the fate of UnitedHealth Group's proposed $13.8 billion acquisition of Change Healthcare pressed a Change executive on Wednesday to explain whether internal safeguards can prevent data abuses that the U.S. Department of Justice is worried about.

Read full article »

These Abortion Ballot Measures Are Next After Kansas Vote

After an overwhelming majority of voters in Kansas handily rejected an amendment to the state's constitution that would allow the state's Republican legislature to ban abortion, voters in at least five other states will be going to the ballot on similar issues in November.

6 documents attached | Read full article »

Biden Issues Another Order To Protect Abortion Access

President Joe Biden on Wednesday signed another executive order aimed at protecting access to abortions, this time with the goal of helping patients travel to other states to access reproductive health care services.

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Eli Lilly Must Pay $61M For False Medicaid Rebate Calculation

An Illinois federal jury hit Eli Lilly and Co. with a $61 million verdict Wednesday after finding that the drug manufacturer deliberately shorted the Medicaid program by leaving retroactive drug price increases out of the metrics it was required to include for drug rebate calculations.

Read full article »

Ex-UChicago Professor Avoids Prison For Insider Trading

A former University of Chicago professor who pled guilty to insider trading with information about a positive cancer drug trial he was involved in won't serve prison time after an Illinois federal judge sentenced him Wednesday to time served and a year of supervised release.

Read full article »

LITIGATION

Alaska Native Co. Asks 9th Circ. Not To Revisit Land Swap

Alaska Native village company King Cove Corp. has urged the full Ninth Circuit to reject a bid by conservation groups to rehear a split circuit panel's ruling clearing the way for a land swap between the village and the federal government for a potential road, saying a Trump administration official amply justified his decision to greenlight the project.

Brief attached | Read full article »

Blue Cross Gets Partial Win In Tribe's Health Care Fraud Suit

A federal judge has partly granted Blue Cross Blue Shield of Michigan's bid to escape a Grand Traverse Band of Ottawa and Chippewa Indians lawsuit claiming the insurer committed health care fraud by breaking a promise to give the tribe discounts on treatment.

Order attached | Read full article »

Ga. Hospital Fight Raises Questions About Agency Deference

Georgia Court of Appeals judges on Wednesday wrestled with whether the state's community health commissioner has the authority to overturn a hearing officer in a series of

COMPANIES IN TODAY'S NEWS

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UnitedHealth Group Inc.
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LAW FIRMS IN TODAY'S NEWS

3 Verulam Buildings
Arnall Golden
Barber Law Firm PLLC
Bartlett LLP

related cases about a proposed free-standing emergency department in the Macon area.

Read full article »

Cannabis Grower Wants Out Of Ark. THC Potency RICO Suit

Cannabis cultivator Bold Team LLC is asking an Arkansas federal court to toss racketeering claims alleging that it and several other companies conspired to mislead consumers about its products' THC levels, saying that as a cultivator, it had nothing to do with the sale or pricing of the products at issue.

Brief attached | Read full article »

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GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Grand Traverse Band of Ottawa and Chippewa Indians
Michigan Legislature
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Biden Admin. Urges High Court To Preserve Affirmative Action

The Biden administration is asking the U.S. Supreme Court to rule in favor of Harvard University and the University of North Carolina in their landmark affirmative action cases, arguing in a Monday brief that diversity is crucial to the military and federal agencies.

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Labor Experience Lacking On Appellate Courts, Report Says

Federal appellate courts severely lack representation from judges with professional backgrounds in union-side labor law, employee wage and hour law, and civil legal aid, according to a new report Wednesday from the progressive organization Alliance for Justice.

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SUBJECT: Morning Consult Health: CVS Plots Move Into Primary Care by Year'sEnd
FROM: Morning Consult <reply@em.morningconsult.com>

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ECHO Colorado Monthly eNews: What's ECHOing in August

TO: hborski@utah.gov
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Health

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AUGUST 4, 2022

BY MATT BRACKEN

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Top Stories

- CVS Health Corp. said it is planning to move into the primary care space by the end of the year, either by investing in or acquiring a provider, with Chief Executive Karen Lynch noting that the pharmacy giant will be looking for a company with a strong tech background, a solid management team and capabilities to grow quickly. CVS' foray into primary care would follow Walgreens Boots Alliance Inc.'s partnership with VillageMD to open doctors' offices and Amazon.com Inc.'s announcement last month that it would acquire primary care clinic operator One Medical. (CNBC)

- Beginning the week of Aug. 15, Eli Lilly & Co. said it will start commercially selling its COVID-19 monoclonal antibody treatment to states, health systems and other providers, a move that comes as the federal government's supply of bebtelovimab is close to running out. (The Wall Street Journal) Meanwhile, a federal court jury ordered Eli Lilly to pay $61 million to settle charges that it intentionally skimped on payments for the Medicaid drug rebate program, which allegedly resulted in losses for the federal government program and Medicaid agencies across 26 states. (Stat News)

- A new White House plan calls for the Department of Health and Human Services to create an office dedicated to better understanding long COVID. HHS' assistant secretary for health will oversee the Office of Long COVID Research and Practice, ensuring permanent leadership within the agency as the new division is tasked with advancing treatments for patients. (Bloomberg Law)

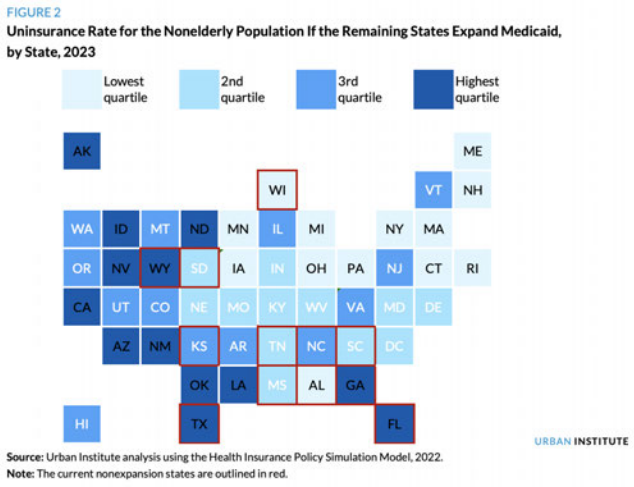
- The Centers for Disease Control and Prevention's soon-to-be issued updated COVID-19 community guidance would relax quarantine recommendations for those exposed to the virus and de-emphasize social distancing measures and regular testing in schools to monitor spread, according to sources and a preview of the plans shared with a media outlet. The modifications to community protocols could be released as soon as this week, though they haven't been finalized. (CNN)

[redacted]

Chart Review

3.7 Million People Would Gain Health Coverage in 2023 If the Remaining 12 States Were to Expand Medicaid Eligibility

Urban Institute and Robert Wood Johnson Foundation



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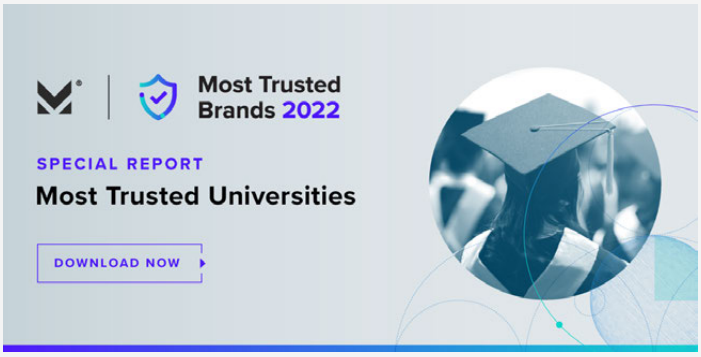

Most Trusted Universities Report 2022

Morning Consult's Most Trusted Universities Report measures the public view of trust in 135 doctoral universities featured in the U.S. News' 2022 Best National University Rankings. Our research breaks down how trust varies across diverse groups and different types of institutions while exploring key findings. Download today.

What Else You Need to Know

CORONAVIRUS

Biden still COVID positive but "fever-free and in good spirits," doctor says
Oriana Gonzalez, Axios
President Biden tested positive for COVID-19 again Wednesday and is still experiencing an "occasional cough," though "less frequently" than on Tuesday, his physician said in a letter.

What is BA.4.6? The CDC is tracking a new COVID 'variant of concern' that's overtaking earlier Omicron strains in at least 4 U.S. states
Nicholas Gordon, Fortune
Now, the U.S. Centers for Disease Control and Prevention (CDC) is tracking a new "variant of concern": BA.4.6. This week, the CDC included the BA.4 spinoff in its weekly tracking of COVID cases, with the agency's chief data officer tweeting that the new subvariant had actually been "circulating for several weeks" in the U.S. The CDC designates strains as "variants of concern" if it displays greater transmissibility, reduced effectiveness of treatment, increased severity, or decreased neutralization by antibodies.

Rich countries put billions into global Covid responses. Low-income countries wish they could spend it on bigger problems.
Daniel Payne, Politico
Those who work on AIDS, malaria, tuberculosis and other plagues say progress is in danger of reversing.

Covid has settled into a persistent pattern — and remains damaging. It may not change anytime soon
Andrew Joseph, Stat News
While Covid is not nearly the threat it once was, transmission of the coronavirus remains at sky-high levels. At the same time, the death rate has dropped thanks to vaccinations and improved treatments, and the overwhelming majority of people in the United States have developed some level of protection, from shots, a previous infection, or some combination of the two.

How Misinformation About COVID Vaccines and Pregnancy Took Root Early On and Why It Won't Go Away
Duaa Eldeib, ProPublica
Before coronavirus vaccines were even released, a disinformation campaign used a moment of national and personal vulnerability to prey on those who were pregnant or who planned to become pregnant.

GENERAL

Moderna considering creating an mRNA monkeypox vaccine amid growing demand for shots
Arielle Mitropoulos, ABC News
Amid growing concerns over the potential threat of monkeypox, executives from Moderna said Wednesday they have initiated a research program to consider whether the company could create a monkeypox vaccine with mRNA technology.

Biden Hails 'Powerful' Kansas Vote on Abortion, Signs New Order
Jordan Fabian and Nancy Cook, Bloomberg

President Joe Biden predicted the threat to abortion rights would drive people to the polls in the November midterm elections after Kansas voters rejected an effort to strip abortion protections in the state constitution.

70 deaths, many wasted organs are blamed on transplant system errors
Lenny Bernstein and Todd C. Frankel, The Washington Post
Seventy people died and 249 developed diseases after mistakes in the screening of organs they received in transplants, a Senate committee reported Wednesday after an investigation that found widespread deficiencies throughout the U.S. organ transplant system.

With monkeypox vaccine in high demand, NIH to test approaches to stretch supplies
Helen Branswell, Stat News
Scientists at the National Institutes of Health are getting ready to explore a possible work-around. They are putting the finishing touches on the design of a clinical trial to assess two methods of stretching available doses of Jynneos, the only vaccine in the United States approved for vaccination against monkeypox.

Progressives urge inclusion of uninsured in insulin proposal
Nathaniel Weixel, The Hill
House progressives are calling on leadership to include people without health insurance in any legislation that limits out-of-pocket costs for insulin.

Number of patients traveling for abortion overwhelmingly increased post-Roe
Oriana Gonzalez, Axios
In the month after Roe v. Wade was overturned, the country's largest abortion hotline reported a 5,100% increase in plane or bus trips and a more than 1,400% rise in hotel room bookings from patients traveling out-of-state for care, according to the National Abortion Federation.

Research in pigs shakes up what we know about dying
Katie Hunt, CNN
Researchers at Yale University say they have been able to restore blood circulation and other cellular functions in pigs a full hour after the animals' deaths, suggesting that cells don't die as quickly as scientists had assumed.

White House scrambles to play catch-up on monkeypox response
Shannon Pettypiece, NBC News
Administration officials have acknowledged they need to ramp up their efforts as the number of cases has grown faster than initially expected.

Red Cross beginning to screen blood donors for monkeypox
Megan Molteni, Stat News
As monkeypox continues its relentless spread around the globe, organizations in the U.S. are taking steps to safeguard the nation's blood supply.

Australia's bad flu season is a warning for the U.S. this year
Erika Edwards, NBC News
Flu surged in Australia for the first time since the coronavirus pandemic began. That doesn't bode well for the U.S.

Black, Pacific Islander Women Held Top Fetal Death Rates in 2020
Ayanna Alexander, Bloomberg Law
Black, Native Hawaiian, and Pacific Islander women continued to have the highest fetal mortality rates in 2020, according to a new report released Thursday by the Centers for Disease Control and Prevention's National Center for Health Statistics.

West Virginia Medicaid must cover gender-affirming surgeries, judge rules
Shawna Chen, Axios
District Judge Robert C. Chambers wrote in a 30-page ruling that the exclusion "discriminates on the basis of sex and transgender status," and certified the lawsuit, filed by Lambda Legal, as a class action covering all trans people who rely on West Virginia's Medicaid.

CBD Curbed Symptoms of Chronic Anxiety in Young People in Study
Alex Millson, Bloomberg Law
Taking cannabidiol - the non-intoxicating component of cannabis better known as CBD - may curb the severity of chronic anxiety symptoms in young people, a new study found.

PAYERS

Sen. Johnson suggests ending Medicare, Social Security as mandatory spending programs
Amy B Wang, The Washington Post
Sen. Ron Johnson (R-Wis.) has suggested that Social Security and Medicare be eliminated as federal entitlement programs, and that they should instead become programs approved by Congress on an annual basis as discretionary spending.

Health insurer Cigna raises forecast after strong second quarter
Reuters
Cigna Corp (CI.N) on Thursday raised its annual profit forecast for a second straight quarter, as a slower-than-expected recovery in non-urgent medical procedures helps it rein in costs while demand for its health services products stays strong.

Coming to a contract negotiation near you: the No Surprises Act
Nona Tepper, Modern Healthcare
When Cigna wanted to cut reimbursements for a physician group, the health insurance company came armed with a new negotiating tool: the No Surprises Act.

HCSC doubles down on Medicare Advantage as market share declines
Nona Tepper, Modern Healthcare
Health Care Service Corp. plans to expand its Medicare Advantage business into another 150 counties next year as the insurer seeks to gain a foothold in an increasingly competitive market for private Medicare plans.

PROVIDERS

High-Stakes Abortion Lawsuits Force Clash on Emergency Care Law
Allie Reed, Bloomberg Law

The Biden administration's instruction that hospitals and doctors nationwide provide emergency abortion care faces a significant test from competing lawsuits in Texas and Idaho, which could leave physicians confused and patients in danger, legal observers said.

Hospitals serving Black patients get less financial help, study shows
Caroline Hudson, Modern Healthcare
Hospitals serving a higher proportion of Black patients receive less financial support for providing care compared with those serving a lower proportion, according to a recent study from physician-researchers at the University of California Los Angeles and Princeton, Johns Hopkins and Harvard universities.

Volumes, net income down at for-profit hospitals in Q2
Healthcare Dive
HCA Healthcare, Tenet Healthcare, Community Health Systems and Universal Health Services all reported lower net income in the second quarter of this year compared to the year prior, and every operator reported lower admissions year over year.

63 healthcare orgs call on Congress to extend, expand visa waiver for international medical graduates
Dave Muoio, Fierce Healthcare
Sixty-three provider and healthcare advocacy organizations are petitioning Congress to pass legislation expanding international medical graduates' ability to immediately practice in the U.S.

PHARMA, BIOTECH AND DEVICES

Generic Prostate-Cancer Drug Backed by Hospital Group Goes on Sale
Joseph Walker, The Wall Street Journal
Civica said one of its operating units will offer a month's supply of the drug, known generically as abiraterone acetate, to pharmacies for $160, and recommends that pharmacies sell it to patients for no more than $171, a 6.9% markup.

Electric cars, drug costs and more: 5 battles Democrats could lose on their marquee bill
Caitlin Emma and Marianne Levine, Politico
The Senate's nonpartisan rules arbiter has spent more than a week reviewing Democrats' drug-pricing plans. While provisions that would allow Medicare to negotiate the costs of higher drugs seem more likely to pass muster, Democrats' push to penalize drug companies when they raise prices on those with private health insurance presents a bigger hurdle.

AstraZeneca, Bristol-Myers Get Win in Diabetes Drug Litigation
Julie Steinberg, Bloomberg Law
AstraZeneca Pharmaceuticals LP, Bristol-Myers Squibb Co., and McKesson Corp. won multidistrict litigation over diabetes drugs, as a federal court in Kentucky said patients' failure to produce expert evidence linking the medication to heart failure doomed their claims.

Monoclonal antibody treatment for malaria shows encouraging results
Elissa Welle, Stat News

An experimental antibody treatment prevented malaria in the majority of participants in a small but important new study, providing a measure of hope in the effort to lower the burden of the disease worldwide.

Alternate monkeypox treatment caught in regulatory delays
Arielle Dreher, Axios
TPOXX (Tecovirimat) is FDA-approved to treat smallpox and was tested on animals with monkeypox, which is a related virus. But because it's unlicensed and classed as an investigational new drug, providers responding to the outbreak have to make requests to the Centers for Disease Control when they use it, leading to paperwork burdens and delays.

HEALTH TECHNOLOGY

Ex-Congressman, Professor Say ADHD Startup Done Overstated Their Ties
Jackie Davalos, Bloomberg
Mental-health startup Done touted its relationship with a former congressman and a Stanford psychiatrist and professor in a pitch sent to potential investors. But those people say their role has been misrepresented and exaggerated by the company.

Patients seeking novel weight loss drugs find a 'wild west' of online prescribers
Katie Palmer, Stat News
Briana Lawson was ready to knock her diabetes into remission. For years, the 47-year-old health care consultant had treated her high blood sugar with metformin. But to avoid a lifetime of medication, she knew she'd need to lose weight. She'd tried fad diets, Weight Watchers, Nutrisystem, and had even considered surgery when the results didn't stick. When she started reading about GLP-1 receptor agonists — which, last year, became the first new FDA-approved chronic weight management drug since 2014 — she was ready to give them a try.

OPINIONS, EDITORIALS AND PERSPECTIVES

This Arthritis Drug Deserves Its Aggressive Patent Protection
Stephen L. Carter, Bloomberg
AbbVie's Humira is protected by no less than 132 patents. That's just fine.

RESEARCH REPORTS

Lyme Disease Diagnoses Increased 357 Percent in Rural Areas Over Past 15 Years, According to Private Insurance Claims
FAIR Health
Lyme disease has experienced notable growth in the United States over the past 15 years and, as a result, has become an illness of increasing national concern. From 2007 to 2021, private insurance claim lines with Lyme disease diagnoses rose 357 percent in rural areas and 65 percent in urban areas.

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TOP STORIES

NCQA releases new, revised HEDIS quality measures

The National Committee for Quality Assurance said it has rolled out new and updated quality measures for the 2023 Healthcare Effectiveness Data and Information Set in line with its commitment to advance health equity. Major updates include the addition of race and ethnicity stratifications to several HEDIS measures, revision of pregnancy- or childbirth-related measures to make them more inclusive of pregnant people who do not identify as women, and creation of several new measures to address health issues such as diabetic care, pediatric dental care and social need screening and intervention. **Full Story:** Health Payer Intelligence (8/1)

High, incorrect cost estimates deter patients from care

A consumer survey found that overly high and inaccurate medical procedure cost estimates often erode patients' trust in the US health care system. Among other findings, the survey noted that three-quarters of millennial patients canceled a medical appointment following a high cost estimate, 60% of adults who struggle to pay their bills did the same, and almost half of people who canceled an appointment for a reason other than improved health said a high estimate was behind the cancellation. **Full Story:** BenefitsPRO (free registration) (8/2)

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Guidelines suggest dietary counseling for women ages 40-60

New guidelines from The Women's Preventive Services Initiative, published in Annals of Internal Medicine, target women ages 40 to 60 and recommend that clinicians offer individual counseling on healthful eating and physical activity as part of weight management. "Normalizing counseling about healthy diet and physical activity by providing it to all midlife women may mitigate concerns about weight stigma resulting from only counseling women with obesity," said lead author Dr. Amy Cantor.

Full Story: Healio (free registration) (8/2)

MEDICAL UPDATE

Omicron may infect children more easily via nasal route

A small study published in the journal PLOS Biology suggests that the Omicron variant of the coronavirus could more effectively infect children via the nasal passages than earlier strains did. Researchers combined the virus with nasal cells from healthy adults and children and found that antiviral defenses in the children's nasal passages were "markedly less pronounced in the case of Omicron," and that Omicron was able to reproduce more easily in children's cells than earlier variants did.

Full Story: Reuters (8/2)

Analysis: COVID-19 mortality rate remains mostly steady

An analysis of data from Johns Hopkins University found the COVID-19 mortality rate has remained steady at about 400 per day since May, except for an increase in July. Dr. David Dowdy, an epidemiologist, said the number of deaths from COVID-19 is comparable to the number of fatalities from influenza during peak season, but the peak season for the flu is only about three months, so over one year, there could be about four times as many deaths from COVID-19. **Full Story:** USA Today (8/3)

Turning Value-Based Care Challenges into Opportunities

In a recent interview, former health plan executive **Nancy Cocozza** addresses the challenges in aligning value-based programs with various provider types, the opportunities they present to improve care and costs, and how data driven technologies can bridge the gap in obtaining successful outcomes. **Download Interview.**

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EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

How health care organizations can improve health equity

The CMS Framework for Health Equity 2022-2032 lays out five priorities for the health care community to improve health equity among the populations they serve. First, expand the collection, reporting and analysis of standardized data and partner with community organizations, then investigate causes of disparity within the institution, build workforce capacity to reduce disparity, advance health literacy and culturally tailored services, and understand what the state's and payers' equity initiatives are. **Full Story:** ICD10Monitor (8/1), AAFP News (8/3)

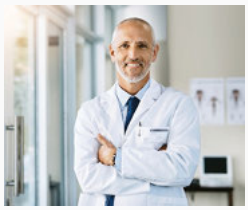
Health literacy, socioeconomic factors affect how patients use telehealth

(Pixabay)

A patient's health literacy score and area deprivation index are strong indicators of whether they will use video telehealth or audio only, a study on JAMA Network Open found. Patients with a high ADI, an indicator of depressed socioeconomic condition, and low health literacy scores had a comparatively low likelihood of connecting to video-based telehealth, researchers wrote. **Full Story:** mHealth Intelligence (8/1)

Better diabetes control tied to project-based housing

A study published in JAMA Network Open found that adults who resided in project-based, federally subsidized housing had lower rates of uncontrolled diabetes than those on waiting lists for housing assistance, but no differences were found among people receiving housing vouches and those on waiting lists. "The results indicate that rental assistance can be a platform to improve diabetes outcomes, but effects are limited to project-based programs," researcher Andrew Fenelon said. **Full Story:** Healio (free registration) (8/2)



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HEALTH INSURANCE PROVIDER COMPANY NEWS

Aetna CVS Health to enter the Affordable Care Act (ACA) individual insurance exchange marketplace in select counties in California for January 1, 2023

Magellan Healthcare: Human Affairs International of California Earns URAC Accreditation in Health Utilization Management

SOLUTIONS PROVIDER NEWS

Cotiviti Blog: Video - How to shorten time to payment integrity results

Kaia Health Reduces Back Pain by 46% in Rise-uP Randomized Controlled Trial Results

PHARMA NEWS

FDA approves biosimilar interchangeable with Lucentis

Coherus BioSciences' Cimerli, or ranibizumab-eqrn, has received FDA approval as the first biosimilar that is fully interchangeable with Roche and Novartis' ophthalmology therapy Lucentis for all five of the reference drug's retinal disease indications. Cimerli, which is expected to be available in to US patients in October, was approved for the treatment of neovascular (wet) age-related macular degeneration, diabetic macular edema, diabetic retinopathy, macular edema following retinal vein occlusion and myopic choroidal neovascularization. **Full Story:** PharmaPhorum (UK) (8/3), BioPharmaReporter (8/4)

Eli Lilly to sell COVID-19 drug directly to hospitals

Eli Lilly and Co. said its COVID-19 antibody drug bebtelovimab will be made available to US hospitals, states and health care practices through a single distributor by mid-August as the US government's supply is exhausted. The drug was authorized in the US earlier this year for treating adults and children with mild to moderate COVID-19.
Full Story: Reuters (8/3)

POLICY WATCH

CMS to continue public reporting of hospital safety data

The CMS has backed away from its plan to discontinue public reporting of certain hospital quality and patient safety information following criticism that the move would hurt patient safety. As part of the final Inpatient Prospective Payment System rule released Monday, the agency said it will include the PSI 90 composite measure of 10 patient safety indicators in star ratings calculations for the Care Compare website, but the measure "will not be used in payment calculations in the HAC to avoid unintentional penalties related to the uneven impacts of COVID-19 across the country." **Full Story:** FierceHealthcare (8/3)

AHIP NEWS

Benefit from back-office efficiencies

For plans seeking to contain administrative costs, outsourcing can be a smart solution. TPA Direct Members are experts in delivering back-office efficiencies. AmeriHealth Administrators, a member of TPA Direct, provides health plans with customized health benefits, administration services and other outsourcing services.

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Join us on Thursday, Aug. 25 from 1 to 2 p.m. ET for "COPD: Facing the Challenges of Complexity and Engagement" as NuvoAir discusses innovative, patient-centric, and personalized home-based care solutions for chronic obstructive pulmonary disease (COPD) in this traditionally hard-to-engage population. Learn about proven and published paths forward to COPD care at scale.

Health insurance providers leading on price transparency

Commercial health insurance providers are offering members price transparency tools that enable them to make health care decisions that deliver better health at lower costs, according to a recent AHIP blog. Nearly 94% of commercial health insurance providers have supplied enrollees with meaningful price transparency as of 2021, offering cost estimator tools to help them shop for the care that's right for them. Learn more.

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John Cage,
composer, music theorist

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SUBJECT: White House Briefing on Reproductive Rights Today @12:30pm ET
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 04/08/2022 08:22

THE WHITE HOUSE
WASHINGTON

Women's Community Update

You are invited to join Senior White House Officials **today, Thursday, 8/4 at 12:30pm ET** for a briefing on additional steps President Biden is taking to protect access to reproductive rights and care for all Americans. You can RSVP here. Note: this call is closed to press and off the record.

Full RSVP link: https://pitc.zoomgov.com/webinar/register/WN_0-cY8LG8RmKJjynisskU5w

Yesterday, President Biden issued an Executive Order on Securing Access to Reproductive and Other Healthcare Services, building on actions that the Biden-Harris Administration has taken to protect access to reproductive healthcare services and defend women's fundamental rights. See this fact sheet for more information.

On Tuesday, President Biden issued a statement on Kansans' overwhelming rejection of a ballot initiative to remove the right to abortion from the state constitution. The Justice Department also filed a lawsuit challenging Idaho's near-total abortion ban, arguing that the state law conflicts with, and is preempted by, the Emergency Medical Treatment and Labor Act (EMTALA).

All best,

White House Office of Public Engagement

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SUBJECT: White House Briefing on Reproductive Rights @12:30pm ET Today
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 04/08/2022 08:24

THE WHITE HOUSE
WASHINGTON

Health Community Updates

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All best,

White House Office of Public Engagement

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SUBJECT: RE: Need a new link for Utah: URGENT
FROM: profile <profile@astho.org>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, Kristi Meadows<kmeadows@astho.org>

[redacted]

ECHO Colorado Monthly eNews: What's ECHOing in August

CC: profile <profile@astho.org>, Caroline Brazeel <cbrazeel@astho.org>, BorskiHeather <hborski@utah.gov>
DATE: 04/08/2022 08:27

[redacted]

Hi Krisann,

Absolutely. See attached for the most recent version of your survey. If something looks amiss, please let me know. You can use this link to make edits moving forward: [redacted]

Please reach out if you have any additional concerns.

Best,
Kristi

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Thursday, August 4, 2022 8:51 AM
To: Kristi Meadows <kmeadows@astho.org>
Cc: profile <profile@astho.org>; Caroline Brazeel <cbrazeel@astho.org>; Borski Heather <hborski@utah.gov>
Subject: Re: Need a new link for Utah: URGENT

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Thank you! Can you send both? I'd rather complete in the link if possible.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Thu, Aug 4, 2022 at 6:43 AM Kristi Meadows <kmeadows@astho.org> wrote:

> Hi Krisann,
>
> So sorry this is happening! Yes, we've had his problem with a couple other states – I sent an email (attached) out last week flagging that this may be a problem if you want more information. We used this same method in 2019 and didn't have the problem so we suspect a change in Qualtrics software. I'll need a couple minutes to go check for Utah's data saved in the server as there may be a couple versions for me to investigate and I can also send a link. If easier (and to avoid any other issues), I can send a PDF of the data we have currently and you can always send changes via email so that we can avoid another Qualtrics link. Let me know what you'd rather do – I'll be in touch very soon with your data.
>
> Kristi
>
> **From:** Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
> **Sent:** Wednesday, August 3, 2022 7:53 PM
> **To:** profile <profile@astho.org>; Caroline Brazeel <cbrazeel@astho.org>; Kristi Meadows <kmeadows@astho.org>
> **Cc:** Borski Heather <hborski@utah.gov>
> **Subject:** Need a new link for Utah: URGENT
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Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
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Utah Department of Health & Human Services

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SUBJECT: Fwd: Need a new link for Utah: URGENT
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 04/08/2022 08:40

Ok I've reviewed on my side and added a few items Monica had input but there's still some missing, I tagged you and her on those items this morning. It's ready for you, you can use the new link, thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
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Date: Thu, Aug 4, 2022 at 8:27 AM
Subject: RE: Need a new link for Utah: URGENT
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SUBJECT: CLOCC News for August 4, 2022: Addressing Food Insecurity - CLOCC'sPast and Present
FROM: CLOCC <info@clocc.net>
TO: hborski@utah.gov
DATE: 04/08/2022 09:23

Consortium to Lower Obesity in Chicago Children

clocc

CELEBRATING 20 years

CLOCC NEWS

Addressing Food Insecurity: CLOCC's Past and Present

By Jennifer Marcisin, MPH, RDN, LDN, CLOCC Community Food Access Manager
View this story online at **CLOCC.net**

A nutritious diet is vital for chronic disease prevention and can help to reduce the incidence of leading causes of death and disability such as heart disease, cancer, and diabetes. Eating healthy can be challenging if healthy foods are not accessible, available, or affordable. Improving food access throughout Chicago and Cook County has been a key strategy for CLOCC since our inception.

In CLOCC's early years, we developed an initiative in West Town/Humboldt Park with the Puerto Rican Cultural Center and the Sinai Urban Health Institute called Community Organizing for Obesity Prevention in Humboldt Park (CO-OP HP). One of the primary goals for CO-OP HP was to enhance a food environment in which residents could easily find diverse, affordable, fresh produce. The Greater Chicago Food Depository's "Produce Mobile" helped us deliver free produce on a regular basis. Growing Power's "Market Basket" helped establish a produce purchasing program in which residents could purchase and pick up bags of produce weekly at PRCC. The PRCC moved the Market Basket pick-up to a local corner store and developed an arrangement with a local produce market to demonstrate the demand for fresh produce to local retailers. This was the early iteration of what became CLOCC's Healthy Corner Store Initiative.

We were able to replicate this strategy with the federally funded Healthy Places initiative, part of the US Centers for Disease Control and Prevention's Communities Putting Prevention to Work (CPPW) program (2012-2014). CLOCC received $8.5M over two years on behalf of the City of Chicago and created a community intervention strategy that included Healthy Corner Stores. These funds enabled us to support partners in Humboldt Park, Englewood/West Englewood, and South Chicago to engage approximately 30 neighborhood stores and enhance the availability of fruits and vegetables in communities where childhood obesity rates were high and the local food retail environments were struggling.

The CDC replaced CPPW with a new initiative, Partnerships to Improve Community Health (PICH; 2014-17). CLOCC received PICH funding from the Cook County Department of Public Health to support corner store work in the west and south suburbs of Cook County, picking up on the suburban Healthy Corner Store initiative led by the Public Health Institute of Metropolitan Chicago in Cook County's CPPW program – Healthy HotSpots. The Healthy Hotspot initiative increased availability of healthy foods in 25 corner stores. Through Healthy HotSpots community-based organizations in Blue Island, Cicero, Maywood, Harvey, Chicago Heights, Ford Heights, and Riverdale helped us recruit corner stores, assess healthy food availability, and work with owners to increase the number of healthy foods available and promote the items through in-store marketing materials, food tasting events, and a digital and social media marketing campaign, "Healthy Choices are Just Around the Corner." In partnership with The Food Trust, we developed the Healthy Corner Store Toolkit for community-based organizations, as a how to guide for Healthy Corner Store Work. (Contact**info@clocc.net**for details).

In addition to leading initiatives to support healthy food retail across Chicagoland, CLOCC developed a series of food access workshops to help build capacity

among CLOCC Network partners to expand nutritious food access in their communities. In these workshops, convened from 2014-16, community organizations that were leading food access initiatives in the neighborhoods they served shared their models with other organizations interested in adapting the strategies. Workshops covered topics such as healthy corner stores and strategies for healthy food supply, healthy emergency food system strategies, and farmers' market development and management.

In 2018, Lurie Children's Hospital became one of the founding anchor institutions in **West Side United** (WSU). WSU is a collaborative of healthcare institutions and community-based organizations aiming to reduce the life expectancy gap between the Loop and West Side neighborhoods of Chicago by 50% by 2030. As a part of the collaborative, CLOCC's team has played a key role in the WSU Food Strategy Working Group, which supports WSU's neighborhood and physical environment impact areas. The group focuses on piloting new food initiatives, such as a Fruit and Vegetable Voucher Program (FVVP) and the Food Pantry Support initiative. The FVVP is currently piloting in Austin with distributions at three WSU hospital clinics and through nutrition programs hosted by Bethel New Life. The program provides participants with vouchers that they can redeem for half-off their produce purchases at Forty Acres Fresh Market or Top Box Foods.

As the WSU partner hospitals expand food insecurity screenings, the Working Group aims to connect more patients to food resources in their neighborhoods. The emergency food system and local food pantries are a critical resource for free, healthy food at the neighborhood level. Five of the WSU hospital partners have developed relationships with at least one West Side food pantry each to provide capacity-building support. The hospital partners offer the pantries assistance based on the individual pantry's needs, including financial assistance, volunteer recruitment, food donations, and mental health screenings. The partnership ensures that West Side residents who seek healthcare at WSU hospitals are referred to a network of pantries that provide a variety of healthy food options and wrap around services. The Food Pantry Support initiative group also strives to provide nutrition education options at each pantry and has developed a nutrition education toolkit with resources for food pantries. The participating pantries and their hospital partners are:

Hospital	Food Pantry Partner	Community
Lurie Children's Hospital	Iglesia Evangelica Emmanuel	Belmont Cragin
Lurie Children's Hospital	Circle Urban Circle Ministries	Austin
AMITA Health	European American Association	West Town
AMITA Health	La Casa Norte	Humboldt Park
Cook County Health	Marillac House	East Garfield Park
Sinai Chicago	Harmony Community Cares	North Lawndale
Rush Medical Center	Beyond Hunger	Oak Park/Austin

Through the **National Alliance for Nutrition and Activity**, convened by the**Center for Science in the Public Interest**(CSPI, CLOCC supported strategies to enhance school food programs, increase healthy food marketing, and protect the Supplemental Nutrition Assistance Program (SNAP). Through our membership in the Illinois Alliance to Prevent Obesity we have helped establish the Healthy Local Food Incentives Fund and advocated for improved nutrition requirements in licensed childcare centers and group homes across the state. We are proud to be a founding member of the **City of Chicago's Food Equity Council**, continuing our efforts to ensure equitable access to nutritious food for all Chicagoans. The CLOCC network will continue to be a champion for the policies and programs to increase healthy food access at the local, City, State, and Federal levels.

Upcoming Events

Health Equity & Social Justice Conference 2022: Strengthening Communities of Belonging: Reconnecting, Restoring, and Rebuilding

Hosted by DePaul University's Master of Public Health Program, Center for Community Health Equity, and Sinai Urban Health Institute

Now more than ever, we recognize the need to connect with our communities and the importance of belonging as a determinant of health. We are excited to announce that we plan to convene the 13th annual Health Equity & Social Justice Conference in person this year, providing a space to rekindle our networks and renew our collective passion for health equity. We look forward to sharing best practices with our research and practice communities and centering our efforts to facilitate health and well-being across Chicago. Please join us!

Date: Friday, August 26th, 2022
Location: Malcolm X College, 1900 W Jackson Blvd, Chicago IL, 60612
Keynote Speaker: Derek M. Griffith, PhD

Dr. Derek M. Griffith is a Founder and Co-Director of the Racial Justice Institute, Founder and Director of the Center for Men's Health Equity, Member of the Lombardi Comprehensive Cancer Center, and tenured Professor of Health Management and Policy at Georgetown University. Dr. Griffith's program of research focuses on developing strategies to achieve racial, ethnic and gender equity in health and wellbeing in the US and across the globe through policies and community-based programs. Dr. Griffith is a DePaul alumni, having obtained his master's in the Clinical-Community Psychology program.

Registration is free-of-charge and open to the public.

Learn More Here

Career Opportunities

Senior Coordinator of Talent Acquisition
Girls in the Game

Girls in the Game is seeking a detail-oriented, enthusiastic individual to support the HR and Recruiting functions of the organization. This is a great opportunity to learn and grow in a Human Resources role as part of a rapidly growing organization. This position will work closely with the Senior Manager of Operations and Senior Programs Manager on all aspects of recruitment and hiring operations, and will take ownership of various responsibilities and projects. This role reports to the Senior Manager of Operations and will also work closely with Girls in the Game program team leadership. **Learn more or apply here**.

Equiticity is hiring for three positions:

- Director, Community Mobility Rituals (Full-Time, $75,000 annual salary and competitive benefits package)
- Advocacy & Movement Building Manager (Part-Time contractor position, 6 month timeline, $21,000 total compensation)
- Community Mobility Rituals Manager, The Go Hub (Part-Time contractor position, 16 week timeline, $12,000 total compensation)

Learn more or apply here.

Epi Research Coordinator 2 - Dean's Office, College of Nursing
Rush University Medical Center

The Epi Research Coordinator 2 coordinates moderately complex Epidemiological, Behavioral or Human Translational, or Population Health research studies and performs a variety of duties including the collection, compilation and documentation of research data, or assists in the coordination of more complex studies. The Coordinator 2 partners with other members of the research team to ensure the research is conducted in accordance with the study protocol, local, state, and federal. May provide guidance to other less experienced staff on the study team and be independently responsible for more complex aspects of studies. Exemplifies the Rush mission, vision and ICARE values and acts in accordance with Rush policies and procedures. **Learn more or apply**. More information about this study is available **here**.

Submit Job Openings and Future Events to be Listed on CLOCC.net and in the CLOCC Newsletter

Connect with CLOCC's network of nearly 3,000 childhood obesity prevention advocates by listing your organization's upcoming events or current job openings on the Consortium's website. Upon submission, postings will be approved by CLOCC staff; events and careers applicable to the CLOCC network may also be featured in this newsletter. If you have questions or are not able to access the webpage, contact **info@clocc.net**. CLOCC will not publish for-profit services or events, or products for sale.

clocc careers

Click here, or the image above, to view the latest job opportunities in obesity prevention and public health. Are you looking to fill an opening? Submit your listing using the button below.

Submit an Opening

clocc events

Click here, or the image above, to view upcoming events targeted for child health and obesity prevention, as well events hosted by local partners. Submit your own event using the button below.

Submit an Event

Focus Upstream

CLOCC focuses upstream to identify the fundamental root causes of obesity, and to broaden the scope of our obesity prevention strategies. This work draws from local and national attention to health equity and social influencers of health, such as immigration, education, poverty and racism, all of which have an impact on people's ability to eat healthy and be active where they live, work, learn, and play. If you have comments or questions about this focus, we invite you to reach out to info@clocc.net.

UPSTREAM NEWS:

- **Black Households Suffer the Most From Rising Inflation Rates** - *University of California News*
- **40 Percent of Single Moms Face Food Insecurity. The Fall of Roe Will Plunge Them Deeper Into Poverty** - *Ms. Magazine*

Childhood Obesity in the Media

- **How Will the Obesity Epidemic End? With Kids** - USA Today
- **Preventing Obesity Starts in the Grocery Aisle With Food Packaging** - *MedicalXpress*
- **Ahead of White House Hunger Conference, Groups Argue for Equity and a Stronger Safety Net** - *Fern's AG Insider*

- **Junk Food Advertising Restrictions Prevent Almost 100,000 Obesity Cases** - *MedicalXpress*
- **Food Stamp Work Requirements Increase Mental Health Care Use** - *Northwestern Now*
- **Children With Obesity Not Being Screened for Other Illnesses** - *Moms*
- **Why Food Insecurity Among Gen Z Is so Much Higher Than for Other Age Groups** - *The Conversation*
- **Eating Lots of Highly Processed Food Is Linked to Faster Cognitive Decline, Research Finds** - *NBC News*
- **SNAP Benefits Expanded to Help With Online Grocery Shopping** - *ABC News*
- **Physical Activity Affects Boys and Girls Differently** - *MedicalXpress*
- **Houston Food Bank Debuts School Lockers for Food** - *Food Bank News*
- **The USDA is Expanding Farm to School Grants to Promote Better Meals** - *Tasting Table*

COVID-19: News and Resources

For questions related to testing criteria and general information about COVID-19 and children, please contact the COVID-19 Call Center at Ann & Robert H. Lurie Children's Hospital at 312.227.5300. The Call Center is staffed by Lurie Children's nurses and is available Monday through Friday, 8:00 AM to 5:00 PM CT, and Saturday, 8:00 AM to 1:00 PM CT.

GO-TO SOURCES FOR CORONAVIRUS (COVID-19) INFORMATION:

- **Clinical Guidance from the American Academy of Pediatrics (AAP)**
  - **Obesity Management and Treatment During COVID-19 (AAP)**
- **Ann & Robert H. Lurie Children's Hospital of Chicago**
- **Lurie Children's Hospital Resources in Spanish/Recursos Relacionados con el Nuevo Coronavirus (COVID-19)**
- **Chicago Department of Public Health (CDPH)**
- **Illinois Department of Public Health (IDPH)**

VACCINE RESOURCES

On June 19, the CDC recommended COVID-19 vaccine for children younger than 5 years of age. Important information for COVID-19 vaccine can be found **here** (children) and **here** (all ages).

The CDC recommends Moderna or Pfizer vaccines for this age group. Both vaccines are safe and effective. Lurie Children's Hospital will be offering Moderna to children younger than 5 years old and will continue to offer Pfizer to those age 5 years and older.

COVID Vaccine Scheduling at Lurie Children's Hospital

Funding and Recognition Opportunities

- **NIH's Office of Nutrition Research (ONR**) has issued the notice of special interest (NOSI) **Stimulating Research to Understand and Address Hunger, Food and Nutrition Insecurity**. The purpose of this NOSI is to encourage research on the efficacy of interventions that address nutrition security and the mechanisms of food insecurity on a variety of health outcomes. It also calls for the development of new measures for nutrition security and assessment of food insecurity that are broadly applicable. It was developed by the ONR Implementation Working Group on **Nutrition and Health Disparities** in collaboration with NIH Institutes and Centers (ICs) and Offices in support of the goals and

objectives of the **Strategic Plan for NIH Nutrition Research**. ***Deadline, October 5th.***

- Healthy Eating Research, a national program of the Robert Wood Johnson Foundation, is funding research focused on how pandemic-driven social and economic programs and policies related to poverty reduction impact child obesity, diet quality, and food and nutrition security. **Applications are open now here**. *Deadline, October 12th.*

CLOCC.NET RESOURCES

- LATEST NEWS
- JOB OPENINGS
- EVENTS
- RESOURCE LIBRARY
- *5-4-3-2-1 Go!*
- *five*SMART

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SUBJECT: Upcoming Webinars: Long COVID, Other Lines of Business, Interns inthe Health Center, and More
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: hborski@utah.gov
DATE: 04/08/2022 09:45

Upcoming Webinars for Health Centers

TRAINING THROUGHOUT AUGUST AND SEPTEMBER

Essential Compliance and Risk Management Policies and Procedures for Health Centers
August 9, 16 & 23 at 1 PM ET
Register

This summer, take time to review and update your health center's policies and procedures in three vital areas: Exclusion and Debarment Screening, the Drug-Free Workplace Act, and Social Media. In this new compliance series, FTLF attorneys **Molly Evans** and **Dianne Pledgie** will walk you through the legal requirements surrounding each topic, explain how they apply to and impact health centers, and offer best practices to aid you and your colleagues in revising and implementing these important policies and procedures for your organization.

Earmarks are Back: What are they, How do they work, What are the terms?
Thursday, August 11 at 1 PM ET
Register

After a decade of prohibition, earmarks returned in the most recent fiscal year budget. The congressionally directed spending for community projects, also known as earmarks, provides dollars for specific projects and organizations throughout the country. Join FTLF attorneys **Phillip Escoriaza** and **Ted Waters** to learn more about the earmark and appropriations process and the terms and conditions that accompany this special funding.

Key Compliance Considerations When Providing Opportunities for Students, Interns, and Job Shadows at Your Health Center
Thursday, August 18 at 1 PM ET
Register

When hosting students, interns, and others interested in working for a safety-net provider, health centers should be aware of a number of compliance and legal concerns. In this webinar, FTLF attorney **Molly Evans** will discuss means to mitigate risk while still providing valuable opportunities.

"Long COVID" and Health Center Legal Obligations under the Americans with Disabilities Act (ADA) and Other Disability Rights Laws
Wednesday, August 24 at 1 PM ET
Register

Experienced by a large number of those who had COVID-19, Long COVID has been classified as a disability under the ADA and other disability rights laws. Join this training with FTLF attorney **Kathy Ghiladi** to learn your health center's legal obligations when an employee presents with Long COVID and determine what revisions may be necessary for your internal policies and procedures.

Providing Services Outside the Scope of Your Grant: How to Ensure Compliance
Tuesday, September 27 at 3 PM ET
Register

The recent *Dobbs* decision has lead many health centers to question how they, as federal grant-funded organizations, can provide services that are out of scope. In this webinar, FTLF attorneys **Carrie Riley** and **Ted Waters** will use elective abortions as an example to address key areas of risk and the legal and practical considerations health centers face when deciding to establish an "other line of business."

Structuring Patient Incentive Programs to Comply with Federal Rules
Thursday, September 29 at 1 PM ET
Register

Patient incentives have long posed a challenge to health centers wishing to promote healthy behaviors while minimizing legal risks under the Beneficiary Inducement Program. In this webinar, FTLF attorney **Adam Falcone** will help you gain a better understanding of the exceptions that permit patient incentives and best practices for implementing a program.

Watch On-Demand: The recorded versions of all of our webinars are included in your purchase and will typically be available within seven (7) business days of the live event.

Continuing Professional Education (CPE) credits in Specialized Knowledge and Applications are available for our live webinars and workshops. Check out the Continuing Education tab of any FTLF training or read more about CPE credits **here**.

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Feldesman Tucker Leifer Fidell LLP | 1129 20th Street NW, Washington, DC 20036

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TO: hborski@utah.gov
DATE: 04/08/2022 10:21

View this email in your browser.

astho™

PUBLIC HEALTH WEEKLY

August 4, 2022

How Strong Partnerships Improved Colorado's Suicide And Overdose Prevention Strategy

Suicide and overdose are among the top 10 leading causes of death in the United States. Addressing these complex issues requires cross-sector partnerships. This video highlights the Colorado National Collaborative, an innovative effort that brings national, state, and local partners together to mitigate risk factors and build protective factors associated with suicide and overdose.

Learn how this collaborative framework is improving prevention efforts in Colorado and how a similar collaborative approach might benefit other states.

WATCH

States Serving Up Healthy Eating Policies

Obesity is on the rise throughout the United States, and with it increased risk for diabetes, heart disease, stroke, and cancer.

While there is no single approach to reducing obesity, a significant piece of the puzzle is healthy eating and increasing access to healthy foods. States have identified different strategies to implement healthy eating approaches and reduce obesity at the school and community levels, as well as through food labeling at grocery stores and food markets.

Learn more about these strategies in this week's Health Policy Update.

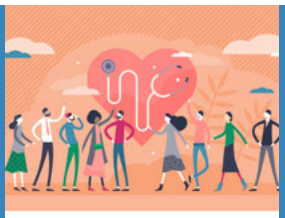
READ

THIS WEEK'S HIGHLIGHTS

New Public Health Workforce Data and Interactive Dashboard Now Available | Full data and an interactive dashboard from the 2021 Public Health Workforce Interests and Needs Survey (PH WINS), the only nationally representative survey of state and local government public health employees in the U.S., are now available. The survey covers critical data on the work force, including the impact of the COVID-19 pandemic on their jobs and professional lives. The survey was conducted by the de Beaumont Foundation and ASTHO between September 2021 and January 2022, and it was completed by nearly 45,000 individuals. **Learn more about PH WINS.**

COVID-19: A Catalyst for Change & How It Could Transform the National Health Data Ecosystem & Health of American Communities | Check out a new webinar from the Massachusetts Health Data Consortium on how the COVID-19 pandemic has provided an opportunity for public health to modernize its data systems to better meet current needs; ASTHO's senior vice president of population health and innovation, J.T. Lane, MPH, will be presenting. **Register now**.

LATEST ASTHO RESOURCES AND EVENTS



Brief

Leveraging Health Official Authority and Influence for Systems Improvement

READ

Brief

Successes from the Suicide and Opioid Overdose Prevention Public Health Initiative

READ

Report

Public Health Confronts the Mosquito: Special Considerations for U.S. Territories and Freely Associated States

READ

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **PH WINS Survey Released** | Brian Castrucci, de Beaumont Foundation
- **New CDC Workforce Survey** | Laura Parajón (SHO Designee-NM)
- **North Carolina's Child Vaccine Strategy** | Elizabeth Cuervo Tilson (SHO Designee-NC)
- **Monkeypox Response** | Chris Taylor, ASTHO
- **Filling the Workforce Pipeline** | Laura Parajón (SHO Designee-NM)

LISTEN

PUBLIC HEALTH REVIEW PODCAST

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PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

- **How Health Systems Can Reduce Gun Violence, Here's What Kaiser Permanente Is Doing.** | *Forbes*
- **Biden administration falls into blame game with local authorities over monkeypox response.** | *The Hill* | **Marcus Plescia,** ASTHO
- **Monkeypox cases are rising in the U.S. What's being done to stop the outbreak?** | *PR Morning Edition* | Marcus Plescia, ASTHO
- **Supporting the Public Health Workforce Requires Collective Actions to Address Harassment and Threats.** | *JAMA Open Network* | Michael Fraser, ASTHO
- **The smallpox vaccine stockpile isn't the monkeypox solution we need — yet.** | *Vox* | Nirav Shah (SHO-ME), ASTHO president
- **Health Secretary Says States 'Need to Work With Us' on Fighting Monkeypox.** | *The New York Times* | Marcus Plescia, ASTHO

Press Room | Careers | Events | Funding

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SUBJECT: Senate Panel OKs 5 Judge Noms, Deadlocks On 6th Circ. Pick
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 05/08/2022 02:14

P ICY LAW360

Friday, August 5, 2022

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TOP NEWS

Senate Panel OKs 5 Judge Noms, Deadlocks On 6th Circ. Pick

The Senate Judiciary Committee advanced five of President Joe Biden's judicial picks Thursday, including U.S. Magistrate Judge Doris L. Pryor's nomination to the Seventh Circuit, but the panel deadlocked on Rachel Bloomekatz's nomination to the Sixth Circuit.

Read full article »

Senate Approves 9th Circ. Pick In Speedy Confirmation

The Senate voted to confirm Roopali Desai to the Ninth Circuit on Thursday, an expedited approval that was the quickest and most bipartisan confirmation of a circuit court nominee since President Joe Biden took office last year.

Read full article »

Monkeypox Deemed National Emergency As Cases Near 7,000

The Biden administration declared the monkeypox outbreak a public health emergency on Thursday, following the leads of several states and cities as confirmed cases near 7,000 nationwide.

Read full article »

Russian Blockade Is Cause Of Food Crisis, EU Official Says

Russia's invasion of Ukraine is "sending shockwaves around the world, and everybody is paying the price," according to European Commission Vice President Joseph Borrell, who said in a statement on Thursday that Russia's blockade of grain exports from Ukraine is behind a food and energy crisis rather than sanctions.

Read full article »

Fed. Courts Failing To Protect Personal Info, Sen. Wyden Says

The federal court system has failed to protect the information of citizens in public court records, according to U.S. Sen. Ron Wyden, D-Ore., who outlined his concerns in a Thursday letter addressed to Chief Justice John Roberts.

Read full article »

DOT Finalizes Natural Gas Pipeline Safety Rule

The U.S. Department of Transportation on Thursday finalized enhanced safety requirements for more than 300,000 miles of onshore gas transmission pipelines, capping a more than decadelong effort to strengthen its rules in response to the deadly 2010 San Bruno pipeline explosion.

Read full article »

Pork Industry Says Mass. Law Threatens US Bacon Supply

Restaurant and hospitality trade groups are suing Massachusetts to stop new anti-animal cruelty laws they argue will restrict pork sales nationwide, warning of a looming bacon shortage as the new standards take effect Aug. 15.

Complaint attached | Read full article »

LAW FIRMS IN TODAY'S NEWS

Armstrong Teasdale
Arnold & Porter
Banner Witcoff
Bradley Arant
Burr & Forman
Consumer Litigation Associates
Cooley LLP
Coppersmith Brockelman
Cozen O'Connor
Farrar & Ball
Greenberg Traurig
Gupta Wessler
Hangley Aronchick
Holland & Knight
Jackson Lewis P.C.
Jomarron Lopez
Jones Day
Kelly Guzzo
Law Offices of Donato D. Ramos
Litchfield Cavo
Lynn Pinker
McDowell Hetherington
Nelson Mullins
O'Melveny & Myers
Quinn Emanuel

Trump Attys Olsen And Olson Face 'Big Lie' Bar Complaints

The former special counsel to Texas Attorney General Ken Paxton and an ex-legal adviser to Donald Trump are the latest attorneys facing ethics complaints over their roles in the former president's unsuccessful efforts to contest his loss to Joe Biden.

2 documents attached | Read full article »

BANKING & SECURITIES

CFPB's Chopra Stresses Need To 'Eradicate,' Not Just Educate

Consumer Financial Protection Bureau Director Rohit Chopra made a case Thursday for prioritizing enforcement over education to prevent consumers from being taken advantage of, saying financial literacy efforts may even do more harm than good in some cases.

Read full article »

Ex-Puerto Rico Governor Charged In Bribe Scheme

A former governor of Puerto Rico was indicted and arrested on charges of accepting campaign contributions in exchange for terminating an investigation into a bank and allowing a bank official to handpick a financial oversight commissioner, the U.S. Department of Justice announced Thursday.

Read full article »

Tribe-Linked Lender, Borrowers Reach Deal In Lending Suit

Tribe-linked lender Haynes Investments LLC reached a deal to settle claims from a proposed class of borrowers that they were charged excessively high interest rates on consumer loans, they told the Ninth Circuit on Wednesday.

1 document attached | Read full article »

ENERGY & ENVIRONMENTAL

ERCOT Hits Back At Insurer In Winter Storm Coverage Suit

Texas' primary electricity grid operator, the Electric Reliability Council of Texas Inc., has slapped The Cincinnati Insurance Co. with claims it's in breach of their contract and is violating state insurance code by refusing to pay the operator's defense costs in hundreds of lawsuits related to February 2021's deadly winter storm.

1 document attached | Read full article »

Energy Co. To Manage First US Commercial-Scale Wind Farm

Sustainable energy company Avangrid Inc. hammered out an agreement to manage operations of the country's first commercial-scale offshore wind project, an 800-megawatt wind farm off the coast of Massachusetts that previously incited the wrath of litigious neighbors.

Read full article »

Farm Tells 4th Circ. Water Act Citizen Suit Should Get Boot

A South Carolina farm being sued for allegedly failing to get needed stormwater permits Wednesday asked the Fourth Circuit to reconsider its revival of the claims, filed under the Clean Water Act's citizen enforcement provision.

Petition attached | Read full article »

Enviros Sink Feds' Coal Development Plans Again

A federal judge on Wednesday for the second time struck down resource management plans in coal-rich areas of Montana and Wyoming, finding that the U.S. Bureau of Land Management failed to properly consider the effects of air pollution from mining operations in its revised environmental assessment.

Order attached | Read full article »

9th Circ. Rebuffs Landowners' Challenge To Tribe's Water Deal

The Ninth Circuit tossed an appeal brought by a group of landowners seeking to challenge a modified judgment on tribal water rights in Washington, saying the owners actually gained water protections through the decision and now lack the ability to appeal the lower court's move.

Memorandum attached | Read full article »

HEALTH & LIFE SCIENCES

Fla. State Atty Suspended For Opposing Abortion Prosecution

Florida Gov. Ron DeSantis said Thursday he was indefinitely suspending State Attorney Andrew Warren in Tampa for

Shearman & Sterling
Shidlofsky Law Firm
Sidley Austin
Venable LLP
Williams & Connolly
WilmerHale

COMPANIES IN TODAY'S NEWS

Aetna Inc.
Amazon.com Inc.
American Arbitration Association
American Association for Justice
American Civil Liberties Union
American Civil Liberties Union of Texas
Avangrid Inc.
Bertelsmann AG
Cigna Corp.
Cincinnati Financial Corp.
DISH Network Corp.
Earthjustice
Electric Reliability Council of Texas Inc.
Everytown for Gun Safety
Franciscan Physician Network
Getty Images Inc.
Hachette Book Group Inc.
HarperCollins Publishers LLC
Iberdrola SA
Iconix Brand Group, Inc.
JAMS Inc.
Johnson Controls International PLC
Macmillan Publishers Ltd.
Make the Road New York
Maryland State Bar Association
Massachusetts Institute of Technology
Mayo Foundation for Medical Education and Research
National Consumer Law Center
National Federation of Independent Business
National Immigration Law Center
National Organization for the Reform of Marijuana Laws
Netflix Inc.
PG&E Corp.
Quest Diagnostics Inc.
Rent-A-Center Inc.
Safeco Insurance Co.
Scholastic Corporation
Sierra Club
Simon & Schuster Inc.
South Carolina Environmental Law Project
Space Exploration Technologies Corp.
Spotify Technology SA
The DIRECTV Group, Inc.
The European Bank for Reconstruction & Development
Twitter Inc.
UnitedLex Corp.
VCG Holding Corp.
Virginia State Bar
Western Environmental Law Center

GOVERNMENT AGENCIES IN TODAY'S NEWS

neglect of duty after Warren, as part of a letter signed by elected prosecutors across the country, pledged not to use his resources to enforce abortion bans or laws targeting transgender people.

Read full article »

5th Circ. Mulls Judge's Authority To Halt ACA Sex Bias Rule

A Fifth Circuit panel questioned Thursday whether a Texas federal judge exceeded his authority by issuing an order that protects several religious medical providers from punishment by the federal government for refusing to provide abortion or gender transition-related care despite an anti-discrimination provision in the Affordable Care Act.

Read full article »

COMPETITION

Penguin CEO Says Simon & Schuster Deal Is For Market Share

Penguin Random House's CEO said in D.C. federal court on Thursday that the publisher's planned purchase of rival Simon & Schuster is about winning back the share of the book market it has lost over the years, not about gaining leverage over writers.

Read full article »

IMMIGRATION

Texas And Mo. Fail To Win Border Wall Claims Against Biden

A federal judge has thrown out most claims by Texas, its General Land Office and Missouri against the Biden administration over the president's decision to slow construction funds for former President Donald Trump's wall on the U.S.-Mexico border, finding that the states' constitutional arguments failed.

Order attached | Read full article »

NY Judge Declines Relief For DACA Hopefuls In 'Limbo'

A New York federal judge refused to modify an order resuming acceptance of new Deferred Action for Childhood Arrivals applications, saying clarification sought following a Texas judge's barring new approvals was actually a request for additional relief.

Order attached | Read full article »

4th Circ. Says Death Threat Is Persecution In Asylum Case

The Fourth Circuit gave a Salvadoran woman and her son a second chance at their asylum application, holding that an immigration judge didn't give enough weight to her claim of death threats on the basis of religion.

Opinion attached | Read full article »

NATIVE AMERICAN

Narragansett Tribe Renews Suit Over Rhode Island Highway

The Narragansett Indian Tribe has again filed suit in D.C. federal court against the Federal Highway Administration and Rhode Island seeking $30 million in damages for the destruction of cultural sites during the building of a highway bridge.

Complaint attached | Read full article »

TELECOMMUNICATIONS

Lawmakers Press Plan For National Broadband Strategy

A bipartisan group of lawmakers filed a bill Thursday that would require the White House to develop a national broadband strategy after a congressional watchdog recently described federal efforts to aid deployment as a "fragmented, overlapping patchwork."

Bill attached | Read full article »

Industry Group Pushes For 1 Gbps Broadband Minimum

A broadband industry group has called on the Federal Communications Commission to set 1 gigabit per second as the national standard for minimum internet download speeds as soon as possible rather than teeing it up as a long-term goal.

Letter attached | Read full article »

Bureau of Citizenship and Immigration Services
Bureau of Land Management
Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Consumer Financial Protection Bureau
Equal Employment Opportunity Commission
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Highway Administration
Federal Judicial Center
Federal Reserve Bank of Philadelphia
Government Accountability Office
International Trade Commission
Narragansett Indian Tribe
National Economic Council
National Labor Relations Board
National Telecommunications and Information Administration
New York City Department of Health and Mental Hygiene
Occupational Safety and Health Administration
Pipeline and Hazardous Materials Safety Administration
Rural Utilities Service
South Carolina Department of Health & Environmental Control
Texas General Land Office
U.S. Attorney's Office for the District of Montana
U.S. Attorney's Office for the District of Puerto Rico
U.S. Attorney's Office for the Eastern District of New York
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. District Court for the District of Arizona
U.S. District Court for the District of Columbia

DirecTV Warns FCC Of 12 GHz Disruption From Devices

DirecTV told the Federal Communications Commission on Wednesday that there isn't enough data to support a proposed plan to open up the 12 gigahertz band, which is currently dominated by satellite operators, to allow low-power devices.

2 documents attached | Read full article »

CANNABIS

Brittney Griner Gets 9-Year Sentence For Cannabis In Russia

A Russian court sentenced American basketball star Brittney Griner Thursday to nine years in a penal colony for trafficking and possessing hashish oil, according to multiple media reports.

Read full article »

EXPERT ANALYSIS

Rulings Limiting Federal Agencies May Lead Congress To Act

Recent U.S. Supreme Court and Fifth Circuit rulings illustrate the judiciary's growing skepticism of federal government agencies' influence, which could prompt Congress to respond by limiting judicial power, says David Coale at Lynn Pinker.

Read full article »

Agriculture Patent Reform Can Look To Pharma Approaches

As the U.S. Department of Agriculture calls for promotion of innovation and competition to combat inflating prices in the fertilizer and seed industries, lessons from pharmaceutical patent reform experiences can serve as guidance, say Erik Maurer and Alex Bruening at Banner Witcoff.

Read full article »

More Employment Regs May See 'Major Questions' Challenges

The U.S. Supreme Court's recent use of the major questions doctrine to strike down regulation has already been cited in lower court cases challenging U.S. Department of Labor authority to implement wage and hour changes, and could provide a potent tool to litigants seeking to restrain federal workplace and labor regulations, say Jeffrey Brecher and Courtney Malveaux at Jackson Lewis.

Read full article »

How New Va. Construction Payment Law Compares To Others

The Virginia Legislature's recent step toward limiting the use of certain common clauses in construction subcontracts adds to a patchwork landscape regarding pay-if-paid clauses, and all parties to a prime-sub contractor relationship should be aware of their enforceability state by state, say Dismas Locaria and Caleb McCallum at Venable.

Read full article »

Dobbs, Workers' Comp. Brief Hint At Biden's Cannabis Stance

The U.S. Supreme Court's recent Dobbs v. Jackson Women's Health decision, combined with the solicitor general's brief in a workers' compensation case that the high court recently declined to review, reveals three notable possibilities about the Biden administration's position on cannabis, say Whitt Steineker and Claire Hodge at Bradley Arant.

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Combating Implicit Bias In Alternative Dispute Resolution

Alternative dispute resolution requires a high degree of trust and belief that proceedings will be fair, so confronting implicit associations among neutrals through systemic and personal efforts is even more important in the ADR world, say arbitrators and mediators at JAMS.

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LEGAL INDUSTRY

U.S. District Court for the District of Massachusetts

U.S. District Court for the Eastern District of New York

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Northern District of Georgia

U.S. District Court for the Southern District of New York

U.S. District Court for the Western District of Texas

U.S. Environmental Protection Agency

U.S. Patent and Trademark Office

U.S. Securities and Exchange Commission

U.S. Senate

U.S. Supreme Court

United Nations

United States District Court for the District of Montana

World Trade Organization

Cooley Atty Ordered To 'Personally Pay' For 'Hubris'

A Pennsylvania judge on Thursday ordered a senior lawyer at Cooley LLP to "personally pay" the legal fees incurred by his client's former CEO in a dispute over the ownership of patent applications, calling out the attorney for his "hubris and disregard of procedural rules" when filing 61 pages of evidence after deadlines had passed.

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Wikipedia And Dubious Judges: 4 Cases To Know

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Read full article »

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Cigna Attys Warned For 'Misleading' Quotes In FCA Tussle

A Tennessee federal judge weighing a $1.4 billion False Claims Act dispute admonished lawyers for health insurance giant Cigna Corp. over "misleading" legal citations containing vaguely attributed quotes and warned the attorneys against similar sloppiness in the future.

Read full article »

Ga. DA Says Sen. Graham Can't Ax Trump Probe Subpoena

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Sidley Partner Tapped For International Bank Role

President Joe Biden has nominated a Sidley Austin LLP international trade and investment partner as U.S. director of the European Bank for Reconstruction and Development, an international institution formed to help countries transition to market-oriented economies.

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SUBJECT: Former United CEO Says Data Abuse Possible, 'Very Isolated'
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 05/08/2022 02:27

LAW360®

Friday, August 5, 2022

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TOP NEWS

Former United CEO Says Data Abuse Possible, 'Very Isolated'

The former UnitedHealth Group CEO who oversaw the company's decision to buy Change Healthcare for $13.8 billion defended the transaction Thursday against a Justice Department challenge but admitted that data abuse is possible even if safeguards make that unlikely.

Read full article »

Cigna Attys Warned For 'Misleading' Quotes In FCA Tussle

A Tennessee federal judge weighing a $1.4 billion False Claims Act dispute admonished lawyers for health insurance giant Cigna Corp. over "misleading" legal citations containing vaguely attributed quotes and warned the attorneys against similar sloppiness in the future.

Order attached | Read full article »

5th Circ. Mulls Judge's Authority To Halt ACA Sex Bias Rule

A Fifth Circuit panel questioned Thursday whether a Texas federal judge exceeded his authority by issuing an order that protects several religious medical providers from punishment by the federal government for refusing to provide abortion or gender transition-related care despite an anti-discrimination provision in the Affordable Care Act.

Read full article »

Warren Tells 9th Circ. RFK Jr. Book Criticism Caused No Harm

Sen. Elizabeth Warren, D-Mass., has told the Ninth Circuit that a letter she sent to Amazon asking it to review its policy on COVID-19 misinformation did not cause any injury to anti-vaccine activist Robert F. Kennedy Jr. and other authors of a book that contains conspiracy theories about the pandemic.

Brief attached | Read full article »

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Order attached | Read full article »

Gardasil Vax Suits Sent To North Carolina

The Judicial Panel on Multidistrict Litigation on Thursday sent suits alleging that Merck's Gardasil vaccine caused injuries to North Carolina over Merck's objections that it's unprecedented to consolidate suits subject to the National Childhood Vaccine Injury Act.

Order attached | Read full article »

Monkeypox Deemed National Emergency As Cases Near 7,000

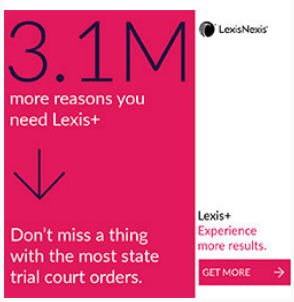
The Biden administration declared the monkeypox outbreak a public health emergency on Thursday, following the leads of several states and cities as confirmed cases near 7,000 nationwide.

Read full article »

ENFORCEMENT & COMPLIANCE

2 Insulation Cos. Plead Guilty To Bid-Rigging Conn. Projects

Two contractors have pled guilty to roles in a bid-rigging conspiracy related to pipe and duct insulation for both private and public projects in Connecticut, the U.S. Department of Justice announced Thursday.



COMPANIES IN TODAY'S NEWS

- Amazon.com Inc.
- American Arbitration Association
- American Civil Liberties Union
- American Civil Liberties Union of Texas
- Amgen Inc.
- Banco Bradesco SA
- Change Healthcare Inc.
- ChemoCentryx Inc.
- Cigna Corp.
- Eutelsat Communications SA
- Everytown for Gun Safety
- Excellus BlueCross BlueShield
- Franciscan Physician Network
- Iconix Brand Group, Inc.
- Intelsat SA
- JAMS Inc.
- LinkedIn Corp.
- Maryland State Bar Association
- Massachusetts Institute of Technology
- Mayo Foundation for Medical Education and Research
- Nuvance Health
- Optum Inc.
- PepsiCo Inc.
- Pine Brook Partners LLC
- Publicis Groupe SA
- Quest Diagnostics Inc.
- Raytheon Technologies Corp.
- SES SA
- Space Exploration Technologies Corp.
- Tesla Inc.

4 documents attached | Read full article »

LITIGATION

1st Circ. Says Students' Vax Claims Against UMass Are Moot

Two former University of Massachusetts students can't revive their lawsuit challenging the public university system's COVID-19 vaccine mandate because both moved on to other colleges, making their claims moot, the First Circuit ruled Thursday.

Opinion attached | Read full article »

3rd Circ. Says Court Must Revisit Arbitration In OptumRx Case

The Third Circuit on Thursday said a district court should not have flat-out denied benefits manager OptumRx's request to arbitrate a challenge to its reimbursement rates brought by 400 pharmacies.

Opinion attached | Read full article »

3rd Circ. Upholds Deportation Of Surgeon In $3M Tax Scheme

A Swedish plastic surgeon who served prison time for a $3 million tax evasion scheme should not be allowed back into the U.S., the Third Circuit ruled Thursday.

Opinion attached | Read full article »

Texas Doctor's Electroshock Suit Tossed For Lack Of Expert

A Texas appeals court on Thursday shut down a physician's suit seeking to hold a hospital liable for an electroshock injury he suffered while performing a C-section, saying the claims can be considered medical malpractice, which require a medical expert's report, rather than ordinary negligence.

Opinion attached | Read full article »

State Farm Seeks $2.6M From NJ Clinics Over 'Secret Scheme'

State Farm wants millions of dollars in damages after saying it was tricked into paying fraudulent charges by a consortium of chiropractors and physicians who drummed up business with illegal kickbacks and preplanned routes of care.

Complaint attached | Read full article »

DEALS

Wachtell, Latham & Watkins Steer $3.7B Biopharma Deal

Biotechnology company Amgen Inc., led by Wachtell Lipton Rosen & Katz, will purchase Latham & Watkins LLP-steered biopharmaceutical company ChemoCentryx Inc., for an enterprise value of $3.7 billion, the companies announced Thursday.

Read full article »

Deals Rumor Mill: Unity Software, SES, UnitedHealth

Video game software company Unity is reportedly planning to spin off its Chinese unit, satellite companies SES and Intelsat are in early stage talks for a potential merger, and UnitedHealth is struggling to find a purchaser for its Brazilian business.

Read full article »

REAL ESTATE

Real Estate Rumors: Capital One, Spring Health, Grand Peaks

Capital One is said to have leased 78,000 square feet in Manhattan, Spring Health has reportedly leased roughly 30,000 square feet in Manhattan, and Grand Peaks has reportedly dropped $93.5 million on a Phoenix apartment tower.

Read full article »

PEOPLE

UnitedHealthcare Senior Atty Joins Centivo As 1st GC

Centivo, a health plan for self-funded employers, has brought on UnitedHealthcare Senior Associate General Counsel Tara Johnson to become its first general counsel.

Read full article »

Florida's Lash & Goldberg Adds Litigator From Kaplan Zeena

Lash & Goldberg LLP added a new partner with 20 years of complex litigation experience to its Fort Lauderdale office from Kaplan Zeena LLP.

The European Bank for Reconstruction & Development
Twitter Inc.
UnitedHealth Group Inc.
UnitedLex Corp.
Virginia State Bar
Yale University

LAW FIRMS IN TODAY'S NEWS

Arnold & Jacobowitz
Bartlett LLP
Baum Hedlund
Bennett Bricklin
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Burr & Forman
Cleary Gottlieb
Cooley LLP
Coppersmith Brockelman
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McDowell Hetherington
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Nelson Mullins
Pendley Baudin
Quinn Emanuel
Serpe Andrews
Sidley Austin
Simpson Thacher
Tripp Scott
Wachtell Lipton
Wiggin and Dana
Williams & Connolly
WilmerHale

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Judicial Center
Food and Drug Administration
International Trade Commission
New York City Department of Health and Mental Hygiene
Texas Supreme Court
U.S. Attorney's Office for the District of Connecticut
U.S. Attorney's Office for the Western District of Washington

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EXPERT ANALYSIS

Dobbs, Workers' Comp. Brief Hint At Biden's Cannabis Stance

The U.S. Supreme Court's recent Dobbs v. Jackson Women's Health decision, combined with the solicitor general's brief in a workers' compensation case that the high court recently declined to review, reveals three notable possibilities about the Biden administration's position on cannabis, say Whitt Steineker and Claire Hodge at Bradley Arant.

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Read full article »

Fla. State Atty Suspended For Opposing Abortion Prosecution

Florida Gov. Ron DeSantis said Thursday he was indefinitely suspending State Attorney Andrew Warren in Tampa for neglect of duty after Warren, as part of a letter signed by elected prosecutors across the country, pledged not to use his resources to enforce abortion bans or laws targeting transgender people.

Read full article »

Fed. Courts Failing To Protect Personal Info, Sen. Wyden Says

The federal court system has failed to protect the information of citizens in public court records, according to U.S. Sen. Ron Wyden, D-Ore., who outlined his concerns in a Thursday letter addressed to Chief Justice John Roberts.

Read full article »

Senate Panel OKs 5 Judge Noms, Deadlocks On 6th Circ. Pick

The Senate Judiciary Committee advanced five of President Joe Biden's judicial picks Thursday, including U.S. Magistrate Judge Doris L. Pryor's nomination to the Seventh Circuit, but the panel deadlocked on Rachel Bloomekatz's nomination to the Sixth Circuit.

Read full article »

Senate Approves 9th Circ. Pick In Speedy Confirmation

The Senate voted to confirm Roopali Desai to the Ninth Circuit on Thursday, an expedited approval that was the quickest and most bipartisan confirmation of a circuit court nominee since President Joe Biden took office last year.

Read full article »

Jury Says Alex Jones Must Pay $4.1M In Sandy Hook Case

A Texas jury found Thursday that right-wing conspiracy theorist Alex Jones should pay Sandy Hook parents $4.1 million after seven days of witness testimony and evidence in the defamation case, with the Infowars owner now facing a new phase of the proceeding focused on punitive damages.

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LeClairRyan Trustee Wants More Attys For $21M Deal Fight

U.S. Bankruptcy Court for the Eastern District of Virginia

U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Third Circuit

U.S. Department of Commerce

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. District Court for the District of Columbia

U.S. District Court for the District of Connecticut

U.S. District Court for the District of New Jersey

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Northern District of Georgia

U.S. District Court for the Southern District of New York

U.S. Supreme Court

World Trade Organization

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Trump Attys Olsen And Olson Face 'Big Lie' Bar Complaints

The former special counsel to Texas Attorney General Ken Paxton and an ex-legal adviser to Donald Trump are the latest attorneys facing ethics complaints over their roles in the former president's unsuccessful efforts to contest his loss to Joe Biden.

Read full article »

Ga. DA Says Sen. Graham Can't Ax Trump Probe Subpoena

Sen. Lindsey Graham, R-S.C., can't escape a special grand jury subpoena for his testimony as part of an investigation into whether former President Donald Trump and others criminally tried to interfere in Georgia's 2020 election, state prosecutors told a Georgia federal judge Thursday.

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SUBJECT: Morning Consult Health: Becerra Declares Monkeypox a Public HealthEmergency
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 05/08/2022 05:50

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 5, 2022

BY MATT BRACKEN

Top Stories

- The monkeypox outbreak was declared a public health emergency by the Biden administration, as Health and Human Services Secretary Xavier Becerra called on all Americans to "take responsibility to help us tackle this virus" and left the door open for a second declaration that would accelerate possible treatments and vaccines without being subjected to the standard, full-fledged federal reviews. Food and Drug Administration Commissioner Robert Califf said officials are mulling a "dose-sparing" plan to squeeze five doses per vial out of the Danish-produced Jynneos monkeypox vaccine. (The Washington Post)

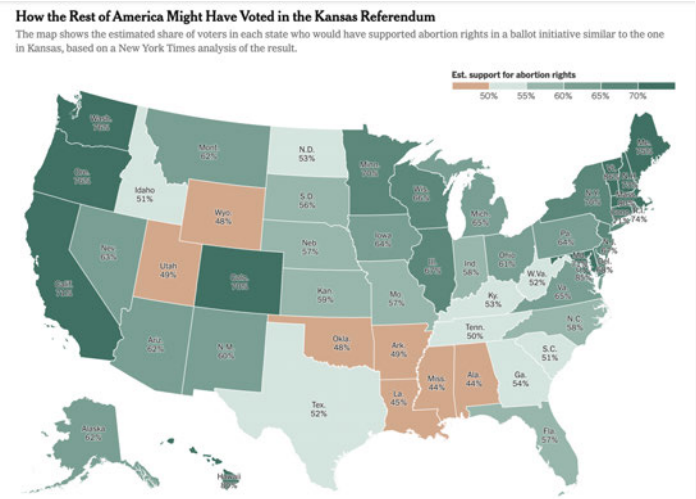
- Senate Majority Leader Chuck Schumer (D-N.Y.) is teeing up a Saturday afternoon vote on a motion to proceed with the party's reconciliation bill after Sen. Kyrsten Sinema (D-Ariz.) said she'd back the bill following an agreement with colleagues to eliminate the carried-interest provision for fund managers and add a 1% excise tax on stock buybacks, clearing Democrats' last intraparty hurdle. The Senate parliamentarian today will review the package's updated language on measures to lower prescription drug prices, a Democratic aide said, while an additional provision from Sen. Raphael Warnock (D-Ga.) to lower the cost of insulin is expected to face GOP challenges. (Politico)

- PhRMA and its 31 board members sent a letter to every member of Congress yesterday imploring them to vote against Democrats' reconciliation package, while Steve Ubl, head of the powerful trade group representing drugmakers, said in an interview that lawmakers "who vote for this bill will not get a free pass." The letter mostly sticks to arguments PhRMA has made in a multimillion-dollar advocacy campaign railing against the drug pricing provisions in the bill, saying that the measures would "put the U.S. system on a course toward broad government control, setting the stage for our country to fall behind." (Politico)

- Amgen Inc. struck a $3.7 billion deal to buy ChemoCentryx Inc., giving the biotech access to Tavneos, a drug used to treat patients with a rare type of blood vessel inflammation that generated $5.4 million in sales in the first full quarter after its regulatory approval. Amgen reported second-quarter revenue of $6.59 billion, a 1% jump from the year-ago period fueled by a 13% rise in sales of its osteoporosis drug Prolia. (Reuters)

Chart Review

Kansas Result Suggests 4 Out of 5 States Would Back Abortion Rights in Similar Vote
The New York Times



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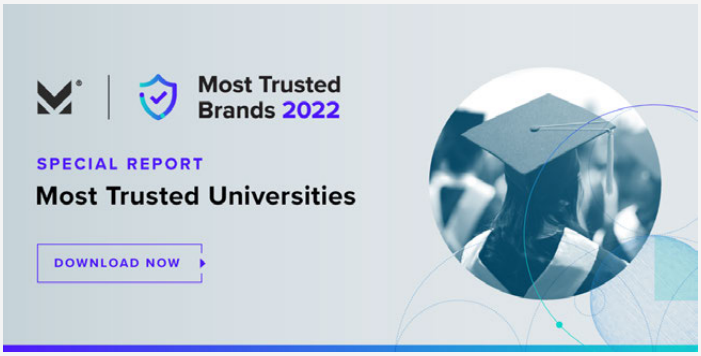

Most Trusted Universities Report 2022

Morning Consult's Most Trusted Universities Report measures the public view of trust in 135 doctoral universities featured in the U.S. News' 2022 Best National University Rankings. Our research breaks down how trust varies across diverse groups and different types of institutions while exploring key findings. Download today.

What Else You Need to Know

CORONAVIRUS

1 in 8 Covid Patients Experience Lingering Symptoms, Study Shows

Jason Gale, Bloomberg

One in eight people recovering from Covid-19 had lingering symptoms due to the illness at least three months later in a study that provides

greater clarity on the ailments triggered by the pandemic disease.

Over 1 million courses of Paxlovid prescribed in one month for first time
Oriana Gonzalez, Axios
July marked the first month that more than 1 million courses of Pfizer's COVID antiviral Paxlovid were prescribed, according to Biden administration figures provided to Axios.

The Coronavirus Has One Strategy We Can't Vaccinate Against
Katherine J. Wu, The Atlantic
By the time a cell senses that it's been infected by a virus, it generally knows it is doomed. Soon, it will be busted up by the body's immunological patrol or detonated by the invader itself. So the moribund cell plays its trump card: It bleats out microscopic shrieks that danger is nigh.

Fauci has a stark warning for you: Get those COVID vaccines and boosters now, or you're 'going to get into trouble'
Chloe Taylor, Fortune
Anyone who hasn't had all their COVID vaccination shots could be in for a difficult time as the colder seasons approach and the virus continues to spread, America's top doctor has warned.

Blood clots, heart problems, kidney failure: COVID creates a higher risk for rare pediatric health problems, new CDC study finds
Erin Prater, Fortune
Children and teens who've had COVID are at greater risk for blood clots, heart problems, kidney failure, and type 1 diabetes, according to a new report released Thursday by U.S. health officials.

Biden still COVID positive but "feels very well," doctor says
Oriana Gonzalez and Ivana Saric, Axios
President Biden tested positive for COVID-19 again Thursday and is still experiencing "a very occasional cough" which is "improving," his physician said in a letter.

GENERAL

Clinton-era FDA commissioner to lead external review of key agency offices
Katherine Ellen Foley and Adam Cancryn, Politico
Jane Henney, a former commissioner of the FDA, has been tapped by the Reagan-Udall Foundation to lead a FDA-requested external review of key agency offices on human food safety and tobacco regulation, two sources with knowledge of the matter told POLITICO.

What Should Worry Most Americans About Our Monkeypox Response
Katherine J. Wu, The Atlantic
The U.S. has declared (another) public-health emergency. An expert weighs in on whether we might botch this one, too.

Democratic lawmakers introduce bill to make reproductive health care more accessible to women with disabilities
Brad Dress, The Hill
Democratic lawmakers introduced legislation on Thursday to assist Americans with disabilities seeking reproductive health services, hoping

to reduce the barriers they may face after the U.S. Supreme Court overturned Roe v. Wade and the constitutional right to abortion.

'A movie set': Former supervisor at baby formula plant says flaws were hidden

Helena Bottemiller Evich, Politico

A former supervisor in a baby formula plant linked to infant deaths earlier this year — now at the center of an ongoing formula shortage — has stepped forward to describe a facility with constant roof leaks, lax food safety and recordkeeping, and a culture of fear, raising new questions about why such problems were allowed to continue and the FDA did not discover them earlier.

Man Who Threatened to Kill Fauci Is Sentenced to 3 Years in Prison

Vimal Patel, The New York Times

The man, Thomas Patrick Connally Jr., 56, had pleaded guilty in May to making threats against a federal official and also admitted to sending threatening messages to other health officials, including Francis Collins, the former director of the National Institutes of Health, according to the U.S. Attorney's Office in Maryland.

Democrats double down on abortion rights after Kansas referendum

Stephanie Akin and Mary Ellen McIntire, Roll Call

Democrats seeking to retain control of Congress are doubling down on the need for abortion rights after Kansas voters resoundingly defeated a ballot measure that would have made it easier for state lawmakers to restrict the procedure.

Some lab techs refuse to take blood from possible monkeypox patients, raising concerns about stigma and testing delays

Elizabeth Cohen and Danielle Herman, CNN

Many technicians at Labcorp and Quest Diagnostics, two of the largest commercial labs in the US, have been refusing to draw blood from patients who might have monkeypox, CNN has learned.

Heart medications can be a huge financial strain, but the reconciliation bill could help

Berkeley Lovelace Jr., NBC News

Tens of millions of Americans have heart disease, and for older adults, the strain can be particularly acute.

Polio found in sewage samples outside New York City suggests it's spreading in the community, health officials says

Spencer Kimball, CNBC

Polio has been found in wastewater samples taken from two counties outside of New York City indicating the virus is spreading in the community, according to state health officials.

Legionnaires' disease outbreak leads to one death, 11 hospitalizations in Northern California

Zach Schonfeld, The Hill

An outbreak of Legionnaires' disease in Napa County, Calif., over the past month resulted in the death of one person and the hospitalization of 11 others, health officials said.

As monkeypox strikes gay men, officials debate warnings to limit partners

Fenit Nirappil and Amrita Jayakumar, The Washington Post

As the Centers for Disease Control and Prevention weighs whether to recommend limiting sexual partners, health officials in San Francisco, Chicago, New York and other U.S. cities battling surges disproportionately sickening gay men are avoiding calls for sexual restraint, wary of further stigmatizing same-sex intimacy.

One in 5 people waiting for a transplant are Latino. There's a call for more donors.
Erika Flores et al., NBC News
August is National Minority Donor Awareness Month, and organizations are calling attention to the gap between the number of minority donors and those who need organs and tissues.

PAYERS

HCSC plans another record year of Medicare Advantage expansion
Paige Minemyer, Fierce Healthcare
The insurer said this week that will offer Medicare coverage in more than 150 new counties in five states: Illinois, Montana, New Mexico, Oklahoma and Texas. The expanded footprint will boost coverage options for as many as 1.1 million Medicare-eligibles, according to the announcement.

Congress eyes faster Medicare Advantage prior authorizations
Maya Goldman, Modern Healthcare
Providers may soon find it easier to get prior authorization decisions from Medicare Advantage plans under legislation moving through Congress.

Abortions Covered by Nearly Half of Surveyed Employer Plans
Sara Hansard, Bloomberg Law
Nearly half of more than 200 employers surveyed cover medically required and elective abortions for employees and dependents under their medical plan, according to a survey released Thursday.

PROVIDERS

AHA asks federal court to closely scrutinize how CMS repays hospitals over 340B payment cuts
Robert King, Fierce Healthcare
Hospitals that weren't affected by cuts to the 340B drug discount program shouldn't be required to repay any of those funds now that the Supreme Court ruled such cuts were unlawful, a key industry group said.

Fitch downgrades CHS from stable to negative after discouraging earnings report
Hailey Mensik, Healthcare Dive
For the first half of the year, the chain reported a $327 million net loss and $6.04 billion in revenue, compared to a $58 million net loss and $6.02 billion in revenue during the first half of last year.

Sutter Health's rising expenses and rough investments yield a $457M net loss for Q2 2022
Dave Muoio, Fierce Healthcare
The Sacramento-based nonprofit health system brought in $3.49 billion in total operating revenues from the quarter, down slightly from the prior year's $3.51 billion.

Hospitals have low level of accountability for connected device breaches
Rebecca Pifer, Healthcare Dive
Hospitals are not taking basic security actions and have low levels of accountability regarding cyberattacks, ransomware and data theft stemming from breached medical devices, new research suggests.

Louisiana Abortion Providers Seek to Halt Newly Revived Bans
Mary Anne Pazanowski, Bloomberg Law
An abortion provider in Louisiana Thursday asked the state's top court to reinstate a trial court decision blocking enforcement of laws prohibiting almost all abortions in the state.

PHARMA, BIOTECH AND DEVICES

Democrats' drug pricing bill could lead to higher launch prices
Caitlin Owens, Axios
Democrats' party-line drug pricing legislation will likely cause manufacturers to raise the launch prices of new drugs, the Congressional Budget Office projected yesterday.

Eli Lilly cuts annual profit view as lower insulin prices hit Q2 sales
Reuters
Eli Lilly and Co (LLY.N) on Thursday cut its full-year profit forecast for the second time as lower insulin prices and competition for the company's cancer drug bruised its second-quarter earnings.

Tennessee sues Walgreens pharmacy chain over opioid distribution
Steve Gorman, Reuters
The state of Tennessee sued Walgreens on Wednesday, accusing the retail pharmacy giant of fueling the state's opioid epidemic by willfully flooding the market with an oversupply of prescription narcotics in violation of consumer protection and public nuisance laws.

State 'Personhood' Laws Threaten Embryonic Stem Cell Research
Jeannie Baumann, Bloomberg Law
Biomedical scientists using embryonic stem cells or fetal tissue could find their studies at risk in conservative states aiming to redefine personhood after the US Supreme Court's rollback of abortion rights.

New research digs into the genetic drivers of heart failure, with an eye to precision treatments
Elizabeth Cooney, Stat News
When coronary arteries are blocked, starving the heart of blood, there are good medications and treatments to deploy, from statins to stents. Not so for heart failure, the leading factor involved in heart disease, the top cause of death worldwide.

U.S. FDA declines to approve expanded use of Acadia's antipsychotic drug
Reuters
The U.S. Food and Drug Administration declined to approve expanded use of Acadia Pharmaceuticals Inc's (ACAD.O) antipsychotic drug for treating psychosis related to Alzheimer's disease, the company said on Thursday.

HEALTH TECHNOLOGY

Teladoc rival Amwell scores CVS tie-up to launch retailer's virtual primary care service

Heather Landi, Fierce Healthcare

Telehealth company Amwell is working with CVS Health to roll out the retail drugstore giant's new virtual primary care service.

OPINIONS, EDITORIALS AND PERSPECTIVES

The outsized effect of 'modest' price controls on pharmaceutical innovation

Standish Fleming, Stat News

Drug price controls in the U.S. Senate are being met with dire warnings that such an approach will stifle innovation, shut off the pipeline of new medicines, and cost lives down the road. Is innovation so fragile that a modest reduction in profits of global giants could seriously impact the supply of new drugs?

RESEARCH REPORTS

How the CMS Innovation Center's Payment and Delivery Reform Models Seek to Address the Drivers of Health

Celli Horstman et al., The Commonwealth Fund

Social, economic, and location-based drivers of health (DOH) have an outsize impact on health — especially for Medicare and Medicaid beneficiaries, who are more likely to be elderly, have low income, or have complex medical needs. The Center for Medicare and Medicaid Innovation (CMMI) addresses DOH in many of their health care payment and care delivery models, but lessons from them have not been synthesized.

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SUBJECT: Medicare Beneficiaries Are More Likely to Reach CatastrophicSpending on Insulin
FROM: AIS Health Daily <aishealthdaily@aishealth.com>
TO: hborski@utah.gov
DATE: 05/08/2022 06:04

AIS Health Daily

August 5, 2022

This Week's Featured Stories

Medication Abortion Faces Legal Uncertainty Post-Dobbs
Radar on Drug Benefits

Centene Reports Progress in Value Creation Plan, Despite Headwinds
Health Plan Weekly

Pharmacist Care Managers Could Help Improve Diabetes Outcomes
Radar on Drug Benefits

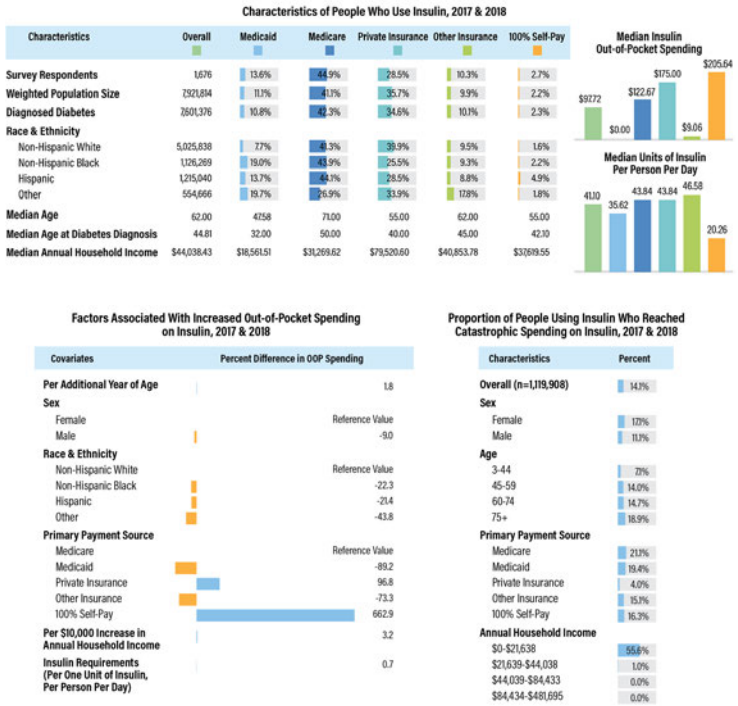
Boosted by Low Utilization, Humana Posts Robust Earnings for Second Quarter of 2022
Health Plan Weekly

Featured Infographic

Medicare Beneficiaries Are More Likely to Reach Catastrophic Spending on Insulin

Among people who filled at least one insulin prescription, 14.1% reached catastrophic health spending — out-of-pocket medical spending greater than 40% of a household's remaining income after subsistence needs are met — and almost two-thirds of them were Medicare beneficiaries, according to a recent Health Affairs study. The study was based on data from the Medical Expenditure Panel Survey in 2017 and 2018. Among the respondents who filled at least one insulin prescription, 41.1% were covered by Medicare and 35.7% by private insurance. Median annual out-of-pocket spending on insulin was $97.72, while people with Medicare coverage and private insurance paid much more than Medicaid enrollees.

The research indicated that elderly patients with low family incomes were at the greatest risk for high out-of-pocket spending, and "policies that cap monthly out-of-pocket spending on insulin for Medicare beneficiaries are likely to be impactful."



SOURCE: "Catastrophic Spending On Insulin In The United States, 2017–18," Health Affairs. doi: 10.1377/hlthaff.2021.01788 HEALTH AFFAIRS 41, NO. 7 (2022): 1053–1060.

From Radar on Drug Benefits

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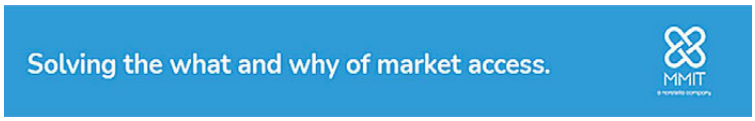

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SUBJECT: Legislative and Policy News
FROM: Zachary Harris <zharris@chronicdisease.org>
TO: Zachary Harris <zharris@chronicdisease.org>
DATE: 05/08/2022 13:31

Senate Democrats have secured enough votes to pass the Inflation Reduction Act (IRA) through budget reconciliation. Budget reconciliation allows the majority party to go around the Senate's 60-vote filibuster requirement through a simple majority vote. Senate Democrats aim to hold a final vote on the IRA during this weekend's 20-hour long vote-a-rama, when any senator can introduce amendments. Health related provisions in the bill include permitting Medicare to negotiate the prices of certain drugs and extending Affordable Care Act subsidies until 2024. However, the Senate Parliamentarian is currently analyzing the bill to determine if any provisions do not qualify under the budget reconciliation process. Any provisions found to be in violation of the budget reconciliation process will have to be removed.

With little time left before the September 30 deadline, Congress will need to pass a continuing resolution (CR) to avert a government shutdown on October 1. Policy riders related to abortion, immigration, and Guantanamo Bay are proving to be major issues dividing Republican and Democratic negotiators as they attempt to reach a deal. Policy riders are provisions added to a bill that have little to no connection with the actual subject matter of the bill. Some of the most controversial policy riders include:

- Appropriations bills in the House and Senate don't include the Hyde amendment, which bans federal funding for abortion apart from cases of rape, incest, or to save the mother's life.
- The Senate's appropriations bill for the Department of Homeland Security allows officials to recapture unused family- and employment-based visas as far back as 30 years ago.
- The House and Senate Financial Services and General Government appropriations bill permits immigrants under the Deferred Action for Childhood Arrivals program to work as federal employees.
- The Senate's Defense and Military Construction-VA appropriations bill does not block the closure of the Guantanamo Bay detention facility.

Passage of a CR before October 1 would result in programs being funded at their current levels until a permanent deal can be reached. With funding negotiations stalled, however, the need for a CR is all but guaranteed.

This Week's News

Loneliness, social isolation may increase cardiovascular risks
Public health measures taken during the COVID-19 pandemic, such as social distancing guidelines, contributed to greater feelings of loneliness and may have even increased the risk of negative cardiovascular health outcomes. According to the American Heart Association (AHA), "social isolation and loneliness are common and appear to be independent risk factors for worse cardiovascular and brain health." The AHA found that social isolation and loneliness increased the risk for heart attack, stroke, and even death by 30 percent.

Looser liquor laws boosted restaurants – and maybe problem drinking
At the height of the COVID-19 pandemic, 35 states and the District of Columbia loosened liquor laws to permit curbside pickup or delivery of alcoholic beverages. Eighteen states and D.C. have made these laws permanent while 14 states extended them. While these laws were implemented to help restaurants survive severe economic shocks, multiple studies have found that such policies contributed to increased problem drinking. For example, a study by RTI International concluded that binge drinking increased by 30 percent between February 2020 and November 2020 and overall drinking increased by 39 percent over the same period.

Where out-of-pocket spending is highest
According to a new Health Affairs study, out-of-pocket healthcare spending in the United States ranged from $7,250 to $14,500 per person in 2019. Alaska had the highest rate of out-of-pocket spending, with such forms of payment accounting for 42 percent of total healthcare spending. While healthcare spending per person in the District of Columbia was the second highest – $14,080 on average – just under half of total payments came from private insurers and only 12 percent was out-of-pocket.

Most Americans aren't worried about lung cancer
Survey data from the American Lung Association (ALA) shows that 60 percent of Americans aren't worried about getting lung cancer despite it being the leading cause of cancer deaths nationwide. The survey also found that 70 percent of respondents weren't familiar with the availability of early detection screenings for lung cancer and 73 percent have not spoken to their physician about their risk of getting it. The ALA places part of the blame for this lack of awareness on "an undeserved stigma that has followed lung cancer for decades. The fact is that anyone can get it."

Cardiovascular disease risk factors projected to increase
A new study published in the Journal of the American College of Cardiology projects that cardiovascular disease risk factors will significantly increase by 2060. The four risk factors that were examined include obesity, diabetes, hypertension, and dyslipidemia. The largest percentage increase was in diabetes (39.3 percent), followed by dyslipidemia (27.6 percent), hypertension (25.1 percent), and obesity (33.4 percent). In addition to risk factors, researchers projected cases of stroke and heart failure to increase by about 34 percent. While risk factors and cases of cardiovascular disease were projected to rise amongst all minority groups, projections for white people decreased.

Zachary Harris, Public Policy Coordinator
National Association of Chronic Disease Directors
(540) 272-9535 | zharris@chronicdisease.org

[redacted]

SUBJECT: Morning Consult Health: What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 07/08/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 7, 2022

BY MATT BRACKEN

Twitter Email

Good morning to you, health readers. While much of Washington awaited word from the Senate's most methodical arbiter on Democrats' reconciliation bill, the latest Morning Consult/Politico survey asked for voters' opinions on 12 of the package's key components. Our quiz question for the day: About what share of Republican voters support the three drug pricing provisions in the bill?

A: 1 in 10
B: 3 in 10
C: 7 in 10
D: 9 in 10

You can find the answer at the bottom of the newsletter.

[redacted]

What's Ahead

Senate Democrats' reconciliation bill is inching closer to final passage as the chamber's amendment vote-a-rama continues from overnight. Majority Leader Chuck Schumer's caucus is poised to pass legislation that would secure a three-year extension of Affordable Care Act subsidies and lower prescription drug prices. One drug pricing provision was struck from the package yesterday by the Senate parliamentarian, who ruled that the bill's requirement that drug companies pay rebates back to the government if their prices rise faster than the rate of inflation could only apply to Medicare — not the private market.

Democrats also look set to try (and probably fail) to overrule the parliamentarian's determination that Sen. Raphael Warnock of Georgia's proposal to cap out-of-pocket insulin costs at $35 cannot be included in the legislation.

We'll be watching for any other last-minute wrangling, but with the House set to return on Friday to take up the measure, Democrats appear to be on a glide path to passage of their signature legislation.

Washington Post Live will host Reps. Brian Fitzpatrick (R-Pa.) and Ann McLane Kuster (D-N.H.) on Wednesday at 1 p.m. for a discussion on their mental health legislation. Fitzpatrick and Kuster, co-chairs of the Bipartisan Addiction and Mental Health Task Force, will talk about their efforts to ease access to mental coverage insurance coverage and opioid treatment medicines.

Giant move coming from pharmacy giant: CVS Health Corp. said it is planning to move into the primary care space by the end of the year, either by investing in or acquiring a provider, with Chief Executive Karen Lynch noting that the pharmacy giant will be looking for a company with a strong tech background, a solid management team and capabilities to grow quickly.

CVS' foray into primary care would follow Walgreens Boots Alliance Inc.'s partnership with VillageMD to open doctors' offices and Amazon.com Inc.'s announcement last month that it would acquire primary care clinic operator One Medical.

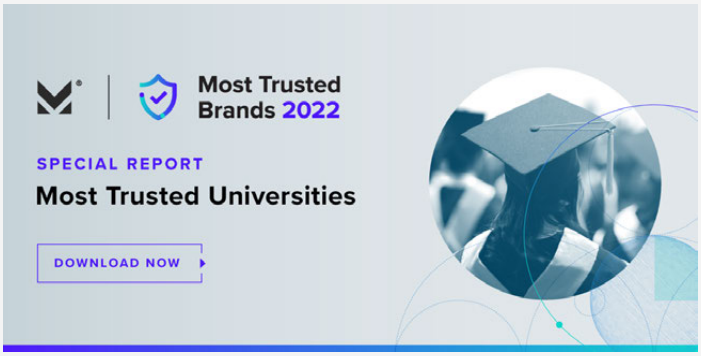
Meanwhile, CVS reported second-quarter net income of $2.95 billion and revenue of $80.64 billion, up from $2.78 billion and $72.62 billion, respectively, from the year-ago period, as same-store sales climbed 8%.

A few earnings reports to note this week: BioNTech SE, the COVID-19 vaccine partner of Pfizer Inc., will kick things off Monday with its second-quarter results. Also on Monday, Novavax Inc. will report for the first time since federal regulators cleared its traditional protein-based COVID-19 vaccine. And on Tuesday, ChemoCentryx Inc. will report earnings, less than a week after Amgen Inc. struck a $3.7 billion deal for its acquisition.

Events Calendar

View Full Calendar

A MESSAGE FROM MORNING CONSULT



Most Trusted Universities Report 2022

Morning Consult's Most Trusted Universities Report measures the public view of trust in 135 doctoral universities featured in the U.S. News' 2022 Best National University Rankings. Our research breaks down how trust varies across diverse groups and different types of institutions while exploring key findings. Download today.

Week in Review

Monkeypox: The monkeypox outbreak was declared a public health emergency by the Biden administration, as Health and Human Services Secretary Xavier Becerra left the door open for a second declaration that would accelerate possible treatments and vaccines without being subjected to the standard, full-fledged federal reviews. Food and Drug Administration Commissioner Robert Califf said officials are mulling a "dose-sparing" plan to squeeze five doses per vial out of the Danish-produced Jynneos monkeypox vaccine.

Robert Fenton, who helped lead the Federal Emergency Management Agency's COVID-19 mass vaccination effort and served as the agency's acting administrator in early 2021, was tapped by the White House to oversee the country's monkeypox response. Dr. Demetre Daskalakis, director of the Centers for Disease Control and Prevention's HIV prevention unit, will serve as Fenton's deputy, with the duo working to coordinate "strategy and operations to combat the current monkeypox outbreak, including equitably increasing the availability of tests, vaccinations and treatments," the White House said.

Abortion: Kansas voters emphatically rejected a ballot measure that would have allowed the state's Republican-controlled legislature to toughen restrictions on abortion or ban the procedure altogether. In the first statewide referendum on abortion following the Supreme Court's ruling to overturn Roe v. Wade, proponents of abortion rights prevailed by roughly 20 percentage points in an election that turned out voters at levels comparable to a fall gubernatorial race.

The Department of Justice sued Idaho over a law that would enforce a near-total ban on abortion starting Aug. 25, with the DOJ arguing in its first post-Roe v. Wade lawsuit that the state's "trigger" ban is a violation of federal rules to provide medical care when the life or health of a pregnant person is on the line.

Biden signed his second abortion-related executive order, directing HHS to consider using funds from Medicaid to aid the travel of patients seeking abortion care out of state.

Department of Veterans Affairs Secretary Denis McDonough said in a CNN interview that the agency is "looking very closely" at protecting abortion access for veterans, though he declined to provide specifics in response to a letter from 24 Senate Democrats calling for abortion services at VA facilities.

COVID-19 vaccines, treatments and more: Beginning the week of Aug. 15, Eli Lilly & Co. said it will start commercially selling its COVID-19 monoclonal antibody treatment to states, health systems and other providers, a move that comes as the federal government's supply of bebtelovimab is close to running out.

Moderna Inc. reported $4.5 billion in second-quarter sales of its COVID-19 vaccine, besting analyst expectations, while the drugmaker continues to project full-year vaccine sales of $21 billion, a figure unchanged despite its $1.74 billion deal with the federal government on a reformulated vaccine targeting omicron subvariants and canceled orders through the COVAX program.

The White House released a plan that calls for HHS to create an office dedicated to better understanding long COVID. HHS' assistant secretary for health will oversee the Office of Long COVID Research and Practice, ensuring permanent leadership within the agency as the new division is tasked with advancing treatments for patients.

STAT OF THE WEEK

8%

The record-low share of Americans who were uninsured at the start of the year, per an HHS analysis of household survey data. More than 5 million people have added coverage since 2020 following expansion of Medicaid in states through the ACA, enhanced premium subsidies and more targeted and sustained outreach.

THE MOST READ STORIES THIS WEEK

1) CVS says it plans to get into primary care by year-end
Melissa Repko, CNBC

2) Warren says she won't back bipartisan abortion rights bill
Axios

3) Publishing, Healthcare Mergers Set for Trial in Antitrust Showdown With Biden Administration
Erin Mulvaney et al., The Wall Street Journal

4) Hospitals win higher payments from Medicare after lobbying campaign
Bob Herman, Stat News

5) CDC expected to ease Covid-19 recommendations, including for schools, as soon as this week
Brenda Goodman and Elizabeth Cohen, CNN

6) Thousands of lives depend on a transplant network in need of 'vast restructuring'
Joseph Menn and Lenny Bernstein, The Washington Post

7) Unpacking Voters' Perceptions of the Inflation Reduction Act
Matt Bracken et al., Morning Consult

8) Employees are increasingly on the hook for their medical costs
Caitlin Owens, Axios

9) Uninsured rate hit record low of 8%, HHS analysis shows
Maureen Groppe, USA Today

10) Medicare Prescription Drug Premiums Projected to Fall for 2023
Tony Pugh, Bloomberg Law

OTHER HEALTH NEWS

- 1 in 8 Covid Patients Experience Lingering Symptoms, Study Shows (Bloomberg)
- Pfizer in Advanced Talks to Buy Global Blood Therapeutics for About $5 Billion (The Wall Street Journal)
- Clinton-era FDA commissioner to lead external review of key agency offices (Politico)
- CDC expected to ease Covid-19 recommendations, including for schools, as soon as this week (CNN)
- Biden names FEMA, CDC officials to head monkeypox response (The Associated Press)
- Hospitals win higher payments from Medicare after lobbying campaign (Stat News)
- Lilly is ordered to pay $61 million for shortchanging the Medicaid drug rebate program (Stat News)
- UnitedHealth Deal Gives 'One-Way Look' Into Rivals, DOJ Says (Bloomberg)

- Thousands of lives depend on a transplant network in need of 'vast restructuring' (The Washington Post)
- 70 deaths, many wasted organs are blamed on transplant system errors (The Washington Post)
- Senate Passes Bill to Expand Benefits for Veterans Exposed to Burn Pits (The New York Times)
- Generic Prostate-Cancer Drug Backed by Hospital Group Goes on Sale (The Wall Street Journal)
- Sen. Johnson suggests ending Medicare, Social Security as mandatory spending programs (The Washington Post)
- With monkeypox vaccine in high demand, NIH to test approaches to stretch supplies (Stat News)
- Moderna considering creating an mRNA monkeypox vaccine amid growing demand for shots (ABC News)

The answer to this week's quiz question is **C:** Roughly 7 in 10 GOP voters support caps on prescription drug price increases, granting Medicare the ability to negotiate some prescription drug prices and placing a $2,000 limit on annual out-of-pocket prescription drug costs for seniors. Check out the full story here: Unpacking Voters' Perceptions of the Inflation Reduction Act.

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Monday, August 8, 2022

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TOP NEWS

Senate Sends Dems' Landmark Tax, Climate Bill To House

The Senate on Sunday passed the Democrats' tax, climate and health care legislation known as the Inflation Reduction Act, sending the measure to the House, which could pass it later this week.

Bill attached | Read full article »

Analysis

Grading Biden's Push To Site Green Energy On Public Land

The Biden administration has made strides in attempting to fulfill a 2020 congressional mandate to grant permits for 25 gigawatts of wind, solar and geothermal energy on public lands by 2025, but experts say more must be done in order to hit that aggressive target. Here's a report card on the Biden administration's work so far.

Read full article »

Breyer Calls On Lawyers To Stand Up For Rule Of Law

Retired Supreme Court Justice Stephen Breyer called on lawyers and young people to defend the rule of law in an event Saturday evening where he received the American Bar Association's highest award.

Read full article »

7th Circ. Ends Court Oversight Of Illinois Hiring Practices

The Seventh Circuit on Friday vacated a decades-old consent decree authorizing judicial monitoring of Illinois' employment and hiring practices, declaring that the power to hire and fire state workers "needs to return to the people of Illinois and the governor they elected."

Opinion attached | Read full article »

Senate Confirms Long-Awaited Sentencing Commission Picks

The Senate on Thursday confirmed seven nominees to the U.S. Sentencing Commission, giving the agency a voting quorum for the first time in more than three years.

Read full article »

After Dobbs: Kan. Voters, DOJ Fight Abortion Restrictions

A Kansas vote this week upholding the right to abortion in the Sunflower State served as the first litmus test for how voters may react to the high court's decision to overturn Roe v. Wade, while the U.S. Department of Justice launched its first post-Dobbs suit challenging a state's abortion restrictions.

Read full article »

FCC Starts Search For New Rules For Space Industry

The Federal Communications Commission on Friday launched a wide-ranging inquiry into potential new rules to support industrial activity in space, as the agency's chief declared that "a new space age is here" posing challenges that old regulations can't meet.

3 documents attached | Read full article »

Georgia's Gun Laws May Turn Off State's Music Festivals

Festival organizers, concert promoters and musicians are second-guessing plans for holding events in Georgia due to state gun laws that make it difficult to ban firearms at events held on public property, at a time when the entertainment industry in general is rebounding from the COVID-19 pandemic with a vengeance.

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BANKING & SECURITIES

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Senators Probe US Bank After CFPB Accounts-Scandal Deal

A group of Democratic senators is demanding more information from U.S. Bank's chief executive about the alleged customer accounts scandal that led to a $37.5 million regulatory fine against the bank last month, including whether any employees who took part in the scheme are still working at the bank.

Letter attached | Read full article »

House Dems Press Crypto Industry For Diversity Data

Democratic lawmakers, led by Rep. Maxine Waters, pressed cryptocurrency companies on their efforts around diversity and inclusion and sought a snapshot of their workforce data and policies.

Letter attached | Read full article »

ENERGY & ENVIRONMENTAL

Fla. Tribe Says EPA Improperly Gave State Water Power

The U.S. Environmental Protection Agency "disregarded and diminished" the sovereignty of the Miccosukee Tribe of Indians of Florida when it approved Florida's effort to take over an important Clean Water Act permitting program, the tribe said in a lawsuit filed on Thursday.

Complaint attached | Read full article »

9th Circ. Says FERC Got Calif. Hydro Project Orders Wrong

A California state agency didn't waive its permitting authority over four hydroelectric projects when it allowed the project developers to withdraw water quality certification applications that didn't comply with state law and were likely destined for denial, the Ninth Circuit ruled.

Order attached | Read full article »

9th Circ. Won't Adjust EPA's Deadline To Review Weedkiller

A Ninth Circuit panel on Friday rejected the U.S. Environmental Protection Agency's request for more time to comply with an order to reevaluate an ecological assessment related to its determination that the active ingredient in Monsanto's weedkiller Roundup was not likely to cause cancer.

Read full article »

HEALTH & LIFE SCIENCES

DC Circ. Blasts Nursing Homes' Appeals In COVID Death Suits

Two Pennsylvania nursing homes seeking to have the D.C. Circuit determine whether they are immune to COVID-19 deaths under a federal health emergency law were rebuffed Friday, as the federal appeals court said it would lead to an appellate review system "so absurd" with "no discernable purpose."

Opinion attached | Read full article »

IP & TECHNOLOGY

House Lawmakers Push For Patent Owner Diversity

A bipartisan pair of House lawmakers on Friday introduced a version of a bill that aims to increase diversity among patent owners — a little under a year after a similar bill was proposed in the U.S. Senate.

Bill attached | Read full article »

HOSPITALITY

NJ Judge Hints At Striking Law Reducing Casino Payments

A New Jersey state judge on Friday indicated he might strike down a state law that cut the annual payments Atlantic City casinos make to local government entities, suggesting it could be viewed as benefiting the state's gambling industry and not the public.

Read full article »

EMPLOYMENT & BENEFITS

NY Fund Can Ask 2nd Circ. To Weigh Tips Surcharge Fight

A New York injury compensation fund can pursue an immediate Second Circuit appeal of a district court's finding that it improperly collected a 2.5% surcharge on noncash tips to black car and for-hire drivers in the Empire State, according to a Thursday court order.

Jones Day
Kelley Drye
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JAMS Inc.
Lex Machina Inc.
Major Lindsey & Africa LLC

Order attached | Read full article »

COMPETITION

United Exec Says Data Access Informed $13.8B Acquisition

A former UnitedHealth Group executive admitted Friday that access to health care claims data was at least one key factor in the $13.8 billion purchase of Change Healthcare, giving fodder to U.S. Department of Justice allegations that the data could be misused to benefit UnitedHealthcare.

Read full article »

IMMIGRATION

Russian Denied Resident Status Over Cannabis-Related Work

A California federal judge has affirmed a U.S. Citizenship and Immigration Services decision to deny a Russian national permanent resident status, ruling that by installing and maintaining a security camera system for a cannabis grower, the person had participated in the trafficking of a Schedule I drug.

Order attached | Read full article »

ACLU Urges 'No' Vote On Anti-Immigrant Proposals In Budget

The American Civil Liberties Union is urging Senate Democrats to vote against any proposed anti-immigration amendments in the upcoming debate on the budget reconciliation bill for fiscal year 2022.

Letter attached | Read full article »

NATIVE AMERICAN

Tribe Urges Judge Not To Nix Fort Sill Apache Casino Case

The Comanche Nation is urging a federal judge to reject the government's bid to toss a suit seeking to shutter a recently opened casino, asserting that the Bureau of Indian Affairs misled the plaintiffs into believing there was "nothing that could be done" to stop a transfer of the Kiowa Tribe land where the casino is situated.

Response attached | Read full article »

CANNABIS

Q&A

A Former Mass. Pot Regulator Advocates For A Fair Industry

Shaleen Title, the CEO and co-founder of the equity-focused cannabis policy think tank Parabola Center, has more than 20 years' experience changing and enacting marijuana laws. And now she says the legalization movement is at a crossroads.

Read full article »

Pot Legalization Campaign Takes Fight To Ark. High Court

Cannabis legalization advocates on Friday asked the Arkansas Supreme Court to overrule state election officials' decision to reject a ballot initiative to legalize recreational marijuana by amending the state's constitution.

2 documents attached | Read full article »

NJ University Sues To Stop Cannabis Biz On Its Doorstep

St. Peter's University told a New Jersey Superior Court that Medusa NJ LLC's planned cannabis dispensary and lounge — already approved by the Jersey City Planning Board — is too close to its new dormitory, in violation of state and city regulations.

Complaint attached | Read full article »

EXPERT ANALYSIS

Opinion

Market Drops Show Tech Antitrust Reform Isn't Needed

Recent equity market declines — and technology history — cast doubt on the staying power of the tech platform lock-in effects used to justify proposed antitrust regulatory and legislative interventions, says Jonathan Barnett at the University of Southern California.

Read full article »

Opinion

How DOL Can Improve Proposed ESG Investment Rule

Meta Platforms Inc.
Monsanto Co.
Morgan Stanley
NASDAQ Inc.
National Amusements Inc.
Natural Resources Defense Council
New York State Bar Association
Oath Inc.
Optum Inc.
PGA TOUR Inc.
PacifiCorp
Paramount Global
Paypal Holdings Inc.
Public Citizen Inc.
QUALCOMM Inc.
Revlon Inc.
Riverstone Holdings LLC
Space Exploration Technologies Corp.
Spotify Technology SA
State Bar of California
Tesla Inc.
The Center for Reproductive Rights Inc.
The Trade Desk Inc.
TikTok Inc.
Twitter Inc.
U.S. Bancorp
Uber Technologies Inc.
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California Environmental Protection Agency
Centers for Disease Control and Prevention
Comanche Nation
Consumer Financial Protection Bureau
Delaware Court of Chancery
European Union
Executive Office of the President
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Georgia Supreme Court
Hoopa Valley Tribe
Illinois Attorney General's Office

The U.S. Department of Labor's soon-to-be-finalized rule on environmental, social and corporate governance considerations for retirement plan investments should be revised to avoid questionable market assumptions and to better facilitate fiduciaries' regard for ESG factors, says Brantley Webb at Mayer Brown.

Read full article »

US Tech Cos. Must Prepare For Impending UK Data Requests

U.S. technology companies can expect to receive their first intercept orders from U.K. authorities in October as part of a U.K.-U.S. data sharing agreement under the CLOUD Act, and should ensure readiness to produce data as well as familiarity with the agreement's requirements for orders, say attorneys at Jenner & Block.

Read full article »

Ethics Lessons From The Alex Jones Discovery Debacle

The botched production of a cache of texts and emails prior to Alex Jones' defamation trial, and a failure to take corrective actions, should remind attorneys of the potential pitfalls of discovery, their professional responsibilities throughout the process, and the possibility of severe sanctions, say attorneys at Harris Wiltshire.

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Library of Congress
Massachusetts Cannabis Control Commission
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National Indian Gaming Commission
National Institutes of Health
National Marine Fisheries Service
New York Attorney General's Office
Texas Supreme Court
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Customs and Border Protection
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of New York
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Postal Service
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Sentencing Commission
U.S. Supreme Court
United States District Court for the Northern District of Ohio
United States District Court for the Western District of Oklahoma

Tech billionaire Elon Musk branded Twitter Inc.'s key traffic measurement tools as "reckless" or "at worst, intentionally misleading" in his answer to Twitter's Delaware Chancery Court suit to compel him to close on his $44 billion deal for the company, according to a copy made public early Friday.

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TO: hborski@utah.gov
DATE: 08/08/2022 03:17

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TOP NEWS

United Exec Says Data Access Informed $13.8B Acquisition

A former UnitedHealth Group executive admitted Friday that access to health care claims data was at least one key factor in the $13.8 billion purchase of Change Healthcare, giving fodder to U.S. Department of Justice allegations that the data could be misused to benefit UnitedHealthcare.

Read full article »

Landmark Opioid Opinion 'Not Persuasive,' W.Va. Panel Says

A West Virginia federal judge contravened long-standing precedent when he sided with drug distributors last month after a major opioid crisis trial, the Mountain State's Mass Litigation Panel said in a ruling against national pharmacy chains that are approaching a similar trial.

2 documents attached | Read full article »

After Dobbs: Kan. Voters, DOJ Fight Abortion Restrictions

A Kansas vote this week upholding the right to abortion in the Sunflower State served as the first litmus test for how voters may react to the high court's decision to overturn Roe v. Wade, while the U.S. Department of Justice launched its first post-Dobbs suit challenging a state's abortion restrictions.

Read full article »

Senate Sends Dems' Landmark Tax, Climate Bill To House

The Senate on Sunday passed the Democrats' tax, climate and health care legislation known as the Inflation Reduction Act, sending the measure to the House, which could pass it later this week.

Bill attached | Read full article »

DC Circ. Blasts Nursing Homes' Appeals In COVID Death Suits

Two Pennsylvania nursing homes seeking to have the D.C. Circuit determine whether they are immune to COVID-19 deaths under a federal health emergency law were rebuffed Friday, as the federal appeals court said it would lead to an appellate review system "so absurd" with "no discernable purpose."

Opinion attached | Read full article »

Hospital Right To Fire Director For Bias, 11th Circ. Says

A medical services director was not illegally fired for participating in a U.S. Equal Employment Opportunity Commission investigation, an Eleventh Circuit panel said, finding that an Emory University hospital lawfully fired her for discriminating against a Jehovah's Witness employee and lying about it.

Opinion attached | Read full article »

Walmart, CVS, Walgreens Ask 10th Circ. To Pause Opioid Suit

Walmart, CVS Pharmacy and Walgreens urged the Tenth Circuit on Friday to stay the Cherokee Nation's lawsuit accusing them of contributing to rampant opioid addiction while the appellate court considers returning the suit to the federal judiciary, saying the federal appellate panel can absolutely stay the state-court proceedings.

Brief attached | Read full article »

ENFORCEMENT & COMPLIANCE

Jan. 6 Suspect Mulls Plea In Separate Vax Card Fraud Case

A U.S. Marine Corps reservist from Queens, New York, who allegedly entered the U.S. Capitol unlawfully on Jan. 6, 2021, is considering pleading guilty in a separate case charging him with scheming to sell forged COVID-19 vaccination cards, a Brooklyn federal judge heard Friday.

Read full article »

LITIGATION

Profs Urge Full Fed. Circ. To Review 'Startling' Novartis Ruling

Two groups of law professors have urged the full Federal Circuit to review a case in which a split panel initially sided with Novartis in January and upheld its patent on multibillion-dollar multiple sclerosis drug Gilenya, but then invalidated it after a different judge joined the panel.

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COMPANIES IN TODAY'S NEWS

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Alta Mesa Resources Inc.
American Bar Association
AmerisourceBergen Corp.
Apple Inc.
Arbutus Biopharma Corp.
Boston Scientific Corp.
Broadcom Inc.
CBS Corp.
CBS Interactive Inc.
CNA Financial Corp.
CVS Health Corp.
Change Healthcare Inc.
Cincinnati Financial Corp.
Citigroup Inc.
Coinbase Global Inc.
Cricket Communications Inc.
CureVac AG
Daiichi Sankyo Co.
Danaher Corp.
Definitive Healthcare LLC
Emory Healthcare Inc.
Forest Laboratories Inc.
Gartner Inc.
George Washington University
Google LLC
Hackensack Meridian Health
JAMS Inc.
Johnson & Johnson
Karyopharm Therapeutics Inc.
Leafly Holdings Inc.
Lex Machina Inc.
LinkedIn Corp.
Major Lindsey & Africa LLC
McKesson Corp.
Medtronic PLC
Moderna Inc.
Morgan Stanley
National Amusements Inc.
New York State Bar Association
Optum Inc.
PGA TOUR Inc.
Paramount Global
Paypal Holdings Inc.

1st Circ. Won't Revive Karyopharm Investors' Stock-Drop Suit

The First Circuit won't revive a putative securities fraud class action claiming that Karyopharm Therapeutics Inc. executives gave an overly rosy assessment of negative drug trial results, ruling Friday that investors failed to plausibly allege that the drugmaker materially misrepresented those results.

Opinion attached | Read full article »

Medical Groups Ask 2nd Circ. To Pause Virus Suit Again

A group of medical providers asked the Second Circuit to delay a decision on their COVID-19 business interruption coverage appeal against CNA Financial Corp. and its unit Continental Casualty Co. for a second time, arguing the court should allow the Connecticut Supreme Court to weigh in first.

Brief attached | Read full article »

Benicar Plaintiffs Appeal Axing Of Fee Suit To 3rd Circ.

Former Mazie Slater Katz & Freeman LLC clients involved in multidistrict litigation over the blood pressure drug Benicar have asked the Third Circuit to revive their class claims over the firm's $9 million counsel fee award, arguing the sum was excessive.

Brief attached | Read full article »

Suits Over Tainted Abbott Baby Formula Join Illinois MDL

The Judicial Panel on Multidistrict Litigation on Friday decided to send a group of suits against Abbott Laboratories over the contamination of its Similac infant formula to the Northern District of Illinois, where the company is headquartered.

Read full article »

Northwestern Univ. Can't Escape COVID Tuition Refund Suit

An Illinois federal judge is allowing current and former Northwestern University students to move ahead with their proposed class action seeking refunds after COVID-19 pushed the school to move classes online, ruling Northwestern had an implied agreement to provide in-person instruction.

Order attached | Read full article »

Boston Scientific Reaches Deal To End Implant Death Suit

Boston Scientific Corp. has reached a settlement to end claims that one of its anti-stroke implants caused a woman's death through faulty manufacture, according to a stipulation filed Friday.

Order attached | Read full article »

Kaiser Can't Sink Suit Alleging Hearing Coverage Bias

A Washington federal judge denied an attempt by health care organization Kaiser to dismiss a lawsuit alleging the company discriminated against those who have hearing loss for refusing to cover any treatment besides cochlear implants.

Order attached | Read full article »

Medtronic Inks Deal To End Faulty Pacemaker Suit

Medtronic Inc. has reached a settlement ending claims by a man who alleges he was implanted with a faulty pacemaker made by the company, according to a South Carolina federal judge's order Friday.

Order attached | Read full article »

Pa. Panel Says Expert's Vet Board Work Doesn't Nix Testimony

A former chair of Pennsylvania's State Board of Veterinary Medicine was far enough removed from his time on the board that he could serve as an expert on a professional standard of care without breaking the "wall" between prosecution and judicial functions, a state appellate court ruled Friday.

Opinion attached | Read full article »

Mass. Panel Backs Nursing Home's Trial Win In Death Suit

A Massachusetts appellate panel on Friday upheld a jury decision in favor of a senior care facility sued over a man's death after he was hurt in a mobility device, reasoning that the trial judge properly excluded two expert witnesses and made other sound calls.

Pfizer Inc.
Public Citizen Inc.
QUALCOMM Inc.
Regeneron Pharmaceuticals Inc.
Revlon Inc.
Rite Aid Corp.
Riverstone Holdings LLC
Space Exploration Technologies Corp.
Spotify Technology SA
State Bar of California
Tesla Inc.
The Center for Reproductive Rights Inc.
The Trade Desk Inc.
Twitter Inc.
UnitedHealth Group Inc.
Venmo LLC
Walgreens Co.
Walmart Inc.
Wells Fargo & Co.
Windstream Holdings Inc.
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Cleary Gottlieb
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Crowe & Mulvey
DLA Piper
Danaher Lagnese
Debevoise & Plimpton
Edelman Combs
Ellis & Winters
Faegre Drinker
Farrar & Ball
Foliart Huff
Francis Mailman
Friedlander Misler
Gibson Dunn
Goldberg Segalla
Goodwin Procter
Grant & Eisenhofer
Greenberg Traurig
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Kessler Topaz

Opinion attached | Read full article »

NJ Health Network Hit With Payroll Whistleblower Suit

A former payroll compliance manager at Hackensack Meridian Health has launched a New Jersey state whistleblower lawsuit claiming she was fired in retaliation for objecting to the health network's allegedly fraudulent payroll practices.

Complaint attached | Read full article »

PEOPLE

Ex-FDA Veteran Joins Sidley In DC

Sidley Austin LLP has added a 14-year veteran of the U.S. Food and Drug Administration to its food, drug and medical device compliance and enforcement group.

Read full article »

EXPERT ANALYSIS

The Role Of Morality In IP Suits Over COVID-19 Vaccines

Recent patent infringement suits involving the COVID-19 vaccines developed by Pfizer and Moderna raise interesting legal and moral issues — like whether infringement should be alleged if it was done during the course of accomplishing a greater good, say Lynn Lehnert and Sara Pilson at Goldberg Segalla.

Read full article »

Series

In-House At A Cannabis Company: The Advertising Issues

Cannabis advertising regulations are necessary to ensure public health and safety, but when a state overshoots these baseline concerns, the restrictions meant to protect the public can hinder the creation of a safe and legal cannabis market, says Monique Saysana at Leafly.

Read full article »

Ethics Lessons From The Alex Jones Discovery Debacle

The botched production of a cache of texts and emails prior to Alex Jones' defamation trial, and a failure to take corrective actions, should remind attorneys of the potential pitfalls of discovery, their professional responsibilities throughout the process, and the possibility of severe sanctions, say attorneys at Harris Wiltshire.

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LEGAL INDUSTRY

Breyer Calls On Lawyers To Stand Up For Rule Of Law

Retired Supreme Court Justice Stephen Breyer called on lawyers and young people to defend the rule of law in an event Saturday evening where he received the American Bar Association's highest award.

Read full article »

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Lynch Carpenter
Mazie Slater
McDowell Hetherington
Morrison Foerster
Morrison Mahoney
Mound Cotton
Nagel Rice
Nilan Johnson
Paul Weiss
Phillips Murrah
Pollock Cohen
Potter Anderson
Prickett Jones
Quinn Emanuel
Resnick Law Group
Rosen Law Firm PA
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Skiermont Derby
Sommers Schwartz PC
The Golan Firm
The Kirby G. Smith Law Firm
Thomas Thomas
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Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
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National Institutes of Health
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Pennsylvania Department of State
Texas Supreme Court
U.S. Attorney's Office

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Senate Confirms Long-Awaited Sentencing Commission Picks

The Senate on Thursday confirmed seven nominees to the U.S. Sentencing Commission, giving the agency a voting quorum for the first time in more than three years.

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U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Tenth Circuit

U.S. Court of Appeals for the Third Circuit

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U.S. Department of Justice

U.S. Department of Labor

U.S. District Court for the District of Columbia

U.S. District Court for the District of Delaware

U.S. District Court for the District of Massachusetts

U.S. District Court for the District of South Carolina

U.S. District Court for the Eastern District of New York

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Southern District of California

U.S. District Court for the Southern District of New York

U.S. District Court for the Southern District of West Virginia

U.S. District Court for the Western District of Washington

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FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 08/08/2022 06:00

MORNING CONSULT

Health

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AUGUST 8, 2022

BY MATT BRACKEN

Twitter Email

Top Stories

- In a 50-50 party-line vote with Vice President Kamala Harris casting the tie-breaking tally, the Senate yesterday passed the Inflation Reduction Act, Democrats' signature legislation that includes a three-year extension of Affordable Care Act subsidies, a cap on annual out-of-pocket drug costs for Part D patients, free vaccines to seniors in the Medicare program and the ability for Medicare to negotiate drug prices on no more than 20 high-cost drugs without strong competitors. The House will vote Friday on the bill, which came up three Republican votes shy of including a proposal from Sen. Raphael Warnock (D-Ga.) to skirt the Senate parliamentarian and cap monthly insulin costs for commercial health plans at $35. (Roll Call)

- After Indiana became the first state to pass a new ban on abortion following the Supreme Court's ruling to overturn Roe v. Wade, Indianapolis-headquartered Eli Lilly and Co. said it "will be forced to plan for more employment growth outside our home state" since the law will hinder its "ability to attract diverse scientific, engineering and business talent from around the world." The pharmaceutical giant has 10,400 employees working out of its headquarters, in addition to research and development footprints in New York City, San Diego and San Francisco, with plans to build a $700 million genetic medicine facility in Boston. (The Associated Press)

- The Health and Human Services Department is planning to extend the COVID-19 public health emergency past the midterm elections

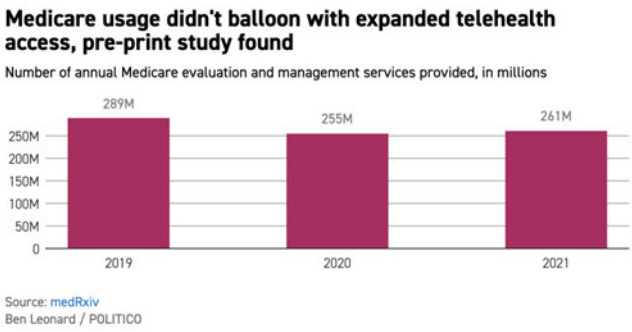
in November and potentially into early next year, according to three people with knowledge of the matter. (Politico) The Centers for Disease Control and Prevention this week is expected to publish updated COVID-19 guidance, though an unfinalized draft document viewed by a media outlet showed no substantial changes to current recommendations on masking, testing or isolating. (NBC News)

- Pfizer Inc. will buy Global Blood Therapeutics Inc. for $5.4 billion, a deal that will boost the drugmaker's rare-diseases business and secure access to one of the few approved treatments for sickle-cell disease. (The Wall Street Journal) CVS Health Corp., meanwhile, is exploring a purchase of Signify Health Inc., people familiar with the matter said, in a move that would give the pharmacy giant a leg up in its expansion efforts in the home-health services sector. (The Wall Street Journal)

Chart Review

Fraud is the killjoy at the telehealth party

Politico



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What Else You Need to Know

CORONAVIRUS

BioNTech and Pfizer to begin clinical trial of vaccine for new Covid variants
Hannah Kuchler, Financial Times
German company says it is aiming for 'prolonged and broad protection' as sales and earnings miss expectations.

Long Covid could become a mass disabling event. Congress has it on the back burner.
Alice Miranda Ollstein, Politico
While Kaine and other Democrats in the House and Senate are pushing for action, they have failed to gain meaningful momentum due to lack of GOP support.

Most Parents Are Saying No to Covid-19 Vaccines for Toddlers
Jared S. Hopkins and Jon Kamp, The Wall Street Journal
More than a month after the U.S. Centers for Disease Control and Prevention recommended shots for about 17.4 million children ages 6 months through 4 years, about 4% to 5% of them have received a shot, according to the most recent agency data and population estimates from the American Academy of Pediatrics.

Biden to end isolation after testing negative for Covid again
David Cohen, Politico
Having tested negative for Covid again, President Joe Biden will resume "public engagement and presidential travel," the White House announced Sunday morning.

U.S. administers over 7,300 Novavax vaccine doses, CDC says
Reuters
The United States has administered more than 7,300 doses of Novavax Inc's (NVAX.O) COVID-19 shot, which health officials hope will convince more people to opt for vaccinations as it is based on a technology that has been in use for decades.

Long COVID isn't inevitable. It only feels like it
Erin Prater, Fortune
"Long haul" sufferers seemed like an aberration early in the COVID pandemic—an unfortunate few who, for whatever reason, couldn't seem to kick the disease.

GENERAL

Monkeypox at a daycare was 'only a matter of time,' expert says. Next up: pools, sports, schools

Erin Prater, Fortune

"It was only a mater of time" before monkeypox made it to congregate settings, a pediatric infectious disease specialist told Fortune, after Illinois state officials announced Friday that a daycare worker had been diagnosed with the smallpox-related virus.

Monkeypox is disproportionately affecting Black, Hispanic people, latest CDC breakdown shows

Deidre McPhillips, CNN

A detailed analysis of monkeypox case records published by the US Centers for Disease Control and Prevention on Friday offers new insight into the outbreak, which is disproportionately affecting men who have sex with men, especially those who are Black and Hispanic.

As monkeypox spreads, Fauci says pay attention but don't panic

Lindsey Bever, The Washington Post

Amid a monkeypox outbreak in the United States that has been declared a public health emergency, the nation's top infectious-diseases expert, Anthony S. Fauci, said people should be paying attention but not panicking.

CDC: Limit sexual partners to avoid monkeypox

Sareen Habeshian, Axios

The Centers for Disease Control and Prevention issued updated guidance Friday recommending that people limit their sexual partners while waiting to get vaccinated against monkeypox.

There's Just One Drug to Treat Monkeypox. Good Luck Getting It.

Apoorva Mandavilli, The New York Times

Doctors who want to prescribe tecovirimat, or Tpoxx, must navigate a gantlet of bureaucratic hurdles that experts say could be quickly lifted.

Officials Wrestle With Whether to Allow New Monkeypox Vaccination Strategy

Sharon LaFraniere and Noah Weiland, The New York Times

A new way of injecting monkeypox vaccine could stretch the nation's supply of shots, but some experts argue that the approach has not been sufficiently studied.

New York Health Department says hundreds of people may be infected with polio virus

Sophie Reardon, CBS News

New York state health officials have found indications of additional cases of polio virus in wastewater samples from two different counties, leading them to warn that hundreds of people may be infected with the potentially serious virus.

Biden Is an Uneasy Champion on Abortion. Can He Lead the Fight in Post-Roe America?

Michael D. Shear, The New York Times

A practicing Catholic, President Biden has long sought a middle ground on abortion. But activists see the decision to overturn Roe v. Wade as a sign that Democrats have tiptoed too carefully around the issue.

Some Women 'Self-Manage' Abortions as Access Recedes
Roni Caryn Rabin, The New York Times
Information and medications needed to end a pregnancy are increasingly available outside the health care system.

No 'slam dunk fix' in HIPAA privacy law to protect abortion patients
Rebecca Pifer, Healthcare Dive
The Biden administration wants to lean on the decades-old privacy law to protect abortion patients. What could it actually do?

Minnesota pharmacist who refused to fill morning-after pill prescription did not discriminate, jury rules
Corky Siemaszko, NBC News
But the jury said the mother of five, who was forced to make a 100-mile round trip to get the contraceptive, should be entitled to $25,000 for "emotional harm."

Once feared, illicit fentanyl is now a drug of choice for many opioid users
Erika Edwards, NBC News
One of the deadliest street drugs, illicit fentanyl, has transitioned from a hidden killer that people often hope to avoid to one that many drug users now seek out on its own.

Fish Oil Is Good! No, Bad! No, Good! No, Wait
Jacob Stern, The Atlantic
At first, it was all very exciting. In 1971, a team of Danish researchers stationed on Greenland's northwest coast found that a local Inuit community had remarkably low levels of diabetes and heart disease. The reason, the researchers surmised, was their high-marine-fat diet—in other words, fish oil.

Florida medical board looks to block gender-affirming treatments for minors
Herb Scribner, Axios
Florida's medical board voted Friday to start the process of updating its rules for banning gender-affirming medical treatment for young people.

PAYERS

Which insurer was most profitable in Q2? The answer won't surprise you
Paige Minemyer, Fierce Healthcare
UnitedHealth Group continues to be a financial juggernaut through two quarters, leading the charge in revenues and profit for the first half of 2022. The healthcare giant brought in $160.5 billion in revenue across Q1 and Q2 this year, as well as $10.1 billion in profit

SCAN Group plots course for Medicare Advantage growth
Nona Tepper, Modern Healthcare
SCAN Group plans to expand its Medicare Advantage reach into Texas in 2023 as the insurer stakes its claim in another competitive market for private Medicare plans.

N.Y. Spent Over $700 Million on Ineligible Medicaid Costs
Keshia Clukey, Bloomberg Law

New York spent over $700 million in Medicaid payments for recipients who were ineligible for the long-term care program, and billions more on behalf of people who received minimal care, according to an audit released Friday by the state comptroller's office.

PROVIDERS

Health care industry swarms Washington as surprise billing rules get ironed out

Bob Herman, Stat News

Already, eight different providers — all physicians, air ambulances, or hospitals — have sued the government over its first efforts to lay out the specifics of Congress' 2020 law that protects patients from getting ambushed by many types of medical bills. And now, providers and health insurers are ramping up their finger-pointing, each accusing the other of gumming up the law's new arbitration process and acting in bad faith.

Healthcare industry nearly recovered from early pandemic job losses

Hailey Mensik, Healthcare Dive

The healthcare industry added 70,000 jobs in July, according to preliminary data out Friday from the Bureau of Labor Statistics.

How health systems performed in the second quarter

Caroline Hudson, Modern Healthcare

Labor costs, driven by demand for contract workers amid staff shortages, were the hot topic in the hospital industry's second-quarter earnings reports. Health system are doling out higher pay and bonuses to attract workers, despite ongoing financial challenges related to the COVID-19 pandemic.

PHARMA, BIOTECH AND DEVICES

Why generic drugmakers oppose Dems' drug pricing bill

Caitlin Owens, Axios

Generic drugmakers are warning that Democrats' plan to let Medicare to negotiate the prices of drugs may undercut competition from lower-cost copycats, inject massive uncertainty into their market and may forfeit potential long-term savings.

Merck defends tax approach against senator's claims of avoidance

Jamie Smyth, Financial Times

Chief financial officer says drugmaker complies with law amid congressional probe.

It's about to get easier to access affordable naloxone

Meryl Kornfield, The Washington Post

The first shipment of naloxone in a new national effort to reverse overdoses arrived somewhat unceremoniously.

Abortion bans complicate access to drugs for cancer, arthritis, even ulcers

Katie Shepherd and Frances Stead Sellers, The Washington Post

Medicines that treat conditions from cancer to autoimmune diseases to ulcers can also end a pregnancy or cause birth defects. As a result, doctors and pharmacists in more than a dozen states with strict abortion restrictions must suddenly navigate whether and when to order such

drugs because they could be held criminally liable and lose their licenses for prescribing some of them to pregnant women.

A look at some medications under increased scrutiny amid abortion bans
Frances Stead Sellers, The Washington Post
The list of drugs that can cause birth defects is long, including some antibiotics such as Cipro, mood stabilizers including lithium, and several medications to control arthritis, epilepsy and even acne.

Amgen says Lumakras plus immunotherapy for lung cancer needs further study
Deena Beasley, Reuters
A small study of Amgen Inc's Lumakras drug combined with immunotherapy found it helped 29% of advanced lung cancer patients, but liver toxicity was high and further study is needed, the company said ahead of the data presentation on Sunday at the World Conference on Lung Cancer in Vienna.

HEALTH TECHNOLOGY

Telehealth fraud concerns, whether 'overblown' or not, could impact the industry's future
Mohana Ravindranath, Stat News
Recent federal crackdowns on Medicare fraud linked to telehealth have raised concerns in Washington that virtual care introduces new opportunities for criminals to defraud vulnerable patients. But lobbyists and researchers say risks aren't necessarily greater than in-person, and warn that fear could drive lawmakers to make virtual care harder to access.

OPINIONS, EDITORIALS AND PERSPECTIVES

The next generation of illicit drugs? Think 'synthetic'
Jim Crotty, Stat News
The illicit drug market continues to become more treacherous. Illicit drugs killed more than 107,000 Americans in the last 12 months, the most on record, and are now the leading cause of death for Americans between the ages of 18 and 45, more than firearms, car accidents, and Covid-19.

RESEARCH REPORTS

Understanding Covid Vaccine Efficacy over Time — Bridging a Gap Between Public Health and Health Care
Isaac Kohane, and Gilbert S. Omenn, The New England Journal of Medicine
Imagine if we could track, for each patient seen at a health care facility, which Covid-19 vaccine they had received when and what their clinical evaluation revealed. We could then have near-real-time insights into the efficacy of vaccines, how that efficacy changes over time, how new viral strains alter it, and which viral and host features (including underlying medical conditions) lead to breakthrough infections in immunized people.

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SUBJECT: Erich and Kallman defeats "Power Villains" for Goal Zero
FROM: "4A's SmartBrief" <aaaa@smartbrief.com>
TO: hborski@utah.gov
DATE: 08/08/2022 08:15

Created for **hborski@utah.gov** | Web Version

August 8, 2022

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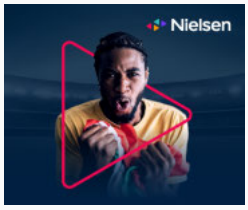
TOP STORY

BBDO Bangkok crowdsources ad ideas for chicken brand

(BBDO Bangkok/YouTube)

BBDO Bangkok created a short film for Thai chain Five Star Chicken that stars singer, model and actor Weir as brand ambassador who's at a loss of what he's supposed to do to promote the brand. The film then brings to life advertising ideas crowdsourced by the agency from social media and street interviews, which include bad guys, dancing chickens, farmers, Harry Potter and martial arts. **Full Story:** Adweek (8/5)



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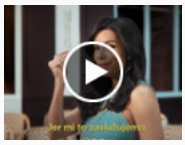
CREATIVE

Erich and Kallman defeats "Power Villains" for Goal Zero

(Goal Zero/Twitter)

Erich and Kallman is spotlighting Goal Zero's portable power products with a "Power Villains" campaign that's running across TV in California, streaming, social, radio, cinemas, podcasts and programmatic display. "The use of voice-over and emphasis on the homeowner as the hero is effective in showing that Goal Zero customers have control over these villains and power outages," says Eric Kallman, chief creative officer and agency co-founder. **Full Story:** MediaPost Communications (free registration) (8/5)

McCann Paris, L'Oreal turn Eva Longoria into a genie



(L'Oreal Paris Hrvatska/YouTube)

McCann Paris created a campaign to tout L'Oreal Paris' Magic Retouch that stars Eva Longoria and is running across TV and digital in the US and other countries. A series of spots show Longoria popping up like a genie to help people quickly touch up their roots. **Full Story:** Ad Age (tiered subscription model) (8/5)

How to keep marketing efforts agile

Today's consumers see more ads than ever before. In order to create a lasting impact with audiences, marketers need to leverage technology and expertise through an agile approach. **Download the report** to learn how to use an agile approach to insights throughout the product life cycle.

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AGENCY INSIDER

Agency execs talk music in advertising

Agency executives discuss the use of music in advertising and how they pick the right songs. "We know that nostalgia powers shares," says PMG CEO and Chairman Josh Deutsch, noting that the agency helps brands "organically find these moments." **Full Story:** Adweek (8/5)

How to win clients during an economic downturn

Agencies need to be proactive to find the clients who are still prioritizing growth and marketing during an economic downturn, advises Mike Kapetanovic, founder of GrowthLab. "The market knowledge, domain expertise and industry relationships you've developed working for a client that no longer values you will make you all the more valuable to one of its competitors. It's time to go on the hunt," Kapetanovic writes. **Full Story:** The Drum (free registration) (8/4)

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AGENCY NEWS

Havas Health & You wins global AOR for ViiV

Havas Health & You has won global agency of record for ViiV Healthcare. "This win is a reinforcement that our 'Better Together' strategy is spot-on and continues to differentiate us in a highly competitive market," wrote HH&Y CEO Donna Murphy in an internal memo. **Full Story:** MM&M (8/4)

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MEDIA & TECHNOLOGY TRENDS

Will WhatsApp be Meta's next big moneymaker?

(Justin Sullivan/Getty Images)

Meta CEO Mark Zuckerberg says the company is supporting WhatsApp, dubbed as Meta's "next chapter," by offering advanced messaging, commerce and a new ad option called "click-to-message." Meta estimates 1 billion users are communicating weekly with companies via WhatsApp, Messenger and Instagram, and former Chief Operating Officer Sheryl Sandberg recently said that the click-to-message ad tool is a "multi-billion dollar business." **Full Story:** CNBC (8/8)

HOT TOPICS

Arts & Letters sells an empty seltzer can for Tito's
Marketing Dive

W+K, HP show the rules of work have changed
Muse by Clio

Supernatural creates a stop-motion talking bear
Adweek

The right way to handle layoffs
Ad Age (tiered subscription model)

Saatchi & Saatchi re-creates "Pregnant Man"
The Drum (free registration)

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SUBJECT: Fwd: Legislative Required Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>
DATE: 08/08/2022 08:35

Janae and Anna -

Could you help come up with a response for Russell's question (see thread below)?

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022, 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
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Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

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- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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SUBJECT: Fwd: NY Times: Safe Haven Laws
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: Heather Borski <hborski@utah.gov>
DATE: 08/08/2022 09:09

David Litvack
Deputy Director

[redacted]

He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Tracy Gruber (DHHS)** <tracygruber@utah.gov>
Date: Mon, Aug 8, 2022 at 8:00 AM
Subject: NY Times: Safe Haven Laws
To: David Litvack (DHHS) <davidlitvack@utah.gov>, Joe Dougherty (DHHS) <joedougherty@utah.gov>

https://www.nytimes.com/2022/08/06/us/roe-safe-haven-laws-newborns.html?smid=tw-nytimes&smtyp=cur

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Anna Fondario (DHHS)" <afondario@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 09:20

Hi Marc, my understanding is that since the SCI / BI Rehabilitation Fund is a payor of last resort, primary instances when cost-sharing occurs in Utah:

1. Medicaid / Medicare (as a result of job loss / insurance due to the injury)
2. Out-of-pocket

Typically participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, the program will study the issue more.

Cc'ed Teresa and Traci for additional input.

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C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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--
Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

Utah Department of
Health & Human Services
Population Health

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SUBJECT: National Breastfeeding Month 2022
FROM: TECC | Tobacco Education Clearinghouse of California <communications@etr.org>
TO: hborski@utah.gov
DATE: 08/08/2022 10:19

View in browser

TECC Update: August 08, 2022

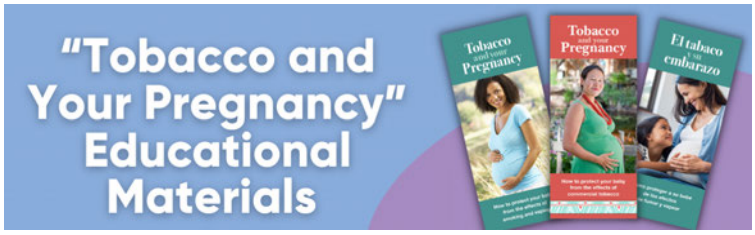
August is National Breastfeeding Month. In this newsletter, learn about the effects of tobacco use while breastfeeding, relevant TECC tobacco prevention educational materials, and quitting programs to support breastfeeding parents who are ready to quit.

National Breastfeeding Month

National Breastfeeding Month was created to raise awareness about the importance of breastfeeding, and the barriers that marginalized communities face when trying to breastfeed their infants. While the American Academy of Pediatrics (AAP) recommends that infants be exclusively breastfed for about the first 6 months of life, many parents struggle to **reach this breastfeeding milestone**, due to systemic barriers to accessing breastfeeding support. This is especially true for Black, Indigenous, and other communities of color. For example, Latinx birthing parents are most likely to supplement breastmilk with formula within the first two days of life and African American parents have the lowest breastfeeding duration rates compared to other ethnic groups.

In addition to equity issues related to breastfeeding access, tobacco use while breastfeeding can also expose the mother and infant to several health issues. Nicotine and other chemicals from tobacco are transferred into the breastmilk at high levels leading to a **higher risk of Sudden Infant Death Syndrome (SIDS), respiratory illnesses, and allergic reactions** for nursing infants. According to the CDC, **pregnancy and lactation** are recognized as two ideal times to promote tobacco and smoking cessation.

Learn More



"Tobacco and Your Pregnancy" Educational Materials

TECC's brochure, **Tobacco Use and Your Pregnancy**, highlights the impact of tobacco use on developing infants. This material includes information on how tobacco affects infants, the benefits of quitting, a quit plan, and information for **Kick it California**. To reach priority populations, this brochure has been developed in **English**, **Spanish**, **Khmer**, and one specific to **American Indian/Alaskan Native** communities.

Browse Materials

Quitting Support for Breastfeeding Parents

One of the best things that breastfeeding parents who use tobacco can do is quit, but that's easier said than done. Nearly **70% of smokers say they want to quit**, but annual rates show that on average only 7% are able to successfully quit. For breastfeeding parents that are ready to quit, but don't know where to start, **Kick It California** provides several different quitting support programs. They have programs specific to **quit smoking**, **quit vaping**, and **quit smokeless tobacco**. They offer talk-based and text-based quitting programs and can provide guidance to help someone make a plan to quit once and for all.

Find Support

Have questions? Contact us!
help@tecc.org
phone (800) 258-9090
fax (800) 438-1442

TECC material is made possible by funds received from the California Tobacco Control Program, under contract # 21-10001. The Tobacco Education Clearinghouse of California is a project of ETR.

etr.

ETR, 5619 Scotts Valley Drive, Suite 140, Scotts Valley, CA 95066, United States, (800) 321-4407
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SUBJECT: Fwd: Legislative Required Reports for SSA - August 1, 2022
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/08/2022 10:20

I wanted to make sure you saw this follow up from Russell. This speaks to our concerns about the report not being responsive to the questions the legislature raised. I think that they are asking if there are ways to modify the program to cost share. The team basically said, we don't cost share because the program only kicks in if there are no other methods of paying. Anna is working with Marc but I wanted you to be aware because neither of you are included in the exchange.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022 at 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc,

[redacted]

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> Sean, Russell, and Kimberly -
>
> Please see the attached reports from DHHS due to SSA by August 1, 2022:
>
> - Antipsychotic Use in Serious Mental Illness
> - Concurrent Prescriptions for Opioid and Benzodiazepines
> - Urine Drug Testing Report
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> Please let us know if you have any questions.
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> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> dhhs.utah.gov
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SUBJECT: ORS Teleworking Policy
FROM: "Liesa Stockdale (DHHS)" <lcorbri2@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 08/08/2022 11:04

As requested, this is what is currently on our books.

If surge is an issue, I can send the email that was sent to our employees that will be incorporated into this policy.

And one question: I do have to update this before September's IRS audit. Is the new Department Policy close to completion, or should I base this update on the last DHS policy available?

Thank you,
Liesa

--

Liesa Stockdale
Director, Office of Recovery Services
IV-D Director
O: 801.536.8901
lcorbri2@utah.gov
ors.utah.gov

Utah Department of
Health & Human Services
Recovery Services

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SUBJECT: Status of Recommendations 2021 OLAG Audit Report
FROM: "Derek Harrebomee (DHHS)" <dharrebomee@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 08/08/2022 13:15

Hi Heather,

I have been trying to track down anyone that might be able to help me determine the status of the past due recommendations in the OLAG report " A performance Audit of the Culture and Grant Management Process of the Department of Health," I wanted to see if you happened to have any information on the status of items for which you were listed as the contact person. These include recommendations (lines 5-9 on the attached spreadsheet): 3-2, 3-3, 4-1, 4-2, 4-3. Or is there someone that you would recommend that I reach out to instead? I am also hoping to track down information on the first three items in the spreadsheet as well, but have not had any luck getting in touch with Nate Checketts.

Thanks,
Derek

Derek Harrebomee, CIA, CFE
Office of Internal Audit
Utah Department of Health and Human Services
Phone (801) 538-6722

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
TO: "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 16:51

Thank you Anna for the great information.

We can also let Russell know that we have built in more measures to look at this over time, so a few years of collecting data would be helpful.

Janae

On Mon, Aug 8, 2022 at 9:20 AM Anna Fondario (DHHS) <afondario@utah.gov> wrote:

Hi Marc, my understanding is that since the SCI / BI Rehabilitation Fund is a payor of last resort, primary instances when cost-sharing occurs in Utah:

1. Medicaid / Medicare (as a result of job loss / insurance due to the injury)
2. Out-of-pocket

Typically participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, the program will study the issue more.

Cc'ed Teresa and Traci for additional input.

On Mon, Aug 8, 2022 at 8:35 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Janae and Anna -

Could you help come up with a response for Russell's question (see thread below)?

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022, 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
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Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

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Sean, Russell, and Kimberly -

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- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
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Utah Department of
Health & Human Services
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--
Janae Duncan
Division Director
C: 385.280.0312
janaeduncan@utah.gov

Utah Department of
Health & Human Services
Population Health

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SUBJECT: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 17:30

Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps this is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges, but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

With that understanding, because the SCI / BI Rehabilitation Fund in Utah is a payor of last resort, we view the State as already participating in a cost-sharing program. Participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements (unsure what we are referring to here) weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, we will study the issue more. We have built in more measures to look at this over time, so a few years of collecting data would be helpful.

To make sure we are on the same page, could you share with us what the legislature considers to be Cost Sharing? It will be helpful for us all to work from the same definition and understanding of what would or would not constitute cost-sharing under this specific circumstance (SCI / BI Rehabilitation Fund). Is the legislature suggesting that the account be changed to start allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? What effect would this have on those who are least able to pay into the system? Would this not preclude many of them from receiving services as more funds are used to help those with some ability to pay (i.e "cost sharing")?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Aug 8, 2022 at 8:23 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

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mwatterson@utah.gov

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SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
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TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 20:28

Thanks Marc, I like the response. In regards to the highlighted section referring to data elements - it is the additional data (measures) that the providers are now collecting from applicants. Let me know if more clarification is needed. Thanks all.

On Mon, Aug 8, 2022 at 5:31 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps this is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges, but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

With that understanding, because the SCI / BI Rehabilitation Fund in Utah is a payor of last resort, we view the State as already participating in a cost-sharing program. Participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements (unsure what we are referring to here) weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, we will study the issue more. We have built in more measures to look at this over time, so a few years of collecting data would be helpful.

To make sure we are on the same page, could you share with us what the legislature considers to be Cost Sharing? It will be helpful for us all to work from the same definition and understanding of what would or would not constitute cost-sharing under this specific circumstance (SCI / BI Rehabilitation Fund). Is the legislature suggesting that the account be changed to start allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? What effect would this have on those who are least able to pay into the system? Would this not preclude many of them from receiving services as more funds are used to help those with some ability to pay (i.e "cost sharing")?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Aug 8, 2022 at 8:23 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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[redacted]

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--
Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

Utah Department of
Health & Human Services
Population Health

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SUBJECT: Judge Blasts High Court For Feds' Immigration 'Carte Blanche'
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 09/08/2022 02:42

P[redacted]ICY LAW360®

Tuesday, August 9, 2022 Follow

TOP NEWS

Judge Blasts High Court For Feds' Immigration 'Carte Blanche'

A California federal judge rebuked a high court decision barring lower courts from controlling immigration policy, saying the justices gave the U.S. Department of Homeland Security "carte blanche" to enact potentially illegal policies, including an unwritten "turnback" policy of turning away asylum-seekers.

Order attached | Read full article »

Commerce Says Russia Is Still A WTO Trade Partner

The U.S. International Trade Administration has declined to set tariffs on liquid fertilizer from Russia, rejecting arguments from domestic suppliers that called for the agency to impose countervailing duties despite a negative injury ruling from the International Trade Commission.

Memorandum attached | Read full article »

DOJ Says Medical Pot Patients Have No Right To Bear Arms

The U.S. Department of Justice told a Florida federal judge on Monday that the Sunshine State's medical marijuana patients had no Second Amendment right to possess firearms since they were breaking a federal law.

Memorandum attached | Read full article »

FTC's Phillips To Depart And Leave Agency With 1 Republican

LAW FIRMS IN TODAY'S NEWS
Akerman LLP
Arnold & Porter

The Federal Trade Commission confirmed Monday that Republican Commissioner Noah Joshua Phillips will step down sometime in the fall, capping a term defined for the last year and a half by opposition to the Democratic majority's efforts to overhaul how the agency works.

Read full article »

DOJ Drops 2 Ex-Pilgrim's Pride Execs From Price-Fixing Case

The U.S. Department of Justice has dropped criminal charges against two of four former Pilgrim's Pride executives, making it the latest setback for prosecutors in a broader investigation into alleged price-fixing in the broiler chicken industry.

Motion attached | Read full article »

DC Circ. Won't Review Ruling Reviving Dems' GSA Docs Suit

The full D.C. Circuit on Monday declined to rehear a split panel decision resurrecting a group of House Democrats' suit seeking documents on the Trump Organization's hotel lease for the Old Post Office in the District of Columbia, although several judges were adamantly in favor of granting the petition.

Order attached | Read full article »

Bannon Wants New Contempt Trial, Says Gov't Hurt Defense

Ex-Trump White House aide Steve Bannon has asked a D.C. federal court for a new trial following his convictions on two counts of contempt of Congress last month, arguing that the government wrongfully prevented him "from telling the jury the story" of why he did not comply with a subpoena from the Jan. 6 House select committee.

Motion attached | Read full article »

DOI Fights Rehearing Of Alaska Land Swap

The U.S. Department of the Interior is opposing a bid for an en banc rehearing by environmental groups over its 2019 approval of a land exchange allowing a road to run through Izembek National Wildlife Refuge land between Cold Bay and King Cove, Alaska, saying that the exchange is not meant for economic gain.

Response attached | Read full article »

BANKING & SECURITIES

SEC Targets Conflicts Of Interest Among Clearing Agencies

The U.S. Securities and Exchange Commission on Monday proposed a rule aimed at reducing conflicts of interest among financial intermediaries known as clearinghouses, with the SEC's Democratic contingent pushing the plan through over the dissents of its two Republican members.

Proposed Rule attached | Read full article »

AGs Say BlackRock's Social Conscience May Cost Pensions

Republican attorneys general from 19 states said in a letter to BlackRock Inc. CEO Larry Fink that the company's support for so-called environmental, social and governance factors could be putting pensions at risk, and that its conduct could be illegal.

Letter attached | Read full article »

Bank Groups Pan Feds' Pitch To Add CRA Assessment Areas

Major bank trade groups are expressing discontent with federal regulators' plan to revamp how banks are evaluated on their community lending performance, arguing that the proposal could worsen disparities in credit access between rural and urban areas.

3 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

Calif. Tells Justices Animal Care Law Is On Solid Ground

California on Monday asked the U.S. Supreme Court to reject pork producers' effort to sink a ballot initiative that banned in-state sales of meat from pigs born to mothers that are kept in confined housing.

2 documents attached | Read full article »

Calif. Judge Urged To Keep Nix Of Species Rules In Place

The federal government, multiple states and a slew of conservation groups are urging a California federal judge not to pause his order vacating Trump-era Endangered Species

Bartlett LLP
Bayard PA
Berger Singerman
Bondurant Mixson
Boyle Leonard
Brownstein Hyatt
Cahill Gordon
Caminez & Yeary
Caplan Cobb
Cleary Gottlieb
Coyle Law Group
Davis Polk
Dean Mead
FisherBroyles
Goldberg & Rosen
Greenberg Glusker
Grossman Roth
Hamilton Lincoln Law Institute
Heise Suarez
Hogan Lovells
Jomarron Lopez
K&L Gates
Kirkland & Ellis
Kozyak Tropin
Lankler Siffert
Law Firm of Gary Williams Parenti Watson & Gary
Lawrence & Bundy
Lightfoot Franklin
LippSmith LLP
Mayer Brown
Miller & Chevalier
MoloLamken
Morrison Foerster
Nussbaum Law Group PC
O'Melveny & Myers
Orrick Herrington
Paul Hastings
Paul Weiss
Perales Allmon
Pita Weber
Podhurst Orseck
Potter Anderson
Ridley McGreevy
Riley Safer
Saltz Mongeluzzi
Searcy Denney
Sercarz & Riopelle
Shearman & Sterling
Silva & Silva PA
Silverman Thompson
Simpson Thacher
Squire Patton
Steptoe & Johnson LLP
Trenk Isabel
Tzedek DC
WilmerHale

COMPANIES IN TODAY'S NEWS

3G Capital
AIM ImmunoTech Inc.
American Bankers Association
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Georgia
American Farm Bureau Federation
American Immigration Council Inc.

Act regulations, arguing an appeal of the decision is not likely to succeed.

4 documents attached | Read full article »

Automakers Say Retooled EV Credits Spell New Troubles

The lead lobbying group for major automakers has warned that U.S. efforts to boost electric-vehicle production will be hampered by retooled tax credits, price caps and domestic sourcing requirements in sweeping climate and health care legislation that the Senate advanced on Sunday.

Read full article »

HEALTH & LIFE SCIENCES

Ga. County Judge Considers Blocking State's Abortion Law

A Georgia judge bristled at the state's suggestion that the legislature should continually pass statutes testing judiciary decisions during a hearing over whether Georgia's restrictive abortion law should be blocked by a temporary restraining order or interlocutory injunction.

Motion attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

FAA Rips Two-Year Delay In Texas Airport Fuel Depot Suit

The Federal Aviation Administration renewed its bid to toss local residents' challenge to its environmental analysis of plans to construct a jet fuel depot near Texas' Austin-Bergstrom International Airport, telling the court that the suit comes two years too late.

Response attached | Read full article »

EMPLOYMENT & BENEFITS

NJ Town Must Face Firefighters' Vaccine Exemptions Suit

A New Jersey state judge refused Monday to toss a discrimination lawsuit against West Orange from firefighters alleging the township improperly denied their requests for exemptions from its COVID-19 vaccine mandate, citing the municipality's conflicting positions on the workers' religious and medical arguments.

Order attached | Read full article »

COMPETITION

DOJ Data Fears Based On 'Limited Understanding,' Judge Told

The U.S. Department of Justice is wrong to allege that UnitedHealth Group's proposed $13.8 billion purchase of Change Healthcare would give the company access to data that it could use to gain a competitive advantage against its rivals, a UHG executive testified Monday in D.C. federal court.

Read full article »

Publishing CEO Says Merged Rival Would Be 'Intimidating'

The CEO of Macmillan Publishers told a D.C. federal court on Monday that the planned merger of Penguin Random House and Simon & Schuster would create an "intimidating" publisher capable of acquiring any book it wants.

Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

8th Circ. Won't Allow Do-Over On Fatal SUV-Train Wreck Suit

The Eighth Circuit on Monday refused to revive claims surrounding a fatal train collision involving a Dakota, Minnesota & Eastern Railroad Corp. train, saying the "chameleonesque" attempt to reframe a lighting violation as a speeding one won't let the claims get past federal preemption.

Order attached | Read full article »

TAX

Va. Commissioner Finds Cigarette Retailer Owes Sales Tax

A Virginia cigarette retailer owes the state's retail sales and use tax as it is unable to provide complete information regarding incentive payment reports from vendors, the state's tax commissioner ruled.

American Legislative Exchange Council
Animal Legal Defense Fund
Array Technologies Inc.
Bank Policy Institute
Bates White LLC
Bertelsmann AG
BlackRock Inc.
CF Industries Holdings Inc.
Carlyle Group LP
Center for Biological Diversity
Center for Constitutional Rights
Change Healthcare Inc.
Coinbase Global Inc.
Competitive Enterprise Institute
Consumer Bankers Association
Del Monte Foods Inc.
Earthjustice
EuroChem Group SE
Ford Motor Co.
Georgetown University
Hewlett Packard Enterprise Co.
Humane Society of the United States
Intel Corp.
LG Energy Solution Ltd.
LinkedIn Corp.
Los Angeles Clippers
MSP Recovery
Macmillan Publishers Ltd.
Major League Baseball Inc.
Morgan Stanley
Natural Resources Defense Council
Netflix Inc.
Oaktree Capital Management
OfficeMax Inc.
Optum Inc.
Pacific Legal Foundation
Paramount Global
Paramount Pictures Corp.
Paypal Holdings Inc.
Penguin Random House LLC
Pilgrim's Pride Corp.
Planned Parenthood Federation
Public Citizen Inc.
Ripple Labs Inc.
Sierra Club
Simon & Schuster Inc.
Snap Inc.
SolarCity Corp.
Southern Poverty Law Center
Stellantis NV
Steward Health Care System LLC
Surfside
Tenet Healthcare Corp.
Tesla Inc.
The Center for Reproductive Rights Inc.
The New York Times Co.
The ODP Corp.
The Walt Disney Co.
Toyota Motor Corp.
Trump Organization Inc.
Twitter Inc.
UnitedHealth Group Inc.
Walmart Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Letter attached | Read full article »

IMMIGRATION

3rd Circ. Orders BIA To Rethink Salvadoran's Gang Fears

The Third Circuit told the U.S. Board of Immigration Appeals on Friday to reconsider the plea of a man from El Salvador for deportation relief, saying the agency failed to consider affidavits and evidence concerning death threats aimed at him from gang members.

Order attached | Read full article »

8th Circ. Says It Can't Force Naturalization Of Benin Native

The Eighth Circuit has ruled against a West African native seeking U.S. citizenship, saying removal proceedings pending against him after immigration officials determined there was no evidence his marriage was "bona fide" tied the court's hands as to what relief it can provide.

Order attached | Read full article »

Bipartisan Bill Offers US' Afghan Allies A Path To Residency

A bipartisan bill that would carve out a path to permanent residency for Afghan allies of the U.S. who fled Taliban control was introduced in the U.S. Senate over the weekend following a failed attempt to pass similar legislation in May.

Read full article »

NATIVE AMERICAN

Muckleshoot Tribe Wants In On Duwamish Recognition Fight

The Muckleshoot Indian Tribe urged a Washington federal judge to let it intervene as a defendant in the Duwamish Tribe's recognition suit against the federal government, arguing the suit's outcome could impact the Muckleshoot tribe's ownership of "cultural items" recovered from the Duwamish and its fishing rights for several Washington areas.

Motion attached | Read full article »

TELECOMMUNICATIONS

FCC Claims Wireless Co. Slowed Data Breach Investigation

The Federal Communications Commission proposed fining a Florida-based wireless provider $100,000, accusing the telecom company of intentionally delaying an agency investigation into potential security flaws in its mobile app.

Notice attached | Read full article »

PEOPLE

Lawrence & Bundy Lands New Leader For Political Law Group

The Atlanta-based Lawrence & Bundy LLC has hired a former Miller & Chevalier Chtd. member to lead its political law group in Washington, D.C., the firm announced on Monday.

Read full article »

EXPERT ANALYSIS

Implications Of SEC Coinbase Case For Token Offerings

The U.S. Securities and Exchange Commission's recent insider trading charges against a former Coinbase manager stand to be the best indication yet of the SEC's application of securities laws to tokens, and prudent gatekeepers should be aware of the factors the SEC relies on to prove its case, say Emily Garnett and Katelynn Bradley at Brownstein Hyatt.

Read full article »

LEGAL INDUSTRY

Trump Says FBI 'Raided' His Mar-A-Lago Resort

The FBI on Monday executed a search warrant at Donald Trump's Mar-a-Lago resort in Florida, according to the

Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Consumer Financial Protection Bureau
Delaware Court of Chancery
Executive Office of the President
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Florida Department of Agriculture and Consumer Services
Georgia Attorney General's Office
Georgia Supreme Court
Internal Revenue Service
International Trade Administration
Library of Congress
Muckleshoot Indian Tribe
Office of National Drug Control Policy
Office of the Comptroller of the Currency
Social Security Administration
U.S. Air Force
U.S. Attorney's Office
U.S. Attorney's Office for the District of Colorado
U.S. Attorney's Office for the District of Nebraska
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Education
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of State
U.S. Department of the Interior
U.S. District Court for the District of Columbia
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Washington
U.S. General Services Administration
U.S. House of Representatives
U.S. Securities and Exchange Commission
U.S. Senate

former president, who said his home was "under siege, raided and occupied" by federal agents.

Read full article »

ABA Clarifies Remote Learning Guidance For Law Schools

The American Bar Association's policymaking body at its annual meeting Monday in Chicago adopted a resolution to clarify its accreditation guidelines on remote learning for law schools, as well as a variety of other proposals.

Read full article »

Tesla Hires New Deputy GC For Corporate And Securities

Tesla Inc. has brought in Derek Windham as deputy general counsel for corporate and securities, the latest hire in the electric vehicle maker's legal department, which has undergone many personnel changes over the last three years.

Read full article »

Lawyer Bert Fields, Hollywood 'Tour De Force,' Dies At 93

Bert Fields, a legendary entertainment attorney who represented the likes of Tom Cruise, Mel Brooks, Dustin Hoffman, George Lucas and Warren Beatty, has died at the age of 93, according to his law firm Greenberg Glusker Fields Claman & Machtinger LLP.

Read full article »

Class Attys Get Reduced Fees In $60M Morgan Stanley Deal

A New York federal judge granted final approval to a $60 million data breach settlement between Morgan Stanley and a class of former and current customers, but significantly reduced the award to class counsel, granting $13.6 million of the requested $20 million.

Read full article »

Legal Services Co. Moves To Toss Securities Fraud Suit

A Florida legal services company moved to toss a U.S. Securities and Exchange Commission lawsuit filed against it over trusts mostly for disabled Social Security or Medicaid recipients the agency says were managed by a shell company disguised as a nonprofit.

Read full article »

Judge Orders Sale Funds To Cover Collapsed Condo's Taxes

Former unit owners of the Champlain Towers South condominium in Surfside, Florida, will not have to pay 2022 taxes on the property following a ruling Monday from the judge overseeing consolidated litigation over the building's collapse last summer.

Read full article »

Catching Up With Delaware's Chancery Court

An increasingly busy Delaware Chancery Court raced to docket new suits last week involving PayPal, Snapchat and the Carlyle Group in between a flurry of Twitter-related filings.

Read full article »

U.S. Supreme Court

United Nations

United States District Court for the District of Colorado

Virginia Department of Taxation

World Trade Organization

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SUBJECT: DOJ Data Fears Based On 'Limited Understanding,' Judge Told
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 09/08/2022 02:50

LAW360®

Tuesday, August 9, 2022

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TOP NEWS

DOJ Data Fears Based On 'Limited Understanding,' Judge Told

The U.S. Department of Justice is wrong to allege that UnitedHealth Group's proposed $13.8 billion purchase of Change Healthcare would give the company access to data that it could use to gain a competitive advantage against its rivals, a UHG executive testified Monday in D.C. federal court.

Read full article »

Ga. County Judge Considers Blocking State's Abortion Law

A Georgia judge bristled at the state's suggestion that the legislature should continually pass statutes testing judiciary decisions during a hearing over whether Georgia's restrictive abortion law should be blocked by a temporary restraining order or interlocutory injunction.

Motion attached | Read full article »

Allscripts Can Be Sued Over Doc's Lost Files, 1st Circ. Says

The First Circuit flipped Allscripts Healthcare LLC's early win in a suit over the destruction of thousands of medical records, finding that the Chicago-based company could be sued in a Puerto Rico federal court.

Opinion attached | Read full article »

Judge Won't Let UMiami Off The Hook In Retaliation Lawsuit

A Florida federal judge on Monday rejected the University of Miami's bid for an early win in a retaliation suit filed by a former compliance officer who says he was fired after blowing the whistle on the school's overcharging Medicare for doctors' services and unnecessary testing.

Order attached | Read full article »

CVS Can't Escape HIV Patients' Disability Bias Suit

CVS Pharmacy can't avoid a proposed class action alleging its prescription drug benefits program discriminates against people with HIV and AIDS, as a California federal judge said the company's separate corporate entities can't shield it from federal health care law.

Order attached | Read full article »

Exec Defrauded Medicare With COVID Test Lies, Jury Told

Prosecutors told a California federal jury during trial openings Monday that Arrayit Corp.'s president defrauded the Medicare program, patients and investors out of millions with lies about its COVID-19 tests, while defense counsel argued that the defendant dedicated his life to science and never thought he was defrauding anybody.

Read full article »

ENFORCEMENT & COMPLIANCE

Ex-NBA Player 'Wrong' On Health Fraud Defense, Feds Say

Manhattan federal prosecutors said a former NBA player is "wrong" in his claim that money he and others obtained through an alleged $4 million health care fraud scheme already belonged to them.

Letter attached | Read full article »

DOJ Says Medical Pot Patients Have No Right To Bear Arms

The U.S. Department of Justice told a Florida federal judge on Monday that the Sunshine State's medical marijuana patients had no Second Amendment right to possess firearms since they were breaking a federal law.

COMPANIES IN TODAY'S NEWS

3G Capital
AIM ImmunoTech Inc.
Allscripts Healthcare Solutions Inc.
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Georgia
Apple Inc.
Array Technologies Inc.
Becton Dickinson & Co.
BlueCross BlueShield of Texas
CVS Health Corp.
Carlyle Group LP
Centene Corp.
Centerview Partners Holdings LP
Change Healthcare Inc.
Compagnie Financière Tradition
Competitive Enterprise Institute
Consumer Watchdog
Del Monte Foods Inc.
Drexel University
Eisai Co. Ltd.
Global Blood Therapeutics Inc.
Google LLC
Health Care Service Corp.
Hewlett Packard Enterprise Co.
Illinois Brick Co.
Intel Corp.
JPMorgan Chase & Co.
Kinsale Insurance Co.
LinkedIn Corp.
Los Angeles Clippers
MSP Recovery

Memorandum attached | Read full article »

LITIGATION

Judge Trims Pfizer, Mylan EpiPen Antitrust Suit

A federal judge rejected most of the fourth set of antitrust claims alleging that Mylan Pharmaceuticals and Pfizer Inc. conspired to inflate the price of emergency allergy medication, saying that indirect purchasers are barred from filing suit based on the theory that their actions delayed the introduction of a generic.

Order attached | Read full article »

Eisai Wins Ax Of Sleep Drug Patent Claims At PTAB

The Patent Trial and Appeal Board on Monday threw out several claims in a patent covering a form of treatment for insomnia, finding that the claims were either anticipated by an earlier patent or obvious.

Decision attached | Read full article »

OT Wage Violations To Cost Home Care, Staffing Cos. $2.5M

A Pennsylvania federal judge concluded that a Pittsburgh-area home care agency, a related staffing firm and their respective owners underpaid employees for their overtime work by more than $1.2 million.

2 documents attached | Read full article »

Insurer, Medical Co. Drop Malpractice Coverage Dispute

An outpatient provider of chronic pain relief and its insurance company told a Missouri federal court they have agreed to drop an insurance coverage dispute stemming from a patient's malpractice suit.

1 document attached | Read full article »

Senior Home Can Arbitrate Families' Claims Over Killings

Arbitration agreements signed by residents of a Dallas senior living community who authorities say were slain by a serial killer suspect apply to their surviving family members, a divided en banc Texas appellate court ruled Friday.

3 documents attached | Read full article »

Catching Up With Delaware's Chancery Court

An increasingly busy Delaware Chancery Court raced to docket new suits last week involving PayPal, Snapchat and the Carlyle Group in between a flurry of Twitter-related filings.

Decision attached | Read full article »

Class Attys Want $1.9M In Google's Virus-Tracing App Suit

Lieff Cabraser Heimann & Bernstein LLP attorneys are asking for $1.9 million in attorney fees as part of a nonmonetary deal with Google to end a proposed privacy class action claiming that a COVID-19 contact-tracing tool was exposing unwitting Android users' sensitive information.

Motion attached | Read full article »

Biopharma Co. Accused Of Lying To Investors About FDA Hold

An investor in biotherapeutics company Kiromic BioPharma Inc. has launched a proposed class action accusing the company and its leadership of touting prospects for two drug candidates ahead of a 2021 public offering despite the fact that the U.S. Food and Drug Administration had hit pause on clinical trials for both therapeutics.

Complaint attached | Read full article »

Faulty Centene ACA Plan Cost Patients Billions, Suit Says

Centene Corporation, which runs the Affordable Care Act's largest online exchange health insurance plan, was slapped with a proposed class action in Illinois federal court by patients who say the company violated racketeering laws and cheated them out of billions of dollars by selling bogus policies.

Complaint attached | Read full article »

Health Co. Accused Of Stealing Psilocybin Therapy Idea

A company called Terran Biosciences Inc. has launched a suit in federal court claiming that a British company swiped trade secrets from a professor at the University of Maryland, Baltimore, related to a way to treat depression using psilocybin without its hallucinogenic effects.

Complaint attached | Read full article »

Mallinckrodt PLC
Morgan Stanley
Mylan NV
Netflix Inc.
Oaktree Capital Management
OfficeMax Inc.
Optum Inc.
Paramount Global
Paramount Pictures Corp.
Paypal Holdings Inc.
Pfizer Inc.
Planned Parenthood Federation
Roberts Group (Little Rock, US)
Snap Inc.
SolarCity Corp.
Steward Health Care System LLC
Surfside
Sutter Health
Tenet Healthcare Corp.
Tesla Inc.
Teva Pharmaceutical Industries Ltd.
The Center for Reproductive Rights Inc.
The New York Times Co.
The ODP Corp.
The Walt Disney Co.
ThinkEquity LLC
Tower Health
TracFone Wireless Inc.
Twitter Inc.
UnitedHealth Group Inc.
Walmart Inc.

LAW FIRMS IN TODAY'S NEWS

Akerman LLP
ArentFox Schiff
Baker Botts
Barnes & Thornburg
Bartlett LLP
Bartlit Beck
Bayard PA
Berger Singerman
Bondurant Mixson
Boyle Leonard
Cahill Gordon
Caminez & Yeary
Caplan Cobb
Clark Hill
Cleary Gottlieb
Clyde & Co
Cooch & Taylor
Cravath Swaine
Crawford Wishnew
Dean Mead
Foland Wickens
Foley & Lardner
Fox Rothschild
Gabell Beaver
Gainey McKenna
Goldberg & Rosen
Goodwin Procter
Greenberg Glusker
Greenberg Traurig
Grossman Roth
Hamilton Lincoln Law Institute
Heise Suarez
Hogan Lovells

Radius Health Investor Sues To Probe $890M Merger

A shareholder of Radius Health Inc. sued the Boston-based global biopharmaceutical company in Delaware Chancery Court on Monday to investigate events leading up to its planned $890 million acquisition by investment firms Gurnet Point Capital LLC and Patient Square Capital.

Read full article »

DEALS

3 Firms Shape Pfizer's $5.4B Deal For Sickle Cell-Drug Maker

Pfizer Inc. will acquire sickle cell-drug company Global Blood Therapeutics in a $5.4 billion enterprise value deal shaped by legal advisers Cravath Swaine & Moore LLP, Goodwin Procter LLP and Wachtell Lipton Rosen & Katz, the companies said Monday.

Read full article »

BANKRUPTCY

Philly Hospitals Reach Deal Over Real Estate In Ch. 11

The former owner of two Philadelphia hospitals proposed a settlement Monday in Delaware bankruptcy court that would resolve a long-running dispute with entities that own the real estate upon which the facilities sit.

Settlement attached | Read full article »

Mallinckrodt Noteholders Seek End To Default Payment Appeal

A group of Mallinckrodt noteholders are urging a Delaware federal judge to reject the appeal of a different noteholder group claiming they're owed $94 million due to the drugmaker's Chapter 11, saying the bankruptcy plan has been in place too long to be overturned.

Brief attached | Read full article »

EXPERT ANALYSIS

Texas Tax Talk: Ruling May Erode Pro-Taxpayer Presumption

Following the recent Texas Supreme Court opinion in Hegar v. Health Care Service, the state comptroller may try to limit the utility of a long-standing presumption that ambiguous tax statutes must be construed strictly against the taxing authority and liberally for the taxpayer, say attorneys at Baker Botts.

2 documents attached | Read full article »

LEGAL INDUSTRY

Trump Says FBI 'Raided' His Mar-A-Lago Resort

The FBI on Monday executed a search warrant at Donald Trump's Mar-a-Lago resort in Florida, according to the former president, who said his home was "under siege, raided and occupied" by federal agents.

Read full article »

ABA Clarifies Remote Learning Guidance For Law Schools

The American Bar Association's policymaking body at its annual meeting Monday in Chicago adopted a resolution to clarify its accreditation guidelines on remote learning for law schools, as well as a variety of other proposals.

Read full article »

Tesla Hires New Deputy GC For Corporate And Securities

Tesla Inc. has brought in Derek Windham as deputy general counsel for corporate and securities, the latest hire in the electric vehicle maker's legal department, which has undergone many personnel changes over the last three years.

Read full article »

Lawyer Bert Fields, Hollywood 'Tour De Force,' Dies At 93

Bert Fields, a legendary entertainment attorney who represented the likes of Tom Cruise, Mel Brooks, Dustin Hoffman, George Lucas and Warren Beatty, has died at the age of 93, according to his law firm Greenberg Glusker Fields Claman & Machtinger LLP.

Hunton Andrews
Isicoff Ragatz
Jomarron Lopez
Kessler Topaz
Kirkland & Ellis
Kozyak Tropin
Latham & Watkins
Lathrop GPM
Law Firm of Gary Williams Parenti Watson & Gary
Lieff Cabraser
LippSmith LLP
Macdonald Devin
Monteverde & Associates
Morrison Foerster
NastLaw
Nussbaum Law Group PC
O'Melveny & Myers
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Potter Anderson
Quinn Emanuel
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Sercarz & Riopelle
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Shook Hardy
Sills Cummis
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Stanton LLP
Stueve Siegel Hanson
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Wachtell Lipton
Wagstaff & Cartmell
Wexler Boley
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White & Case
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Willkie Farr
Wilson Sonsini

GOVERNMENT AGENCIES IN TODAY'S NEWS

Delaware Court of Chancery
Federal Bureau of Investigation
Florida Department of Agriculture and Consumer Services
Food and Drug Administration
Georgia Attorney General's Office
Georgia Supreme Court
Internal Revenue Service
Library of Congress
Office of National Drug Control Policy
Office of the Comptroller of the Currency
Social Security Administration
Texas Comptroller of Public Accounts

Read full article »

Class Attys Get Reduced Fees In $60M Morgan Stanley Deal

A New York federal judge granted final approval to a $60 million data breach settlement between Morgan Stanley and a class of former and current customers, but significantly reduced the award to class counsel, granting $13.6 million of the requested $20 million.

Read full article »

Legal Services Co. Moves To Toss Securities Fraud Suit

A Florida legal services company moved to toss a U.S. Securities and Exchange Commission lawsuit filed against it over trusts mostly for disabled Social Security or Medicaid recipients the agency says were managed by a shell company disguised as a nonprofit.

Read full article »

Judge Orders Sale Funds To Cover Collapsed Condo's Taxes

Former unit owners of the Champlain Towers South condominium in Surfside, Florida, will not have to pay 2022 taxes on the property following a ruling Monday from the judge overseeing consolidated litigation over the building's collapse last summer.

Read full article »

JOBS

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-, -

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Schoen Legal Search
New York City, New York

Corporate partner for NY office of well-known NY/NJ mid-sized firm
Schoen Legal Search
New York City, New York

Well known mid-sized FULL SERVICE law firm SEEKS MATRIMONIAL/FAMILY LAW PARTNER
Schoen Legal Search
New York, New York

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U.S. Air Force
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the District of Delaware
U.S. Court of Appeals for the First Circuit
U.S. Department of Agriculture
U.S. Department of Education
U.S. Department of Justice
U.S. Department of Labor
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the District of Maryland
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Missouri
U.S. District Court for the Western District of Pennsylvania
U.S. House of Representatives
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of Kansas
Wage and Hour Division

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 09/08/2022 05:21

Thanks Tracy - Marc shared his response back to Russel and I am reading over it now and making a few minor edits. Adding the definition of how the program in interpreting cost-sharing is very helpful context and it would have probably been good to get clarification from the legislature during the session.

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Mon, Aug 8, 2022 at 10:20 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

I wanted to make sure you saw this follow up from Russell. This speaks to our concerns about the report not being responsive to the questions the legislature raised. I think that they are asking if there are ways to modify the program to cost share. The team basically said, we don't cost share because the program only kicks in if there are no other methods of paying. Anna is working with Marc but I wanted you to be aware because neither of you are included in the exchange.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022 at 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
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SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 05:33

Marc -

Overall, the response looks good to me. Adding how we are defining cost-sharing is very helpful context and, hindsight being 20/20, would have been good to add to the report, itself.

I do have a couple of minor edits & thoughts on the last paragraph for your thoughts:

[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Mon, Aug 8, 2022 at 5:31 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

[redacted]

Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps this is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges, but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

With that understanding, because the SCI / BI Rehabilitation Fund in Utah is a payor of last resort, we view the State as already participating in a cost-sharing program. Participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements (unsure what we are referring to here) weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, we will study the issue more. We have built in more measures to look at this over time, so a few years of collecting data would be helpful.

To make sure we are on the same page, could you share with us what the legislature considers to be Cost Sharing? It will be helpful for us all to work from the same definition and understanding of what would or would not constitute cost-sharing under this specific circumstance (SCI / BI Rehabilitation Fund). Is the legislature suggesting that the account be changed to start allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? What effect would this have on those who are least able to pay into the system? Would this not preclude many of them from receiving services as more funds are used to help those with some ability to pay (i.e "cost sharing")?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Aug 8, 2022 at 8:23 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

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Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

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Marc B. Watterson
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Office of Legislative Affairs
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mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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SUBJECT: Morning Consult Health: Biden Administration to Adopt Dose-SparingStrategy for Monkeypox Vaccine, per Report
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 09/08/2022 06:07

MORNING CONSULT

Health

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AUGUST 9, 2022

BY MATT BRACKEN

Twitter Email

Top Stories

- With limited supply of the monkeypox vaccine, the Biden administration has decided to move forward with a plan to have patients receive one-fifth of a current dose injected into their skin as opposed to a full dose into the underlying fat, people familiar with the

discussions said. The dose-sparing strategy, mostly based on a 2015 National Institutes of Health-sponsored study, requires the Department of Health and Human Services to issue a new emergency declaration granting the Food and Drug Administration emergency use powers to sign off on intradermal injection, a move that could come as soon as this afternoon. (The New York Times)

- HHS said it will invest nearly $60 million on rural health care programs, using funding mostly from the American Rescue Plan to address staffing shortages in rural communities with a focus on job development, training and placement. The Health Resources and Services Administration will administer the funding, which will be distributed to five programs — the Rural Residency Planning and Development Program, Rural Public Health Workforce Training Network Program, Rural Veterans Health Access Program, Small Health Care Provider Quality Improvement Program and Rural Public Health Workforce Training Network Technical Assistance Program — across 35 states. (Agri-Pulse)

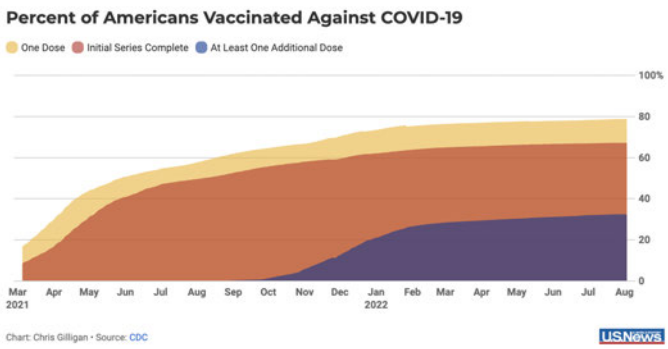
- Novavax Inc. cut its sales outlook for the year by roughly 50% to between $2 billion and $2.3 billion after suffering a net loss of $510.5 million in the second quarter, as no additional sales of its protein-based COVID-19 vaccine to the United States or the international vaccine-sharing alliance Covax are expected in 2022. (CNBC) BioNTech SE reported a roughly 40% year-over-year drop in second-quarter revenue to $3.26 billion, though the Pfizer Inc. COVID-19 vaccine partner said it expects to start deliveries of its two reformulated vaccines targeting omicron subvariants as early as October. (Reuters)

- A study in the journal Nature Climate Change found that 58% of the known 375 human infectious diseases — such as malaria and cholera — are worsened by one of the 10 types of extreme weather linked to climate change. The researchers also looked at 286 unique sicknesses — conditions like asthma and allergies — and found that 223 of those seemed to be exacerbated by climate hazards. (The Associated Press)

Chart Review

Undervaccination Nation: Data Shows Struggling COVID Booster Effort in U.S.

U.S. News & World Report



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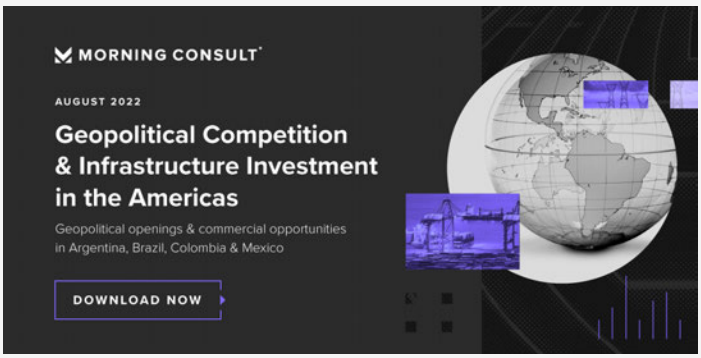

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What Else You Need to Know

CORONAVIRUS

Group of 23 states tells U.S. court CDC lacks authority to set transit mask rules

David Shepardson, Reuters

A group of 23 state attorneys general led by Florida told a federal court on Monday that the U.S. Centers for Disease Control and Prevention (CDC) lacks the legal authority to impose a nationwide transportation mask mandate to address COVID-19.

How the Covid Pandemic Will Follow Today's Kids Into Adulthood
Douglas Belkin, The Wall Street Journal
Now that Covid 19 is steaming into its third year, brain scientists, psychiatrists, educators and economists are starting to ask how the generation of children coming of age will be affected as adults.

Under 60, healthy, vaccinated and boosted? 'You're in a pretty good place' with Covid-19
Elizabeth Cohen, CNN
Data obtained by CNN from New York's largest health-care provider indicates you're very unlikely to become severely ill with Covid-19 if you're under age 60, up to date on your Covid-19 vaccines and don't have underlying health problems, backing up a government plan expected to be announced this week that will ease up on coronavirus restrictions.

GENERAL

Group Petitions to Ease Fines for Healthcare Workers in Student-Debt Programs
Rebecca Ballhaus, The Wall Street Journal
A legal advocacy group for students filed a federal petition urging the agency that oversees the National Health Service Corps to change its rules to address the penalties facing healthcare workers who involuntarily violate contracts they signed to ease their student debt.

The GOP blocked an insulin price cap: What it means for diabetics
Rachel Pannett and Rachel Roubein
The Senate passed a sweeping budget package Sunday intended to bring financial relief to Americans, but not before Republican senators voted to strip a proposal that would have capped the price of insulin at $35 per month for many patients.

America has a maternal mortality crisis. Biden push aims to change that.
Akilah Johnson, The Washington Post
As part of a major push by the Biden administration to address the nation's maternal health crisis, senior officials have traveled the country for the past year, talking to midwives, doulas and people who have given birth about their experiences. They've held summits at the White House.

Dozens got sick after visiting Kansas splash park, CDC study finds
The Associated Press
At least 21 people contracted Shigella bacteria and six others became sick with the norovirus after visiting the splash park at Tanganyika Wildlife Park in Goddard, near Wichita, Kansas. Dozens of others also reported gastrointestinal illnesses.

A 'staggering' number of people couldn't get care during the pandemic, poll finds
Rhitu Chatterjee, NPR News
Among households where anyone had been seriously ill in the past year, 35% of American Indian and Alaska Native households and 24% of Black households had trouble accessing care for serious illness, compared with only 18% of White households.

Republicans turn on each other amid post-Roe chaos

Megan Messerly and Alice Miranda Ollstein, Politico
Republican state officials have been waiting decades for the chance to ban abortion. Now that they can, red state lawmakers are mired in partisan infighting and struggling to agree on how far to go. The most fervently anti-abortion lawmakers are accusing their colleagues of capitulating on rape and incest exceptions, while those calling for compromise or moderation believe more strident Republicans are ignoring political realities.

House Democrat calls on CDC to publish monkeypox vaccine demographics
Nathaniel Weixel, The Hill
A Democratic congressman is calling on the Biden administration to publish demographic data on monkeypox vaccinations in an effort to reduce disparities in communities of color.

CVS Units Must Face HIV Bias Suit Over Medication Distribution
Jacklyn Wille, Bloomberg Law
HIV/AIDS patients who object to a CVS Pharmacy Inc. policy limiting where they can receive specialty medications advanced their lawsuit when a California federal judge said the company's subsidiaries were likely subject to the Affordable Care Act's rules prohibiting discrimination.

Too little sleep may jeopardize young kids' development, study finds
Linda Searing, The Washington Post
For children in elementary school, regularly getting less than nine hours of sleep per night may hinder their neurocognitive development, according to a study led by University of Maryland School of Medicine researchers and published in the journal Lancet Child & Adolescent Health.

Study: Kids who vape tobacco are more likely to go on to use cannabis
Erin Blakemore, The Washington Post
Vaping is growing more prevalent among young people — in 2021, 1 in 9 high school students said they had vaped in the past month, according to the Centers for Disease Control and Prevention. Increasingly, those kids are vaping cannabis. But is vaping a gateway to marijuana use?

Dangerous artificial marijuana, with names like K2 and Spice, is used less in states where weed is legalized
Sandee LaMotte, CNN
Between 2010 and 2015, synthetic cannabis poisonings were on the rise, according to the ToxIC Case Registry, with more than 42,000 cases of toxic exposure reported during that time. However, those numbers may now be declining in states in which the use of recreational marijuana is permitted, said Tracy Klein, assistant director for the Center for Cannabis Policy, Research and Outreach at Washington State University in Vancouver, Washington.

Tribe Embraces Recreational Marijuana Sales on Reservation Where Alcohol Is Banned
Arielle Zionts, Kaiser Health News
In a growing number of U.S. states, people can both drink alcohol and legally smoke recreational marijuana. In others, they can use alcohol but not pot. But on the Pine Ridge Indian Reservation in South Dakota, the opposite is true: Marijuana is legal, but booze is banned.

Nebraska Republicans lack votes to amend state's abortion laws
Sareen Habeshian, Axios
Nebraska Gov. Pete Ricketts (R) was unable to garner enough votes Monday to convene a special legislative session for the state to consider stricter abortion laws.

PAYERS

MACPAC: Only 3% gained exchange coverage after leaving Medicaid, CHIP in 2018
Robert King, Fierce Healthcare
A paltry 3% of people got Affordable Care Act exchange coverage within a year after leaving Medicaid or the Children's Health Insurance Program, a new study found.

Health bill brings new liabilities to Part D plans but possible boon on drug costs, experts say
Robert King, Fierce Healthcare
A major spending package that passed the Senate on Sunday brings a new redesign to Medicare Part D benefits, increasing the liability for insurers, experts say.

Safeway Whistleblower Asks High Court to Revive Drug Price Suit
Daniel Seiden, Bloomberg Law
A False Claims Act whistleblower urged the US Supreme Court to reinstate his suit alleging that Safeway Inc. overcharged federal healthcare programs for prescription drugs.

Centene sued over Ambetter networks, benefits
Nona Tepper, Modern Healthcare
A new lawsuit alleges Centene took advantage of enrollee churn between Medicaid and health insurance exchange policies to defraud the federal government and dupe consumers.

The gene therapy pipeline may be at a 'tipping point'. Here's why Optum says payers need to take notice
Paige Minemyer, Fierce Healthcare
The pharmacy benefit manager released its quarterly look at the drug development pipeline. The latest analysis spotlights two gene therapy products headed to the Food and Drug Administration's approval table this fall: elivaldogene autotemcel, under the brand Skysona, and betibeglogene autotemcel, as Zynteglo.

PROVIDERS

Kaiser Permanente has a rough first half as Q2 net loss exceeds $1B
Caroline Hudson, Modern Healthcare
Operating income for Kaiser, a not-for-profit integrated health system, fell nearly 75% year-over-year to $89 million. Expenses rose by 0.2% to $23.38 billion, while revenue fell 0.9% to $23.47 billion. Kaiser's operating margin was 0.4%.

Access to trauma care is improving across the country, but progress remains uneven
Edward Chen, Stat News

Six years ago, an expert panel made a strong suggestion to the White House: set up a national system to care for patients with traumatic injuries, which lead to about 30,000 deaths every year. "In the civilian sector, where injury is the leading cause of death for Americans under age 46, as many as 1 in 5 deaths from traumatic injuries may be preventable with optimal trauma care," the authors wrote.

Patients and Doctors Trapped in a Gray Zone When Abortion Laws and Emergency Care Mandate Conflict

Harris Meyer, Kaiser Health News

Each week, Dr. Kim Puterbaugh sees several pregnant patients at a Cleveland hospital who are experiencing complications involving bleeding or infection. The OB-GYN has to make quick decisions about how to treat them, including whether to remove the dead or dying fetus to protect the health and life of the mother. Leaving in place a fetus that has no chance of survival dramatically increases the chance of maternal infection and permanent injury.

GOP physicians in Congress: Drug price control in reconciliation bill will impact patient care

Joseph Choi, The Hill

A group of Republican physicians in Congress are voicing their "strong opposition" to the prescription drug pricing control policies that were included in Democrats' massive reconciliation package that cleared the Senate over the weekend.

PHARMA, BIOTECH AND DEVICES

Pfizer begins late-stage trial testing Lyme disease vaccine

Berkeley Lovelace Jr., NBC News

If the trial succeeds, the vaccine could be the first human immunization for Lyme disease in the U.S. in two decades.

Here's who Democrats' drug pricing bill will actually help

Rachel Cohrs, Stat News

Millions of patients in the Medicare program could eventually see lower prescription drug costs if Democrats pass their latest drug pricing plan into law.

Dems on the brink of sweeping Medicare changes

Caitlin Owens and Adriel Bettelheim, Axios

Democrats are on the cusp of making the most significant changes to Medicare in more than a decade, which would bring lower drug prices and out-of-pocket costs for some of the program's 64 million enrollees.

For the second time, Pfizer tries a warranty in response to concerns over high drug costs

Ed Silverman, Stat News

For only the second time, Pfizer is offering a warranty for a medicine that will cover the cost for any patient or health plan if the medication fails to work, a move that expands an effort to appease concerns about high drug costs.

Cybercriminals Are Using Bots to Steal Online Pharmacy Accounts

Bree Fowler, CNET

Cybercriminals are increasingly deploying software Bots to commandeer the online pharmacy accounts of everyday people, according to new research, allowing hackers to illegally buy prescription drugs and depriving patients of needed medications.

Karuna Therapeutics' schizophrenia drug achieves study goals, heralding new treatment approach

Adam Feuerstein, Stat News

Karuna Therapeutics said Monday that a novel combination pill reduced psychosis and related symptoms experienced by patients with schizophrenia, achieving the main goals of a late-stage clinical trial.

HEALTH TECHNOLOGY

Doximity posts 25% revenue growth, but stock sinks as company cuts revenue guidance

Heather Landi, Fierce Healthcare

Doximity, a digital platform for medical professionals, brought in $91 million in revenue in the most recent quarter, a 25% jump from a year ago as the company saw strong growth in its telehealth services.

OPINIONS, EDITORIALS AND PERSPECTIVES

Drug companies are warning that pricing reform spells doom. Don't fall for it.

Avik Roy and Gregg Girvan, The Washington Post

Democrats are on the verge of passing legislation that, among other things, would empower the government to directly negotiate the price Medicare pays for a handful of the costliest prescription drugs. The measure has precipitated hyperbole from industry lobbyists, who say it represents an existential threat to medical innovation. One prominent group recently claimed the bill "could propel us light years back into the dark ages of biomedical research."

The Senate's drug pricing bill is an inevitable solution. It will still have plenty of unintended consequences

Matthew Herper, Stat News

There's really no ignoring the inexorable math that led the Senate to approve a plan that will give Medicare unprecedented power to set the prices of some drugs.

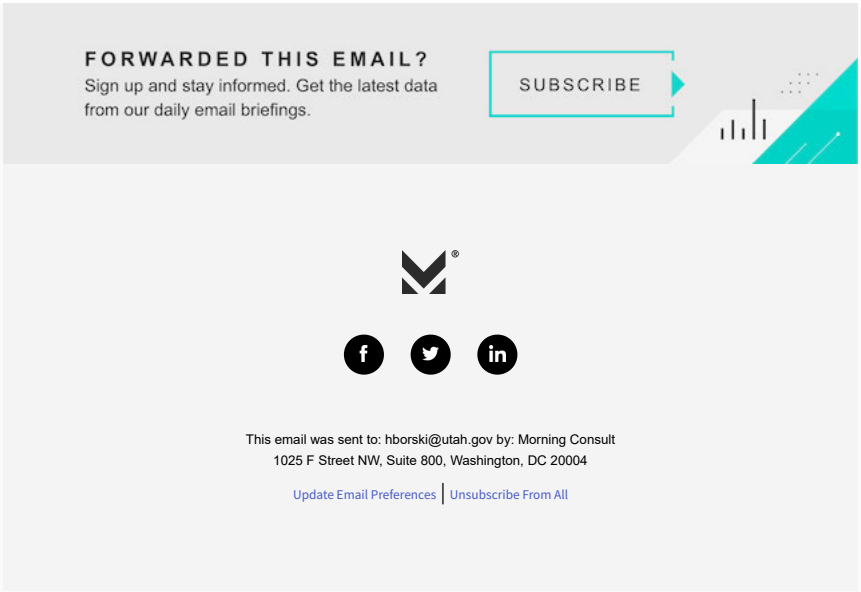
RESEARCH REPORTS

The Effect of Vaccine Mandates on Disease Spread: Evidence from College COVID-19 Mandates

Riley K. Acton et al., National Bureau of Economic Research

In event study specifications, we find that, over the first 13 weeks of the fall 2021 semester, college vaccine mandates reduced new COVID-19 cases by 339 per 100,000 county residents and new deaths by 5.4 per 100,000 residents, with an estimated value of lives saved between $9.7 million and $27.4 million per 100,000 residents. These figures suggest that the mandates reduced total US COVID-19 deaths in autumn 2021 by approximately 5%.

[redacted] ECHO Colorado Monthly eNews: What's ECHOing in August



SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 08:08

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HB

On Tue, Aug 9, 2022 at 5:33 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

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He/Him/His
O: 385.382.6099
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Utah Department of Health & Human Services

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Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Please let us know if you have any questions.

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C: 385.321.6473
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FROM: "Amanda Slater (DHHS)" <aslater@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 09:26

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Office of Legislative Affairs
C: 385.321.6473
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dhhs.utah.gov

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Amanda Slater
Assistant Deputy Director, Operations
She/Her/Hers
C: 385.262.1800
aslater@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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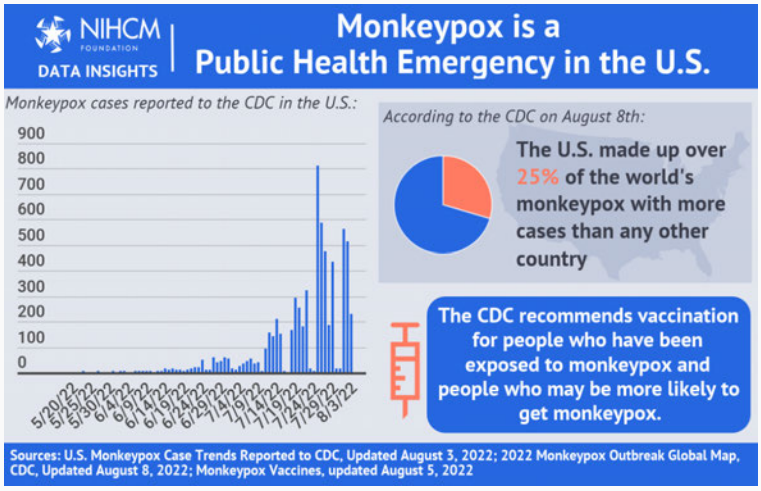
SUBJECT: NIHCM Newsletter: Monkeypox is a Public Health Emergency
FROM: NIHCM Foundation <nihcm@nihcm.org>
TO: Heather <hborski@utah.gov>
DATE: 09/08/2022 09:29

View this email in your browser

NIHCM NEWSLETTER - August 2022

IN THIS ISSUE

- The Latest on Monkeypox
- Q&A on the Overdose Crisis
- Keeping COVID at Bay
- Environmental Health
- In Other Public Health News



More on this Data Visualization

The Latest on Monkeypox

The World Health Organization declared the monkeypox outbreak a global health emergency as the number of confirmed cases has increased to over 30,000 across 88 countries with more than 8,900 cases in the U.S. (as of August 8th, 2022). On August 4th, President Biden declared monkeypox a national public health emergency.

- **Vaccines:** The U.S. Food and Drug Administration announced that nearly 786,000 doses of the monkeypox vaccine will be made available for distribution. The Centers for Disease Control and Prevention (CDC) estimates that nearly 1.5 million people are eligible for the vaccine.
- **Not a Sexually Transmitted Infection (STI):** While monkeypox cases have predominately been found among men who have sex with men, it is neither an STI nor does it only impact specific communities. Transmission can occur through skin-to-skin contact, touching contaminated objects, respiratory secretions, and during pregnancy. Experts have warned that stigmatizing messaging reinforces stereotypes and can undermine response efforts, as was the case during the HIV/AIDS epidemic.
- **Impact on Health Clinics:** Sexual health clinics, which have already been under pressure from years of underfunding and COVID-19, are now on the frontline of the growing monkeypox outbreak.

- **Outlook:** Many have compared the response to monkeypox in the U.S. to that of the beginning of the COVID-19 pandemic. Despite recent expansions in testing capacity, areas are still facing shortages, delays in getting results, and a lack of reliable ways to test.

Resources:

- Learn more about monkeypox transmission, signs and symptoms, and how to practice safer sex with these CDC resources.
- Stay up-to-date on the latest news and resources with the National Coalition of STD Directors' Monkeypox Command Center.

Q&A on the Overdose Crisis

The CDC estimates that more than 107,000 Americans died of drug overdoses last year - a record high. Learn more about the overdose crisis:

Q: How are racial disparities widening in overdose deaths?
A: According to a CDC report, overdose deaths are increasing fast among Black and Indigenous people. Black people ages 15 to 24 had an 86% increase in death rates compared to a 34% increase among White people of the same age group. The disproportionate increase among Black and Indigenous people may be due to health inequities, like unequal access to treatment.

Q: What is the role of fentanyl in the overdose crisis?
A: Deaths involving illicitly manufactured fentanyl are on the rise, which is often mixed with other illicit drugs without the user's knowledge. Fentanyl-related deaths in the U.S. occur more often than gun and auto-related deaths combined. The Drug Enforcement Agency warns of a nationwide spike in fentanyl-related mass-overdose events.

Q: How does harm reduction reduce overdose deaths?
A: The Biden administration's strategy to address the overdose crisis is the first to incorporate harm reduction strategies, which include access to naloxone (the antidote to opioid overdoses), sterile needles, drug test strips, and supervised injection sites.

Q: Are people with addiction able to receive treatment?
A: A recent study found that 87% of people with opioid use disorder (OUD) do not receive evidence-based treatment. Medications for OUD can reduce opioid overdoses by 50%.

Q: What about people with chronic pain?
A: The 2016 CDC guidelines for prescribing opioids for pain have been credited with leading to harmful consequences for patients with chronic pain. The 2022 proposed guidelines remove the upper limits for prescription opioids, emphasize a patient-centric approach, and expand on alternative treatments.

Resources & Initiatives:

- NIHCM Grantee, *STAT*, is releasing a series on addiction in 2022.
- Florida Blue Medicare created a pilot program identifying members who have been prescribed opioids and are at risk for addiction.
- Visualize the impact of the opioid overdose crisis in nine charts created by NIHCM.
- Blue Cross Blue Shield of Michigan is part of the Michigan Opioid Partnership, which awarded nearly $500,000 in grants to four SUD recovery community organizations.
- The Highmark West Virginia Charitable Fund for Health awarded more than $600,000 in substance use disorder program grants.

SAMHSA's National Helpline for individuals and families facing mental and/or substance use disorders is 1-800-662-HELP.

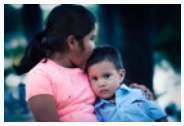
Keeping COVID at Bay

People who previously had COVID-19 are becoming reinfected from new omicron subvariants. The pace of COVID-19 deaths has plateaued since May, with 12,500 Americans dying of COVID-19 in July. The Pfizer antiviral Paxlovid keeps high-risk COVID-19 patients out of the hospital.

- **Boosters:** Second boosters for people under 50 are on hold for shots reformulated to target the omicron subvariants. The Biden administration recently purchased 66 million doses of Moderna's variant-specific booster.
- **Long COVID:** Federal reports on long COVID provide information on getting help and highlight the need for further research on the condition. About one in eight adults develop symptoms of long COVID. Risk factors include socioeconomic deprivation and smoking.
- **Children and COVID:** Over 40% of parents of children under five say they will definitely not vaccinate their child against COVID-19. A recent study found omicron is better at invading children's noses than previous variants. Fortunately, children have stronger antibodies than adults.

Resources & Initiatives:

- Learn how many lives a fall booster campaign could save in the U.S.
- A medical analyst explains what precautions families should take as children return to school.
- *Kaiser Health News* released a Q&A on everything you need to know about Paxlovid.
- Learn more about children's vaccinations and getting vaccinated against COVID-19 from Blue Cross Blue Shield of Louisiana and Independence Blue Cross.



Register now for our upcoming webinar, Children Under Stress: Preventing ACEs and Supporting Childhood Well-Being, on August 23rd.

Environmental Health

A recent poll reported that 53% of U.S. adults have personally felt the implications of climate change. In the months ahead, federal agencies project more abnormally hot weather, flooding, droughts, wildfires, and hurricane activity which threaten human health.

- **Flooding:** In Kentucky, recent severe flooding has left at least 38 people dead. A 2021 study found that climate change is likely causing extreme flooding events to be more frequent and intense.
- **Extreme Heat Waves:** High temperatures have blanketed Europe, China, India, and the U.S. throughout the summer. Experts warn that global, concurrent heat waves can threaten the world's food supply.
- **Fires:** Wildfires have already burned over 5.6 million acres across the U.S. this year, with more than 60 currently burning across the country. Exposure displaces thousands of people and can negatively impact both mental and physical health.
- **New Legislation:** The Senate recently passed a health, climate, and tax package. This legislation would be the most ambitious climate action ever taken by Congress, allotting billions towards climate and energy.

Resources and Initiatives:

- Track dangerous heat and wildfires nationwide. and learn how to keep yourself, children, and pets safe during periods of extreme heat and wildfires.
- Anthem Blue Cross (Elevance Health) provided relief to members impacted by California's wildfires.
- Blue Cross and Blue Shield of Louisiana reminded everyone to be aware of risks from high sun and heat exposure, and steps to beat the heat.

In Other Public Health News...

- **Poliovirus:** The U.S. had not reported a case of polio since 1979 but in July, an unvaccinated individual in New York tested positive for poliovirus and is now paralyzed. Based on wastewater surveillance, the NY Health Department believes hundreds may be infected.
- **Reproductive Care:** Many experts believe that health inequities will be exacerbated in the wake of overturning Roe v. Wade. Learn more about the uneven burden of maternal mortality in the U.S. with our recent infographic.
- **Healthy Lifestyle:** Roughly 4 out of every 10 Americans are now considered obese. Learn more about helping children avoid the risks of obesity from BlueCross BlueShield of Oklahoma.
- **Physical Activity:** A study found the lowest mortality rate among those who performed nearly double the amount of recommended physical activity. Arkansas Blue Cross and Blue Shield recently hosted the Blue & You Fitness Challenge which encourages people to get active.

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NIHCM Foundation
1225 19th St NW Ste 710
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SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Amanda Slater (DHHS)" <aslater@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 10:53

Thank you for your much more eloquent phrasing David!

I will make those changes and send the response back to Russell.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Aug 9, 2022 at 9:26 AM Amanda Slater (DHHS) <aslater@utah.gov> wrote:
Thanks Marc. With David's edit this looks good to me.

On Tue, Aug 9, 2022 at 8:09 AM Heather Borski (DHHS) <hborski@utah.gov> wrote:
Thank you, Marc, Anna, and team. I support David's edits, and otherwise don't have others to add.

HB

On Tue, Aug 9, 2022 at 5:33 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Marc -

Overall, the response looks good to me. Adding how we are defining cost-sharing is very helpful context and, hindsight being 20/20, would have been good to add to the report, itself.

I do have a couple of minor edits & thoughts on the last paragraph for your thoughts:

[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of
Health & Human
Services

On Mon, Aug 8, 2022 at 5:31 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps this is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges, but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

With that understanding, because the SCI / BI Rehabilitation Fund in Utah is a payor of last resort, we view the State as already participating in a cost-sharing program. Participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements (unsure what we are referring to here) weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, we will study the issue more. We have built in more measures to look at this over time, so a few years of collecting data would be helpful.

To make sure we are on the same page, could you share with us what the legislature considers to be Cost Sharing? It will be helpful for us all to work from the same definition and understanding of what would or would not constitute cost-sharing under this specific circumstance (SCI / BI Rehabilitation Fund). Is the legislature suggesting that the account be changed to start allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? What effect would this have on those who are least able to pay into the system? Would this not preclude many of them from receiving services as more funds are used to help those with some ability to pay (i.e "cost sharing")?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Aug 8, 2022 at 8:23 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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C: 385.321.6473
mwatterson@utah.gov

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--
Amanda Slater
Assistant Deputy Director, Operations
She/Her/Hers
C: 385.262.1800
aslater@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>
CC: "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Kody Harvey (DHHS)" <kharvey@utah.gov>, "Austin Preston (DHHS)" <austinpreston@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 09/08/2022 10:59

Russell -

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[redacted]

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Is the Department's definition and understanding of cost-sharing consistent with the legislature's intent language? We want to make sure we are on the same page in defining what would or would not constitute cost-sharing under this specific circumstance (SCI / BI Rehabilitation Fund). Do you know if the legislature is interested in exploring the program allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? Would the legislature like to study what effect this would have on those who are least able to pay into the system and on those currently receiving services under the payor of last resort policy?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Subject: Re: Legislative Required Reports for SSA - August 1, 2022

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- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
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mwatterson@utah.gov

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SUBJECT: RE: Legislative Required Reports for SSA - August 1, 2022
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>
CC: "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen<kmadsen@le.utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "KodyHarvey (DHHS)" <kharvey@utah.gov>, "Austin Preston (DHHS)"<austinpreston@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "DavidLitvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)"<hborski@utah.gov>
DATE: 09/08/2022 13:31

Hi Marc,

My original question was just to clarify what you said about in the cost sharing report about needing more time. You stated: “Do you know if the legislature is interested in exploring the program allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? Would the legislature like to study what effect this would have on those who are least able to pay into the system and on those currently receiving services under the payor of last resort policy?” I had originally thought that this was what we were going to answer with this report. We can see next week at the Social Services meeting if there is any more interest in more study. Thanks for your time.

Russell Frandsen
Finance Officer
Office of the Legislative Fiscal Analyst
State of Utah
Phone 801-538-1034
Fax 801-538-1692
rfrandsen@le.utah.gov
http://budget.utah.gov/

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Tuesday, August 9, 2022 11:00 AM
To: Russell Frandsen <rfrandsen@le.utah.gov>
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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov

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Sean, Russell, and Kimberly -

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- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>
CC: "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Kody Harvey (DHHS)" <kharvey@utah.gov>, "Austin Preston (DHHS)" <austinpreston@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 09/08/2022 13:51

Thanks Russell. Hindsight being 20/20, we should have coordinated with the LFA before this to make sure we had a shared understanding of legislative intent on this report (and in particular what was meant by "cost-sharing"). Something that we will do moving forward.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Aug 9, 2022 at 1:32 PM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

My original question was just to clarify what you said about in the cost sharing report about needing more time. You stated: “Do you know if the legislature is interested in exploring the program allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? Would the legislature like to study what effect this would have on those who are least able to pay into the system and on those currently receiving services under the payor of last resort policy?” I had originally thought that this was what we were going to answer with this report. We can see next week at the Social Services meeting if there is any more interest in more study. Thanks for your time.

Russell Frandsen
Finance Officer
Office of the Legislative Fiscal Analyst
State of Utah
Phone 801-538-1034
Fax 801-538-1692
rfrandsen@le.utah.gov
http://budget.utah.gov/

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Tuesday, August 9, 2022 11:00 AM
To: Russell Frandsen <rfrandsen@le.utah.gov>
Cc: Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>; Tracy Gruber (DHHS) <tracygruber@utah.gov>; Kody Harvey (DHHS) <kharvey@utah.gov>; Austin Preston (DHHS) <austinpreston@utah.gov>; Shari Watkins (DHHS) <swatkins@utah.gov>; David Litvack (DHHS) <davidlitvack@utah.gov>; Heather Borski (DHHS) <hborski@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Russell -

It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges, but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

With that understanding, because the SCI / BI Rehabilitation Fund in Utah is a payor of last resort, we view the State as already participating in a cost-sharing program. Participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data measures that providers are now collecting from applicants were not historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, we will study the issue more. We have built in more measures to look at this over time, so a few years of collecting data would be helpful.

Is the Department's definition and understanding of cost-sharing consistent with the legislature's intent language? We want to make sure we are on the same page in defining what would or would not constitute cost-sharing under this specific circumstance (SCI / BI Rehabilitation Fund). Do you know if the legislature is interested in exploring the program allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? Would the legislature like to study what effect this would have on those who are least able to pay into the system and on those currently receiving services under the payor of last resort policy?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 8, 2022 at 8:23 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
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SUBJECT: Want 4X points? Plan your adventure today!
FROM: "IHG One Rewards" <IHGOneRewards@mc.ihg.com>
TO: <HBORSKI@UTAH.GOV>
DATE: 09/08/2022 15:54

[redacted]

Start earning towards 4X points

It's easy. Boost your rewards simply by enjoying more nights with us. Register now, then book and stay with us through August 31, 2022 and see how quickly your points add up.

REGISTER IN 1-CLICK

By clicking, you are agreeing to the campaign's terms & conditions.

[redacted]

2X

Earn 2X points
on nights 2 – 5

3X

Earn 3X points
on nights 6 – 14

4X

Earn 4X points
on nights 15+

Earn even more as an IHG® Rewards Credit Cardmember

3,000 additional bonus points every 3 nights, up to 6,000 bonus points

Not a Cardmember? Learn more

REGISTER IN 1-CLICK

By clicking, you are agreeing to the campaign's terms & conditions.

Stay Offers Meetings Our Brands

Download Our App

Download on the App Store

GET IT ON Google Play

IHG HOTELS & RESORTS

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HOTELS · CROWNE PLAZA · Holiday Inn Express · Holiday Inn · avid · ATWELL SUITES · STAYBRIDGE SUITES · Holiday Inn Club Vacations · CANDLEWOOD SUITES

IHG ONE REWARDS

Terms and Conditions

You must be an IHG® One Rewards member and must register in order to participate in the "Earn up to 4X" promotion ("Promotion"). Members can pre-register for this Promotion starting May 4, 2022 through May 17, 2022. Members will be able to stay and earn IHG® One Rewards bonus points under this Promotion beginning May 18, 2022 and ending on August 31, 2022 ("Promotion Period"). Members who did not register during the period for pre-registration may register for the Promotion during the Promotion Period. By clicking the "click to register" button for the Promotion, a member is registering for the Earn up to 4X Promotion and accepting these Terms & Conditions.

After registering for the Promotion, a member can earn IHG® One Rewards bonus points based on the number of qualifying nights they have during the Promotion Period, as follows: "2X points" on their 2nd through 5th qualifying nights; "3X points" on their 6th through 14th qualifying nights; and "4X points" on their 15th qualifying night and all subsequent qualifying nights. The bonus points earning structure for "2X points", "3X points", and "4X points" is described in more detail below and is subject to a total promotional bonus points cap of 100,000 points. For IHG® Rewards members residing in the U.S. who have an IHG® One Rewards Credit Card from Chase, this Promotion also includes an opportunity to earn up to 6,000 additional bonus points if certain requirements are met for stays during the Promotion Period. This offer for cardmembers is also described in more detail below. **The time needed for awarding points can vary with each promotion, so please allow up to 6 weeks for any earned bonus points to be posted to your account.**

For purposes of this Promotion, the qualifying nights must be part of one or more Qualifying Stays at participating IHG® Hotels & Resorts, Mr and Mrs Smith properties, or participating Six Senses® Hotels, Resorts, & Spas (as identified on each hotel's booking page), and each qualifying night must be completed during the Promotion Period, which is from May 18, 2022 through August 31, 2022. No retroactive credit will be given for nights prior to registration for the Promotion, and any nights outside of the Promotion Period will not be eligible for bonus points under the Promotion. A Qualifying Stay is a minimum 1-night stay booked under a Qualifying Rate, with total spend exceeding US $30 (or local currency equivalent) for each night. Only one room per member per Qualifying Stay will be eligible for the applicable bonus points under the Promotion. If more than one member checks into the same room, only one member is eligible for the bonus points available under the Promotion. If a member books more than one room on the same night, they will only receive bonus points for the Promotion on the room with the higher room rate for each qualifying night. For additional details on Qualifying Stays and Qualifying Rates, please see the full IHG® One Rewards Members Terms and Conditions.

For this Promotion, earning "2X" or "2X points" or "Double Points" on a member's 2nd, 3rd, 4th, and 5th qualifying night stay during the Promotion Period means the total number of regular "base points" and promotional "bonus points" combined will equal two (2) times the base points the member would normally receive just for being an IHG® One Rewards member. For example, under this Promotion, for a member's second qualifying night during the Promotion Period with a room rate of $100.00 at an IHG hotel with a 10 points per USD earn rate for base points, the member would earn 1,000 base points (10 points x $100 = 1,000 points) and an additional 1,000 promotional bonus points, for a total of 2,000 points.

Similarly, earning "3X" or "3X points" or "Triple Points" on a member's 6th through 14th qualifying room night during the Promotion Period means the total number of regular "base points" and promotional "bonus points" combined will equal three (3) times the base points the member would normally receive just for being an IHG® Rewards member. For example, a qualifying night after a member has already stayed five (5) previous qualifying nights within the Promotion Period would be considered the 6th qualifying night. If that 6th qualifying night has a room rate of $100.00 at an IHG hotel with a 10 points per USD earn rate for base points, the member would earn 1,000 base points (10 points x $100 = 1,000 points) and an additional 2,000 promotional bonus points, for a total of 3,000 points for the 6th qualifying night, which would be in addition to the base points and bonus points the member had previously earned under the Promotion for their 2nd, 3rd, 4th, and 5th qualifying nights.

Earning "4X" or "4X points" or "Quadruple Points" on a member's 15th qualifying room night, and all subsequent qualifying room night stays, during the Promotion Period has similar meaning: The total number of regular "base points" and promotional "bonus points" combined will equal four (4) times the number of base points the member would normally receive just for being an IHG® Rewards member. By way of example, for a member's 2-night Qualifying Stay for their 15th and 16th qualifying nights within the Promotion Period, with a per night room rate of $100.00 at an IHG hotel with a 10 points per USD earn rate for base points, the member would earn 2,000 base points (10 points x $100/night x 2 nights = 2,000 points) and an additional 6,000 promotional bonus points, for a total of 8,000 points. These 8,000 points is for the 15th and 16th qualifying nights and are in addition to the base points and bonus points the member had already earned during the Promotion Period for qualifying nights 2 through 14.

The promotional bonus points that can be earned under the 2X, 3X, and 4X promotion part of the Promotion, as described above, are calculated based solely on the base points the member is eligible to earn for the qualifying night just for being an IHG® One Rewards member, and any Elite status bonus points or any other bonus or promotional points the member may be eligible to receive for the same stay are not included.

For cardmembers in the United States with an IHG® Credit Card from Chase, an additional 3,000 bonus points will be awarded after the cardmember's first three (3) qualifying nights and another 3,000 bonus points after the cardmember's second three (3) qualifying nights. Each qualifying night must be part of a Qualifying Stay at participating IHG® Hotels and Resorts during the Promotion Period, booked under a Qualifying Rate with total spend exceeding US $30 (or local currency equivalent) for each night and paid for by the member using their IHG® credit card. No additional bonus points for IHG® credit card use will be awarded past the sixth qualifying night. For new Chase IHG® Credit Card accounts opened during the Promotion Period, please allow up to 6 weeks after the Promotion Period for bonus points to be credited. The "up to 6,000 bonus points" cardmembers can earn from this offer are separate from points earned from credit card spend on IHG transactions. IHG reserves the right of final interpretation of this offer to cardmembers. This offer is not from Chase. Chase is not responsible for the provision of, or failure to provide, the stated benefits and services. Bonus points will post directly to your IHG® Rewards account and will not appear on your credit card statement. The "up to 6,000 bonus points" cardmembers can earn from this offer is in addition to the bonus points a cardmember can earn under the 2X-3X-4X part of the Promotion. As a result, cardmembers qualifying for this offer have an opportunity to earn a maximum of 106,000 promotional bonus points over the entire Promotion Period.

The points earned during the Earn up to 4X Promotion can be used toward Reward Nights, can be redeemed for merchandise, or can be used for other redemption opportunities, as permitted under the IHG® Rewards program. The Promotion is subject to the IHG® Rewards program terms and conditions and earning structure, which can be found IHG® One Rewards Membership Terms and Conditions or by visiting www.ihgonerewards.com . Members can only participate in one promotion at a time, unless otherwise specifically allowed by IHG. IHG expressly reserves the right to remove a member's points or cancel a member's account if fraudulent use of the Promotion is detected, and any fraudulent activity relating to a member's account, or this Promotion is subject to the IHG® One Rewards Membership Terms and Conditions, including any of the identified actions that may be taken in response to such activity. To the extent permitted by applicable law, IHG reserves the right of final interpretation of the Promotion, as well as the right to cancel, terminate, suspend and/or modify the Promotion at any time. Members must make any promotional inquiries 60 days from the end of the Promotion Period; the end of the Promotion Period is August 31, 2022.

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You may also contact the IHG One Rewards Service Center directly at IHG One Rewards, P.O. Box 30320, Salt Lake City, UT 84130-0320, USA.

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1. Go to ihg.com.
2. Log in to your account profile with your IHG One Rewards number and password.
3. Change your email preferences in the Communication Preferences section as desired.

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SUBJECT: Upcoming BFA Events, Health Justice Fellowship Application, and More!
FROM: Beyond Flexner Alliance <info@beyondflexner.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 09/08/2022 17:59

TwitterSpace Event on Wednesday, August 10th!

There is no doubt that the Supreme Court's verdict overturning Roe v. Wade has had a major detrimental impact on women's health and healthcare more broadly. Join us **Wednesday evening (tomorrow) from 8-9pm EST** to discuss the impact this ruling has on abortion access, health professional education, and reproductive health providers across the nation. Moderated by Beyond Flexner Alliance's very own Student Assembly leaders, Tiffany LaCroix, Eche Nwadiaro, and Florence Tyler, this discussion is something you don't want to miss!

Health Justice Fellowship Application - Deadline Next Week!

The Beyond Flexner Alliance's Health Justice Fellowship Program aims to nurture the talents of trainees who already show promise and commitment to advancing health justice in health professional training. Within this space, fellows hone their skills and broaden their networks in ways that will sustain them in pushing health professional institutions to be more socially accountable. The application for the 2022-2023 cohort of fellows is now open and more information can be found here. The deadline for applications is **next Tuesday, August 16th, 2022 at 11:59 PM EST**.

This past year our fellows had a chance to hone in their Op-Ed writing skills, social media advocacy skills, and organizing skills! See what some of our fellows had to say about this year's program:

"The community, the guest speakers, camaraderie, our trip to Arizona for the conference, and the student assembly were some of the most valuable aspects! It is hard to pick one part since the entirety of the fellowship was invaluable and one of the best decisions I've ever made."

"There was a strong sense of community throughout the entire fellowship and for the first time in what feels like forever, I found a group of people who supported me like we didn't just meet. I found a group of people that I know will support me forever and with all the ideas I want to bring to life."

2021-22 Health Justice Fellows with BFA Leadership Team Members at BFA Conference 2022 (Top *Left to BottomRight):* Zena Ahmed, Daniel Tounsel III; Isabel Chen; Raashmi Krishnasamy; Erina Horikawa; Robert Rock; Wajeha Mahmoud.

Montefiore Hospital System Shuts Down Family Health Center

On July 28, 2022, Montefiore Hospital System announced that it would close the Family Health Center (a family medicine residency clinic and Federally Qualified Health Center), move all staff and services to an existing family medicine clinic 2.5 miles away, and replace it with a non-teaching Internal Medicine and Primary Care Pediatrics Clinic. This decision to close the Family Health Center may negatively impact local Black, Latinx, and South East Asian communities that have utilized the comprehensive services offered there for the past 30 years. ***As an organization committed to building a better, fairer health system and training health care professionals to be agents of meaningful change, we encourage you to explore this issue further.***

You can find more information about the issue here and if interested, can sign onto this petition as an individual. An open letter for organizations to sign onto can be found here.

Please feel free to also share the official #HandsOffFHC Toolkit on social media, as well.

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2115 B Street NW
Suite 200
Washington, DC 20037

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You can update your preferences or unsubscribe from this list.

SUBJECT: Boies Schiller, Hausfeld Score $627M In Fees In BCBS MDL
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 10/08/2022 03:13

LAW360

Wednesday, August 10, 2022

Follow

TOP NEWS

Boies Schiller, Hausfeld Score $627M In Fees In BCBS MDL

An Alabama federal judge awarded $626.6 million in attorney fees and another $40.9 million in costs on Tuesday to Boies Schiller Flexner LLP, Hausfeld LLP and other lawyers who scored a $2.67 billion class award for subscribers in multidistrict litigation against Blue Cross Blue Shield insurers.

Read full article »

Merger Would Spur UnitedHealth To Abuse Data, Judge Told

If a proposed $13.8 billion purchase of Change Healthcare was permitted, UnitedHealth Group would have every incentive to tap data from Change's insurer clients to bolster its own business even if it means damaging Change's customer relationships, the U.S. Department of Justice's main expert witness told a D.C. federal judge Tuesday.

Read full article »

Endo Says Bankruptcy Likely In Face Of Opioid Suits

Endo Pharmaceuticals on Tuesday warned investors that it may very soon become the next opioid maker to seek refuge in bankruptcy, saying a Chapter 11 filing could be imminent in the face of continuing opioid suits and "substantial" debt.

Read full article »

Feds Want Exec's Advice-Of-Counsel Fraud Defense Barred

Prosecutors asked a California federal judge presiding over a criminal fraud trial against Arrayit Corp.'s president Monday to order him to either disclaim his advice-of-counsel defense or immediately produce documents related to it, arguing that the executive waited two years until trial openings to disclose the purported defense.

Motion attached | Read full article »

7th Circ. View Of FCA Intent Is 'Deeply Flawed,' Justices Told

An Illinois pharmacist wants the U.S. Supreme Court to review a refusal by a split Seventh Circuit to revive his False Claims Act suit against Safeway, raising an issue about how to determine a defendant's knowledge of wrongdoing in an FCA case.

Petition attached | Read full article »

Anti-Abortion Activists Ask 9th Circ. To Nix Videos Injunction

Anti-abortion activists who secretly video recorded conversations with abortion providers at two conferences urged the Ninth Circuit on Tuesday to lift an injunction preventing the footage from being shown, while the National Abortion Federation argued the defendants waived any free speech rights by signing confidentiality agreements before entering the gatherings.

COMPANIES IN TODAY'S NEWS

Air Methods Corp.
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Arizona
American Hospital Association
American Trucking Associations Inc.
Ann & Robert H. Lurie Children's Hospital of Chicago
Association for Accessible Medicines
Axon Enterprise Inc.
Biogen Inc.
Boston Celtics
Boston University
Brooklyn Nets
Burford Capital LLC
Cardinal Health Inc.
Cerner Corp.
Change Healthcare Inc.
Chevron Corp.
Cigna Corp.

Read full article »

Flint Judge Steps Aside During Deliberations Due To Health

The federal judge presiding over the Flint, Michigan, water bellwether trial has unexpectedly handed over her duties to a magistrate judge due to a health issue, the court said Tuesday as jurors entered their fifth day of deliberations.

Read full article »

ENFORCEMENT & COMPLIANCE

Cerner Corp. To Pay $1.9M To End DOL Hiring Bias Claims

Health care information technology company Cerner Corp. has reached a deal with the U.S. Department of Labor's federal contractor watchdog to pay $1.86 million after the agency found that the company turned away Black and Asian job-seekers, the DOL said Tuesday.

Read full article »

NBA Journeyman Latest To Take Plea In Health Fraud Case

A former NBA player ensnared in a scheme to defraud the league's health care plan is expected to enter a guilty plea, becoming the fifth ex-player of 19 indicted to strike a deal with Manhattan prosecutors.

Order attached | Read full article »

Pa. Nursing Homes Lied About Staffing Levels, Feds Say

A pair of Pennsylvania-based nursing homes are facing federal charges that employees fabricated staff information to state health authorities and that the homes falsified statements to hike up reimbursements from health programs, according to federal prosecutors.

Indictment attached | Read full article »

LITIGATION

9th Circ. Revives Whistleblower's Medicare Fraud Suit

The Ninth Circuit on Tuesday revived a whistleblower's suit alleging that medical device maker Kinetic Concepts Inc. flouted the False Claims Act by miscategorizing Medicare charges for wound therapy, saying the district court was too quick to find that there was no factual issue of false claims.

Opinion attached | Read full article »

Mylan Gets Industry Aid In $50M Tax Fight At 3rd Circ.

A generic-drug manufacturer trade group told the Third Circuit on Monday that taxing patent litigation costs related to the expedited approval process for generic drugs would undermine the purpose of the Hatch-Waxman Act that set up that process, driving up costs for consumers.

Brief attached | Read full article »

Judge Nixes Order, Conceals Atty Docs In Trans Bias Row

An Arizona federal judge vacated an order Tuesday requiring Republican Gov. Doug Ducey to turn over attorney-client documents detailing the decision to deny coverage to state health plan participants for gender-confirmation surgery, as long as the legal advice isn't used in the state's trial defense.

Order attached | Read full article »

NC Panel Skeptical Helicopter Makers Must Stay In Crash Suit

A state appeals court on Tuesday expressed doubt that German and French manufacturers should face a wrongful death lawsuit in North Carolina over a fatal helicopter crash, questioning whether merely introducing a product into commerce is enough to tie companies to the state.

Read full article »

Ex-Ill. Hospital Worker Hits Facial ID Vendor With BIPA Suit

A former employee of Ann & Robert H. Lurie Children's Hospital in Chicago filed state court biometric privacy claims Monday against the hospital's identify verification vendor ID.me Inc., claiming it stored her and other Illinois users' geometric facial data twice as long as it was allowed to before changing its policies last year.

Complaint attached | Read full article »

Inovalon Holdings Is Targeted In New Del. Suit After $7.3B Sale

Three Florida and Pennsylvania pension funds sued cloud-based health care data venture Inovalon Holdings Inc. in

Cincinnati Children's Hospital Medical Center
Endo International PLC
Fortovia Therapeutics
Illinois State Bar Association
Inovalon Holdings Inc.
Kinetic Concepts, Inc.
Legal Aid Justice Center
LinkedIn Corp.
Los Angeles Clippers
Major Lindsey & Africa LLC
Mazars LLP
McKesson Corp.
McKinsey & Co. Inc.
Mylan NV
National Basketball Association Inc.
National Federation of Independent Business
Natural Resources Defense Council
New Civil Liberties Alliance
Nordic Capital Ltd.
Optum Inc.
Planned Parenthood Federation
Public Co. Accounting Oversight Board
Purdue Pharma LP
SCL Health
Safeco Insurance Co.
Safeway Inc.
Samsung Electronics Co. Ltd.
Supervalu Inc.
Toshiba Corp.
UnitedHealth Group Inc.
University of Houston
Veolia Environnement SA
Zeughauser Group LLC

LAW FIRMS IN TODAY'S NEWS

Adams & Reese
Axinn Veltrop
Baker Donelson
Balch & Bingham
Bandas Law Firm
Bartlett LLP
Bodman PLC
Boies Schiller
Brunini Grantham
Burns Charest
Bursor & Fisher
Bush Seyferth
Cafferty Clobes
Campbell Conroy
Campbell Guin
Chiesa Shahinian
Cleary Gottlieb
Consovoy McCarthy
Cooper & Kirk
Cory Watson
Covington & Burling
Cravath Swaine
Crowell & Moring
Debevoise & Plimpton
Del Sole Cavanaugh
Dhillon Law Group
Faegre Drinker
Fennemore Craig
Foley & Lardner
Foote Mielke

Delaware's Court of Chancery on Tuesday, alleging breaches of fiduciary duty by individuals and funds named in a mooted suit filed last year before the company's $7.3 billion go-private sale.

Read full article »

BANKRUPTCY

NC Drugmaker Seeks OK Of Ch. 11 Deal With Distributor

A North Carolina pharmaceutical company has asked a bankruptcy court to sign off on a settlement it reached with an affiliate of drug distributor Cardinal Health resolving mutual debts owed under an arrangement the pair entered over a decade ago.

Motion attached | Read full article »

PEOPLE

Cincinnati Children's Hospital Hires SCL Health Atty As CLO

Cincinnati Children's Hospital Medical Center has brought on SCL Health's longtime chief legal officer and corporate secretary to become its chief legal officer, starting in September.

Read full article »

EXPERT ANALYSIS

Insurance Tips For Cos. Offering Reproductive Health Benefits

Post-Dobbs state laws allowing legal action against anyone who facilitates an abortion could lead to claims against employers providing reproductive health benefits, so companies must ensure their insurance policies afford sufficient protection for any novel claims, say Heather Habes and Gretchen Hoff Varner at Covington.

Read full article »

Justices' EPA Ruling Didn't Move Needle On Chevron Doctrine

Though some suggest the U.S. Supreme Court's recent decision in West Virginia v. U.S. Environmental Protection Agency marked the end of a doctrine requiring judicial deference to federal regulators, the ruling merely articulated well-developed precedent on the limits of agency authority, say Dan Wolff and Eryn Howington at Crowell & Moring.

Read full article »

LEGAL INDUSTRY

How The Global Economy Is Frustrating BigLaw Plans

The global economy has softened and the broader question of how soon — and how hard — a recession will hit is putting law firm leaders in a difficult position as they look to mold their firms' strategies.

Read full article »

Here's Where BigLaw Leaders Stand On Recession Lookout

While the debate on whether the U.S. is in a recession continues, several law firm leaders and industry observers say that they are optimistic that the legal industry will withstand the looming economic storm.

Read full article »

Texas 'Individualism' In Evidence Rules At Play In Jones Trial

Unlike most states, Texas doesn't have a clear ethics rule on inadvertent litigation disclosures, opening the door for Sandy Hook parents to use Alex Jones' text messages in court despite a "please disregard" request from his lawyer.

Read full article »

Analysis

DOJ's Daring Mar-A-Lago Raid Amps Up Pressure On Garland

The FBI's Monday raid on Donald Trump's Mar-a-Lago resort could lead to classified-materials charges that some experts likened to Al Capone's tax fraud rap — if Attorney General Merrick Garland makes the unprecedented decision to indict a former president.

Read full article »

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Levin Papantonio
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Levy Konigsberg
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Mayer Brown
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Methvin Terrell
Morgan Lewis
Morrison Foerster
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Paul Hastings
Paul Weiss
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Reichard & Escalera
Riley & Jackson
Shamoun & Norman
Shearman & Sterling
Simpson Thacher
Skadden Arps
Sparacino PLLC
Spotswood Sansom
Stevens Martin
Stroock & Stroock
Van Winkle Law Firm
Wallace Jordan
Ward and Smith
White & Case
Whitmyer IP Group
Willkie Farr
WilmerHale
Winstead PC
Zuckerman Spaeder

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Central Intelligence Agency
Delaware Court of Chancery
Federal Bureau of Investigation

DC Circ. OKs House Pursuit Of Trump's Tax Returns

A House committee can go ahead with its efforts to obtain former President Donald Trump's tax returns after the D.C. Circuit found Tuesday that the request did not flout separation-of-powers principles or exceed the panel's investigative powers.

Read full article »

ABA Reaffirms Policy Against Nonlawyer Firm Ownership

The American Bar Association's policymaking body on Tuesday adopted an amended resolution that reaffirms its policy against nonlawyer fee-sharing and firm ownership, in light of several states considering opening the practice of law to nonattorneys.

Read full article »

Deborah Enix-Ross On Her Plans As The ABA's New President

The American Bar Association welcomed its new president, Deborah Enix-Ross, on Monday at its House of Delegates annual meeting in Chicago. Here, Enix-Ross spoke with Law360 Pulse about her plans, including addressing the group's membership numbers, and how the ABA has helped her legal career.

Read full article »

Biden Picks State Judge, Prosecutor For 4th, 10th Circs.

President Joe Biden is nominating a state judge to the Fourth Circuit and a veteran federal prosecutor to the Tenth Circuit, in his latest round of judicial nominations announced Tuesday.

Read full article »

Hagens Berman Awarded Over $26M In Fees In Disk Drive MDL

A California federal judge awarded Hagens Berman Sobol Shapiro LLP more than $26.6 million in attorney fees on Monday for securing a $205 million optical disk price-fixing multidistrict litigation settlement, reconfiguring the amount after a Ninth Circuit ruling vacated a $31 million award.

Read full article »

4th Circ. To Rehear Attys' Fight For Post-Injunction Fees

A Fourth Circuit panel agreed Tuesday to rehear arguments from McGuireWoods LLP attorneys who fought a now-repealed state law blocking Virginians with unpaid court debt from obtaining driver's licenses, taking back up the issue of whether preliminary injunctions confer prevailing party status and warrant attorney fees.

Read full article »

Justices Told SEC, FTC Challenges 'Waste' Courts' Resources

Congress never intended federal district courts to hear constitutional challenges to administrative law proceedings like those before the U.S. Securities and Exchange Commission and the Federal Trade Commission, and allowing those courts to do so would be a waste of judicial resources, government attorneys told the U.S. Supreme Court on Monday.

Read full article »

Burford Capital Names African Arbitrator To Board

Burford Capital Ltd., an asset management firm that focuses on litigation finance and law advisory services, has named a prominent African arbitration lawyer as an independent nonexecutive director.

Read full article »

JOBS

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Bass, Berry & Sims
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Food and Drug Administration
Internal Revenue Service
International Chamber of Commerce
Occupational Safety and Health Administration
Office of Federal Contract Compliance Programs
Pennsylvania Department of Health
U.S. Attorney's Office for the Southern District of New York
U.S. Attorney's Office for the Western District of Pennsylvania
U.S. Bankruptcy Court for the Eastern District of North Carolina
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the District of Arizona
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Pennsylvania
U.S. District Court for the Western District of Virginia
U.S. Environmental Protection Agency
U.S. Securities and Exchange Commission
U.S. Supreme Court
U.S. Tax Court
United States District Court for the Northern District of Alabama
Virginia General Assembly

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SUBJECT: Morning Consult Health: Amazon Said to Add Mental Health Support toPrimary Care Offerings
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 10/08/2022 06:24

MORNING CONSULT

Health

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AUGUST 10, 2022

BY MATT BRACKEN

Twitter Email

Top Stories

- Amazon.com Inc. is planning to add behavioral health support to its array of medical offerings through its Amazon Care primary care service, with mental health service provider Ginger tapped as its partner to provide video-based therapy. As part of the partnership, which follows Amazon's $3.9 billion acquisition last month of primary-care clinic operator One Medical, the companies will share patient information and provide on-demand access to mental health experts, per a website touting the partnership and people familiar with the matter. (Insider Premium)

- Siga Technologies Inc. said the federal government will pay $26 million for its intravenous formulation of the antiviral drug Tpoxx, giving patients suffering from monkeypox a non-oral option for treatment. (Reuters) The Food and Drug Administration said children are now allowed to receive the monkeypox vaccine if they're at high risk of infection, an announcement that came as the agency officially expanded its authorization for the vaccine in adopting the dose-sparing, intradermal injection strategy. (CNBC)

- Facing thousands of lawsuits alleging that it fueled the country's opioid crisis, Endo International PLC said it is negotiating with senior lenders over what is likely to result in a filing for chapter 11 bankruptcy, while it continues to engage with opioid litigants and other creditors. The pharmaceutical manufacturer has reached settlements with a number of states, including Alabama, Florida, New York, Texas and West Virginia, but it still faces roughly 3,500 lawsuits tied to its painkiller Opana from state and local

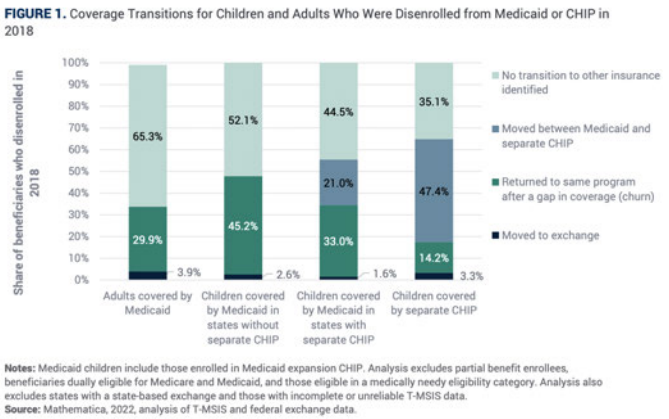
governments, private providers and individuals. (The Wall Street Journal)

- A federal judge in Alabama approved Blue Cross and Blue Shield companies' $2.67 billion antitrust settlement, ordering Blues plans to start paying customers their part of the settlement after 30 days. The ruling ends a decadelong legal battle that policyholders waged against 34 Blues plans, alleging that the Blue Cross Blue Shield Association's rules capping revenue and limiting geographic coverage violated the Sherman Antitrust Act of 1890. (Modern Healthcare)

Chart Review

Transitions Between Medicaid, CHIP, and Exchange Coverage

Medicaid and CHIP Payment and Access Commission



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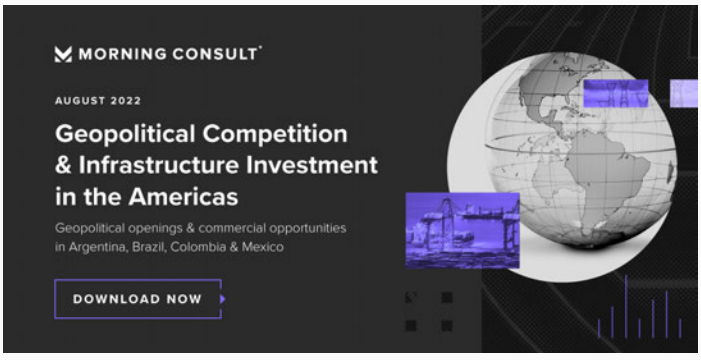

Geopolitical Competition and Infrastructure in the Americas

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What Else You Need to Know

CORONAVIRUS

Former asthma sufferer Biden has cough, but not COVID, White House says
Reuters
U.S. President Joe Biden continues to test negative for COVID-19 but is suffering its lingering effects, the White House press office said on Tuesday, after he coughed repeatedly through a speech on the South Lawn.

How do you manage Omicron BA.5 symptoms, including a sore throat?
Dani Blum, The New York Times
While a sore throat has always been a symptom of Covid, experts said that it is becoming more common, and sometimes more severe, with the BA.5 subvariant of Omicron — now, the dominant strain of Covid in the United States.

GENERAL

Justice Department Asks Judge to Pause Idaho Abortion Ban
The Associated Press
The U.S. Department of Justice asked a federal judge this week to bar Idaho from enforcing its near-total abortion ban while a lawsuit pitting federal health care law against state anti-abortion legislation is underway.

Monkeypox Likely Circulated for Years Before Outbreak, Scientists Say
Denise Roland, The Wall Street Journal
For more than half a century, monkeypox was a rare infectious disease confined to one region of the world. A few months ago, that suddenly changed. Scientists are building a picture of what happened.

Facebook turned over chat messages between mother and daughter now charged over abortion
Kevin Collier and Minyvonne Burke, NBC News
Facebook turned over the chats of a mother and daughter to Nebraska police after getting served with a warrant as part of an investigation into an illegal abortion, court documents show.

Fewer than a third of insured Americans with hepatitis C receive timely treatment, CDC study shows
Adrianna Rodriguez, USA Today

More than 95% of people infected with hepatitis C can be cured with a simple course of antivirals. But over 2 million adults in the U.S. are still living with the virus, and a new report by the Centers for Disease Control and Prevention may help explain why.

Flu may be coming back with a vengeance, experts say, and children could be at risk

Adrianna Rodriguez, USA Today

After a two-year hiatus, the flu may be back this season - and with a vengeance. Data from the Southern Hemisphere, which is in its flu season, show cases surpassing pre-pandemic levels, prompting health experts to worry about what's in store for Americans this year.

Schumer: Senate will vote again on $35 insulin cap after GOP blocked it

Peter Sullivan, The Hill

Senate Majority Leader Charles Schumer (D-N.Y.) said Monday night that he is going to bring a $35 cap on patients' insulin costs back up for a vote this fall after Republicans blocked it over the weekend.

After Republicans block insulin price cap, is it really gone for most Americans?

Berkeley Lovelace Jr., NBC News

About 53% of the public is in favor of Congress' taking action to cap the out-of-pocket cost of insulin, according to a recent poll from the Kaiser Family Foundation.

New Langya virus that may have spilled over from animals infects dozens

Amy Cheng, The Washington Post

An international team of scientists identified a new virus that was likely to have been transmitted to humans after it first infected animals, in another potential zoonotic spillover less than three years into the coronavirus pandemic.

For Older Americans, Health Bill Will Bring Savings and 'Peace Of Mind'

Sheryl Gay Stolberg and Noah Weiland, The New York Times

Starting in 2025, Medicare recipients with prescription drug coverage will not have to pay more than $2,000 annually for medications, a significant savings for some.

'People will die waiting': America's system for the disabled is nearing collapse

Dan Goldberg, Politico

Private agencies that provide services for the intellectually and developmentally disabled have long warned that, without fresh state and federal funding, they would be unable to provide housing and staff support to the growing number of Americans who need care.

As monkeypox spreads, university campuses prepare for another outbreak

Akila Muthukumar, Stat News

Public health experts are urging universities to prepare for the arrival of monkeypox before students return to campus in the coming weeks.

HIPPA faces test in new abortion reality

Oriana Gonzalez, Axios

Doctors are weighing the legal risks of turning over ultrasounds and other personal health records if prosecutors or law enforcement demand the

information to enforce state abortion bans.

Democrats seek edge with women as Michigan prepares to vote on abortion
Hannah Knowles, The Washington Post
The purple state with competitive races for governor and Congress is shaping up as one of the most politically consequential battlefronts in a larger fight

How the failure to cap insulin prices impacts Latinos
Marina E. Franco and Astrid Galván, Axios
Failure to include a monthly $35 insulin cap in the climate and health care bill that passed the Senate last weekend could especially affect Latinos.

Civil rights groups, including Al Sharpton-led organization, urge USDA to fix 'dietary racism' in school lunch programs
Brad Dress, The Hill
Twenty-eight civil rights and health care groups announced Tuesday they have requested that the U.S. Department of Agriculture (USDA) address "dietary racism" in national school lunch programs, raising concerns to the federal agency about forcing millions of minority children to drink cow's milk without allowing them a healthier alternative.

PAYERS

Insurers to crack down on providers performing unscheduled procedures
Nona Tepper, Modern Healthcare
Health insurance companies are increasingly pressing doctors for more information when they perform unscheduled, minor procedures such as drawing blood, performing skin biopsies or conducting an electrocardiograms on patients the same day as visits for other reasons.

CMS removes prior authorization for select orthopedic devices
Alex Kacik, Modern Healthcare
CMS issued a final rule Tuesday that indefinitely suspended prior authorization for urgently needed procedures involving spine and knee braces. The agency announced in January that it will more frequently update the mandatory list of durable medical equipment, prosthetic and orthotic procedures requiring insurers' approval before providers are paid.

Utah-based SelectHealth to cover Pear's digital therapeutic for opioid use disorder
Paige Minemyer, Fierce Healthcare
The non-profit insurer, a subsidiary of Intermountain Healthcare, will make the prescription digital therapeutic available as a covered benefit for those with OUD among its more than 1 million members in Utah, Idaho and Nevada, according to a press release. The therapeutic was Pear's second product and the first to receive breakthrough designation from the Food and Drug Administration.

PROVIDERS

HCA, J&J strike wide-ranging partnership
Jessica Kim Cohen, Modern Healthcare

HCA Healthcare has entered into a wide-ranging collaboration with Johnson & Johnson, the hospital chain announced Tuesday.

DaVita helped craft new bill to fix "loophole" left by Supreme Court ruling, documents show

Megan R. Wilson, Politico

Roughly two months after dialysis giant DaVita lost a Supreme Court case involving insurance coverage for its services, Congress introduced bipartisan legislation that would be a boon for dialysis providers. Its language appears to be largely modeled from a proposal circulated by the company, according to documents obtained by POLITICO.

Hospitals grapple with a surge of CEO exits

Alex Kacik, Modern Healthcare

John Muir Health CEO Cal Knight planned to retire last year, but like many hospital and health system leaders, decided to delay his departure amid the COVID-19 pandemic.

Coding concerns: Providers decry proposed cuts to infusion services in 2023 fee schedule

Robert King, Fierce Healthcare

Some groups are pressing the Centers for Medicare and Medicaid Services for changes to the proposed Physician Fee Service that outlines payments to doctors in the federal fiscal year 2023. Several groups are seeking changes to proposed codes, including psychologists who want reimbursement for caregiver training. Oncology practices say that the math formula CMS is using to determine reimbursements doesn't fully account for their costs and staffing.

PHARMA, BIOTECH AND DEVICES

Popular Diabetes Drug Found to Contain Potential Carcinogen

Anna Edney, Bloomberg

Merck & Co.'s Januvia, a popular diabetes drug, was found to be contaminated with a potential carcinogen.

Pharma Lobby Readies Legal Firepower for Drug Pricing Measures

Shira Stein, Bloomberg Law

Measures to lower prescription drug prices will inevitably end up being challenged by pharmaceutical companies, even as they have yet to become law, attorneys say.

Drugmaker Gilead to help fund monkeypox education for LGBTQ+ groups

Nancy Lapid, Reuters

Drugmaker Gilead Sciences (GILD.O) plans to announce on Tuesday that it will provide up to $5 million in grants to help a coalition of LGBTQ+ and human rights advocacy groups craft public health responses to monkeypox outbreaks, the company said.

Mylan Loses Bid to Exit EpiPen Price Case as Pfizer Gets Win

Mike Leonard, Bloomberg Law

Mylan NV must face antitrust litigation brought by drug distributors who claim the company schemed to delay generic versions of its EpiPen, but Pfizer Inc. affiliates that manufacture the lifesaving allergy injection are off the hook, a federal judge in Kansas ruled.

As billionaires race to fund anti-aging projects, a much-discussed trial goes overlooked

Megan Molteni, Stat News

Beating back the diseases of aging has become something of a pet project for many of Silicon Valley's tech titans. Earlier this year, Altos Labs, a partial cellular reprogramming company, drew billions of dollars of investment, including from Jeff Bezos and Yuri Milner. Google founders Sergey Brin and Larry Page have put billions into Calico. Peter Thiel was an early backer of Unity Biotechnology. Peter Diamandis is placing bets on young blood and stem cells.

HEALTH TECHNOLOGY

Walmart has a new policy denying some telehealth prescriptions for controlled drugs. It's implicating patients in recovery

Anastassia Gliadkovskaya, Fierce Healthcare

The public health emergency is not due to expire until mid-October. Yet Walmart is no longer accepting prescriptions for controlled substances issued via telehealth without an in-person visit in the prior 24 months, Fierce Healthcare has learned. This policy, introduced in July, has implicated virtual providers of opioid use disorder treatment—whose prescribers practice remotely—and their patients.

UNC Health taps Gozio Health, Well Health to power up its consumer digital experience

Heather Landi, Fierce Healthcare

Many healthcare executives talk about creating a "digital front door" to healthcare using mobile apps and other tech tools.

Health tech player Availity to acquire data firm Diameter Health to improve interoperability with new data platform

Anastassia Gliadkovskaya, Fierce Healthcare

Availity, a health tech solutions company, will acquire Diameter Health, a clinical data firm, the companies announced Tuesday.

OPINIONS, EDITORIALS AND PERSPECTIVES

Meeting the mental health needs of the Medicare population

Sarah Peipert, Modern Healthcare

For the 63 million Americans who receive Medicare benefits, challenges that significantly affect their mental well-being continue to rise. Projections show the number of Medicare beneficiaries will grow by 1.5 million annually through 2029 with the majority of eligible enrollees comprised of those age 65 and older, placing urgency on the need to ensure this population has access to solutions that address their unique and evolving needs.

Will low-dose vaccination stretch the monkeypox vaccine supply, or backfire?

Philip Krause and Luciana L. Borio, Stat News

Given the precarious state of affairs with respect to the U.S. stockpile for Jynneos and Bavarian Nordic's limited capacity to quickly make more doses, the U.S. has limited options. This dose-sparing strategy could begin to address a public health need for men who have sex with men, who are at higher risk for acquiring the infection. If the vaccine can be

administered at lower doses at no risk to effectiveness, lower-dose intradermal injections make sense.

RESEARCH REPORTS

What Is Congress Doing to Advance Behavioral Health Reform?
Josh LaRosa and Rachel Nuzum, The Commonwealth Fund
In light of the well-documented mental health and substance use crisis and the exacerbating effects of the COVID-19 pandemic, congressional policymakers are considering a range of behavioral health policy reforms.

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SUBJECT: CDC COVID-19 Partner Key Updates: August 10, 2022
FROM: "CDC IMS STLT Policy, Public Health Partnerships andCommunication" <eocevent382@CDC.GOV>
TO: <CDC-COVID19-ALL-STLT-UPDATE@LISTSERV.CDC.GOV>
DATE: 10/08/2022 13:35

[redacted]

Good Afternoon, Partners,

Please see below the CDC COVID-19 Partner Key Update* on COVID-19 related publications, resources, and engagements. This week's update also includes information on promoting COVID-19 vaccination during National Immunization Awareness Month.

If you have any questions about the information provided, please email CDC at eocevent382@cdc.gov.

Thank you for your ongoing partnership.

**Please note this update has been formatted to properly display in email applications. If viewing through a web browser, you may encounter formatting or display issues. We apologize for any inconvenience.*

August 10, 2022

Promote COVID-19 Vaccination During National Immunization Awareness Month

National Immunization Awareness Month (NIAM) is an annual observance held in August to highlight the importance of vaccination for people of all ages. NIAM is also an opportunity to highlight the efforts of public health and healthcare professionals to protect individuals of all ages against vaccine-preventable diseases through on-time vaccination.

This year, NIAM serves as an important reminder to catch up patients on routine visits and vaccinations that may have been disrupted by the COVID-19 pandemic. For those patients who are eligible for COVID-19 vaccination, public health and healthcare professionals play a critical role in helping vaccine recipients understand the importance of vaccination and that COVID-19 vaccines are safe and effective. We encourage you to use NIAM as an opportunity to access and promote the vaccination resources below.

Resources:

- Toolkit for Reaching Parents and Patients (including key messages for COVID-19 vaccination and NIAM promotional graphics)
- Talking to Recipients about COVID-19 Vaccination
- Vaccines for COVID-19
  - Get answers to frequently asked questions, bust myths about vaccines, stay up to date with your vaccines, and find COVID-19 vaccines and boosters near you.
  - Get COVID-19 vaccine information for certain groups of people, including moderately or severely immunocompromised people, children and teens, people who would like to have a baby, and people pregnant or breastfeeding.

Recently Published COVID-19 Related Morbidity and Mortality Weekly Report (MMWRs)

- Notes from the Field: Increase in Pediatric Intracranial Infections During the COVID-19 Pandemic — Eight Pediatric Hospitals, United States, March 2020–March 2022
- Post–COVID-19 Symptoms and Conditions Among Children and Adolescents — United States, March 1, 2020–January 31, 2022 | MMWR (cdc.gov)
- Interim Recommendation of the Advisory Committee on Immunization Practices for Use of the Novavax COVID-19 Vaccine in Persons Aged ≥18 years — United States, July 2022
- Workplace Perceptions and Experiences Related to COVID-19 Response Efforts Among Public Health Workers — Public Health Workforce Interests and Needs Survey, United States, September 2021–January 2022
- Symptoms of Mental Health Conditions and Suicidal Ideation Among State, Tribal, Local, and Territorial Public Health Workers — United States, March 14–25, 2022
- Effectiveness of 2, 3, and 4 COVID-19 mRNA Vaccine Doses Among Immunocompetent Adults During Periods when SARS-CoV-2 Omicron BA.1 and BA.2/BA.2.12.1 Sublineages Predominated — VISION Network, 10 States, December 2021–June 2022

Upcoming Meetings

- **CDC COVID-19 All-State, Tribal, Local, and Territorial (STLT) Update Call**: The CDC COVID-19 All-STLT Update Call will occur on the third Monday of each month from 2:00–2:30 PM ET. **The next call will be on Monday, August 15th, from 2:00–2:30 PM ET.** If you have any questions, please contact eocevent382@cdc.gov.

  Upcoming Calls:
  - August 15th
  - September 19th

  To register for this call series, click here.

COVID-19 Resources

New & Updated

- On August 4th, the Vaccinations in the US tab on the CDC COVID Data Tracker was updated to include Novavax data in the charts for number of vaccines delivered by vaccine type, number of vaccines administered by vaccine type, and number of people fully vaccinated by vaccine type.
- On July 26th, the White House held a Summit on the Future of Vaccines. The summit outlined a path towards innovative, next-generation COVID-19 vaccines and featured leaders who are on the cutting-edge of discoveries. For a recording of the event, click here.
- On July 27th, a new Nationwide Commercial Lab Pediatric Antibody Seroprevalence tab was added to the COVID Data Tracker. The tab provides estimates of the proportion of the U.S. pediatric population (ages 6 months to 17 years) with evidence of at least one resolving or past infection with SARS-CoV-2, the virus that causes COVID-19.

COVID-19 Resources

- COVID-19 Community Levels: Check your county's COVID-19 Community Level to know which prevention steps to take.
- COVID Data Tracker combines county, state, national, and global data in a series of interactive dashboards.
- What You Need to Know About Variants provides information on current variants of concern.
- COVID-19 Testing: Learn about COVID-19 testing and how to receive free, at-home COVID-19 tests.
- Quarantine and Isolation: Access recommendations and tools to help determine how long you need to isolate, quarantine, or take other steps to prevent spreading COVID-19.
- CDC COVID-19 Travel: Get the latest information on travel orders and regulations, and check your destination's COVID-19 situation and travel requirements (domestic, international, cruise ship).
- Learn more about Long COVID or Post-COVID Conditions.

References to non-CDC sites are provided as a service and do not constitute or imply endorsement of these organizations or their programs by CDC or the U.S. Department of Health and Human Services. CDC is not responsible for the content of pages found at these sites. URL addresses listed were current as of the date of publication.

Kind regards,

STLT Policy, Public Health Partnerships & Communication
State, Tribal, Local, and Territorial Support Task Force (STLT TF)
COVID-19 Response

Centers for Disease Control and Prevention (CDC)
eocevent382@cdc.gov

[redacted]

[redacted]

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SUBJECT: Baby Watch Follow-Up Meeting
FROM: "Lisa Davenport (DHHS)" <lisadavenport@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, Mykio Saracino <msaracino@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>
DATE: 10/08/2022 14:19

Good afternoon,

In preparation for our meeting tomorrow morning, I have attached an agenda, as well as the Baby Watch Cost and Rate Study Final Report and summary for easy reference.

I look forward to meeting with you.

Warmly,
Lisa

--
Lisa Davenport, PhD
Baby Watch Early Intervention Program Manager, Part C Coordinator
O: 801.273.2961
lisadavenport@utah.gov
dhhs.utah.gov
babywatch.utah.gov

Utah Department of
Health & Human Services
Family Health

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SUBJECT: Walgreens Fueled SF Opioid Epidemic, Judge Rules
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 11/08/2022 01:49

P ICY LAW360

Thursday, August 11, 2022 Follow

TOP NEWS

Walgreens Fueled SF Opioid Epidemic, Judge Rules
Pharmacy giant Walgreens dispensed hundreds of thousands of suspicious prescriptions for narcotic painkillers in San Francisco without proper screening and is liable for ensuing opioid problems in the Bay Area, a California federal judge ruled Wednesday.
Opinion attached | Read full article »

DC Circ. Revives NY Grid Market Review Fight
The Federal Energy Regulatory Commission didn't adequately explain why it rejected the New York regional grid operator's method for determining future electricity demand, the D.C. Circuit has ruled, in a victory for independent power producers that backed the New York plan.
Order attached | Read full article »

NY Federal Judge Rescinds Move To Senior Status

[redacted]

U.S. District Judge David N. Hurd of the Northern District of New York walked back his plan to move to senior status, saying in a letter to President Joe Biden Wednesday he has "unconditionally withdrawn" his move to semi-retirement and vowing to stay on active status for the "foreseeable future."

Letter attached | Read full article »

Trump Pleads 5th In NY AG's Fraud Probe

Former President Donald Trump on Wednesday declined to answer questions under oath by the New York attorney general in her fraud investigation, saying in a statement he would invoke his Fifth Amendment right against self-incrimination.

Read full article »

Calif. Justice Guerrero Tapped As State's 1st Latina Top Judge

California Gov. Gavin Newsom on Wednesday nominated state Supreme Court Justice Patricia Guerrero — the high court's first Latina jurist — to serve as the state's next top justice, following Chief Justice Tani G. Cantil-Sakauye's decision last month to step down in January 2023.

Read full article »

BANKING & SECURITIES

SEC Proposes Beefing Up Hedge Fund Reporting Rules

The U.S. Securities and Exchange Commission on Wednesday proposed updates to a Dodd-Frank-era regulatory scheme that will require hedge fund and other private fund advisers to disclose more data to federal regulators about their exposure to risk and their relationship to the wider financial system.

2 documents attached | Read full article »

CFPB Puts Big Tech On Notice Over Digital Marketing

The Consumer Financial Protection Bureau issued a rule Wednesday clarifying when digital marketers and purveyors of financial products are subject to consumer protection regulations, assuring Big Tech firms using modern marketing tactics that the rules apply to them.

1 document attached | Read full article »

Warren Leads Dem Call For OCC To Yank Its Crypto Guidance

Sen. Elizabeth Warren, D-Mass., and other Democratic senators are calling on the Office of the Comptroller of the Currency to rescind guidance giving national banks a green light to engage in certain cryptocurrency activities, saying it "may have exposed the banking system to unnecessary risk."

Letter attached | Read full article »

Ill. Lender Says CFPB Redlining Suit Violates 1st Amendment

A Chicago mortgage lender told an Illinois federal judge on Wednesday that the Consumer Financial Protection Bureau's suit attempting to hold it liable for allegedly disparaging majority-Black neighborhoods is based on a regulation in "flagrant" violation of the First Amendment and must be dismissed.

Read full article »

ENERGY & ENVIRONMENTAL

EPA Will Consider Strengthening Flare Air Pollution Standards

The U.S. Environmental Protection Agency will study and consider updating its regulations for industrial flares that control toxic air pollution at petrochemical plants as part of a settlement agreement with environmental groups.

2 documents attached | Read full article »

Feds' Alaska Fishing Permit Didn't Vet Wash. Whale Safety

The National Marine Fisheries Service violated federal environmental law when it approved commercial fishing off the coast of Alaska that put endangered orca whales in Washington waters at risk, a Washington federal judge has ruled.

2 documents attached | Read full article »

EPA Launches Civil Rights Probes Into Texas Enviro Agency

The U.S. Environmental Protection Agency's civil rights enforcement arm is investigating Texas' environmental regulator in relation to its concrete batch plant permit standards and allegations the agency discriminated against non-English speakers at a public hearing.

LAW FIRMS IN TODAY'S NEWS

Armstrong Teasdale
Arnold & Porter
Baker Donelson
Bartlett LLP
Brent & Powell
Brown Rudnick
Burg Simpson
Cleary Gottlieb
Clyde & Co
Corr Cronin
Couch White
Deily & Glastetter
Faegre Drinker
Fox Rothschild
Greenberg Traurig
Hogan Lovells
Holley Driggs
Holman Schiavone
Jones Day
Kirkland & Ellis
Koskoff Koskoff
Kramer Levin
Latham & Watkins
Mattingly Burke
McDermott Will
Mead Law
Miller & Martin
Nelson Mullins
O'Melveny & Myers
Pattis & Smith
Paul Weiss
Peabody & Arnold
Perkins Coie
Potter Anderson
Quinn Emanuel
Read & Laniado
Robbins Geller
Rodriguez & Morgan
Shearman & Sterling
Sheppard Mullin
Sherrard Roe
Shook Hardy
Simpson Thacher
Skadden Arps
Sterbcow Law Group
Stroock & Stroock
Tavenner & Beran PLC
Todd & Weld
Wachtell Lipton
Weil Gotshal
Wheeler Trigg
White & Case
Wilson Sonsini

COMPANIES IN TODAY'S NEWS

AT&T Inc.
Air Alliance Houston
Amazon.com Inc.

Read full article »

Colo. Gov'ts Ask Justices To Honor Climate Suit Remand

A trio of Colorado local governments have asked the U.S. Supreme Court to reject Exxon Mobil Corp. and Suncor Energy Inc.'s effort to overturn the Tenth Circuit's ruling that a lawsuit seeking climate-change-related infrastructure damages belongs in state court.

Brief attached | Read full article »

HEALTH & LIFE SCIENCES

Pa. Parents Seek Atty Fees After School Mask Challenge Axed

Parents in a Pennsylvania school district who claimed in a federal lawsuit that the district's mask-optional policy endangered children with disabilities have asked for attorney fees, arguing that even though their case ended because Centers for Disease Control and Prevention masking guidelines were eventually relaxed, the goal of the suit was accomplished.

Brief attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

Utilities Tell 7th Circ. Not To Block $500M Power Line Work

Developers of a $500 million Midwest power line project told the Seventh Circuit it could not halt construction on the project without improperly expanding federal court jurisdiction because the project no longer crosses federal land and that phase of the work does not require federal approval.

Brief attached | Read full article »

COMPETITION

UnitedHealthcare And Optum Are 'Strictly' Separate, CEO Says

UnitedHealth Group's CEO told a D.C. federal judge Wednesday there's no reason to fear misuse of data gleaned from the proposed $13.8 billion purchase of Change Healthcare because UnitedHealth's own OptumInsight data unit is carefully designed to serve all health insurers and not just subsidiary UnitedHealthcare.

Read full article »

Agent Says Authors Want Best Deal, Not Most Upfront Money

A former literary agent told a D.C. federal court on Wednesday that finding the best book deals for authors is more about finding the right editor than securing a high advance payment, as the government continues its bid to block Penguin Random House's purchase of Simon & Schuster.

Read full article »

CYBERSECURITY & PRIVACY

Student Privacy Pledge Signee Scrapped After Data Breach

Illuminate Education has become the first company to be dropped from a popular student privacy pledge that counts Apple and Google among its nearly 250 signatories and is facing possible regulatory action after disclosing a data breach earlier this year.

1 document attached | Read full article »

CONSUMER PROTECTION

Rep. Waters Urges CFPB 'Moratorium' On Equifax Scores

The chair of the House Financial Services Committee has asked the U.S. Consumer Financial Protection Bureau to temporarily prevent credit reporting company Equifax from sending credit scores to financial institutions following its acknowledgment that it sent out inaccurate credit scores during several weeks this spring.

3 documents attached | Read full article »

INTERNATIONAL TRADE

Tai Commits To Reviving Worker Retraining Program

U.S. Trade Representative Katherine Tai vowed on Wednesday to resurrect the expired Trade Adjustment Assistance program, which provides retraining and relocation services to U.S. workers whose jobs moved offshore.

American Civil Liberties Union of Northern California
American Immigration Lawyers Association
American Petroleum Institute Inc.
Apple Inc.
Bates White LLC
Bertelsmann AG
Boston College
CVC Capital Partners
CVS Health Corp.
Change Healthcare Inc.
Clean Air Council
Coinbase Global Inc.
DaVita Inc.
Dairyland Power Cooperative
Defenders of Wildlife
Edison Electric Institute Inc.
Endeavor Operating Company LLC
Environmental Integrity Project
Equifax Inc.
Exxon Mobil Corp.
Geico Corp.
Google LLC
Hachette Book Group Inc.
HarperCollins Publishers LLC
Harvard Business School
Houghton Mifflin Harcourt Publishing Co.
Human Rights First
International Centre for Dispute Resolution
Live Nation Entertainment Inc.
London Stock Exchange Group PLC
Lone Star Legal Aid
Macmillan Publishers Ltd.
National Association of Attorneys General
National Association of Broadcasters
National Association of Manufacturers
National Immigration Law Center
National Rural Electric Cooperative Association
Optum Inc.
Pacific Legal Foundation
Purdue Pharma LP
Sequoia Capital Operations LLC
Simon & Schuster Inc.
Southern Poverty Law Center
Space Exploration Technologies Corp.
State Bar of California
Suncor Energy Inc.
Tesla Inc.
The Software & Information Industry Association
Trump Organization Inc.
Twitter Inc.
United Steelworkers
UnitedHealth Group Inc.
UnitedLex Corp.
University of California Davis
VOYlegal LLC
Valor Equity Partners LP
W. W. Norton & Company Inc.
Walgreens Co.
Walmart Inc.

Read full article »

China Says CHIPS Act Will 'Distort' Supply Chains

The Chinese foreign ministry on Wednesday slammed the new U.S. law giving nearly $53 billion to boost domestic semiconductor production as an example of "economic coercion," saying the law would upset international trade.

Read full article »

TAX

Latino Plant Workers Get Class Cert. In IRS 'Steak Out' Suit

Latino workers accusing immigration officials of violating their constitutional rights during a federal raid at a meatpacking plant can proceed in their lawsuit as a class after a Tennessee federal judge said any ruling applicable to one plaintiff would apply to about a hundred others.

Order attached | Read full article »

WHITE COLLAR

Viability Of Bribe Case Against Ex-NY Lt. Gov. In Question

A Manhattan federal judge is wrestling with the soundness of bribery charges accusing former New York Lt. Gov. Brian Benjamin of corruptly doling out state funds in exchange for political contributions — refusing to rule out dismissing the case.

Read full article »

TELECOMMUNICATIONS

Starlink, LTD Won't Get Funds >From FCC Rural Program

The Federal Communications Commission said Wednesday that satellite company Starlink and LTD Broadband have both been disqualified from taking part in a rural high-speed internet deployment program.

Read full article »

FCC Chief Says Feds' Broadband Coordination Getting Better

Efforts to coordinate broadband deployment projects across the federal government have improved since Congress directed agencies almost two years ago to confront the issue, the Federal Communications Commission's leader said.

2 documents attached | Read full article »

Black-Owned Broadcasters Argue Against Geotargeting Plan

Two Black-owned broadcast companies argued against a plan for geotargeted broadcasting in a letter to the Federal Communications Commission on Tuesday, claiming that allowing stations to broadcast location-specific ads and other information could have negative consequences for African American-owned and other small stations, while a national Black broadcasters' association urged the FCC to adopt the new plan.

2 documents attached | Read full article »

Emergency Broadcasts Must Be Fully Accessible, FCC Says

The Federal Communications Commission warned video programming distributors they could face enforcement action if they don't make emergency broadcasts fully accessible to people with disabilities.

Notice attached | Read full article »

CANNABIS

Nevada Cannabis Co. Drops Suit Over Denied License

A Reno company that sued Nevada's tax office over a denied recreational marijuana license has agreed to end its lawsuit, according to a joint stipulation approved by a federal judge.

Order attached | Read full article »

EXPERT ANALYSIS

What Proposed Noncompete Law Means For NJ Employers

The Labor Committee of the New Jersey General Assembly recently voted in favor of A.B. 3715, which, if passed, would represent a seismic shift for employers by significantly reducing the benefit of enforcing a noncompete agreement for all but the most valuable employees of a company, says Ryan Duffy at Sheppard Mullin.

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Department of Transportation
Centers for Disease Control and Prevention
Commodity Futures Trading Commission
Congressional Research Service
Consumer Financial Protection Bureau
Delaware Court of Chancery
European Commission
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Internal Revenue Service
Missouri Attorney General's Office
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
National Telecommunications and Information Administration
Nevada Attorney General's Office
Nevada Department of Taxation
New Jersey Legislature
New York Attorney General's Office
North Carolina Department of Transportation
Office of the Comptroller of the Currency
Rural Utilities Service
Texas Commission on Environmental Quality
U.S. Attorney's Office for the Southern District of California
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Department of Agriculture
U.S. Department of Energy
U.S. Department of Homeland Security
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Tennessee
U.S. District Court for the Eastern District of Texas

Read full article »

A Look At 2 Frameworks For Decarbonizing Heavy Industry

Comparing common themes in two recent international frameworks for decarbonizing heavy industry reveals recent progress toward lowering emissions and highlights the key role the industrial sector will play in decarbonization efforts, say attorneys at Shearman.

Read full article »

DOJ Criminal Antitrust Enforcement Outlook For Rest Of 2022

Looking at policy changes, indictments and trials that have unfolded thus far in 2022, attorneys at White & Case preview what to expect from the U.S. Department of Justice's criminal antitrust enforcement for the remainder of the year, from alleged price-fixing schemes to public procurement fraud.

Read full article »

Considerations For Associates As Lateral Hiring Cools Down

Law firms are offering fewer signing bonuses and moving back to slower, more deliberate interview processes — a cue for associates to follow suit and consider the long-term advantages of a move instead of short-term financial gain, says Leeron Molloy at VOYlegal.

Read full article »

LEGAL INDUSTRY

Sen. Graham's Bid To Quash Subpoena Troubles Ga. Judge

A Georgia federal judge found problems Wednesday in an argument by U.S. Sen. Lindsey Graham, R-S.C., that his legislative privilege defeats a subpoena for him to testify in a Georgia criminal investigation of possible election interference by former President Donald Trump and others.

Read full article »

Immigration Attorneys Share Stories Of Trauma And Burnout

Immigration lawyers, in particular those handling asylum clients, are more likely to experience secondary traumatic stress and burnout, according to research. Attorneys, law clinic directors and an immigration judge tell Law360 how taxing this area of the law and the immigration system as a whole can be.

Read full article »

Conn. Judge 'Gravely Concerned' Over Sandy Hook Data Leak

A Connecticut judge on Wednesday told attorney Norm Pattis the court is "gravely concerned" that he potentially shared confidential medical records to unauthorized parties in a case involving his client, right-wing conspiracy theorist Alex Jones, and the families of Sandy Hook victims.

Read full article »

Musk Piles Up Cash For Possible Twitter Win On $44B Deal

Elon Musk is piling up cash and appears to be paring down objections to closing a $44 billion take-private deal with Twitter, in moves now seen by some as wavering on his effort to terminate the deal.

Read full article »

US Trustee Drops Challenge To LeClairRyan, UnitedLex Deal

The U.S. Trustee's Office has dropped a challenge to a $21 million settlement between legal services provider UnitedLex and a representative for the estate of the defunct LeClairRyan LLC.

Read full article »

Clyde & Co. Sees International Work Drive Income To £650M

Clyde & Co. reported a 24th consecutive year of revenue growth in its latest financial results released Wednesday, with more than half of its £650 million ($796 million) income generated outside the U.K.

Read full article »

U.S. District Court for the Middle District of Florida

U.S. District Court for the Northern District of California

U.S. District Court for the Northern District of Georgia

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Southern District of New York

U.S. District Court for the Western District of Texas

U.S. District Court for the Western District of Washington

U.S. Drug Enforcement Administration

U.S. Environmental Protection Agency

U.S. Immigration and Customs Enforcement

U.S. Securities and Exchange Commission

U.S. Supreme Court

United Nations

United States District Court for the District of Colorado

United States District Court for the District of Nevada

United States District Court for the Northern District of Ohio

World Trade Organization

Armstrong Teasdale Escapes Missouri Cop's Bias Charge

The Missouri Supreme Court has reversed a state circuit court ruling that ordered the Missouri Commission on Human Rights to investigate a cop's discrimination charge against law firm Armstrong Teasdale LLP, but the chief justice dissented, arguing that the opinion weakens judicial review.

Read full article »

Brown Rudnick Agrees To Mediate Malpractice Feud

Brown Rudnick LLP and Christof Industries GmbH have agreed to mediate an ugly dispute stemming from the firm's representation of the Austrian industrial plant company in a multimillion-dollar arbitration over an ill-fated construction project, according to documents filed Wednesday in Massachusetts federal court.

Read full article »

DC Can't Ditch Ex-GC Candidate's Suit Over Rescinded Offer

A District of Columbia federal judge has kept alive the bulk of a lawsuit alleging the city and its top officials violated an attorney's due process rights by rescinding a general counsel job offer and labeling her as "unsuitable" for government legal jobs due to her prior bar suspension.

Read full article »

JOBS

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SUBJECT: UnitedHealthcare And Optum Are 'Strictly' Separate, CEO Says
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 11/08/2022 02:55

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Thursday, August 11, 2022

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TOP NEWS

UnitedHealthcare And Optum Are 'Strictly' Separate, CEO Says

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Read full article »

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Pharmacy giant Walgreens dispensed hundreds of thousands of suspicious prescriptions for narcotic painkillers

in San Francisco without proper screening and is liable for ensuing opioid problems in the Bay Area, a California federal judge ruled Wednesday.

Opinion attached | Read full article »

Big Tobacco Wins 8th Delay Of Graphic New Warning Labels

A Texas federal judge on Wednesday delayed for the eighth time the effective date of the U.S. Food and Drug Administration's new rule requiring tobacco companies to put graphic warning labels on cigarette packs, kicking the compliance deadline that was initially set for June 2021 to Oct. 6, 2023.

2 documents attached | Read full article »

Allergan Must Comply With Implant MDL Discovery

Allergan can't delay handing over communications its sales representatives had with physicians regarding the safety and efficacy of its textured breast implants, a New Jersey federal judge has ruled, saying the records are necessary at this point in the multidistrict litigation.

Opinion attached | Read full article »

Evolent Health, Investors Get Initial Nod For $23.5M Deal

A federal judge in Alexandria, Virginia, has given an initial nod to a $23.5 million deal between health care administration services company Evolent Health Inc. and its investors that would resolve claims that the company damaged shareholders after it allegedly drove an important client "to the brink of bankruptcy."

Order attached | Read full article »

Week In Bankruptcy

Endo Teeters On The Edge, Revlon Equity Committee Sought

Endo Pharmaceuticals said it is close to filing for bankruptcy over its opioid liability, Revlon shareholders want representation in its Chapter 11 case, and a North Carolina judge said sanctions worked on asbestos claimants in the Bestwall bankruptcy. This is the week in bankruptcy.

Read full article »

LITIGATION

11th Circ. Upholds Benefit Denial For Atty With Parkinson's

The Eleventh Circuit ruled Wednesday that a retired Burr & Forman LLP attorney who has Parkinson's disease is not owed disability benefits and must pay life insurance premiums, finding that she didn't qualify as disabled under the firm's current insurance policy.

Opinion attached | Read full article »

NLRB Judge Tells Hospital To Restore Nurses' Pay Or Time Off

A West Virginia hospital and its owner must compensate workers with back pay or restore their paid time off balances after the company forced unionized nurses to use accrued leave, a National Labor Relations Board judge said, siding with the general counsel's formula for the calculations.

3 documents attached | Read full article »

Texas Court Says 'Discovery Rule' Doesn't Apply To Med Mal

A Texas appellate court has tossed a suit accusing a plastic surgeon of botching a woman's postoperative care that caused an infection and dead tissue, saying the so-called discovery rule exception to the statute of limitations for medical malpractice does not apply.

Opinion attached | Read full article »

Pa. Parents Seek Atty Fees After School Mask Challenge Axed

Parents in a Pennsylvania school district who claimed in a federal lawsuit that the district's mask-optional policy endangered children with disabilities have asked for attorney fees, arguing that even though their case ended because Centers for Disease Control and Prevention masking guidelines were eventually relaxed, the goal of the suit was accomplished.

Brief attached | Read full article »

Rx Delivery Co. Prescribes Toss For Data Breach Suit

A prescription medication delivery company that is being sued by clients whose data was compromised during a 2021 breach argued Tuesday that the proposed class action fails to show that the plaintiffs were actually injured, according to a court filing.

COMPANIES IN TODAY'S NEWS

Aetna Inc.
Allergan PLC
American Board of Trial Advocates
American Civil Liberties Union of Northern California
American Immigration Lawyers Association
Boston College
CVC Capital Partners
CVS Health Corp.
Change Healthcare Inc.
Drivetrain LLC
Endo International PLC
Evolent Health Inc.
Florida Justice Association
Geico Corp.
Georgia-Pacific LLC
Getty Images Inc.
Harvard Business School
Human Rights First
ITG Brands LLC
Injured Workers Pharmacy LLC
International Centre for Dispute Resolution
Liggett Group LLC
London Stock Exchange Group PLC
Medco Health Solutions Inc.
Optum Inc.
Purdue Pharma LP
R.J. Reynolds Tobacco Co. Inc.
Revlon Inc.
Sequoia Capital Operations LLC
Space Exploration Technologies Corp.
State Bar of California
Sun Life Assurance Co. of Canada
Tesla Inc.
The Florida Bar
TransUnion LLC
Trump Organization Inc.
Twitter Inc.
UnitedHealth Group Inc.
UnitedLex Corp.
University Health Care Inc.
University of California Davis
VOYlegal LLC
Valor Equity Partners LP
Walgreens Co.
Walmart Inc.
Zimmer Biomet Holdings Inc.

LAW FIRMS IN TODAY'S NEWS

Advisors LLC
Armstrong Teasdale
Bartlett LLP
Berger Montague
Brent & Powell
Brown Rudnick

Memorandum attached | Read full article »

Insurer Says It Won't Cover Medical Device Co. In Surgery Suit

A medical device company being sued over its involvement in a patient's in-surgery death can't get coverage for the underlying litigation because the claim against it was made before the effective date of its insurance policy, the company's insurer told an Indiana federal court.

Complaint attached | Read full article »

Ohio Orchestra Faces Suit Over Trans Surgery Coverage Veto

A transgender web developer for the Cleveland Orchestra on Wednesday accused the orchestra and its benefits administrator in Ohio federal court of violating federal health care law when they refused to pick up the tab for a procedure related to her gender-affirming surgery.

Complaint attached | Read full article »

9th Circ. Backs Arbitration Order In Tribe's Rx Payback Case

A Ninth Circuit panel on Tuesday backed an Arizona federal judge's decision to send to arbitration litigation between CVS Caremark and the Chickasaw Nation over prescription drug reimbursement without expressing an opinion on the enforceability of the arbitration provision at issue.

Order attached | Read full article »

Ex-Employees Sue Calif. Pot Co. Over Wages, Firings

Five former employees of a Los Angeles cannabis dispensary are suing the company, alleging that they were denied overtime and proper lunch breaks, harassed, and in some cases fired in retaliation for reporting illegal activity.

5 documents attached | Read full article »

PEOPLE

Fla.'s Coker Law Adds Ex-ICU Nurse To Malpractice Team

Jacksonville, Florida-based personal injury firm Coker Law added a former intensive care nurse as its newest attorney on the firm's medical malpractice team.

Read full article »

EXPERT ANALYSIS

8th Circ. Ruling Raises Bar For Anti-Kickback FCA Claims

The Eighth Circuit's decision in U.S. v. D.S. Medical makes it more difficult for plaintiffs to claim that a violation of the Anti-Kickback Statute supports False Claims Act liability, but an emerging circuit split and uncertainty regarding evidentiary requirements must be considered when developing a defense strategy, say attorneys at Winston & Strawn.

Opinion attached | Read full article »

Considerations For Associates As Lateral Hiring Cools Down

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Read full article »

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Burg Simpson
Burke Harvey
Burr & Forman
Cleary Gottlieb
Clyde & Co
Cohen Milstein
Coker Law
Coughlin Midlige
Deily & Glastetter
FeganScott
Fox Rothschild
Greenberg Traurig
Hirschler Fleischer
Hogan Lovells
Holman Schiavone
Jones Day
Kasowitz Benson
Kershaw Anderson
King & Spalding
Kirkland & Ellis
Koskoff Koskoff
Latham & Watkins
Lenze Lawyers
Levin Papantonio
Massey & Gail
Maynard Cooper
Mead Law
Milberg Coleman
Mullen Coughlin
Nelson Mullins
Nix Patterson
O'Melveny & Myers
Pattis & Smith
Peabody & Arnold
Potter Anderson
Quinn Emanuel
Reed Smith
Robbins Geller
Rosen Harwood
Saxena White
Simpson Thacher
Skadden Arps
Tavenner & Beran PLC
Thompson Hine
Todd & Weld
Tressler LLP
Wachtell Lipton
Whitten Burrage
Williams & Connolly
Wilson Sonsini
Winston & Strawn

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Chickasaw Nation
Delaware Court of Chancery
Executive Office of the President
Federal Bureau of Investigation
Food and Drug Administration
Internal Revenue Service
Missouri Attorney General's Office
National Labor Relations Board
New York Attorney General's Office
Texas Supreme Court
U.S. Attorney's Office for the Southern District of California

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Sen. Graham's Bid To Quash Subpoena Troubles Ga. Judge

A Georgia federal judge found problems Wednesday in an argument by U.S. Sen. Lindsey Graham, R-S.C., that his legislative privilege defeats a subpoena for him to testify in a Georgia criminal investigation of possible election interference by former President Donald Trump and others.

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Immigration Attorneys Share Stories Of Trauma And Burnout

Immigration lawyers, in particular those handling asylum clients, are more likely to experience secondary traumatic stress and burnout, according to research. Attorneys, law clinic directors and an immigration judge tell Law360 how taxing this area of the law and the immigration system as a whole can be.

Read full article »

Conn. Judge 'Gravely Concerned' Over Sandy Hook Data Leak

A Connecticut judge on Wednesday told attorney Norm Pattis the court is "gravely concerned" that he potentially shared confidential medical records to unauthorized parties in a case involving his client, right-wing conspiracy theorist Alex Jones, and the families of Sandy Hook victims.

Read full article »

Musk Piles Up Cash For Possible Twitter Win On $44B Deal

Elon Musk is piling up cash and appears to be paring down objections to closing a $44 billion take-private deal with Twitter, in moves now seen by some as wavering on his effort to terminate the deal.

Read full article »

US Trustee Drops Challenge To LeClairRyan, UnitedLex Deal

The U.S. Trustee's Office has dropped a challenge to a $21 million settlement between legal services provider UnitedLex and a representative for the estate of the defunct LeClairRyan LLC.

Read full article »

Calif. Justice Guerrero Tapped As State's 1st Latina Top Judge

California Gov. Gavin Newsom on Wednesday nominated state Supreme Court Justice Patricia Guerrero — the high court's first Latina jurist — to serve as the state's next top justice, following Chief Justice Tani G. Cantil-Sakauye's decision last month to step down in January 2023.

Read full article »

Clyde & Co. Sees International Work Drive Income To £650M

Clyde & Co. reported a 24th consecutive year of revenue growth in its latest financial results released Wednesday, with more than half of its £650 million ($796 million) income generated outside the U.K.

Read full article »

Armstrong Teasdale Escapes Missouri Cop's Bias Charge

The Missouri Supreme Court has reversed a state circuit court ruling that ordered the Missouri Commission on Human Rights to investigate a cop's discrimination charge against law firm Armstrong Teasdale LLP, but the chief justice dissented, arguing that the opinion weakens judicial review.

Read full article »

Brown Rudnick Agrees To Mediate Malpractice Feud

Brown Rudnick LLP and Christof Industries GmbH have agreed to mediate an ugly dispute stemming from the firm's representation of the Austrian industrial plant company in a multimillion-dollar arbitration over an ill-fated construction project, according to documents filed Wednesday in Massachusetts federal court.

Read full article »

DC Can't Ditch Ex-GC Candidate's Suit Over Rescinded Offer

A District of Columbia federal judge has kept alive the bulk of a lawsuit alleging the city and its top officials violated an attorney's due process rights by rescinding a general counsel job offer and labeling her as "unsuitable" for government legal jobs due to her prior bar suspension.

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JOBS

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- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Department of Justice
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Massachusetts
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the Northern District of California
- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Northern District of Indiana
- U.S. Drug Enforcement Administration
- U.S. Securities and Exchange Commission
- U.S. Supreme Court
- United States Bankruptcy Court for the Western District of North Carolina
- United States District Court for the Northern District of Ohio

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SUBJECT: Morning Consult Health: Monkeypox Vaccine Maker Has 'Reservations'About Dose-Sparing Plan
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 11/08/2022 06:07

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 11, 2022

BY MATT BRACKEN

Twitter Email

Top Stories

- Bavarian Nordic A/S Chief Executive Paul Chaplin expressed "reservations" about the U.S. government's dose-sparing plan with the drugmaker's Jynneos monkeypox vaccine, writing in a letter to Health and Human Services Secretary Xavier Becerra and Food and Drug Administration Commissioner Robert Califf that "it would have been prudent" to conduct additional studies on the strategy before full implementation. (The Washington Post) Two senior Biden administration officials and two other people with knowledge of the situation said the administration is in discussions with several companies to bottle millions of monkeypox vaccine doses in what's known as a "fill and finish" process, though it could be another three to six months until those doses — roughly 12 million currently stored by Bavarian Nordic in Denmark — are ready to be distributed. (Politico)

- Months before Amazon.com Inc. struck a $3.5 billion deal to acquire One Medical, CVS Health Corp. was engaged in

discussions with the primary care clinic operator's parent company, 1Life Healthcare Inc., to buy the brand, according to people familiar with the matter. Per a proxy filing with the Securities and Exchange Commission, CVS negotiated with the company for months and offered to pay $18 a share in cash to acquire One Medical in June, but later expressed concerns about the "expedited pace" before Amazon swooped in with an equivalent offer last month. (Bloomberg)

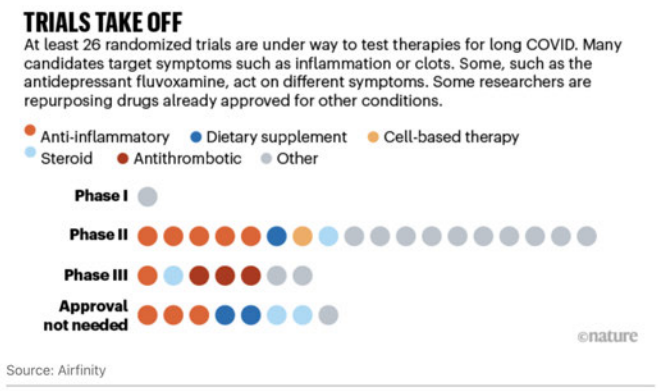
- A federal judge ruled that Walgreens can be held liable for contributing to San Francisco's opioid crisis, writing in his decision that from 2006 to 2020, the pharmacy giant's locations in the city "dispensed hundreds of thousands of red flag opioid prescriptions without performing adequate due diligence." San Francisco previously reached multimillion dollar settlements with Allergan PLC and Teva Pharmaceutical Industries Ltd. over their opioids creating a "public nuisance" in the city, while monetary damages for Walgreens will be determined at a later trial. (The Associated Press)

- In its antitrust case against UnitedHealth Group Inc. over its proposed acquisition of Change Healthcare Inc., the Department of Justice presented evidence of a 2021 internal audit of the insurance giant's data practices that found that the company lacked any "effective means of enforcement if or when data misuse is discovered or reported." UnitedHealth Chief Executive Officer Andrew Witty said he received that report and found it troubling, though he wasn't aware of any changes made as a result of the findings. (Bloomberg)

Chart Review

Long-COVID treatments: why the world is still waiting

Nature



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A MESSAGE FROM MORNING CONSULT

Geopolitical Competition and Infrastructure in the Americas

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What Else You Need to Know

CORONAVIRUS

Drugmakers Hunt for One Vaccine to Target All Covid Variants
Madison Muller et al., Bloomberg
Scientists fear the omicron shots coming this fall won't be much better at keeping people from getting Covid-19 than what's come before. That's pushing drugmakers to start working on next-generation vaccines that don't have to be updated that often, if at all.

Covid-19 Variants Keep Getting More Contagious. Here's Why.
Brianna Abbott and Josh Ulick, The Wall Street Journal
As the Omicron subvariant BA.5 is the latest to take over and dash the hopes of a summer Covid-19 lull, researchers have attempted to quantify and explain its edge over earlier versions of the virus.

Omicron's BA.2.75 'Centaurus' subvariant is beating out BA.5 in India—and scientists say it 'may prevail' elsewhere
Grady McGregor, Fortune
The so-called Centaurus strain, which is scientifically known as BA.2.75, has quickly become India's dominant strain of COVID-19 in recent weeks and now accounts for roughly two-thirds of India's new cases, according to Shahid Jameel, a virologist at the University of Oxford. A Twitter user named Xabier Ostale gave BA.2.75 the unofficial name Centaurus in July, saying he named the strain after the galaxy, and it has taken off among some experts and media outlets.

The US is on a Covid plateau, and no one's sure what will happen next

Deidre McPhillips, CNN
The United States seems to have hit a Covid-19 plateau, with more than 40,000 people hospitalized and more than 400 deaths a day consistently over the past month or so. It's a dramatic improvement from this winter — there were four times as many hospitalizations and nearly six times as many deaths at the peak of the first Omicron wave — but still stubbornly high numbers.

GENERAL

Biden signs bill to expand benefits for veterans exposed to toxic burn pits
Rebecca Shabad and Lauren Egan, NBC News
The bill, dubbed the PACT Act, is the most significant expansion of veterans' health care and benefits in more than 30 years, a White House official said.

New tool to measure health impact of climate change in at-risk communities
Robert King, Fierce Healthcare
"Too many communities across our nation, particularly low-income communities and communities of color, continue to bear the brunt of pollution," said Department of Health and Human Services Secretary Xavier Becerra, in a statement. "Meeting the needs of these communities requires our focused attention and we will use the Environmental Justice Index to do just that."

Health care inflation is low — but that could soon change
Tucker Doherty, Politico
While the economy as a whole has experienced record-breaking inflation this year, price increases in the health care sector have been relatively subdued — a trend that could end soon as Medicare and other payers adjust to new economic realities.

America's New Monkeypox Strategy Rests on a Single Study
Katherine J. Wu, The Atlantic
Once again, the United States is messing up its approach to vaccines. Three months into its monkeypox outbreak, just 620,000 doses of the two-injection Jynneos shot—the nation's current best immune defense against the virus—have been shipped to states, not nearly enough to immunize the 1.6 million to 1.7 million Americans that the CDC considers at highest risk. The next deliveries from the manufacturer aren't slated until September at the earliest. For now, we're stuck with the stocks we've got.

HHS Affirms Liability Shield for Monkeypox Dose-Sparing Shots
Allie Reed and Jeannie Baumann, Bloomberg Law
Health-care providers who administer the monkeypox vaccine using a new technique cleared to help preserve the US's limited supply of doses will be shielded from liability for any harm caused from the method, a spokesperson for the Department of Health and Human Services said.

WHO warns people not to attack monkeys amid monkeypox outbreak
Marlene Lenthang, NBC News
At least seven monkeys in Brazil have died after being poisoned or harmed. Police say they think people attacked them out of a misplaced fear of monkeypox.

New research finds blood tests can predict severe outcomes of brain injury

Akila Muthukumar, Stat News

Simple blood tests taken on the day of a traumatic brain injury (TBI) can predict with fairly high reliability which patients are likely to die and which are likely to survive with severe disability, according to a study published Wednesday in Lancet Neurology.

Warren launches investigation into state abortion bans

Joseph Choi, The Hill

Sen. Elizabeth Warren (D-Mass.) has launched an investigation into how state abortion bans have affected Americans' access to health care for pregnancies, reproductive and nonreproductive care.

Polio booster vaccine to be offered to children in London after more virus found in sewage water

CBS News

British health authorities say they will offer a polio booster vaccine to children aged 1 to 9 in London, after finding evidence the virus has been spreading in multiple regions of the capital, despite not confirming any cases of the paralytic disease in people.

Polio unlikely to spread widely in U.S.

Arielle Dreher and Tina Reed, Axios

The detection of poliovirus in wastewater samples in London and New York state is providing another stark reminder of the importance of vaccination and new forms of surveillance, public health experts say.

Inequities in maternal health care access are not new. They have deep roots in history.

Nada Hassanein, USA Today

A legacy of injustice and inequity underpins reproductive health care disparities faced today by people of color.

They Call It 'Tranq' — And It's Making Street Drugs Even More Dangerous

Martha Bebinger, Kaiser Health News

Xylazine is an animal tranquilizer. It's not approved for humans but is showing up in about half the drug samples that Tapestry Health tests in the rolling hills of western Massachusetts. It's appearing mostly in the illegal fentanyl supply but also in cocaine.

EPA Action Boosts Grassroots Momentum to Reduce Toxic 'Forever Chemicals'

Andy Miller, Kaiser Health News

The Environmental Working Group, a research and advocacy organization that tracks PFAS, said it has logged more than 2,800 sites in the U.S. that have PFAS contamination. Public records show the chemicals have turned up in water samples collected from home water wells, churches, schools, military bases, nursing homes, and municipal water supplies in small towns like Rome and big cities like Chicago.

PAYERS

Senate's Medicare drug pricing may ripple into private market

Lauren Clason and Jessie Hellmann, Roll Call

Congress is on the verge of passing historic drug pricing legislation that would allow the government to restrict prices for drugs covered by Medicare, but experts disagree on whether drugmakers will shift those costs to the private market.

Extending Health Subsidies Averts Premium Hikes, Risks Inflation
Sara Hansard and Allie Reed, Bloomberg Law
Expanding Obamacare subsidies under the Inflation Reduction Act will prevent premiums from rising more than 50% on average for 13 million people, but they also are likely to lead to more health-care inflation and fewer small businesses offering health insurance, according to health-care analysts.

Health insurance broker GoHealth lays off 20% of employees
Nona Tepper, Modern Healthcare
Approximately 800 agents and support workers lost their jobs, the company said. GoHealth employed roughly 4,000 people as of June 6, according to a news release. The layoffs come as digital health funding shrinks from the highs of 2021, leading to job cuts at once-celebrated tech startups, and as GoHealth faces increased competition.

Scan Health Plan makes push into Texas
Samantha Liss, Healthcare Dive
Scan Health Plan said it will begin selling Medicare Advantage plans in the state of Texas in 2023, expanding the senior insurer's coverage to four states.

Bright Health Group needs capital to stay afloat, CEO says
Nona Tepper, Modern Healthcare
The health insurer's board of directors formed a special committee to solicit proposals from prospective investors and has received significant interest from new and existing backers, according to company leaders. Bright Health Group plans to raise an undisclosed sum in the near-to-intermediate-term, CEO Mike Mikan said during the company's second-quarter earnings call.

PROVIDERS

Medical schools, students review training amid abortion bans
Sandhya Raman, Roll Call
More than a dozen medical groups, providers, residents and students expressed concern that changing laws will harm medical training in areas including miscarriage management counseling and reduce experience with emergency complications.

Colorado's new hospital price transparency law adds 'real teeth' to weak federal enforcement, experts say
Dave Muoio, Fierce Healthcare
With much of the hospital industry still falling short on federal price transparency requirements, experts say a new Colorado law targeting a key source of hospital revenue could be a roadmap for other states interested in boosting compliance and containing high prices.

PHARMA, BIOTECH AND DEVICES

Drug Price Bill Shifts Dollars From Cancer Meds, Analysts Warn
Ian Lopez, Bloomberg Law
The Senate's plan to lower US drug prices will inadvertently steer funds away from some life-changing medicines on the brink of release, including new cancer therapies, industry analysts say.

US poised to negotiate drug prices despite fierce pharma lobbying
Jamie Smyth, Financial Times
Makers of blockbuster drugs including Eli Lilly, AbbVie and AstraZeneca face new curbs.

The FDA's 'breakthrough' medical devices are finally hitting the market in numbers
Katie Palmer, Stat News
The Breakthrough Device Program is approaching terminal velocity. The Food and Drug Administration, looking to accelerate access to innovative devices, has now labeled nearly 700 products as breakthroughs while they're under development. But until recently, relatively few have reached the market.

Novo Is Turning to New Factories to Boost Supply of Obesity Drug
Emma Court, Bloomberg
Two more factories will begin producing Novo Nordisk A/S's obesity medication Wegovy next year after manufacturing issues and high demand left the drug in short supply, Chief Executive Officer Lars Fruergaard Jørgensen said in an interview Wednesday.

Biotech Startup Cerevance Strikes Alzheimer's Research Deal With Merck
Brian Gormley, The Wall Street Journal
Biotechnology startup Cerevance Inc. could earn more than $1 billion through a collaboration with drugmaker Merck & Co. to research potential treatments for Alzheimer's disease.

Amid Aduhelm woes, Biogen moves to pare back office space
Catherine Carlock and Jonathan Saltzman, Boston Globe
Biogen is moving to scale back its real estate footprint in Kendall Square and in Weston, as the Cambridge-based biotech company aims to cut $1 billion in costs in the wake of a disastrous rollout of its Alzheimer's drug Aduhelm.

Baby-Formula Startup Seeks Expansion as Shortage Persists
Annie Gasparro, The Wall Street Journal
Baby-formula startup ByHeart is seeking to register two additional facilities with regulators to increase its production as the U.S. continues to grapple with shortages.

HEALTH TECHNOLOGY

Cerner agrees to pay $1.9M to settle racial discrimination case
Rebecca Pifer, Healthcare Dive
Cerner has agreed to pay $1.86 million in back pay and interest to settle claims it discriminated against Black and Asian job applicants, in a deal with federal regulators made public Tuesday.

OPINIONS, EDITORIALS AND PERSPECTIVES

PCR testing can help clarify confusion over Covid-19 rebound and isolation

Robert B. Darnell, Stat News

President Biden's recent case of Covid-19, its rebound, and his extended isolation offers an opportunity to consider how more precise interpretation of viral load via PCR testing might be used to safely return people to work or school earlier.

We Are Still in a Race Against the Coronavirus

David Quammen, The New York Times

The Covid-19 pandemic has been a lesson in speed — the speed at which a novel virus among humans can spread, the speed at which it can rack up fatalities and cripple economies, the speed at which vaccines can be designed and produced, the speed at which misinformation can undermine public health. Amid all that rapidity is a different kind of speed, which drives the rest, like an engine spinning the cars on a nauseating carnival ride: the speed of viral evolution.

RESEARCH REPORTS

Longitudinal Assessments of Neurocognitive Performance and Brain Structure Associated With Initiation of Tobacco Use in Children, 2016 to 2021

Hongying Daisy Dai et al., JAMA Network Open

In this national cohort study of 17 073 children with neuroimaging outcomes, a significant association was found of early-age initiation of tobacco use with lower crystalized cognition composite score and impaired brain development in total cortical area and volume. Region of interest analysis also revealed smaller cortical area and volume across frontal, parietal, and temporal lobes.

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TO: hborski@utah.gov
DATE: 11/08/2022 08:55

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PUBLIC HEALTH WEEKLY

August 11, 2022

A Grassroots Leader's Vision for the Future Community Health Workforce

Community Health Workers (CHWs) have played an integral role in educating, connecting, and assisting vulnerable individuals throughout the COVID-19 pandemic.

ASTHO spoke with Denise Octavia-Smith, executive director of the National Association of Community Health Workers, about the critical work of CHWs. She discusses their roles in marginalized communities, and how public health can partner with and support CHWs. Learn more about this critical workforce.

READ

A Not-So-Sleepy Summer: Q&A with ASTHO Federal Government Affairs

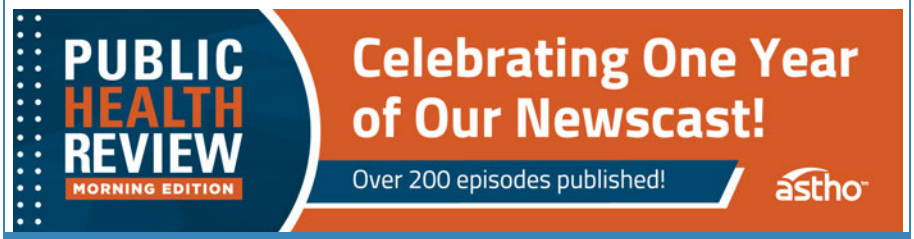
The Congressional summer session has come to a close, and several key issues are left lingering on the table. Whether public health will receive supplemental funding for the monkeypox and COVID-19 responses remains uncertain, and the FY23 appropriations bill faces a long road before it can be passed.

Check out the latest updates on discussions and actions between the House and Senate in this week's Federal Healthy Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

HHS Secretary Xavier Becerra has declared the monkeypox virus outbreak a national public health emergency. Read ASTHO Chief Medical Officer Marcus Plescia's **full statement on the federal declaration** and how state health departments are responding to the outbreak.



LATEST ASTHO RESOURCES AND EVENTS

Brief

Reproductive Health Services Expanded During Pandemic but Inequities Persist

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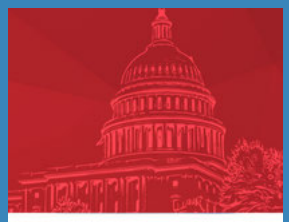

New Resource

Legislative Alert - Congressional Summer Wrap-Up

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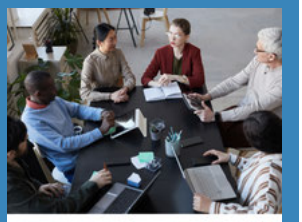

Blog

How the DiSC Personality Assessment Can Strengthen Public Health Leadership

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THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Infectious Disease Planning** | Winfred Rawls, ASTHO
- **New York Responds to Monkeypox** | James McDonald (SHO Designee-NY)
- **New School Year, New COVID-19 Strategy** | Manisha Juthani (SHO-CT)
- **Optimistic About the PH Workforce** | Joanne Pearsol, ASTHO
- **Public Health is Underfunded** | J. Nadine Gracia, Trust for America's Health

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PUBLIC HEALTH REVIEW PODCAST

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PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

- **States have permission to make their monkeypox vaccines go a lot farther.** | *The Washington Post* | Marcus Plescia, ASTHO
- **Most Parents Are Saying No to COVID-19 Vaccines for Toddlers.** | *The Wall Street Journal* | Marcus Plescia, ASTHO
- **Louisville receives $180,000 in grant funds to improve outdoor activities.** | *WLKY*

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SUBJECT: MMWR Early Release Preview for Thursday, August 11, 2022
FROM: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
TO: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
DATE: 11/08/2022 12:01

[redacted]

All information in this email is embargoed. Please do not distribute or share this information through email, print, the Internet, or social media until after 1 pm (ET), Thursday, August 11, 2022. Information and dates are subject to change.

MMWR Morbidity and Mortality Weekly Report

This MMWR is embargoed until 3 PM ET Thursday, August 11, 2022

Summary of Guidance for Minimizing the Impact of COVID-19 on Individual Persons, Communities, and Health Care Systems — United States, August 2022
Link when live: https://www.cdc.gov/mmwr/volumes/71/wr/mm7133e1.htm?s_cid=mm7133e1_w

***MMWR* Weekly COVID-19 Briefing Podcast: Week of July 25**
The latest *MMWR* Weekly COVID-19 Briefing is live. This episode covers six reports, including reports highlighting gun carrying among youth, the safety of a second COVID-19 booster dose among adults aged 50 years and older and more. Listen and subscribe on: Apple Podcasts, Stitcher, Spotify, and Google Play.

For questions, please contact MMWRCommunications@cdc.gov.
To subscribe to MMWR: Click here

SUBJECT: PARTNER ALERT: CDC streamlines COVID-19 guidance to help the public better protect themselves and understand their risk
FROM: "CDC IMS STLT Policy, Public Health Partnerships andCommunication" <eocevent382@CDC.GOV>
TO: <CDC-COVID19-ALL-STLT-UPDATE@LISTSERV.CDC.GOV>
DATE: 11/08/2022 13:10

[redacted] ECHO Colorado Monthly eNews: What's ECHOing in August

Good Afternoon, Partners,
Thank you for your continued partnership in protecting the health and safety of the people we serve. CDC is streamlining existing COVID-19 guidance to help people better understand their risk, how to protect themselves and others, what actions to take if exposed to the virus that causes COVID-19, and what actions to take if you have symptoms or test positive with the virus.

Updates to CDC's guidance will help people better understand their personal risk for getting very sick from COVID-19 and help them make informed decisions to layer prevention strategies as needed. Which prevention actions to take will continue to be informed by the COVID-19 Community Levels, launched earlier this year. This includes the recommendation of staying up to date with vaccination to protect from severe COVID-19 illness, hospitalization, and death.

We're in a stronger place today as a nation with more tools—like vaccination, boosters, and treatments—to protect ourselves and others, plus our communities, from severe illness from COVID-19. We also have a good understanding of how to protect people from being exposed to the virus, like wearing masks, testing, and improved ventilation. This provides a baseline of protection for our collective communities.

Encouraging people to layer prevention actions based on their personal and local situation helps prevent infection and decrease risk of severe disease. This acknowledges that the pandemic is not over, but also helps us move to a point where COVID-19 no longer severely disrupts our daily lives.

Now, as the virus continues to circulate in our communities, we need to redouble our efforts to protect people at high risk of severe illness. CDC will continue to focus efforts on preventing severe illness, and will work to ensure everyone, especially those at highest risk, have the information and tools they need to take action to lower their risk (and protect others around them) from severe illness.

The MMWR linked below (and attached) provides information to help people understand their risk, understand how best to prevent COVID-19, know what to do if they're exposed to or test positive for COVID-19, and take measures to protect others at high risk of severe COVID-19.

Summary of Guidance for Minimizing the Impact of COVID-19 on Individual Persons, Communities, and Health Care Systems — United States, August 2022
https://www.cdc.gov/mmwr/volumes/71/wr/mm7133e1.htm?s_cid=mm7133e1_w

To hear more about the updated guidance, please join the **CDC COVID-19 All-STLT Update Call on Monday, August 15th from 2:00–2:30 PM ET**.

- **If you are already registered for the CDC COVID-19 All-STLT Update Call series, there is no need to re-register for this call.** You will use your existing, personalized link to join the call.
- **If you are not already registered for the CDC COVID-19 All-STLT Update Call series, please register here.**

Thank you for your continued partnership.

STLT Policy, Public Health Partnerships, and Communication
State, Tribal, Local, and Territorial Support Task Force (STLT TF)
COVID-19 Response
Centers for Disease Control and Prevention (CDC)
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SUBJECT: Fwd: EMBARGOED: Streamlined COVID-19 Guidance from CDC
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 11/08/2022 20:07

This might be good to add to the weekly briefing if it represents anything new for Utah.

Thanks.
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **ASTHO Executive Office** <ExecutiveOffice@astho.org>
Date: Thu, Aug 11, 2022 at 12:31 PM
Subject: EMBARGOED: Streamlined COVID-19 Guidance from CDC
To: Sharon Miller <smiller@astho.org>

Dear State and Territorial Health Officials,

Below is an **embargoed** copy of the updated COVID-19 guidance that is scheduled to be posted on the CDC website today at 3pm ET. Please note the information below and attached MMWR are **strictly embargoed until 3pm ET.**

Press Release

Embargoed until 3:00 PM ET
Thursday, August 11, 2022

Contact: CDC Media Relations
(404) 639-3286

CDC streamlines COVID-19 guidance to help the public better protect themselves and understand their risk

Today, CDC is streamlining its COVID-19 guidance to help people better understand their risk, how to protect themselves and others, what actions to take if exposed to COVID-19, and what actions to take if they are sick or test positive for the virus. COVID-19 continues to circulate globally, however, with so many tools available to us for reducing COVID-19 severity, there is significantly less risk of severe illness, hospitalization and death compared to earlier in the pandemic.

"We're in a stronger place today as a nation, with more tools—like vaccination, boosters, and treatments—to protect ourselves, and our communities, from severe illness from COVID-19," said Greta Massetti, PhD, MPH, MMWR author. "We also have a better understanding of how to protect people from being exposed to the virus, like wearing high-quality masks, testing, and improved ventilation. This guidance acknowledges that the pandemic is not over, but also helps us move to a point where COVID-19 no longer severely disrupts our daily lives."

In support of this update CDC is:

- Continuing to promote the importance of being up to date with vaccination to protect people against serious illness, hospitalization, and death. Protection provided by the current vaccine against symptomatic infection and transmission is less than that against severe disease and diminishes over time, especially against the currently circulating variants. For this reason, it is important to stay up to date, especially as new vaccines become available.
- Updating its guidance for people who are not up to date on COVID-19 vaccines on what to do if exposed to someone with COVID-19. This is consistent with the existing guidance for people who are up to date on COVID-19 vaccines.
- Recommending that instead of quarantining if you were exposed to COVID-19, you wear a high-quality mask for 10 days and get tested on day 5.
- Reiterating that regardless of vaccination status, you should isolate from others when you have COVID-19.
    - You should also isolate if you are sick and suspect that you have COVID-19 but do not yet have test results.
        - If your results are positive, follow CDC's full isolation recommendations.
        - If your results are negative, you can end your isolation.
- Recommending that if you test positive for COVID-19, you stay home for at least 5 days and isolate from others in your home. You are likely most infectious during these first 5 days. Wear a high-quality mask when you must be around others at home and in public.

  - If after 5 days you are fever-free for 24 hours without the use of medication, and your symptoms are improving, or you never had symptoms, you may end isolation after day 5.
  - Regardless of when you end isolation, avoid being around people who are more likely to get very sick from COVID-19 until at least day 11.
  - You should wear a high-quality mask through day 10.
- Recommending that if you had moderate illness (if you experienced shortness of breath or had difficulty breathing) or severe illness (you were hospitalized) due to COVID-19 or you have a weakened immune system, you need to isolate through day 10.
- Recommending that if you had severe illness or have a weakened immune system, consult your doctor before ending isolation. Ending isolation without a viral test may not be an option for you. If you are unsure if your symptoms are moderate or severe or if you have a weakened immune system, talk to a healthcare provider for further guidance.
- Clarifying that after you have ended isolation, if your COVID-19 symptoms worsen, restart your isolation at day 0. Talk to a healthcare provider if you have questions about your symptoms or when to end isolation.
- Recommending screening testing of asymptomatic people without known exposures will no longer be recommended in most community settings.
- Emphasizing that physical distance is just one component of how to protect yourself and others. It is important to consider the risk in a particular setting, including local COVID-19 Community Levels and the important role of ventilation, when assessing the need to maintain physical distance.

Actions to take will continue to be informed by the COVID-19 Community Levels, launched in February. CDC will continue to focus efforts on preventing severe illness and post-COVID conditions, while ensuring everyone have the information and tools, they need to lower their risk.

###

U.S. Department of Health and Human Services

CDC works 24/7 protecting America's health, safety and security. Whether disease starts at home or abroad, are curable or preventable, chronic or acute, or from human activity or deliberate attack, CDC responds to America's most pressing health threats. CDC is headquartered in Atlanta and has experts located throughout the United States and the world

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SUBJECT: UnitedHealth, Change Turn Trial Gaze To Horizontal Overlap
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 12/08/2022 02:03

LAW360

Friday, August 12, 2022

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TOP NEWS

UnitedHealth, Change Turn Trial Gaze To Horizontal Overlap

UnitedHealth Group and Change Healthcare countered Justice Department allegations that their proposed merger threatens direct competition in the claims processing sector by arguing at the D.C. federal court that their plan to divest an insurance claims technology business addresses the DOJ's concerns

Read full article »

Analysis

Winless In Opioid Bouts, Will Pharmacies Throw In The Towel?

A California federal judge's walloping of Walgreens over its narcotic painkiller sales in San Francisco has left pharmacy

chains 0 for 2 in opioid trials and is casting doubt on the companies' apparent plans to continue stepping into the legal ring with government adversaries.

Opinion attached | Read full article »

Analysis

Calif.'s Broad Nuisance Law Key To Walgreens Opioid Liability

A California federal judge's decision Wednesday holding Walgreens liable for substantially contributing to the opioid crisis in San Francisco was bolstered by the Golden State's broad public nuisance law, but whether other states similarly apply the legal doctrine remains to be seen, lawyers told Law360.

Read full article »

W.Va. Reaches Opioid Deal With Rite Aid Worth Up To $30M

West Virginia's attorney general on Thursday said the state has reached a settlement potentially worth up to $30 million with pharmacy chain Rite Aid to end a suit alleging the company contributed to a flood of prescription narcotics in the Mountain State.

Read full article »

Flint Case Ends In Mistrial After Jurors Cite Mental Health

A Michigan federal judge on Thursday declared a mistrial in a landmark bellwether case over the Flint water crisis after jurors said their mental and physical health had reached a breaking point.

Read full article »

Montana High Court Blocks State's Anti-Abortion Laws

The highest state court in Montana has upheld a preliminary bar on a series of anti-abortion laws, putting those laws on ice while Planned Parenthood challenges them in court.

Opinion attached | Read full article »

Analysis

J&J To Halt Global Talc Baby Powder Sales In 2023

Johnson & Johnson on Thursday said it will switch to selling cornstarch-based baby powder, halting global sales of its talcum-based powders that have been the focus of tens of thousands of injury claims alleging the talc causes ovarian cancer and mesothelioma.

Read full article »

ENFORCEMENT & COMPLIANCE

Thermostat Co. To Pay $1M For Ex-Employees' Charity Fraud

A Springfield, Missouri, thermostat company has agreed to pay back the roughly $1 million it obtained through a nearly decadelong alleged scheme by two former executives to embezzle money from a charity, the federal government announced Thursday.

Read full article »

Ex-NFLer Says Injuries Stopped Him From Grasping Plea Deal

Former NFL defensive back Etric Pruitt claimed Thursday that head injuries prevented him from understanding the plea deal he agreed to in 2021, which came in a case where he was accused of participating in a multimillion-dollar scheme to defraud the league's fund for injured former players.

Motion attached | Read full article »

Zicam Inventor Charged With 'I Love Lucy' TV Co. Scam

A California federal grand jury indicted the inventor of the cold remedy Zicam on wire fraud charges Wednesday, alleging he created a bogus "Desilu Studios" that played on the name of Lucille Ball and Desi Arnaz's famous Hollywood production company to con investors into giving him hundreds of thousands of dollars that he used for personal expenses.

2 documents attached | Read full article »

LITIGATION

11th Circ. Says Medicare Reimbursement Suit Filed Too Late

The Eleventh Circuit ruled that a lawsuit brought by the assignee of a now-defunct Medicare Advantage organization to recover a reimbursable payment from a primary payer was time-barred, concluding that a four-year limitations period applied.

COMPANIES IN TODAY'S NEWS

Alliance Defending Freedom
Ardian
AstraZeneca PLC
Biogen Inc.
Blue Owl Capital Inc.
Bunge Ltd.
C.R. Bard Inc.
CVS Health Corp.
Change Healthcare Inc.
Church Mutual Insurance Co.
Conagra Brands Inc.
Convey Health Solutions Inc.
Cosan Limited
George Washington University
HP Ingredients
Hartz Mountain Industries Inc.
Heathrow Airport Holdings Ltd.
JPMorgan Chase & Co.
Johnson & Johnson
LinkedIn Corp.
MSP Recovery
Medco Health Solutions Inc.
Namecheap Inc.
New Jersey Hospital Association
Novant Health Inc.
Optum Inc.
PAI Partners AB
Planned Parenthood Federation
Purdue Pharma LP
Rite Aid Corp.
Signify Health Inc.
Starwood Capital Group
Teva Pharmaceutical Industries Ltd.
The Florida Bar
The New York Times Co.
UnitedHealth Group Inc.
University of Southern California
Veolia Environnement SA
Vista Equity Partners
Walgreens Co.
Walmart Inc.
West Bend Mutual Insurance Co.

LAW FIRMS IN TODAY'S NEWS

Aldous Walker
Arnold & Porter
Barakat & Bossa
Bartlett LLP
Beasley Allen
Beggs & Lane
Bobadilla Law
Bock Hatch
Brownstone Appellate Law Firm
Burns Charest
Bush Seyferth
Bushell Law PA
Butler Snow LLP
Campbell Conroy

Opinion attached | Read full article »

5th Circ. Backs CR Bard Win Over Vein Filter Implant Design

The Fifth Circuit on Wednesday upheld a Mississippi judge's decision clearing C.R. Bard of a patient's product liability claims alleging the company's blood clot-preventing IVC filter fractured and left a piece embedded inside him, ruling the product safety pamphlet adequately warned of complications associated with it.

Order attached | Read full article »

HHS Wants 3rd Circ. To Revive Drug Discount Violation Notice

The U.S. Department of Health and Human Services on Thursday asked the Third Circuit to reinstate an enforcement letter to pharmaceutical giant AstraZeneca accusing it of going against a federal discount drug program, saying a federal judge wrongly concluded the letter went against the Administrative Procedure Act.

Brief attached | Read full article »

White Ex-Exec's $10M Race Bias Verdict Cut To $3.7M

A North Carolina federal judge on Thursday slashed a $10 million verdict awarded to an ex-Novant Health executive after a jury found he was fired for being a white man as the medical system tried to diversify its workforce, putting damages in line with Title VII's limit.

Order attached | Read full article »

Surgical Robot Co.'s Antitrust Fight Heads To Dec. Trial

A Florida federal judge on Wednesday refused to hand Intuitive Surgical a win on antitrust claims alleging the surgical robot maker forces hospitals to buy new equipment by forbidding third-party repairs, sending the dispute — and Intuitive's false-advertising counterclaims against the repair company plaintiff — to a December jury trial.

Order attached | Read full article »

Church Mutual Needn't Cover Care Center's BIPA Suit Defense

Church Mutual has no duty to defend an assisted care facility from a proposed class action filed by an employee accusing it of impermissibly collecting workers' fingerprints to track their hours, an Illinois federal judge said Thursday, finding that the policies in question bar coverage for wrongful employment practices.

Opinion attached | Read full article »

NJ Atty Booted From Pharma Co.'s Herbal Extract TM Row

A New Jersey magistrate judge has recommended disqualification of counsel for pharmaceutical company HP Ingredients in its trademark suit against rival Sabinsa over a similarly named herbal extract, finding that HP's counsel had a prior relationship with Sabinsa that poses a conflict of interest.

Order attached | Read full article »

Tenn. Court Reinstates Suit Over ER Patient's Death

A Tennessee appeals court has reinstated a wrongful death suit against a hospital and its ER physician, saying the patient's father should have been allowed to secure a medical expert after his previous one dropped out when his income as a witness was made public.

Opinion attached | Read full article »

NJ Gov. Gets Shot To Erase Defamation Claim In Firing Suit

The New Jersey Appellate Division will take on whether Gov. Phil Murphy should face a defamation claim alleging he spread false information that a former state health official was fired over outside consulting work when he purportedly lost his job for objecting to collecting COVID-19 test samples from relatives of the governor's chief of staff.

Order attached | Read full article »

Texas Says State Should Have Voice In Trans Care Suit

Texas Attorney General Ken Paxton has urged a state appellate court to review three challenges his office filed against trial court rulings allowing a Dallas doctor to continue providing hormone treatment to transgender children diagnosed with gender dysphoria despite the state's stance that such treatment constitutes child abuse.

Brief attached | Read full article »

'Confusion' Warrants NJ Tax Challenge Ruling, Court Told

Cleary Gottlieb
Constangy Brooks
Covington & Burling
Cozen O'Connor
Crowell & Moring
Debevoise & Plimpton
Dickler Kahn
Dovel & Luner
Epstein Drangel
Faegre Drinker
Ferraro Law Firm
Fine Boggs
Finnegan
FordHarrison
Friedman Kaplan
Gibbons PC
Gibson Dunn
Glavin PLLC
Greenberg Traurig
Haun Mena
Hill Ward Henderson
Hinshaw & Culbertson
Hogan Lovells
Holland & Knight
Immigrant & Refugee Appellate Center
Jomarron Lopez
Kessler Topaz
Kirkland & Ellis
Kozyak Tropin
Lamothe Law Firm
Levy Konigsberg
Malouf & Nockels
Mayer Brown
McCarter & English
Meagher & Geer
Motley Rice
Norton Rose
O'Toole Scrivo
Ogletree Deakins
Plunkett Cooney
Prickett Jones
Quinn Emanuel
Rainey Kizer
Robbins Geller
Robinson Bradshaw
Rumberger Kirk
Schiffer Hicks
Sher Tremonte
Shir Law Group
Simpson Thacher
Skadden Arps
Sterne Kessler
Susman Godfrey
Tin Fulton
Vinson & Elkins
WilmerHale
Zuber Lawler

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arizona Corporation Commission
California Department of Public Health
Centers for Medicare & Medicaid Services
Delaware Court of Chancery
Federal Bureau of Investigation

An advocacy organization took aim Thursday at what it claimed was uncertainty surrounding a New Jersey bill that closed certain avenues for taxpayers to appeal the assessments or exempt status of properties owned by others, and urged a state judge to find that similar challenges may still be brought to the courthouse.

Read full article »

Convey Stockholder Sues For Books On $1.1B TPG Buyout

A Convey Health Solutions Holdings Inc. stockholder sued the health care technology company in Delaware Chancery Court on Wednesday, seeking corporate documents to investigate "potential mismanagement and/or breaches of fiduciary duty" in connection with its pending $1.1 billion buyout by private equity firm TPG Inc.

Read full article »

DEALS

Deals Rumor Mill: CVS, PAI Partners, London Heathrow Airport

CVS is in the running to buy Signify Health, Dyal Capital may purchase a stake in private equity firm PAI Partners, and Spain-based Ferrovial is weighing what to do with its 25% stake in London Heathrow Airport. Here, Law360 breaks down these and other deal rumors from the past week that you need to be aware of.

Read full article »

REAL ESTATE

Real Estate Rumors: CoreVest, Hartz Mountain, Dwight

CoreVest has reportedly lent $65 million for two Houston multifamily properties, Hartz Mountain Industries is said to have paid $34 million for a Newark Airport hotel with plans to demolish the building, and Dwight Mortgage Trust is said to have lent $27 million for four New York senior living properties.

Read full article »

EXPERT ANALYSIS

Anti-Kickback Circuit Split Holds Implications For Defendants

The Eighth Circuit's recent decision in U.S. v. D.S. Medical represents a significant step toward holding plaintiffs to more exacting burdens of proof in Anti-Kickback Statute False Claims Act suits, and the outcome of the resulting circuit split could decrease estimated damages for defendants, say attorneys at Gibson Dunn.

Opinion attached | Read full article »

Lessons For Federal Lawmakers As Calif. Alters Cannabis Tax

California recently eliminated a cultivation tax that had for years burdened the state's licensed cannabis market, providing important lessons for federal lawmakers on cumbersome regulations and unduly high taxes as they debate legalization, says Raza Lawrence at Zuber Lawler.

Read full article »

Understanding DC Circ.'s Agency Rule Withdrawal Debate

The D.C. Circuit's recent ruling that an agency must provide notice and an opportunity for comment when withdrawing a rule that has been filed for public inspection but not yet published in the Federal Register features a vigorous debate on the "point of no return" issue that has significant practical consequences whenever there is a change in administration, says Steven Gordon at Holland & Knight.

Opinion attached | Read full article »

LEGAL INDUSTRY

Garland Defends FBI, Moves To Unseal Trump Search Warrant

U.S. Attorney General Merrick Garland on Thursday forcefully defended the FBI following its raid that seized government documents from Donald Trump's Mar-a-Lago

Food and Drug Administration
Illinois Supreme Court
Internal Revenue Service
International Trade Commission
Kanawha County, West Virginia
Michigan Department of Environmental Quality
New Jersey Attorney General's Office
New York Attorney General's Office
New York State Police
Office of the Federal Register
State Bar of Texas
Texas Attorney General's Office
Texas Health and Human Services Commission
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Eastern District of Kentucky
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Agriculture
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Kentucky
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. Drug Enforcement Administration
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the Northern District of Ohio

resort, taking personal responsibility for the decision as he moved to unseal records that could shed light on the search.

Read full article »

Cuomo Seeks Legal Fees In Suit Against NY AG James

Former New York Gov. Andrew Cuomo has sued New York State Attorney General Letitia James, challenging her refusal to pick up the tab for his defense of an ongoing federal sex harassment suit and calling her report accusing him of creating a hostile work environment "deeply flawed."

Read full article »

Quinn Emanuel Launches New Dallas Office With 7 Attys

Quinn Emanuel Urquhart & Sullivan LLP has opened an office in Dallas, the firm announced Thursday, with seven attorneys staffing a building near Reverchon Park.

Read full article »

Constangy Brooks Opens 4th Calif. Office In San Diego

Constangy Brooks Smith & Prophete LLP has opened its fourth office in California, now serving clients in San Diego, expanding its West Coast footprint with an additional partner and a new space, the firm recently announced.

Read full article »

Debevoise Should Get Win In Phishing Bait Suit, Judge Says

Debevoise & Plimpton LLP deserves an early win in a trademark suit against two website domains using its name to create phishing emails to try to steal people's sensitive personal information, a Virginia federal judge recommended Wednesday.

Read full article »

Ohio Attorneys Can Hold Crypto In Escrow, Ethics Board Says

Ohio attorneys may hold cryptocurrency in escrow when representing clients, but they must keep funds segregated and ensure they're not facilitating illegal activity, the state's Board of Professional Conduct said in one of the few advisory opinions to address the question.

Read full article »

Va. Judge's 'Stupid' Aside May Land Immigrant A New Trial

The Fourth Circuit ordered the Board of Immigration Appeals on Thursday to consider taking an immigration judge off a deportation case after she apparently derided as "laughable" and "so stupid" testimony from a man facing deportation that he lost fluency in his native language.

Read full article »

Fla. Firm Fundraiser For Trial Judge Doesn't Trigger DQ

A law firm that hosts a fundraiser for a judge's reelection campaign while one of its lawyers is in active litigation in the judge's court is engaged in "ordinary" election activity, a Florida appeals court ruled Wednesday.

Read full article »

Fla. Court Tosses $17K In Sanctions For Boutique Firm

Shir Law Group PA will not have to pay $17,000 in sanctions after the Florida Third District Court of Appeal reversed a trial judge's decision as part of a case in which the boutique Boca Raton firm accused opposing counsel of leaking confidential settlement agreements.

Read full article »

USPTO Leadership Touts LEAP Program's Success 2 Years In

The U.S. Patent and Trademark Office on Thursday celebrated the success of a program designed to give lesser experienced attorneys rare opportunities to develop their oral argument skills, highlighting the benefits participants have gained over the last two years through the program.

Read full article »

City Must Boost Boardroom And Exec Diversity, Report Warns

All companies in the professional and financial services sector must widen the pipeline of socioeconomic diversity to help narrow the class divide in senior employment positions, a new government-commissioned report has warned.

Read full article »

JOBS

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SUBJECT: USMCA Energy Row Pits Nationalism Against Private Interests
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 12/08/2022 02:32

LAW360

Friday, August 12, 2022

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TOP NEWS

Analysis

USMCA Energy Row Pits Nationalism Against Private Interests

The U.S. and Canada's challenges to Mexico's prioritization of state utilities over private enterprises could lead to new tariffs and lost investments, unless the parties negotiate an agreement that balances Mexico's sovereignty against the interests of northerly energy stakeholders.

Read full article »

Analysis

Winless In Opioid Bouts, Will Pharmacies Throw In The Towel?

A California federal judge's walloping of Walgreens over its narcotic painkiller sales in San Francisco has left pharmacy chains 0 for 2 in opioid trials and is casting doubt on the companies' apparent plans to continue stepping into the legal ring with government adversaries.

Opinion attached | Read full article »

Analysis

Why Spectrum's Hard-To-Believe $7B Jury Loss May Not Last

The unique details behind an astounding $7.3 billion "nuclear verdict" against Spectrum over the murder of a customer show exactly how to get a jury mad, but various guidelines covering punitive damages should help the cable company on appeal.

Read full article »

Flint Case Ends In Mistrial After Jurors Cite Mental Health

A Michigan federal judge on Thursday declared a mistrial in a landmark bellwether case over the Flint water crisis after jurors said their mental and physical health had reached a breaking point.

LAW FIRMS IN TODAY'S NEWS

Aldous Walker
Arnold & Porter
Baker & Hostetler
Barakat & Bossa
Bartlett LLP
Bobadilla Law
Brewer, Attorneys & Counselors

Read full article »

NY Bar Launches Ethics Task Force For Public Sector Attys

The New York State Bar Association announced the creation of a 20-member task force on Thursday designed to review legal ethics questions for attorneys who represent government entities.

Read full article »

Biden's 10th Circ. Pick Seen As Humble Yet Savvy Prosecutor

President Joe Biden has tapped for the Tenth Circuit Court of Appeals a longtime federal prosecutor who's respected across party lines for his humility and compassion — and, if confirmed, would be the first person of color from Kansas to serve as a judge in that court.

Read full article »

Rep. Greene Case Has Big Implications, 11th Circ. Judge Says

An Eleventh Circuit judge said Thursday U.S. Rep. Marjorie Taylor Greene, R-Ga., is asking the court to extend congressional power to determine whether U.S. House members are fit to serve so that Congress could also decide who can run for office.

Read full article »

NC AG Tries Again To Stall Prosecution Over Political Ad

North Carolina Attorney General Josh Stein is taking another shot at stonewalling a possible criminal case against him over a political ad his campaign aired in 2020, telling a federal judge that no charges should be brought until the after Fourth Circuit weighs in.

2 documents attached | Read full article »

BANKING & SECURITIES

Trump-Era DHS Chief's Immigration Bond Rule Fails In Court

Another Trump-era immigration policy promulgated by former acting Homeland Security Secretary Chad Wolf fell by the wayside, after a California federal judge vacated administrative hurdles imposed on surety companies that wish to challenge the government's determinations that noncitizens have breached their bond conditions.

Order attached | Read full article »

CFPB Says Firms With Lax Data Security Could Face Its Wrath

The Consumer Financial Protection Bureau said Thursday that financial companies with weak information security protocols may be violating its ban on unfair practices and can be held liable accordingly.

Read full article »

HEALTH & LIFE SCIENCES

Montana High Court Blocks State's Anti-Abortion Laws

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Opinion attached | Read full article »

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Brief attached | Read full article »

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Brief attached | Read full article »

IP & TECHNOLOGY

Full Fed. Circ. Won't Mull USPTO Interim Director's Powers

Burns Charest
Bush Seyferth
Bushell Law PA
Campbell Conroy
Carlson Gaskey
Cleary Gottlieb
Constangy Brooks
Cuneo Gilbert
Davis Wright
Debevoise & Plimpton
Dentons
Dowd & Dowd PC
Faegre Drinker
Fine Boggs
Finnegan
FordHarrison
Gibbons PC
Glavin PLLC
Hamilton Wingo
Hausfeld LLP
Hogan Lovells
Holland & Knight
Immigrant & Refugee Appellate Center
Jomarron Lopez
King & Spalding
Kirkland & Ellis
Kozyak Tropin
Latham & Watkins
Levy Konigsberg
Malouf & Nockels
Matthew G. Miller PC
Mayer Brown
McCarter & English
MoloLamken
Montgomery McCracken
Motley Rice
Norton Rose
O'Melveny & Myers
O'Toole Scrivo
Plunkett Cooney
Quinn Emanuel
Robbins Geller
Roxborough Pomerance
Sandulli Grace
Shearman & Sterling
Sher Tremonte
Shir Law Group
Simpson Thacher
Sterne Kessler
Susman Godfrey
Vinson & Elkins
WilmerHale
Wolf Greenfield
Wolf Haldenstein
Womble Bond
Wright Lindsey
Zuber Lawler

COMPANIES IN TODAY'S NEWS

Accenture PLC
Alliance Defending Freedom
Arthrex Inc.
AstraZeneca PLC
Balfour Beatty PLC
Bertelsmann AG
CVS Health Corp.

The full Federal Circuit has shot down Arthrex's request to evaluate if former Patent Commissioner Drew Hirshfeld was allowed to conduct director reviews while he headed the U.S. Patent and Trademark Office between leaders.

Order attached | Read full article »

USPTO Leadership Touts LEAP Program's Success 2 Years In

The U.S. Patent and Trademark Office on Thursday celebrated the success of a program designed to give lesser experienced attorneys rare opportunities to develop their oral argument skills, highlighting the benefits participants have gained over the last two years through the program.

Read full article »

HOSPITALITY

LA Council Puts Hotel Rooms For Homeless Bill On Ballot

The Los Angeles City Council has voted overwhelmingly to put on a ballot a proposed ordinance requiring hotels to house homeless people in vacant rooms, leaving it to voters to decide whether to approve the measure that claims to protect affordable housing in the city.

1 document attached | Read full article »

EMPLOYMENT & BENEFITS

Unused Vacation Not Wages For Pensions, Mass. Justices Say

Massachusetts' highest court ruled Thursday that unused vacation time can't be used to calculate public employees' pension benefits, invalidating a 10-year-old memorandum from the state agency that oversees local retirement boards.

Opinion attached | Read full article »

COMPETITION

Author, Agents Say Advances Only Part Of Puzzle

A nonfiction author and several agents told a D.C. federal judge on Thursday that there's more to negotiating a book deal than landing the largest possible advance, while throwing cold water on the government's fears over the merger of Penguin Random House and Simon & Schuster.

Read full article »

UnitedHealth, Change Turn Trial Gaze To Horizontal Overlap

UnitedHealth Group and Change Healthcare countered Justice Department allegations that their proposed merger threatens direct competition in the claims processing sector by arguing at the D.C. federal court that their plan to divest an insurance claims technology business addresses the DOJ's concerns

Read full article »

StarKist Asks High Court To Reject Tuna Buyers Class Cert.

StarKist Co. has turned to the U.S. Supreme Court for help in decertifying potentially massive classes of plaintiffs in ongoing litigation over price-fixing allegations by the major tuna producers, saying that many of the proposed class members didn't actually pay higher prices.

Petition attached | Read full article »

CYBERSECURITY & PRIVACY

FTC Begins Privacy, Security Rulemaking Over GOP Rebuke

The Federal Trade Commission on Thursday kicked off the process of crafting new rules to set limits on companies' use and sharing of vast troves of consumer data and to crack down on lax data security practices, a move opposed by its two Republican commissioners.

3 documents attached | Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

8th Circ. Won't Rethink No-Knock Warrant Death Suit Ruling

The Eighth Circuit won't reconsider its ruling, which found St. Louis Metropolitan Police Department officers have sovereign immunity on most claims brought by the family of a man who was shot 24 times and killed during the execution of a no-knock warrant searching for marijuana and other drugs.

2 documents attached | Read full article »

GOVERNMENT CONTRACTS

CafePress Inc.
Cash App
Change Healthcare Inc.
Charter Communications Inc.
Costco Wholesale Corp.
Dongwon F&B Co. Ltd.
Early Warning Services LLC
Equifax Inc.
Experian PLC
Fordham University
George Washington University
Johnson & Johnson
LinkedIn Corp.
McDonald's Corp.
Namecheap Inc.
New Jersey Hospital Association
New York State Bar Association
Optum Inc.
Paramount Global
Planned Parenthood Federation
Public Broadcasting Service
Public Citizen Inc.
Purdue Pharma LP
Reliance Communications Ltd.
Rite Aid Corp.
Rodale Inc.
Schneider Electric
Simon & Schuster Inc.
Smith & Nephew plc
Southwestern Law School
Spectrum Management Holding Co.
StarKist Co.
The Florida Bar
The New York Times Co.
Tyson Foods Inc.
UNITE HERE
UnitedHealth Group Inc.
Veolia Environnement SA
Walgreens Co.
Walmart Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arkansas Supreme Court
California Department of Public Health
Consumer Financial Protection Bureau
Dallas County, Texas
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Trade Commission
Financial Stability Oversight Council
Food and Drug Administration
General Services Administration Office of Inspector General
Georgia Attorney General's Office
Georgia Supreme Court
Internal Revenue Service
International Trade Commission
Michigan Department of Environmental Quality
NAFTA
National Telecommunications and Information Administration
New York Attorney General's Office
New York State Police

Warren Urges DOJ To Ban Contractors Over Criminal Conduct

U.S. Sens. Elizabeth Warren and Ben Ray Luján on Thursday urged the U.S. Department of Justice to ban businesses that commit crimes from serving as government contractors, saying the agency has been "allowing them to slide by with penalties and settlements."

Letter attached | Read full article »

Watchdog Flags $3B Port Project's Fraud Risks, Hiring Needs

A federal watchdog warned a General Services Administration subdivision on Thursday that past audits indicate it should be on guard for fraud risks and will need to recruit for key oversight roles as it puts the $3.4 billion it received under the infrastructure bill to use.

Report attached | Read full article »

TAX

'Confusion' Warrants NJ Tax Challenge Ruling, Court Told

An advocacy organization took aim Thursday at what it claimed was uncertainty surrounding a New Jersey bill that closed certain avenues for taxpayers to appeal the assessments or exempt status of properties owned by others, and urged a state judge to find that similar challenges may still be brought to the courthouse.

Read full article »

NATIVE AMERICAN

Gov't Agencies Team Up For Tribal Broadband Program

Two federal agencies have agreed to comply with a tribal broadband internet program's requirements for cultural resources, historic preservation and environmental protection, which will allow "high-speed internet service to be deployed quickly while also ensuring safeguards to protect Native lands and interests."

Read full article »

TELECOMMUNICATIONS

Team Telecom Asks FCC To Clear Undersea Cable Plan

The National Telecommunications and Information Administration has asked the Federal Communications Commission to approve the transfer of Global Cloud Xchange's licenses for an undersea cable project to Reef Bidco Ltd., as long as the telecom company complies with certain commitments.

3 documents attached | Read full article »

Schools, Libraries Seek More Time On FCC Subsidy Deadline

A coalition of "anchor" institutions including schools and libraries urged the Federal Communications Commission to push back a key deadline to provide certain telecom services that receive federal support due to severe supply chain issues.

Letter attached | Read full article »

CANNABIS

Ark. High Court Orders Pot Legalization Question On Ballot

Arkansas' highest court on Wednesday ordered state officials to provisionally place a marijuana legalization question on the ballot while a legal challenge to the measure plays out.

Order attached | Read full article »

EXPERT ANALYSIS

Lessons For Federal Lawmakers As Calif. Alters Cannabis Tax

California recently eliminated a cultivation tax that had for years burdened the state's licensed cannabis market, providing important lessons for federal lawmakers on cumbersome regulations and unduly high taxes as they debate legalization, says Raza Lawrence at Zuber Lawler.

Read full article »

Justices Could Tighten Fraud Statute In Ex-Cuomo Aide Case

The U.S. Supreme Court has an opportunity to overturn the conviction of an aide to former New York Gov. Andrew

Office of the Federal Register
Office of the U.S. Trade Representative
State Bar of Texas
Texas Attorney General's Office
Texas Health and Human Services Commission
Texas Supreme Court
U.S. Census Bureau
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. Drug Enforcement Administration
U.S. General Services Administration
U.S. Patent and Trademark Office
U.S. Senate
U.S. Supreme Court
United States District Court for the Northern District of Ohio

Cuomo in Percoco v. U.S., thereby restraining federal prosecutors' use of the honest services fraud statute and confining its application to cases of true public corruption, says Scott Coffina at Montgomery McCracken.

Read full article »

Understanding DC Circ.'s Agency Rule Withdrawal Debate

The D.C. Circuit's recent ruling that an agency must provide notice and an opportunity for comment when withdrawing a rule that has been filed for public inspection but not yet published in the Federal Register features a vigorous debate on the "point of no return" issue that has significant practical consequences whenever there is a change in administration, says Steven Gordon at Holland & Knight.

Opinion attached | Read full article »

Guarding Consumer Financial Data As Federal Scrutiny Grows

On the heels of a recent U.S. Senate request that the Financial Stability Oversight Council look into financial institutions' collection and sale of consumer data, the industry should take steps to ensure they handle this information in a manner that mitigates risk for all parties, say attorneys at Debevoise.

Read full article »

LEGAL INDUSTRY

Garland Defends FBI, Moves To Unseal Trump Search Warrant

U.S. Attorney General Merrick Garland on Thursday forcefully defended the FBI following its raid that seized government documents from Donald Trump's Mar-a-Lago resort, taking personal responsibility for the decision as he moved to unseal records that could shed light on the search.

Read full article »

Cuomo Seeks Legal Fees In Suit Against NY AG James

Former New York Gov. Andrew Cuomo has sued New York State Attorney General Letitia James, challenging her refusal to pick up the tab for his defense of an ongoing federal sex harassment suit and calling her report accusing him of creating a hostile work environment "deeply flawed."

Read full article »

Quinn Emanuel Launches New Dallas Office With 7 Attys

Quinn Emanuel Urquhart & Sullivan LLP has opened an office in Dallas, the firm announced Thursday, with seven attorneys staffing a building near Reverchon Park.

Read full article »

Constangy Brooks Opens 4th Calif. Office In San Diego

Constangy Brooks Smith & Prophete LLP has opened its fourth office in California, now serving clients in San Diego, expanding its West Coast footprint with an additional partner and a new space, the firm recently announced.

Read full article »

Debevoise Should Get Win In Phishing Bait Suit, Judge Says

Debevoise & Plimpton LLP deserves an early win in a trademark suit against two website domains using its name to create phishing emails to try to steal people's sensitive personal information, a Virginia federal judge recommended Wednesday.

Read full article »

Ohio Attorneys Can Hold Crypto In Escrow, Ethics Board Says

Ohio attorneys may hold cryptocurrency in escrow when representing clients, but they must keep funds segregated and ensure they're not facilitating illegal activity, the state's Board of Professional Conduct said in one of the few advisory opinions to address the question.

Read full article »

Va. Judge's 'Stupid' Aside May Land Immigrant A New Trial

The Fourth Circuit ordered the Board of Immigration Appeals on Thursday to consider taking an immigration judge off a deportation case after she apparently derided as "laughable" and "so stupid" testimony from a man facing deportation that he lost fluency in his native language.

Read full article »

Fla. Firm Fundraiser For Trial Judge Doesn't Trigger DQ

A law firm that hosts a fundraiser for a judge's reelection campaign while one of its lawyers is in active litigation in the judge's court is engaged in "ordinary" election activity, a Florida appeals court ruled Wednesday.

Read full article »

Fla. Court Tosses $17K In Sanctions For Boutique Firm

Shir Law Group PA will not have to pay $17,000 in sanctions after the Florida Third District Court of Appeal reversed a trial judge's decision as part of a case in which the boutique Boca Raton firm accused opposing counsel of leaking confidential settlement agreements.

Read full article »

City Must Boost Boardroom And Exec Diversity, Report Warns

All companies in the professional and financial services sector must widen the pipeline of socioeconomic diversity to help narrow the class divide in senior employment positions, a new government-commissioned report has warned.

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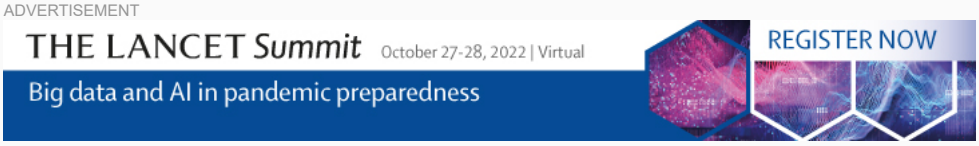

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THE LANCET

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FEATURES

Botswana's HIV/AIDS success: Botswana has become only the third country to surpass the UN's 95-95-95 goals on HIV and says it is on target to end AIDS as a public health threat.
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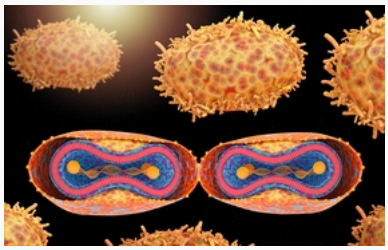

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India at 75 years: progress, challenges, and opportunities

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An energy booster for thalassaemic red blood cells

Biologic therapies for asthma in underserved populations

Participation in phase 1 trials for patients with cancer

A historic opportunity for universal health coverage in India

Use the remaining carbon budget wisely for health equity and climate justice

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Botswana's HIV/AIDS success

Turkish doctors emigrate amid low pay and rising violence

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“You have not remained the same, nor have I”

The power of Jatra

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Thomas Bewley

CORRESPONDENCE

Screening policies for cytomegalovirus in pregnancy in the era of antivirals

Iran's burden of disease and burden of data collection

Iran's burden of disease and burden of data collection

Iran's burden of disease and burden of data collection – Authors' reply

Data at 36 months for the Symplicity SPYRAL HTN-ON MED pilot

Data at 36 months for the Symplicity SPYRAL HTN-ON MED pilot – Authors' reply

ARTICLES

Safety and efficacy of mitapivat, an oral pyruvate kinase activator, in adults with non-transfusion dependent α-thalassaemia or β-thalassaemia: an open-label, multicentre, phase 2 study

Mepolizumab for urban children with exacerbation-prone eosinophilic asthma in the USA (MUPPITS-2): a randomised, double-blind, placebo-controlled, parallel-group trial

Early drug development in solid tumours: analysis of National Cancer Institute-sponsored phase 1 trials

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Effectiveness of vaccination mandates in improving uptake of COVID-19 vaccines in the USA

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Health

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AUGUST 12, 2022

BY MATT BRACKEN

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Top Stories

- The Centers for Disease Control and Prevention issued relaxed COVID-19 guidelines, citing the low risk of a severe bout with the disease thanks to population-level immunity and treatments as reason enough to de-emphasize social distancing, lessen the amount of days those with a positive test must isolate and generally shift responsibility on limiting spread to individuals instead of businesses, schools and other institutions. (The Washington Post) The Food and Drug Administration, meanwhile, issued new guidance that people who believe they have been infected with or exposed to COVID-19 take one at-home test, and then follow that up with a second test within 48 hours to rule out a false negative, with the agency noting the lack of efficacy rapid tests have compared to PCR lab tests. (The Hill)

- Facing sustained legal action over allegations that it concealed cancer risks in its talc-based baby powders, Johnson & Johnson said it will halt global sales of the products next year, a move that follows the company's previous decision to discontinue production in the United States and Canada. (Bloomberg) The House Select Subcommittee on the Coronavirus Crisis said another 135 million doses of J&J's COVID-19 vaccine from the tainted Emergent BioSolutions Inc. factory in Baltimore will be destroyed due to quality issues, though the drugmaker said no doses from the facility have reached market since it resumed production, and J&J has since ended its deal with the company. (The Associated Press)

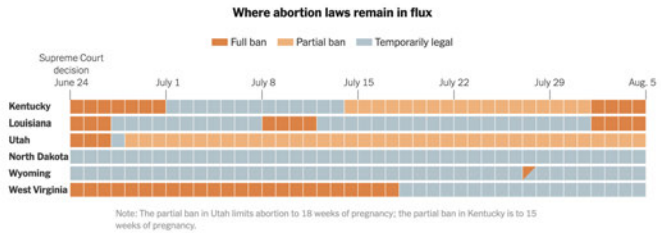
- Senate Finance Committee Chairman Ron Wyden sent a letter to Amgen Inc. asking the biotech giant for details on the taxes it paid between 2018 and 2021, part of the Oregon Democrat's ongoing probe into supposed efforts multinational pharmaceutical companies have undertaken to avoid U.S. taxes. Wyden - who has also targeted Abbott Laboratories, AbbVie Inc., Bristol Myers Squibb Co. and Merck & Co. Inc. - said in the letter that Amgen paid an effective tax rate between 10.7% and 14.2% during those years, far below the 21% U.S. corporate tax rate, noting that "it appears that a significant factor is foreign earnings resulting from operations in Puerto Rico." (Stat News)

- The Department of Health and Human Services' Office of the Inspector General found that cheaper generic versions of hepatitis C drugs were not covered by some Medicare Part D plans, resulting in the loss of millions of dollars in savings. The watchdog report said Part D's structure, including manufacturer rebates,

may have encouraged health plans to point individuals toward higher-cost drugs. (Fierce Healthcare)

Chart Review

'Chaos and Confusion' in States Where Abortion Is On Again, Off Again
The New York Times



Events Calendar (All Times Local)

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A MESSAGE FROM MORNING CONSULT

Geopolitical Competition and Infrastructure in the Americas

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What Else You Need to Know

CORONAVIRUS

Striking Drop in Stress Hormone Predicts Long Covid in Study
Jason Gale, Bloomberg
Striking decreases in the stress hormone cortisol were the strongest predictor for who develops long Covid in new research that identified several potential drivers of the lingering symptoms afflicting millions of survivors.

Long COVID risk up for unvaccinated children
Nancy Lapid, Reuters
Researchers in Texas who tracked 1,813 children infected with the virus between October 2020 and May 2022 - during the waves of the Delta and Omicron coronavirus variants - found that 4.5% had symptoms for up to 12 weeks and 3.3% had symptoms for longer than 12 weeks.

Pregnant Women Safe to Get Covid mRNA Vaccines, Study Shows
Naomi Kresge, Bloomberg
Covid-19 vaccines using messenger RNA technology were safe in pregnancy according to a large Canadian survey, further building the case for pregnant women to get the shots.

Doctor Critical of Covid Response Sees Free Speech Suit Halted
Mary Anne Pazanowski, Bloomberg Law
A federal court in Puerto Rico halted a doctor's suit over a medical board order directing her to stop publicly criticizing the government's Covid-19 response because a state administrative action is pending against her.

GENERAL

A bittersweet health care win for Democrats
Alice Miranda Ollstein, Politico
Democrats are widely expected to lose control of one or both chambers in November, and members are aware that today's vote on the Inflation Reduction Act may be their last chance for some time to enact major reforms to the U.S. health system.

West Virginia reaches multimillion-dollar settlement with Rite Aid over opioid lawsuit
Joseph Choi, The Hill
West Virginia Attorney General Patrick Morrisey (R) announced a settlement with pharmacy chain Rite Aid Thursday over a lawsuit alleging the company had contributed to the oversupply of opioids in the state.

U.S. monkeypox cases surpass 10,000 as CDC still aims for "containment"
Alexander Tin, CBS News
More than 10,000 Americans have now tested positive in the monkeypox outbreak across the U.S., according to figures published late Wednesday by the Centers for Disease Control and Prevention, as federal health officials say they are still racing to contain the virus.

FDA chief backs alternate method for injecting Bavarian Nordic's monkeypox shot
Reuters
The U.S. Food and Drug Administration chief on Thursday defended a plan to administer Bavarian Nordic's (BAVA.CO) monkeypox shot intradermally after the company raised doubts about the safety of the method, citing a lack of data.

New data from several states show racial disparities in monkeypox infections

Usha Lee McFarling et al., Stat News

New data emerging from some states and localities closely tracking monkeypox outbreaks show extreme racial disparities that are alarming experts. In Georgia, 82% of people with the disease are Black. In North Carolina, it's 70%. But in other places that have released detailed demographic data, there are fewer and sometimes no apparent racial or ethnic disparities in monkeypox cases.

White People Get Bigger Share of Monkeypox Shots, Early Data Show

Taylor Johnson et al., Bloomberg

Much like with Covid-19, the monkeypox health crisis in the US is hitting Black and Hispanic Americans hard. Yet those groups are so far lagging in vaccination rates, early data obtained by Bloomberg News show.

'Silent' spread of polio in New York drives CDC to consider additional vaccinations for some people

Elizabeth Cohen, CNN

A polio case identified in New York last month is "just the very, very tip of the iceberg" and an indication there "must be several hundred cases in the community circulating," a senior official with the US Centers for Disease Control and Prevention told CNN on Wednesday.

Head of Amazon Health Care Initiative Taking an Extended Break

Spencer Soper, Bloomberg

Kristen Helton, who ran one of Amazon.com Inc.'s most important healthcare initiatives, is on a break that began earlier this summer.

Iowa governor asks court to allow blocked 2018 abortion ban

David Pitt, The Associated Press

Iowa Gov. Kim Reynolds asked the state courts on Thursday to allow her to implement a law banning most abortions that a judge permanently blocked in 2019.

PAYERS

UnitedHealthcare rebrands Bind plans as Surest as it eyes further growth

Paige Minemyer, Fierce Healthcare

Surest plans, first launched in 2016 as Bind, are available nationwide for self-funded employers and in 11 states for fully insured plans. UHC said it plans to make Surest available as an option for fully insured customers in five more states by the end of the year.

New York judge dismisses surgeon's lawsuit challenging surprise billing law

Samantha Liss, Healthcare Dive

Daniel Haller, a surgeon, and his private practice filed suit in December against federal regulators alleging that the ban on surprise billing was unconstitutional along with the independent dispute resolution process, the way in which providers and payers are supposed to resolve payment disagreements.

Health Benefit Costs Forecast to Jump 5.6%; Bigger Hikes Ahead

Sara Hansard, Bloomberg Law

US employers expect health benefit costs to rise nearly 6% on average in 2023, significantly higher than 2022 projected cost increases but far below the current 9% overall inflation, professional services firm Mercer reported Thursday.

Oscar Health pauses insurer, provider technology service deals

Nona Tepper, Modern Healthcare

Oscar Health will not pursue additional full-service +Oscar agreements for the next 18 months after facing challenges implementing its deal with Health First Health Plans, CEO and co-founder Mario Schlosser said Thursday.

Apple Health Defeats Whistleblower's Rehabilitation Fraud Suit

Daniel Seiden, Bloomberg Law

Apple Health Inc. showed that a False Claims Act whistleblower didn't adequately allege that the company defrauded Medicare by billing for unnecessary rehabilitation services at nursing facilities, a federal district court said.

HCSC to acquire third-party administrator Trustmark Health Benefits

Nona Tepper, Modern Healthcare

Health Care Service Corp. will pay an undisclosed sum to buy third-party administrator Trustmark Health Benefits, the Blue Cross and Blue Shield company announced Thursday.

PROVIDERS

AMA launches initiative to increase HIV, STI screenings

Mari Devereaux, Modern Healthcare

A select group of community health centers will follow best practices and quality-improvement strategies outlined by the American Medical Association as part of a nationwide effort to boost the number of visits and routine screenings for HIV, viral hepatitis, latent tuberculosis and sexually transmitted infections.

Hospital and Drugmaker Move to Build Vast Database of New Yorkers' DNA

Joseph Goldstein, The New York Times

The Mount Sinai Health System began an effort this week to build a vast database of patient genetic information that can be studied by researchers — and by a large pharmaceutical company.

Putting a loved one in a nursing home could cost you as nursing homes sue relatives and friends of residents

Anna Werner, CBS News

Along with our partners Kaiser Health News and NPR, CBS News has found that what starts out as a good deed can turn into a legal nightmare in some cases. A review of court records by Kaiser Health News found that 24 federally licensed nursing homes filed 238 similar lawsuits in Monroe County alone. Two-thirds of those suits are found to have targeted relatives of residents or friends.

PHARMA, BIOTECH AND DEVICES

Walgreens Offers Bonuses Up to $75,000 to Recruit Pharmacists

Sharon Terlep, The Wall Street Journal
Walgreens Boots Alliance Inc. is offering signing bonuses up to $75,000 to pharmacists in some markets as the company struggles to fill jobs amid a chronic worker shortage that became acute during the Covid-19 pandemic.

Cardinal Health names new CEO, plans price increases to bolster earnings
Caroline Hudson, Modern Healthcare
Cardinal, a pharmaceuticals and medical products distributor, has struggled during the pandemic with rising supply-chain costs and fluctuating demand for personal protective equipment. The company reported a $933 million net loss for the fiscal year that ended June 30, compared with earnings of $611 million in fiscal year 2021. Annual revenue rose 12% year-over-year, to $181.4 billion.

U.S. move to negotiate drug prices a rare defeat for Big Pharma
Ahmed Aboulenein, Reuters
Big Pharma spent more than any other industry to lobby Congress and federal agencies this year, a Reuters analysis shows, but is still on course for a major defeat by failing to stop a bill that allows the government to negotiate prices on select drugs.

Roche gets U.S. approval for flu drug for children aged 5 and over
Reuters
Roche (ROG.S) has received approval from the U.S. Food and Drugs Administration for its Xofluza drug to treat influenza in children aged five years and older, the drugmaker said on Friday.

Novartis reports Zolgensma caused two deaths from liver failure
Reuters
Novartis AG (NOVN.S) on Thursday reported two patient fatalities due to acute liver failure following treatment with Zolgensma gene therapy used to treat spinal muscular atrophy.

Judge Questions 3M Earplug Unit's Path to Bankruptcy
Akiko Matsuda, The Wall Street Journal
A federal judge questioned 3M Co. 's plan to shift mass lawsuits involving military earplugs to bankruptcy court, saying that a corporate subsidiary "voluntarily agreed" to take on those injury liabilities before filing for chapter 11.

HEALTH TECHNOLOGY

One Medical's dueling offers from Amazon and CVS signal a start to health tech bidding wars
Bob Herman and Katie Palmer, Stat News
It's health tech hunting season for some of America's biggest brand names. Over the last year, companies like Amazon, CVS Health, and Walmart have made significant plays to beef up their health care infrastructure.

Patient appetite is high for some health tracker tech
Tina Reed, Axios
Nearly half of U.S. consumers are largely willing to don fitness trackers or punch meals into calorie-counting apps — though they're cooler to using

digital tools for mental health or medication monitoring, the Healthcare Information and Management Systems Society reports.

Hims & Hers boosts 2022 outlook driven by strong Q2 revenue, subscription growth

Heather Landi, Fierce Healthcare

Direct-to-consumer health and wellness brand Hims & Hers appears to be thriving despite the market downturn as it charted strong revenue and subscription growth in the second quarter.

OPINIONS, EDITORIALS AND PERSPECTIVES

The CDC's updated covid school guidance is ushering in a new normal

Leana S. Wen, The Washington Post

The newly released CDC guidance that eases covid-19 precautions in schools has it mostly right: At this point in the pandemic, the emphasis must shift from universal mandates to individual decisions to minimize the disruption of in-person learning.

FDA needs to fully review ACAM2000 before allowing its widespread use as a monkeypox vaccine

Caitlin Rivers and Tom Inglesby, Stat News

As the United States grapples with monkeypox, which has been declared a public health emergency, one of the key strategies that will be used to control its spread is vaccinating high-risk individuals. Demand for monkeypox vaccine far exceeds the supply.

Why don't they just do what the evidence says? The challenge and promise of implementation science

Mark S. Bauer, Stat News

The test of a new team-based way to treat bipolar disorder was, by all estimations, a highly successful research effort. Two studies, one in the Department of Veterans Affairs and one in a large HMO, both found significant improvements in outcomes, at little to no added cost, with team-based care. Yet within a year of the end of the studies, not a single one of the 15 sites that had taken part in the two trials had incorporated team-based care into their standard work flows.

RESEARCH REPORTS

Americans, No Matter the State They Live In, Die Younger Than People in Many Other Countries

David C. Radley et al., The Commonwealth Fund

Despite spending more on health care than any other nation, the United States has a lower average life expectancy and higher avoidable mortality — deaths that could have been prevented with appropriate health care — than other middle- and high-income countries. In this post, we compare individual states and the District of Columbia to peer countries on these two health system measures. We find that regardless of where they live, Americans are more likely to die earlier than people in many other countries. And they're more likely to die from factors that could have been prevented with the right care provided at the right time.

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SUBJECT: Don't Miss Out – Upcoming CoE Events & Trainings
FROM: National Council for Mental Wellbeing<Communications@TheNationalCouncil.org>
TO: hborski@utah.gov
DATE: 12/08/2022 08:02

To view this email as a web page, click here

TheNationalCouncil.org
NATIONAL COUNCIL for Mental Wellbeing

CENTER OF EXCELLENCE
FOR INTEGRATED HEALTH SOLUTIONS

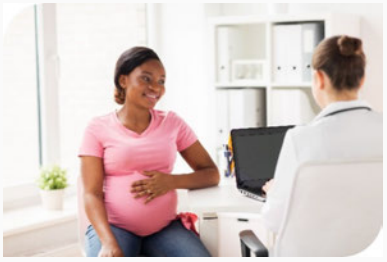
Funded by Substance Abuse and Mental Health Services Administration and operated by the National Council for Mental Wellbeing

Want to learn more about how to advance your organization's integrated care? Check out our upcoming Center of Excellence for Integrated Health Solutions (CoE-IHS) events and training to help you and your organization improve integrated and equitable care for those most in need in your community.

- Tuesday, August 16, 3-4 p.m. ET: CoE-IHS Office Hour: Providing Integrated Care Services and Advancing Health Equity for Individuals with Intellectual and Developmental Disabilities
- Thursday, August 25, 3-4 p.m. ET: CoE-IHS Office Hour: Integrated Care Strategies to Improve Perinatal Health Equity

Can't make these events? Register and we'll email you the recording so you can view it any time that's convenient for you. You can also check out recordings and slides from previous CoE-IHS events on our Calendar of Events**.**

PERINATAL HEALTH INTEGRATION
WEBINAR SERIES RECAP



Interested in learning more about perinatal health integration? Check out these recordings from our recent perinatal health webinar series.

- Part 1: The Case for Integration and Considerations Across the Continuum of Care
- Part 2: Perinatal Behavioral Health Care in a Certified Community Behavioral Health Clinic (CCBHC)
- Part 3: Integrating Services for Pregnant and Postpartum People in High-need Settings
- Part 4: Addressing Serious Mental Illness
- Health Equity in Perinatal Health Office Hour

Don't forget to register for our upcoming follow-up office hour, Integrated Care Strategies to Improve Perinatal Health Equity, on August 25 from 3-4 p.m. ET to learn more from our experts!

FEATURED RESOURCE

Designing, Implementing and Sustaining Physical Health-Behavioral Health Integration: The Comprehensive Healthcare Integration (CHI) Framework

This paper introduces a visionary new integrated care framework that can help providers, payers and population managers measure progress in delivering integrated services, demonstrate the value produced and provide initial and sustainable financing for integration. **Read the full paper** and the **accompanying blog post** to learn more!

Did you miss our Comprehensive Health Integration Webinar Series? Check out these recordings to learn more about the newly introduced framework!

- Part 1: Introducing a New Framework
- Part 2: Domains and Constructs
- Part 3: Measuring Integration and Choosing Metrics
- Part 4: Payment Models for Comprehensive Health Integration

PARTNER SPOTLIGHT

PRIMARY CARE DEVELOPMENT CORPORATION

In partnership with the CoE-IHS, Primary Care Development Corporation (PCDC) hosted the Integration at Work SAMHSA Webinar Series to empower professionals in integrated health care by providing tangible tools and resources for optimal care collaboration. Check out the **new tip sheets** summarizing the strategies shared during each session of the series:

- Driving Integrated Health at Your

- Organization: Quality Improvemen and Foundational Factors that Le to Success
- Wait, We've Gotta Ask That Too? Navigating Preventive Screening in Integrated Care Settings
- Making Integration Possible: Proactive Practices for Successful Collaboratio n
- The Art and Science of Integrated Care Partnerships

TOOLS & RESOURCES

The CoE-IHS provides a range of evidence-based resources, training opportunities and customized support for implementing integrated care practices, including:

- Access for Everyone: A Toolkit for Addressing Health Equity and Racial Justice within Integrated Care Settings
- Individualized free consultation with integrated care experts.
- Free and on-demand integrated care trainings through Relias for continuing education credits.
- Resources and tools to assess organizational readiness, building the business case and workforce development.
- Learning Collaborative and ECHO opportunities.
- Integrated care success stories.

Don't miss out on future opportunities from the CoE!

Subscribe for CoE Updates

CoE Center of Excellence for Integrated Health Solutions

NATIONAL COUNCIL for Mental Wellbeing

SAMHSA Substance Abuse and Mental Health Services Administration

NATIONAL COUNCIL for Mental Wellbeing
1400 K Street NW, Suite 400
Washington, DC 20005

[redacted]

SUBJECT: Agenda for Social Services Appropriations Subcommittee on Tuesday,Aug. 16, 2022 1:00 PM
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO:
DATE: 12/08/2022 16:08

Link to document: https://le.utah.gov/Interim/2022/html/00003064.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=APPSOC

[redacted]

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Link to unsubscribe: https://le.utah.gov/tracking/unsubscribe.jsp?com=APPSOC&mess=538849&user=hborski@utah.gov

SUBJECT: Morning Consult Health: What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 14/08/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 14, 2022

BY MATT BRACKEN

Twitter Email

Good morning to you, health readers. We're a few days into a brave new world of relaxed COVID-19 guidance, courtesy of the Centers for Disease Control and Prevention.

The agency's update last week generally shifted responsibility on limiting spread to individuals instead of businesses, schools and other institutions, a decision that was informed by the low risk of a severe bout with the disease thanks to population-level immunity and treatments.

All of which brings us to a very timely quiz question for the week: What share of registered voters rate the CDC's handling of the coronavirus as excellent or good?

A: 19%
B: 34%
C: 49%
D: 64%

You can find the answer at the bottom of the newsletter.

What's Ahead

With Congress out of session, it's an especially slow week in Washington — though our fair city's paper of record is doing its part to keep the health conversations going. Three Washington Post Live events to note:

- Rosamund Lewis, the World Health Organization's monkeypox technical lead, will join Post health reporter Dan Diamond on Monday at 10 a.m. for a conversation about the WHO's response to the disease and why she believes it probably won't develop into a global pandemic. (Stay tuned to this newsletter tomorrow for some fresh monkeypox data via a new Morning Consult survey).

- Kate Ryder, founder and chief executive of Maven Clinic, will join Post senior writer Frances Stead Sellers on Tuesday at 11 a.m. for a discussion about how the company — one of the country's biggest women's health-focused digital platforms — is handling its services after the fall of Roe v. Wade, as well as how it has evolved amid the pandemic-induced telehealth surge.

- Surgeon General Vivek Murthy and Zeinab Hijazi, senior mental health technical adviser for UNICEF, will convene at 3:30 p.m. Wednesday for a talk about solutions to address the country's youth mental health crisis.

Stat News reporter Angus Chen will moderate a discussion at 1 p.m. on Wednesday on cancer biomarkers and their status as the foundation of personalized oncology. The panel, which includes scientists and executives from the Lawrence J. Ellison Institute for Transformative

Medicine, Bolt Biotherapeutics Inc., Astellas Pharma Inc. and Georgia Tech and Emory School of Medicine, will discuss whether biomarkers can offer predictive insights into the efficacy of treatments in specific patients, as well as fresh innovations in the space.

Earnings season has slowed considerably, but we'll be watching Tuesday for second-quarter results from one emerging health care giant: Walmart Inc., which continues to pursue its ambitious buildout of primary care clinics in select retail locations (while battling other mega-brands in the health care infrastructure space).

Events Calendar

View Full Calendar

A MESSAGE FROM MORNING CONSULT

Geopolitical Competition and Infrastructure in the Americas

Robust demand for infrastructure investment in the Americas will pay geopolitical dividends for the U.S. and the E.U. and yield commercial opportunities for their multinationals. Download our latest report to learn more about geopolitical openings and commercial opportunities in Argentina, Brazil, Colombia, & Mexico. Download today.

Week in Review

Inflation Reduction Act: In a 220-207 vote on Friday, the House passed the Inflation Reduction Act, five days after Vice President Kamala Harris cast the tie-breaking tally for the Senate to pass Democrats' signature legislation. The IRA includes a three-year extension of Affordable Care Act subsidies, a cap on annual out-of-pocket drug costs for Part D patients, free vaccines to seniors in the Medicare program and the ability for Medicare to negotiate drug prices on no more than 20 high-cost drugs without strong competitors. President Joe Biden tweeted that he will sign the IRA into law this week.

Monkeypox: With limited supply of the monkeypox vaccine, the Biden administration decided to move forward with a plan to have patients

receive one-fifth of a current dose injected into their skin as opposed to a full dose into the underlying fat. The FDA said children are now allowed to receive the vaccine if they're at high risk of infection.

Bavarian Nordic A/S Chief Executive Paul Chaplin expressed "reservations" about the dose-sparing plan with the drugmaker's Jynneos monkeypox vaccine, writing in a letter to Health and Human Services Secretary Xavier Becerra and Food and Drug Administration Commissioner Robert Califf that "it would have been prudent" to conduct additional studies on the strategy before full implementation. Califf later defended the plan.

Two senior Biden administration officials and two other people with knowledge of the situation said the administration is in discussions with several companies to bottle millions of monkeypox vaccine doses in what's known as a "fill and finish" process, though it could be another three to six months until those doses — roughly 12 million currently stored by Bavarian Nordic in Denmark — are ready to be distributed.

Siga Technologies Inc. said the federal government will pay $26 million for its intravenous formulation of the antiviral drug Tpoxx, giving patients suffering from monkeypox a non-oral option for treatment.

Amazon Care giveth, taketh: Amazon.com Inc. is planning to add behavioral health support to its array of medical offerings through its Amazon Care primary care service, with mental health service provider Ginger tapped as its partner to provide video-based therapy. As part of the partnership, the companies will share patient information and provide on-demand access to mental health experts, per a website touting the partnership and people familiar with the matter.

Months before Amazon's $3.9 billion acquisition of One Medical, CVS Health Corp. was engaged in discussions with the primary care clinic operator's parent company, 1Life Healthcare Inc., to buy the brand, according to people familiar with the matter. Per a proxy filing with the Securities and Exchange Commission, CVS negotiated with the company for months and offered to pay $18 a share in cash to acquire One Medical in June, but later expressed concerns about the "expedited pace" before Amazon swooped in with an equivalent offer last month.

COVID-19 tests, vaccines: The FDA issued new guidance that people who believe they have been infected with or exposed to COVID-19 take one at-home test, and then follow that up with a second test within 48 hours to rule out a false negative, with the agency noting the lack of efficacy rapid tests have compared to PCR lab tests.

Novavax Inc. cut its sales outlook for the year by roughly 50% to between $2 billion and $2.3 billion after suffering a net loss of $510.5 million in the second quarter, as no additional sales of its protein-based COVID-19 vaccine to the United States or the international vaccine-sharing alliance Covax are expected in 2022.

BioNTech SE reported a roughly 40% year-over-year drop in second-quarter revenue to $3.26 billion, though the Pfizer Inc. COVID-19 vaccine partner said it expects to start deliveries of its two reformulated vaccines targeting omicron subvariants as early as October.

STAT OF THE WEEK

10,400

The number of employees working out of Eli Lilly and Co.'s headquarters in Indianapolis. After Indiana became the first state to pass a new ban on abortion following the Supreme Court's ruling to overturn Roe v. Wade, the pharmaceutical giant said it "will be forced to plan for more employment growth outside our home state" since the law will hinder its "ability to attract diverse scientific, engineering and business talent from around the world."

THE MOST READ STORIES THIS WEEK

1) Sweeping budget package passes Senate; House on deck Friday
Lindsey McPherson and Laura Weiss, Roll Call

2) Fraud is the killjoy at the telehealth party
Ben Leonard, Politico

3) Your Amazon therapist will see you now: Tech giant plans to add mental health support to primary-care service
Eugene Kim, Insider Premium

4) Biden administration planning to extend Covid emergency declaration
Adam Cancryn and David Lim, Politico

5) Judge approves Blue Cross Blue Shield $2.67B antitrust settlement
Nona Tepper, Modern Healthcare

6) U.S. Moves to Stretch Out Monkeypox Vaccine Supply
Sharon LaFraniere and Noah Weiland, The New York Times

7) Fish Oil Is Good! No, Bad! No, Good! No, Wait
Jacob Stern, The Atlantic

8) HHS invests $60M in rural health care workforce, access to care
Hannah Pagel, Agri-Pulse

9) The US is on a Covid plateau, and no one's sure what will happen next
Deidre McPhillips, CNN

10) Study connects climate hazards to 58% of infectious diseases
Seth Borenstein, The Associated Press

OTHER HEALTH NEWS

- Polio Has Been Detected in New York City Wastewater, Officials Say (The New York Times)

- Wyden wants details on Amgen's U.S. taxes as part of expanding probe into pharma practices (Stat News)

- Johnson & Johnson Drops Talcum Powder Globally as Lawsuits Mount (Bloomberg)
- Walgreens Offers Bonuses Up to $75,000 to Recruit Pharmacists (The Wall Street Journal)
- OIG: Part D plans sidestepped cheaper hep C generics for pricey brand-name versions (Fierce Healthcare)
- J&J COVID vaccine factory forced to trash even more doses (The Associated Press)
- Pfizer Agrees to $5.4 Billion Deal for Global Blood Therapeutics (The Wall Street Journal)
- HHS invests $60M in rural health care workforce, access to care (Agri-Pulse)
- Judge approves Blue Cross Blue Shield $2.67B antitrust settlement (Modern Healthcare)
- Study connects climate hazards to 58% of infectious diseases (The Associated Press)
- UnitedHealth Deal Questioned by DOJ on Risk of Data Misuse (Bloomberg)
- Drugmaker Endo Says Bankruptcy Likely Imminent (The Wall Street Journal)
- Judge: Walgreens contributed to San Francisco opioid crisis (The Associated Press)

The answer to this week's quiz question is **C:** 49% of voters rate the CDC's handling of COVID-19 as excellent or good, per the latest Morning Consult/Politico survey. Another 45% said the agency has been fair or poor on its coronavirus performance. You can dig into the crosstabs here.

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SUBJECT: Starting in September! Two New Series on Adult Urology in Primary Care
FROM: ECHO Colorado <susan.stoveall@cuanschutz.edu>
TO: <hborski@utah.gov>
DATE: 14/08/2022 13:59

Adult Urology in Primary Care

The Adult Urology in Primary Care ECHO series aim to give primary care physicians and providers the baseline knowledge and skills needed to assess and manage common, non-surgical, urologic conditions in adults. These two, new ECHO series serve as a virtual space where primary care providers and specialists can collaborate to increase access to care for patients with urologic conditions. ECHO participation will also enable connections between healthcare providers, maximizing patient evaluation and facilitating consultations and co-management among primary care providers and specialists.

Register for one or both series using the links below.

ADULT UROLOGY IN PRIMARY CARE
LEARNING CASE CONFERENCE

Sessions will include a didactic presentation by an expert, opportunities for Q&A with the expert and case-based discussions. ***Participants are highly encouraged to bring de-identified patient cases for group discussion and expert consultation.*** See below for topics covered in each block. Resources and referral information will be shared throughout the series.

AUDIENCE

Colorado prescribing providers working in adult primary care

SCHEDULE

Sessions held virtually every first Friday of the month
12:00 - 1:00 PM MT
First session September 2

BLOCK 1

The Urinalysis and Urine Culture in Urology:
Common Questions and Pathologies

Sept. 2: The Urinalysis
Oct. 7: Evaluation of Microscopic Hematuria - Review of the Updated AUA Risk-Stratified Guidelines
Nov. 4: Bacteriuria in Non-Pregnant Adults: How do we define and manage asymptomatic bacteriuria vs UTI

Watch for information about Blocks 2 and 3.

SIGN UP FOR BLOCK 1

ADULT UROLOGY IN PRIMARY CARE OFFICE HOURS

This is a new, monthly, free, drop-in opportunity designed for Colorado-based primary care providers (MD, DO, NP, PA, APP) to discuss urology topics of their choice and receive feedback from a urology specialist. This ongoing series will allow participants to share de-identified cases, including de-identified patient imaging, and ask questions for peer-to-peer and specialist consultation to support one another in patient diagnosis and management.

Read more about Office Hours.

AUDIENCE

Colorado prescribing providers working in adult primary care

SCHEDULE

Sessions held virtually every second Friday of the month
12:00 - 1:00 PM MT
First session September 9

Registered participants can attend sessions at any time.
Series ends June 9, 2023. No Office Hours April 14, 2023.

SIGN UP FOR OFFICE HOURS

The new Urology in Primary Care ECHO series are offered through a partnership with:
University of Colorado School of Medicine Division of Urology

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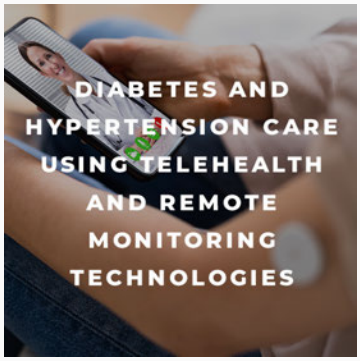
MORE UPCOMING ECHOS



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SUBJECT: Fwd: Agenda for Social Services Appropriations Subcommittee onTuesday, Aug. 16, 2022 1:00 PM
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: Brandi Frandsen <btfrands@utah.gov>, Anna Fondario <afondario@utah.gov>
CC: JANAE DUNCAN <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 14/08/2022 16:04

FYI----according to this agenda, it looks like the SCI/TBI cost sharing report item was moved up to the morning session.....
HB

---------- Forwarded message ---------
From: **Legislative Automated Email System** <boyd@le.utah.gov>
Date: Fri, Aug 12, 2022 at 4:09 PM
Subject: Agenda for Social Services Appropriations Subcommittee on Tuesday, Aug. 16, 2022 1:00 PM
To:

Link to document: https://le.utah.gov/Interim/2022/html/00003064.htm
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DATE: 14/08/2022 16:05

HA! JUST KIDDING!!!!!! I opened this email first and mis-read it---this IS the afternoon agenda! Apologies for creating confusion
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SUBJECT: Budget Bill A Start In Climate Fight, Insurance Experts Say
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 15/08/2022 02:34

Monday, August 15, 2022

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TOP NEWS

Analysis

Budget Bill A Start In Climate Fight, Insurance Experts Say

Proposals to funnel billions of dollars to disadvantaged communities to prepare for extreme weather form a key part

of the $430 billion budget bill approved by U.S. lawmakers, but insurance experts said the money would only be a start in preventing worsening losses.

Read full article »

Analysis

Feds Aim For More Insight On Hacks With Maze Of Policies

As U.S. federal agencies push for more visibility into cyberattacks with a fast-developing patchwork of reporting rules, industry observers are keeping a close eye on how broadly the new laws will define covered entities and how quickly companies will be required to notify officials.

Read full article »

Analysis

Big Pharma Expected To Put Up Fight Over Drug Negotiations

After House Democrats on Friday approved landmark legislation allowing Medicare to negotiate prescription drug prices, attention is turning from Congress to the courts, where observers expect an angry pharmaceutical industry to seek judicial intervention after its lobbying efforts failed.

Read full article »

Analysis

The Quiet Power Of Amy Coney Barrett

She is not the most talkative at oral arguments nor does she write the most opinions, but Justice Amy Coney Barrett is a key player in the U.S. Supreme Court's conservative majority who seems to be in control over the law's rightward push.

Read full article »

Analysis

New Patent Bill Could Boost Diagnostics, But Needs Work

Patents on medical diagnostics have been repeatedly struck down under current patent eligibility standards, and while a new bill may help turn the tide if enacted, it needs revisions to ensure that methods of diagnosing disease can be patented, attorneys say.

Bill attached | Read full article »

Analysis

Book Publishing Industry Gets Close Read In Merger Trial

After two weeks presiding over the government's effort to stop Penguin Random House's planned purchase of Simon & Schuster, U.S. District Judge Florence Y. Pan has shown both skepticism and frustration with arguments made by both sides of the merger fight.

Read full article »

Analysis

Griner Sentencing Moves Case Toward Hazy Diplomatic Phase

Russia's sentencing of WNBA All-Star Brittney Griner to nine years in a penal colony on drug trafficking charges marked an important shift in the U.S. government's effort to bring the basketball superstar home, as the legal process gave way to a fully diplomatic effort.

Read full article »

House Sends Landmark Tax And Climate Bill To Biden

The House on Friday passed the tax, climate and health care legislation known as the Inflation Reduction Act, sending the measure to President Joe Biden for his signature.

Bill attached | Read full article »

Threats Over Mar-A-Lago Warrant Not Surprising, Say Judges

The attacks against U.S. Magistrate Judge Bruce E. Reinhart on social media show that Congress, which has been dragging its feet on legislation to address judicial safety, isn't doing enough, federal judges told Law360 Pulse.

Read full article »

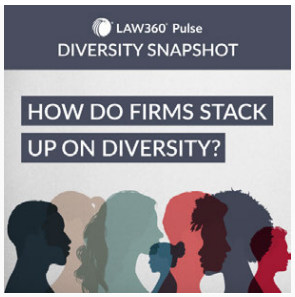
Meet Trump's New Hip-Hop Lawyer In Georgia Probe

Former President Donald Trump is pretty comfortable with lawyers of all stripes. His newest hire for a Georgia probe of election interference is Atlanta attorney Drew Findling, a pro-choice, anti-mass incarceration advocate best known for representing hip-hop luminaries such as Cardi B. Here, Law360 Pulse offers five things to know about Drew Findling.

Read full article »

Eastman Faces DC Bar Complaint For 2020 Election 'Scheme'

Embattled lawyer John Eastman has been slapped with an ethics complaint in Washington, D.C., accusing him of



LAW FIRMS IN TODAY'S NEWS

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Cleary Gottlieb
Consumer Litigation Associates
Cooley LLP
Crowell & Moring
Crowley Fleck
DLA Piper
Davis Polk
Duane Morris LLP
Eisenberg & Baum
Fish & Richardson
Fox Rothschild
Gerber Ciano
Gibbons PC
Gibson Dunn
Goldberg & Rosen
Goldberg Segalla
Goodwin Procter
Greenberg Traurig
Grossman Roth
Gunderson Palmer
Harris Wiltshire
Hausfeld LLP
Haynes & Boone
Heise Suarez
Hogan Lovells
Hunton Andrews
Jenner & Block
Jomarron Lopez
Kennedys Law LLP
Kilpatrick Townsend
King & Spalding

abusing his law license as he worked on behalf of then-President Donald Trump on legal challenges aimed at upending the results of the 2020 presidential election.

Complaint attached | Read full article »

BANKING & SECURITIES

CFTC Adopts Swaps Clearing Changes In Prep For Libor's End

The U.S. Commodity Futures Trading Commission on Friday released a final rule updating its interest rate swap clearing requirements in preparation for the imminent demise of the London Interbank Offered Rate, or Libor, the latest step forward in a multiyear, industrywide transition.

1 document attached | Read full article »

ENERGY & ENVIRONMENTAL

Obama-Era Coal Policy Reignited Pending Fed Review

A Montana federal judge Friday reinstated a halt on federal coal leasing that was imposed by the Obama administration and then gutted by the Trump administration, saying a federal review needs to be completed to analyze the environmental effects of rolling back the moratorium.

Order attached | Read full article »

DC Circ. Sends Chevron Offshore Oil Rig Fight To 9th Circ.

A D.C. Circuit panel ruled Friday that Chevron Corp. needs to head to the Ninth Circuit with its challenge to the U.S. Environmental Protection Agency's finding that two of the company's soon-to-be-decommissioned offshore oil platforms are still subject to Clean Air Act regulations.

Opinion attached | Read full article »

DC Circ. Says Racers Didn't Show Emissions Rule Was U-Turn

The D.C. Circuit on Friday tossed a challenge to Obama-era greenhouse gas and fuel efficiency standards, ruling a group of car racing enthusiasts and suppliers failed to show the EPA made a policy U-turn or that updated standards caused them harm.

Opinion attached | Read full article »

Groups Ink Deal To End BLM Colo. Oil & Gas Plan Challenge

The U.S. Department of the Interior agreed to stop new oil and gas leasing across 2.2 million acres of southwestern Colorado until additional environmental review and resource management plans are completed, in a settlement with environmental groups.

2 documents attached | Read full article »

Bipartisan Bill Would Amp Up Broadband Along Electric Grid

A pair of senators are touting a bipartisan bill that would support the installation of broadband equipment along the nation's power grid to ease the deployment of high-speed internet in hard-to-reach areas.

Bill attached | Read full article »

HEALTH & LIFE SCIENCES

NYC Council Passes Package Addressing Pregnancy Bias

The New York City Council passed a legislative package to expand maternal health care services in the city and address systemic disparities in care for people of color, including a bill to educate the public on the discrimination pregnant people face and workplace accommodations available for them.

Bill attached | Read full article »

EMPLOYMENT & BENEFITS

BofA Beats Suit Over Md. Unemployment Benefits Cards

A Baltimore federal judge has thrown out a proposed consumer class action accusing Bank of America of bungling its management of Maryland's unemployment benefits debit cards during the pandemic, ruling on Thursday the plaintiff couldn't invoke the protections of the federal law he sued under.

Opinion attached | Read full article »

2nd Circ. Backs MTA's Win In Deaf Applicant's Bias Suit

Kirkland & Ellis
Kirkman Law Firm
Kozyak Tropin
Kramer Levin
Lankler Siffert
Latham & Watkins
Law Firm of Gary Williams Parenti Watson & Gary
Law Office of Bryan L. Sells
Leech Tishman
Lewis Brisbois
LippSmith LLP
Lowenstein Sandler
Manatt Phelps
Morgan Lewis
Morrison Foerster
Norton Rose
O'Melveny & Myers
Paul Hastings
Paul Weiss
Perseus Strategies
Pita Weber
Podhurst Orseck
Potter Anderson
Quinn Emanuel
Reed Smith
Ridley McGreevy
Ropes & Gray
Saltz Mongeluzzi
Saul Ewing
Schwegman Lundberg
Searcy Denney
Shearman & Sterling
Sheppard Mullin
Shook Hardy
Sidley Austin
Silva & Silva PA
Simpson Thacher
Skadden Arps
Steptoe & Johnson LLP
Sterne Kessler
Stinson LLP
Sullivan & Worcester
Taylor English
Taylor Lee & Associates
Troutman Pepper
Wachtell Lipton
Whitaker Chalk
White & Case
Wiley Rein
Williams & Connolly
Wilson Sonsini
Winston & Strawn
Withersworldwide

COMPANIES IN TODAY'S NEWS

AARP Inc.
American Association of State Highway and Transportation Officials
American Bankers Association
American Bar Association
American Property Casualty Insurance Association
Andreessen Horowitz LLC
Apple Inc.
Archer-Daniels-Midland Co.
Associated Press

The Second Circuit on Friday upheld the New York City bus system's defeat of a suit alleging it failed to provide a sign language interpreter to a deaf job applicant, saying the transit authority wasn't legally required to do so because he wasn't qualified for the position he wanted.

Opinion attached | Read full article »

COMPETITION

Ex-Poultry Execs Can't Bypass Grand Jury Secrecy, Feds Say

The U.S. Department of Justice urged a Colorado federal court to withhold grand jury transcripts from former chicken industry executives facing price-fixing accusations, saying that the officials haven't shown a specific need for the information.

Response attached | Read full article »

Change's Data Can't Be Used Anti-Competitively, Judge Told

An expert witness for UnitedHealth Group and Change Healthcare testified Friday there's no real risk the proposed $13.8 billion deal to buy Change would give a UHG subsidiary a leg up on rival insurers, assailing the U.S. Department of Justice for making overblown predictions about how Change's data could be used to hurt competitors.

Read full article »

INTERNATIONAL TRADE

Commerce Adds 4 Emerging Technologies To Control List

The Bureau of Industry and Security, part of the U.S. Department of Commerce, announced a new rule Friday limiting exports of four emerging technologies it called "essential to the national security of the United States," including two semiconductor substrates, integrated circuit design software and pressure gain combustion technology.

1 document attached | Read full article »

TAX

Analysis

3 Things State Tax Pros Should Know About The Inflation Act

State tax professionals are still digesting Democrats' tax, climate and health care legislation known as the Inflation Reduction Act, but at first blush, they see several provisions that could have a significant effect on states. Here, Law360 presents three provisions of the bill to know.

Read full article »

Analysis

New 25% Chip Tax Credit Sparks Interest Amid Uncertainty

Semiconductor companies can receive a 25% tax credit thanks to a new law designed to help boost domestic chip production, but the incentive has practitioners uncertain as to what kind of investments can qualify.

Read full article »

NATIVE AMERICAN

SD County Must Fix Native American Vote Dilution

A South Dakota county must change its current voting system after a federal judge ruled that county officials likely violated the Voting Rights Act by diluting Native Americans' voting and that a new plan must be found, even with elections approaching in November.

Order attached | Read full article »

TELECOMMUNICATIONS

FCC Permanently Allows Amtrak To Deploy Safety Controls

The Federal Communications Commission moved Thursday to allow Amtrak to permanently deploy congressionally required safety technology on a railway connecting Poughkeepsie to Schenectady, New York.

Letter attached | Read full article »

DC Circ. Upholds FCC's Revamp Of Auto Safety Band

The D.C. Circuit on Friday upheld the Federal Communications Commission's move to reconfigure a spectrum band previously reserved for roadway safety to make room for unlicensed wireless devices such as Wi-Fi.

Opinion attached | Read full article »

CANNABIS

Bank of America Corp.
Bates White LLC
Baylor University
CRST International Inc.
Cable News Network Inc.
Cargill Inc.
Center for Biological Diversity
Change Healthcare Inc.
Chevron Corp.
Citadel Enterprise Americas LLC
Cognizant Technology Solutions Corp.
Coinbase Global Inc.
Colonial Pipeline Co.
Colorado Rockies
DaVita Inc.
Deloitte Touche Tohmatsu Ltd.
Earthjustice
Endeavor Operating Company LLC
Ernst & Young LLP
Federal Bar Association
Georgetown University
Getty Images Inc.
Google LLC
Gucci Group NV
Hachette Book Group Inc.
HarperCollins Publishers LLC
Huntington Bancshares Inc.
Instagram Inc.
JAMS Inc.
Lions Gate Entertainment Corp.
MSP Recovery
Macmillan Publishers Ltd.
Massachusetts Institute of Technology
McDonald's Corp.
Metropolitan Transportation Authority
Mirae Asset Financial Group
Mitratech Holdings Inc.
Mizuho Bank Ltd.
NBCUniversal Media LLC
National Association of Criminal Defense Lawyers
National Association of Mutual Insurance Companies
National Mining Association
Native American Rights Fund Inc.
NetSuite Inc.
Northeastern University
Onyx Renewable Partners LP
Optum Inc.
PGA TOUR Inc.
Paramount Global
Pharmaceutical Research and Manufacturers of America
Pilgrim's Pride Corp.
Ruby Tuesday Inc.
Sequoia Capital Operations LLC
Sierra Club
Simon & Schuster Inc.
Sompo International Holdings Ltd.
Space Exploration Technologies Corp.
Spotify Technology SA
State Bar of California
State Bar of Georgia
Surfside

Cannabis Bill Roundup: Mass. Social Equity Bill Becomes Law

A landmark piece of legislation to reform Massachusetts' cannabis laws was approved by the governor, while a New Jersey lawmaker filed a bill eyeing potential future interstate cannabis commerce in the Northeast. Here are the major moves in cannabis and drug reform legislation from the past week.

1 document attached | Read full article »

Ga. Regulators Urge 11th Circ. To Toss Pot Co. Appeal

Georgia medical cannabis regulators urged the Eleventh Circuit on Wednesday to toss an appeal brought by a company that was denied a production license, saying the business had no standing to sue since cannabis remains federally illegal.

Brief attached | Read full article »

PEOPLE

Ex-Special Counsel For Jan. 6 Panel Joins Jenner & Block

Jenner & Block LLP is bringing on a former solicitor general of Virginia and special counsel to the committee investigating the Jan. 6 attack on the Capitol as a partner in its appellate practice in Washington, D.C., the firm said Friday.

Read full article »

US Auto Safety Chief To Rejoin California Air Resources Board

The head of the National Highway Traffic Safety Administration is leaving the federal auto safety regulator to rejoin the California Air Resources Board in September, stepping down just months after he was confirmed by the U.S. Senate.

Read full article »

EXPERT ANALYSIS

Inflation Reduction Act Loan Funds Will Aid Energy Innovation

By providing an extra $70 billion to the U.S. Department of Energy's Loan Program Office, the Inflation Reduction Act has the potential to significantly increase financing for innovative energy production and storage projects — and to do so in a fiscally responsible manner, say attorneys at Kilpatrick.

Read full article »

Pa. Cannabis Banking Law Won't Allay Finance Industry Fears

Though a new Pennsylvania law allows financial institutions and insurers to provide services to the state's legal cannabis industry, it's unlikely to assuage most financial industry operators' fears of federal reprisal, and their reluctance to work with cannabis businesses will surely persist, says Michael Sampson at Leech Tishman.

Read full article »

Preparing For Small Biz Subcontractor Evals After New Rules

With the U.S. Small Business Administration's rules requiring prime contractors to provide past-performance evaluations going into effect this month, large government contractors and small business subcontractors should consider the additional administrative burdens and compliance risks, says Tyler Evans at Steptoe & Johnson.

Read full article »

State Ransomware Payment Laws Raise Insurance Questions

Recent Florida and North Carolina statutory prohibitions on government agencies' ransomware payments will not just affect public entities' response to ransomware incidents, but also require consideration from insurers whose policies may cover ransom payments, say Ted Brown and Mallory Meaney at Wiley.

Read full article »

Nursing Homes Must Brace For Data-Driven DOJ Scrutiny

The U.S. Department of Justice's recently filed False Claims Act complaint against American Health Foundation signals the ramp-up of a DOJ initiative to scrutinize substandard nursing home quality — and a greater reliance on data analysis in enforcement, say Brenna Jenny and Francesca Ozinal at Sidley.

Complaint attached | Read full article »

Surgical Care Affiliates Inc.
TaskUs Inc.
Tax Foundation
Tesla Inc.
The E.W. Scripps Company
The New York Times Co.
TransUnion LLC
Twitter Inc.
United States Soccer Federation Inc.
UnitedHealth Group Inc.
UnitedLex Corp.
University of California Davis
VOYlegal LLC
Valor Equity Partners LP
W. W. Norton & Company Inc.
WNBA Enterprises LLC
Walgreens Co.
Walmart Inc.
Washington Post Co.
Western Environmental Law Center
Western Sugar Cooperative
Zeughauser Group LLC

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bank of England
Bureau of Industry and Security
Bureau of Land Management
California Air Resources Board
California Department of Justice
Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Clayton County, Georgia
Commodity Futures Trading Commission
Competition and Markets Authority
Congressional Research Service
Delaware Court of Chancery
Energy Information Administration
Equal Employment Opportunity Commission
European Commission
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Georgia Access to Medical Cannabis Commission
Georgia Attorney General's Office
Internal Revenue Service
Massachusetts Cannabis Control Commission
National Highway Traffic Safety Administration
National Railroad Passenger Corp.
National Telecommunications and Information Administration
New Jersey Legislature
New Mexico Attorney General's Office

Expect More DOJ Labor Market Enforcement, Despite Losses

Though the U.S. Department of Justice faced trial setbacks earlier this year, it seems undeterred in its labor market enforcement, not only from investigating and prosecuting antitrust violations, but also in its efforts to generate precedent and drive doctrine around these issues, says Carsten Reichel at Norton Rose.

Read full article »

Opinion

The Defense Bar Must Push Back On Social Inflation

Social and litigation trends such as the rise of opioid and #MeToo cases have led to greater risks of nuclear verdicts for the defense bar and insurers, making efforts for tort reform, regulation of litigation funding and coordinated defense strategies essential, say Christopher Carroll and Joshua Wirtshafter at Kennedys and Rachel Kim at Sompo International.

Read full article »

A Law Firm's Guide To Avoiding Client Conflicts

With the pace of law firm mergers accelerating, Mark Hinderks at Stinson reviews the conflict of interest rules that may derail a deal or cause a firm to lose a new or existing client, and how courts have filled in perceived gaps in the rules.

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LEGAL INDUSTRY

Trump Warrant Shows Espionage, Obstruction Investigation

Former President Donald Trump is under investigation for obstruction of justice and potential violations of the Espionage Act, according to a search warrant for his Mar-a-Lago property unsealed Friday afternoon.

Read full article »

Sheppard Mullin Entertainment Atty's Star Turn As Filmmaker

In his more than 30 years as an entertainment lawyer, Robert Darwell, a partner with Sheppard Mullin Richter & Hampton LLP, has handled virtually every legal aspect of moviemaking, including writing contracts and leases for production offices, arranging financing and securing intellectual property rights. Despite all that exposure to the film world, he'd never actually made a film himself — until now, that is.

Read full article »

Insurer Fighting Coverage Of $21M LeClairRyan Settlement

An insurance business has urged a Kansas federal court to rule it has no obligation to defend or indemnify UnitedLex Corp. in an underlying lawsuit in which the legal services company is accused of conspiring to mismanage the joint venture of a law firm on the verge of bankruptcy.

Read full article »

Analysis

Subpoena Blizzard Sets Stage For Musk-Twitter Trial In Del.

There are captains of finance, titans of tech, friends of Elon Musk, defenders of Twitter, financial firms, banks, lawyers and more, all caught in a blizzard of subpoenas tied to Twitter's lawsuit in Delaware Chancery Court challenging Musk's attempt to terminate his $44 billion offer to buy the social media giant.

Read full article »

Skadden, Baylor-Linked Foundation End Billing Row In Texas

Skadden Arps Slate Meagher & Flom LLP has resolved a fight with a former client, a Baylor University-affiliated nonprofit, over a $2.4 million bill for the firm's six months of work for the foundation, court records show.

Read full article »

Judge Orders Scam Claimants In $1B Surfside Deal To Court

The judge overseeing the consolidated litigation over the collapse of the Champlain Towers South condominium in Surfside, Florida, has ordered the filers of hundreds of

New York Attorney General's Office
New York City Council
Northern Cheyenne Tribe
Occupational Safety and Health Administration
Office of the Comptroller of the Currency
Small Business Administration
Texas Supreme Court
Transportation Security Administration
U.S. Air Force
U.S. Attorney's Office for the District of Colorado
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Commerce
U.S. Department of Energy
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maryland
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Southern District of Florida
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Secret Service
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Colorado
United States District Court for the District of Kansas
United States District Court for the District of Montana
United States District Court for the District of South Dakota
Wage and Hour Division
Washington Attorney General's Office

presumptively fraudulent claims against the $1 billion global settlement to show up in person in his courtroom to testify under oath.

Read full article »

Apple Jury Notes Shed Light On Misconduct Ahead Of Mistrial

Jury notes entered Thursday from the trial for Pinn Inc.'s $42 million patent infringement suit over Apple's AirPods revealed two incidents of possible jury misconduct that may explain the judge's decision to declare a mistrial, including a juror doing outside research and another mocking up a demonstrative exhibit for deliberations.

Read full article »

Women's Team Nets Approval For $24M US Soccer Settlement

Barring any extraordinary developments in the next four months, the U.S. women's national soccer team is one step away from officially receiving a $24 million payout from the U.S. Soccer Federation, after a California federal judge preliminarily approved their class settlement.

Read full article »

Justices Urged To Clarify Fair Use Through Warhol Art IP Row

The head of the American Bar Association's copyright division said Friday that the U.S. Supreme Court should establish a clear standard for fair use in a copyright battle over Andy Warhol artwork based on a photo of musician Prince, arguing it's a chance for the court to spell out what counts as a transformative work.

Read full article »

Ex-GC Says Energy Co. Has No Case In Trade Secrets Suit

The former general counsel of a solar company in New York asked a federal judge to toss a suit that the company brought in May, accusing the lawyer of stealing trade secrets from its digital cloud, arguing the company has no evidence to prove theft.

Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

General counsel should be aware of indirect ramifications of the Inflation Reduction Act that's likely to become law, and industry observers are watching how quickly companies will be required to notify officials under new measures that push for more visibility into cyberattacks. These are some of the stories in corporate legal news you may have missed in the past week.

Read full article »

Podcast

Pro Say: The Antitrust Fight Tearing Pro Golf Apart

The contentious battle over the newly formed, Saudi Arabia-funded LIV Golf is rocking the professional golf world, with a group of players arguing that the PGA Tour violated antitrust laws by refusing to allow them to participate in both events.

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SUBJECT: Big Pharma Expected To Put Up Fight Over Drug Negotiations
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 15/08/2022 03:35

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Monday, August 15, 2022

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TOP NEWS

Analysis

Big Pharma Expected To Put Up Fight Over Drug Negotiations

After House Democrats on Friday approved landmark legislation allowing Medicare to negotiate prescription drug prices, attention is turning from Congress to the courts, where observers expect an angry pharmaceutical industry to seek judicial intervention after its lobbying efforts failed.

Read full article »

Change's Data Can't Be Used Anti-Competitively, Judge Told

An expert witness for UnitedHealth Group and Change Healthcare testified Friday there's no real risk the proposed $13.8 billion deal to buy Change would give a UHG subsidiary a leg up on rival insurers, assailing the U.S. Department of Justice for making overblown predictions about how Change's data could be used to hurt competitors.

Read full article »

6th Circ. Upholds Hospital's Win In Nurse's ADA Suit

The Sixth Circuit upheld a win Friday for a Michigan hospital in a former nurse anesthetist's lawsuit alleging she was unlawfully fired after she had a concussion at work, saying she couldn't sue the hospital under federal disability law because it wasn't technically her employer.

Opinion attached | Read full article »

Health Hires: WelbeHealth, Enzo Biochem, CooperCompanies

WelbeHealth, Enzo Biochem and CooperCompanies have all named new legal heads, highlighting Law360's latest roundup of personnel moves in health care and life sciences.

Read full article »

POLICY & REGULATION

House Sends Landmark Tax And Climate Bill To Biden

The House on Friday passed the tax, climate and health care legislation known as the Inflation Reduction Act, sending the measure to President Joe Biden for his signature.

Bill attached | Read full article »

Analysis

3 Things State Tax Pros Should Know About The Inflation Act

State tax professionals are still digesting Democrats' tax, climate and health care legislation known as the Inflation Reduction Act, but at first blush, they see several provisions that could have a significant effect on states. Here, Law360 presents three provisions of the bill to know.

Read full article »

ENFORCEMENT & COMPLIANCE

Pharma Exec Admits Lying To FDA About Weight-Loss Drug

The chief operating officer of a New Jersey pharmaceutical company has admitted that he lied and submitted falsified documents to federal regulators in an attempt to gain rights

COMPANIES IN TODAY'S NEWS

AARP Inc.
Allianz SE Reinsurance
American Bankers Association
American Bar Association
Andreessen Horowitz LLC
Apple Inc.
Archer-Daniels-Midland Co.
Associated Press
Baylor University
Boston Celtics
Brooklyn Nets
CRST International Inc.
Cable News Network Inc.
Cargill Inc.
Change Healthcare Inc.
Chevron Corp.
Chicago Bulls
Cincinnati Financial Corp.
Citadel Enterprise Americas LLC
Cognizant Technology Solutions Corp.
Coinbase Global Inc.
DaVita Inc.
Deloitte Touche Tohmatsu Ltd.
Eli Lilly & Co.
Enzo Biochem Inc.
Ernst & Young LLP

to a weight-loss drug he did not actually own, authorities said Friday.

Read full article »

Appalachia Opioid Charges Dropped After High Court Ruling

The U.S. Department of Justice has dropped its charges against the remaining defendants in a case accusing a defunct drug distributor, two of its executives and two pharmacists of colluding to flood small towns in Appalachia with highly addictive painkillers, after a U.S. Supreme Court ruling made such cases harder to prove.

2 documents attached | Read full article »

Head Suspect In NBA Health Fraud Scheme To Cop Plea

A former NBA player charged with masterminding a nearly $4 million health care fraud scheme is planning to enter a guilty plea later this month, according to a Thursday filing in Manhattan federal court.

Order attached | Read full article »

LITIGATION

Wis. Court Ends Hospital's COVID-19 Coverage Bid

A Wisconsin federal judge tossed a Milwaukee health system's bid for pandemic-related loss coverage from Factory Mutual Insurance Co., finding that the case falls in line with many other similar suits rejected by courts.

Decision attached | Read full article »

Rite Aid Illegally Altered Workers' Health Care, NLRB Says

The National Labor Relations Board found that Rite Aid unlawfully changed health care insurance benefits for retirees and part-time workers without bargaining with a United Food and Commercial Workers local, affirming an agency judge's decision in the case and amending some remedies in a prior ruling.

Decision attached | Read full article »

Fla. Judges Say Baptist Hospital Malpractice Suit Can Proceed

A Florida appellate court on Wednesday revived a medical malpractice suit filed against Baptist Hospital in Pensacola by a woman who sustained brain damage, disagreeing with a lower court that found the company can't be held liable for actions by a contracted doctor.

Opinion attached | Read full article »

Health District Seeks 9th Circ. Redo In Virus Coverage Row

A California health care district asked the Ninth Circuit to rehear its COVID-19 insurance coverage appeal against a Zurich Insurance Group unit, arguing in a petition that the court's previous decision glosses over policy provisions the health district said provide coverage.

Petition attached | Read full article »

Investors Sue Pharma Co. In Chancery Over Diabetes Drug

A shareholder of Provention Bio Inc. filed a derivative suit against the company's officers and directors in Delaware's Chancery Court for damages surrounding the alleged hype of a type 1 diabetes drug that failed to gain regulatory approval as promised.

Read full article »

EXPERT ANALYSIS

Nursing Homes Must Brace For Data-Driven DOJ Scrutiny

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Complaint attached | Read full article »

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Federal Bar Association
Froedtert & The Medical College of Wisconsin
Georgetown University
Getty Images Inc.
Google LLC
Gucci Group NV
Huntington Bancshares Inc.
Instagram Inc.
Iora Health LLC
JAMS Inc.
Lions Gate Entertainment Corp.
Los Angeles Clippers
MSP Recovery
MacroGenics Inc.
Massachusetts Institute of Technology
McDonald's Corp.
Mirae Asset Financial Group
Mitratech Holdings Inc.
Mizuho Bank Ltd.
NBCUniversal Media LLC
National Association of Criminal Defense Lawyers
NetSuite Inc.
Northeastern University
Onyx Renewable Partners LP
Optum Inc.
PGA TOUR Inc.
Palomar Health
Pharmaceutical Research and Manufacturers of America
Philadelphia 76ers
Provention Bio Inc.
Rite Aid Corp.
Ruby Tuesday Inc.
Sequoia Capital Operations LLC
Sompo International Holdings Ltd.
Space Exploration Technologies Corp.
Spotify Technology SA
State Bar of California
State Bar of Georgia
Surfside
Surgical Care Affiliates Inc.
TaskUs Inc.
Tax Foundation
Tesla Inc.
The E.W. Scripps Company
The New York Times Co.
TransUnion LLC
Twitter Inc.
United Food & Commercial Workers International Union
United States Soccer Federation Inc.
UnitedHealth Group Inc.
UnitedLex Corp.
VOYlegal LLC
Valor Equity Partners LP
Walgreens Co.
Walmart Inc.
Washington Post Co.
Western Sugar Cooperative
Zeughauser Group LLC
Zurich Insurance Group AG

LAW FIRMS IN TODAY'S NEWS

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LEGAL INDUSTRY

Threats Over Mar-A-Lago Warrant Not Surprising, Say Judges

The attacks against U.S. Magistrate Judge Bruce E. Reinhart on social media show that Congress, which has been dragging its feet on legislation to address judicial safety, isn't doing enough, federal judges told Law360 Pulse.

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Trump Warrant Shows Espionage, Obstruction Investigation

Former President Donald Trump is under investigation for obstruction of justice and potential violations of the Espionage Act, according to a search warrant for his Mar-a-Lago property unsealed Friday afternoon.

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Meet Trump's New Hip-Hop Lawyer In Georgia Probe

Former President Donald Trump is pretty comfortable with lawyers of all stripes. His newest hire for a Georgia probe of election interference is Atlanta attorney Drew Findling, a pro-choice, anti-mass incarceration advocate best known for representing hip-hop luminaries such as Cardi B. Here, Law360 Pulse offers five things to know about Drew Findling.

Read full article »

Ex-Special Counsel For Jan. 6 Panel Joins Jenner & Block

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Analysis

The Quiet Power Of Amy Coney Barrett

She is not the most talkative at oral arguments nor does she write the most opinions, but Justice Amy Coney Barrett is a key player in the U.S. Supreme Court's conservative majority who seems to be in control over the law's rightward push.

Read full article »

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Robbins LLP
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Sheppard Mullin Entertainment Atty's Star Turn As Filmmaker

In his more than 30 years as an entertainment lawyer, Robert Darwell, a partner with Sheppard Mullin Richter & Hampton LLP, has handled virtually every legal aspect of moviemaking, including writing contracts and leases for production offices, arranging financing and securing intellectual property rights. Despite all that exposure to the film world, he'd never actually made a film himself — until now, that is.

Read full article »

Insurer Fighting Coverage Of $21M LeClairRyan Settlement

An insurance business has urged a Kansas federal court to rule it has no obligation to defend or indemnify UnitedLex Corp. in an underlying lawsuit in which the legal services company is accused of conspiring to mismanage the joint venture of a law firm on the verge of bankruptcy.

Read full article »

Analysis

Subpoena Blizzard Sets Stage For Musk-Twitter Trial In Del.

There are captains of finance, titans of tech, friends of Elon Musk, defenders of Twitter, financial firms, banks, lawyers and more, all caught in a blizzard of subpoenas tied to Twitter's lawsuit in Delaware Chancery Court challenging Musk's attempt to terminate his $44 billion offer to buy the social media giant.

Read full article »

Skadden, Baylor-Linked Foundation End Billing Row In Texas

Skadden Arps Slate Meagher & Flom LLP has resolved a fight with a former client, a Baylor University-affiliated nonprofit, over a $2.4 million bill for the firm's six months of work for the foundation, court records show.

Read full article »

Judge Orders Scam Claimants In $1B Surfside Deal To Court

The judge overseeing the consolidated litigation over the collapse of the Champlain Towers South condominium in Surfside, Florida, has ordered the filers of hundreds of presumptively fraudulent claims against the $1 billion global settlement to show up in person in his courtroom to testify under oath.

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Apple Jury Notes Shed Light On Misconduct Ahead Of Mistrial

Jury notes entered Thursday from the trial for Pinn Inc.'s $42 million patent infringement suit over Apple's AirPods revealed two incidents of possible jury misconduct that may explain the judge's decision to declare a mistrial, including a juror doing outside research and another mocking up a demonstrative exhibit for deliberations.

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Women's Team Nets Approval For $24M US Soccer Settlement

Barring any extraordinary developments in the next four months, the U.S. women's national soccer team is one step away from officially receiving a $24 million payout from the U.S. Soccer Federation, after a California federal judge preliminarily approved their class settlement.

Read full article »

Justices Urged To Clarify Fair Use Through Warhol Art IP Row

The head of the American Bar Association's copyright division said Friday that the U.S. Supreme Court should establish a clear standard for fair use in a copyright battle over Andy Warhol artwork based on a photo of musician Prince, arguing it's a chance for the court to spell out what counts as a transformative work.

Read full article »

Ex-GC Says Energy Co. Has No Case In Trade Secrets Suit

The former general counsel of a solar company in New York asked a federal judge to toss a suit that the company brought in May, accusing the lawyer of stealing trade secrets from its digital cloud, arguing the company has no evidence to prove theft.

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In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most

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Taylor English
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GOVERNMENT AGENCIES IN TODAY'S NEWS

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Federal Trade Commission
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New Jersey Legislature
Occupational Safety and Health Administration
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the District of New Jersey
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Commerce
U.S. Department of Justice
U.S. Department of Labor
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
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buzz on Law360 last week.

Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

General counsel should be aware of indirect ramifications of the Inflation Reduction Act that's likely to become law, and industry observers are watching how quickly companies will be required to notify officials under new measures that push for more visibility into cyberattacks. These are some of the stories in corporate legal news you may have missed in the past week.

Read full article »

Podcast

Pro Say: The Antitrust Fight Tearing Pro Golf Apart

The contentious battle over the newly formed, Saudi Arabia-funded LIV Golf is rocking the professional golf world, with a group of players arguing that the PGA Tour violated antitrust laws by refusing to allow them to participate in both events.

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JOBS

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- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Southern District of New York
- U.S. Drug Enforcement Administration
- U.S. Environmental Protection Agency
- U.S. House of Representatives
- U.S. Patent and Trademark Office
- U.S. Securities and Exchange Commission
- U.S. Senate
- U.S. Supreme Court
- United States District Court for the District of Colorado
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SUBJECT: Morning Consult Health: CDC Regains Control of COVID-19 HospitalData Tracking, Report Says
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 15/08/2022 06:10

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 15, 2022

BY MATT BRACKEN

Twitter Email

New Data: The General Public's Alarm About Monkeypox

The general public in this country is nearly as concerned about the monkeypox outbreak as gay or bisexual men specifically, a new Morning

Consult survey found, even as federal data shows that men who have sex with other men make up to 94% of cases. Some findings from our story:

- 68% of gay or bisexual men are concerned about the spread of monkeypox in the United States, compared with 61% of all U.S. adults.
- Gay or bisexual men are more likely than the general public to say they'd get vaccinated against monkeypox if a vaccine were available to them.
- There's a knowledge gap among both groups when it comes to identifying methods of transmission.

Check out the full story here: Monkeypox Disproportionately Impacts Gay and Bisexual Men. But the General Public Is Almost as Alarmed by the Disease.

Top Stories

- An email viewed by Bloomberg shows the federal government is ending its contract with TeleTracking Technologies Inc., which has been tasked with the collection of COVID-19 hospitalization data for most of the pandemic, returning control of such tracking to the Centers for Disease Control and Prevention starting in mid-December. The CDC has fought a monthslong battle to win back control of COVID-19 hospital data from the Pittsburgh-based private company, which has been awarded more than $50 million in contracts since taking over the practice in the summer of 2020 at the urging of health officials, including then-White House Coronavirus Response Coordinator Deborah Birx. (Bloomberg)

- Sources inside and around the Biden administration say there are growing doubts about Health and Human Services Secretary Xavier Becerra's ability to manage the multiple health crises currently facing the country, with one current administration official saying that his push to shift responsibility over the monkeypox outbreak to the states reinforced a perception that "he doesn't want to take the heat for others." The White House said the premise that Becerra passed the buck to states on monkeypox was a "gross mischaracterization," while three people familiar with the discussions said some White House aides think the former California congressman, who is not believed to be at risk of being fired, could leave HHS at the end of 2022 to prepare for a 2024 Senate run. (Politico)

- A Reuters analysis found that the median yearly price of 13 Food and Drug Administration-approved novel medicines for chronic conditions in 2022 is $257,000, compared with a $180,000 median annual price for 30 drugs last year through mid-July, per a recent JAMA study. The Reuters analysis wasn't a shot-for-shot replica of the JAMA study, though it points to a continued trend of rising prices for new drugs. (Reuters)

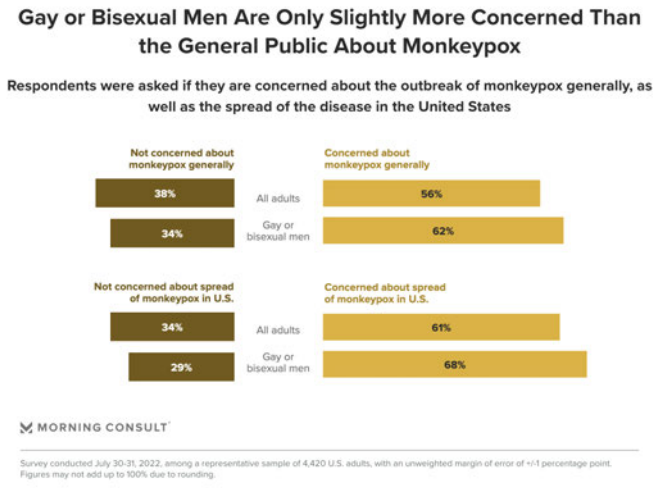
- The World Health Organization renamed the two branches of the monkeypox virus, as the Central African or Congo Basin clade will now be known as Clade I and the West African clade will be called

Clade II. The WHO is also in the process of renaming the disease by welcoming proposals for new names, while the International Committee on Taxonomy of Viruses is mulling a name change for the virus itself. (Stat News)

Chart Review

Monkeypox Disproportionately Impacts Gay and Bisexual Men. But the General Public Is Almost as Alarmed by the Disease

Morning Consult



Events Calendar (All Times Local)

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A MESSAGE FROM MORNING CONSULT

Geopolitical Competition and Infrastructure in the Americas

Robust demand for infrastructure investment in the Americas will pay geopolitical dividends for the U.S. and the E.U. and yield commercial opportunities for their multinationals. Download our latest report to

learn more about geopolitical openings and commercial opportunities in Argentina, Brazil, Colombia, & Mexico. Download today.

What Else You Need to Know

CORONAVIRUS

'Left to rot': The lonely plight of long Covid sufferers
Daniel Payne, Politico
Governments worldwide quickly mobilized to slow early Covid-19 infections, but patients stuck with long-term, debilitating symptoms from the virus — sometimes left unable to work or perform basic daily tasks — feel national and international responses have ignored one of the pandemic's most significant effects, nearly a dozen activists in 10 countries told POLITICO.

Colds and the flu ruin our winters. COVID isn't nearly as picky—but this could be changing
Erin Prater, Fortune
Colds and the flu are classic for ruining our fall and winter celebrations—Thanksgiving gatherings, Hanukkah festivals, Christmas craft fairs, New Years eve celebrations. COVID-19 isn't nearly as respectful.

1 in 4 Kids Hospitalized With COVID Have Symptoms Months Later
Steven Reinberg, HealthDay
More than a quarter of kids hospitalized with COVID-19 or a complication called multisystem inflammatory syndrome (MIS-C) continue to have health problems more than two months later, a new study finds.

How to Assess Covid-19 Risks After Easing of CDC Guidelines
Alex Janin, The Wall Street Journal
The easing of federal Covid-19 guidelines places responsibility ever more squarely on individuals to determine their own risk tolerance and behaviors.

How coronavirus vaccines saved oncologist-patient relationship
Jalal Baig, The Washington Post
Cancer care rests greatly on physical and emotional interactions, more so than with many other specialties. A life-altering cancer diagnosis and treatment offer little scope for physical, and emotional, distance between the oncologist, the patient and their family.

GENERAL

'Frustration and Stress': State Officials Fault Rollout of Monkeypox Vaccine
Apoorva Mandavilli, The New York Times
The federal government's distribution of monkeypox vaccine has been blemished by missteps and confusion, burdening local officials and slowing the pace of immunizations even as the virus spreads, according to interviews with state health officials and documents obtained by The New York Times.

Monkeypox may be here to stay

Krista Mahr, Politico

It may be too late to stop monkeypox from circulating in the U.S. permanently. The Biden administration was caught off-guard when the CDC confirmed monkeypox in a Massachusetts man on May 18. It was part of the first major outbreak outside parts of Africa where the virus is endemic, an unusual event that quickly spun into a global health crisis.

Monkeypox Outbreak: Dose-Sparing Vaccine Strategy Is No Easy Fix for Shortage

Madison Muller, Bloomberg

The US government's solution to the monkeypox vaccine shortage is so far only causing headaches for strained public health departments as the outbreak continues to grow in scale and scope.

Monkeypox? Climate? Deciding what's a national emergency

Will Weissert, The Associated Press

The Biden administration's declaration Aug. 4 of a public health emergency on monkeypox frees up federal money and resources to fight a virus that has already infected more than 10,000 people in the United States. But public health emergencies expire every 90 days, unless extended by the Department of Health and Human Services.

A monkeypox drug was approved under the 'Animal Rule.' STAT explains

Andrew Joseph, Stat News

Take a look at the list of conditions that have treatments available thanks to what's known as the "Animal Rule" and you'll see a rogues' gallery of plagues you hope never see the light of day. There's smallpox, anthrax, and, well, the actual plague.

Anti-abortion groups take aim at medicated, at-home abortions

Kimberly Kindy, The Washington Post

Two top antiabortion groups have crafted and successfully lobbied for state legislation to ban or further restrict the predominant way pregnancies are ended in the United States — via drugs taken at home, often facilitated by a network of abortion rights groups.

Polio was eradicated in the U.S. decades ago. How has it returned?

Erin Prater, Fortune

Until recently, there had been no cases of the sometimes disabling, occasionally deadly virus reported in the U.S. since 1979. And the Pan American Health Organization declared it eradicated from the Americas in 1994. But other countries like India and Sudan continued to struggle, and polio wasn't declared eradicated from Europe until 2002.

Boats, planes and automobiles: Projects aim to travel around restrictive state abortion laws

Olivia Olander, Politico

In Colorado, abortion medication comes from a van parked near the state border. In Illinois, an organization is recruiting pilots to fly patients out of restrictive states. And in the Gulf of Mexico, an OB-GYN envisions a clinic at sea.

Idaho Supreme Court rules that abortion restrictions can take effect amid legal challenges

CBS News

Idaho's strict abortion restrictions will be allowed to take effect while legal challenges over the laws play out in court, the Idaho Supreme Court ruled on Friday.

Louisiana's Abortion Trigger Bans Denied State High Court Review
Mary Anne Pazanowski and Jennifer Kay, Bloomberg Law
Laws banning almost all abortions in Louisiana will remain in effect after the state supreme court Friday denied an emergency motion to review an order that lifted a temporarily block on their enforcement.

NYC Mayor Adams Signs Six Bills Aiming to Bolster Abortion Care
Marie-Rose Sheinerman, Bloomberg
New York City Mayor Eric Adams signed six bills aimed at expanding abortion access, seeking to bolster the city's status as a haven for women from states with severe restrictions on the procedure.

Study: How many people have Tinnitus? What causes ringing in ears?
Christine Fernando, USA Today
Tinnitus, commonly described as a ringing in the ears, may affect about 750 million people around the world, according to new research based on about 50 years of data.

LGBTQ Groups Denounce Florida Plan to Limit Transgender Care
The Associated Press
LGBTQ and health groups have denounced a new rule by Florida health officials set to take effect later this month to restrict Medicaid insurance coverage for gender dysphoria treatments for transgender people.

Men's Body-Image Issues Got Worse During the Pandemic—Even if Many Didn't Realize It
Heidi Mitchell, The Wall Street Journal
Having a negative body image has long been considered a female problem. Countless books, videos and after-school specials have been devoted to highlighting the concern and the damage it does to girls and women. But men are nearly as likely to suffer from negative body-image concerns—and studies suggest that the stress and anxiety of the pandemic only made things worse.

PAYERS

Humana to acquire Wisconsin managed care plan Inclusa
Paige Minemyer, Fierce Healthcare
Humana will acquire a Wisconsin managed care plan in a bid to bulk up its Medicaid services, the insurer announced Friday.

PROVIDERS

Kaiser workers plan Monday strike, raise alarm about mental healthcare
Ginger Christ, Modern Healthcare
More than 2,000 mental health workers at Kaiser Permanente sites in Northern California plan to begin an open-ended strike Monday over staffing levels and patient access.

Mount Sinai, Regeneron unveil massive gene sequencing project
Dave Muoio, Fierce Healthcare

New York-based Mount Sinai Health System and biotech giant Regeneron have kicked off a new research project aiming to uncover new therapies and more customized care strategies from the sequenced genomes of 1 million patients.

Physician assistant role sees record growth
Mari Devereaux, Modern Healthcare
The National Commission on Certification of Physician Assistants said the number of newly certified professionals rose 10.4% in 2021. Altogether, there were 158,470 certified physician assistants in the U.S. last year.

PHARMA, BIOTECH AND DEVICES

Cancer patient who pushed for drug pricing reform isn't done yet
Rachel Cohrs, Stat News
After six years of relentless advocacy work, David Mitchell was finally on the cusp of defeating his Goliath — the pharmaceutical industry.

Drug-Price Rules for Seniors Change With Passage of Climate and Health Bill
Joseph Walker, The Wall Street Journal
Drug-pricing rules embedded in the Inflation Reduction Act will trigger the most significant changes in nearly two decades to the way the government pays for prescription drugs, including caps on patient spending and drugmaker price increases.

Emergent receives FDA warning letter over quality control issues
Reuters
Emergent BioSolutions Inc (EBS.N) said on Friday it had received a warning letter from the U.S. Food and Drug Administration, citing certain deficiencies at the contract drugmaker's manufacturing facility in Baltimore, Maryland.

U.S. and Switzerland working on facilitating pharma trade, U.S. ambassador says
Reuters
The United States and Switzerland can move towards free trade between their countries with sectoral deals and they are working on facilitating business in the pharmaceutical sector, the U.S. ambassador to Switzerland told the Tages Anzeiger newspaper.

Employers and the government will soon pay different prices for prescription drugs
Caitlin Owens, Axios
Democrats are on the cusp of their most significant health policy victory since passage of the Affordable Care Act, but the legislative wrangling it took to get here came at a steep cost: The prescription drug pricing reforms included in the health, tax and climate package are limited to Medicare and exclude the millions of Americans with private insurance.

A doctor says Mark Cuban's online pharmacy saved a patient over $1,000 a month on prescriptions
Alena Botros, Fortune
The Mark Cuban Cost Plus Drug Company, funded by tech billionaire and Shark Tank judge Mark Cuban, premiered in January. Since then, it has gained attention for its low prices compared to traditional pharmacies,

where drugs can cost considerably more for those who are uninsured or have a high-deductible plan.

Fungal infections are developing drug resistance
Aria Bendix, NBC News
Aspergillus and another fungus, Candida auris, are growing resistant to the treatments frequently used to fight them — in particular, a class of drugs called azoles.

Signify Health cutting nearly 500 employees
Gabriel Perna, Modern Healthcare
Fresh off rumors it could be acquired by CVS Health, Signify Health is laying off nearly 500 employees, beginning Oct. 1.

HEALTH TECHNOLOGY

Northwestern Memorial next in line for Meta class action
Dave Muoio, Fierce Healthcare
Northwestern Memorial Hospital has joined the list of hospitals and health systems facing legal complaints due to the alleged use of Facebook parent company Meta's data tracker on their patient portal.

OPINIONS, EDITORIALS AND PERSPECTIVES

'Long covid' may haunt 1 in 8 people — or more — for years to come
Editorial Board, The Washington Post
The term "long covid" came from early patients who called themselves "long-haulers" when their pandemic maladies lingered for months. It is now increasingly apparent that long covid presents a potential tidal wave of suffering — afflictions stemming from covid-19 that refuse to go away. The scope of the problem is still unknown. But a new study from the Netherlands offers important clues.

The Government's Stealth Health Insurance Takeover
The Editorial Board, The Wall Street Journal
The Health and Human Services Department recently made news with a report touting that "National Uninsured Rate Reaches All-Time Low in Early 2022." Sounds encouraging, but look beneath the covers and what you find is a quiet but enormous shift from private to government-subsidized coverage.

RESEARCH REPORTS

Understanding Covid Vaccine Efficacy over Time — Bridging a Gap Between Public Health and Health Care
Isaac Kohane and Gilbert S. Omenn, The New England Journal of Medicine
Imagine if we could track, for each patient seen at a health care facility, which Covid-19 vaccine they had received when and what their clinical evaluation revealed. We could then have near-real-time insights into the efficacy of vaccines, how that efficacy changes over time, how new viral strains alter it, and which viral and host features (including underlying medical conditions) lead to breakthrough infections in immunized people.

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SUBJECT: Re: Agenda for Social Services Appropriations Subcommittee onTuesday, Aug. 16, 2022 1:00 PM
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: Brandi Frandsen <btfrands@utah.gov>, Anna Fondario <afondario@utah.gov>, JANAE DUNCAN <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 15/08/2022 08:00

Hmm, still seeing this at 3:45 pm in the afternoon on this agenda.

On Sun, Aug 14, 2022, 4:05 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

> FYI----according to this agenda, it looks like the SCI/TBI cost sharing report item was moved up to the morning session.....
> HB
>
> ---------- Forwarded message ---------
> From: **Legislative Automated Email System** <boyd@le.utah.gov>
> Date: Fri, Aug 12, 2022 at 4:09 PM
> Subject: Agenda for Social Services Appropriations Subcommittee on Tuesday, Aug. 16, 2022 1:00 PM
> To:
>
> Link to document: https://le.utah.gov/Interim/2022/html/00003064.htm
> Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=APPSOC

1. 1:00 Call to Order

2. 1:05 Public Input on Topics on Today's Agenda

Please note: All members of the public wishing to speak to the committee must contact Debbie Benson before 2 p.m. Monday, Aug 15th at 801-243-2916. All public comment is subject to the discretion of the chairs.

3. 1:05 Unfinished Items from the Morning Agenda

4. 1:05 Opioid Settlement Fund Recommendations from Social Services

5. 1:25 Explore the Validity of Drug Tests in Medicaid

6. 1:55 How was ARPA Funding Used

7. 2:15 Projected Shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax

8. 2:30 Services for Pregnant Women With Substance Abuse Disorder

9. 2:50 Affordable Housing Funding

10. 3:00 Tour DSPD Waiting List Clients, Medicaid Waiver Recipients

11. 3:45 Spinal Cord and Brain Injury Rehabilitation Fund Cost Sharing

12. 4:00 Mental Health and Youth in Rural Utah, What Programs and Funding Exist for Them? Ages 3-21

13. 4:10 Refugee Assistance

14. 4:20 Follow Up on Performance Measures Audit

15. 4:50 Other Business

Please be aware that the public portions of this meeting will be broadcast live over the Internet. Also, be aware that an audio recording of the public portions of this meeting, along with any materials presented or distributed in the public portions of this meeting, will be posted on the Legislature's website. Witnesses with questions or concerns should contact staff.

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SUBJECT: Re: Agenda for Social Services Appropriations Subcommittee onTuesday, Aug. 16, 2022 1:00 PM
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 15/08/2022 09:30

Yes, sorry for creating confusion----I wasn't paying close enough attention, and because I opened this email first, I thought I was looking at the morning agenda.

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To:

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15. 4:50 Other Business

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Link to unsubscribe: https://le.utah.gov/tracking/unsubscribe.jsp?com=APPSOC&mess=538849&user=hborski@utah.gov

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SUBJECT: Re: Agenda for Social Services Appropriations Subcommittee onTuesday, Aug. 16, 2022 1:00 PM
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 15/08/2022 09:51

It's all good

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Aug 15, 2022 at 9:31 AM Heather Borski (DHHS) <hborski@utah.gov> wrote:
Yes, sorry for creating confusion----I wasn't paying close enough attention, and because I opened this email first, I thought I was looking at the morning agenda.

On Mon, Aug 15, 2022 at 8:00 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
Hmm, still seeing this at 3:45 pm in the afternoon on this agenda.

On Sun, Aug 14, 2022, 4:05 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:
FYI----according to this agenda, it looks like the SCI/TBI cost sharing report item was moved up to the morning session.....
HB

---------- Forwarded message ---------
From: **Legislative Automated Email System** <boyd@le.utah.gov>
Date: Fri, Aug 12, 2022 at 4:09 PM
Subject: Agenda for Social Services Appropriations Subcommittee on Tuesday, Aug. 16, 2022 1:00 PM
To:

Link to document: https://le.utah.gov/Interim/2022/html/00003064.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=APPSOC

1. 1:00 Call to Order

2. 1:05 Public Input on Topics on Today's Agenda

Please note: All members of the public wishing to speak to the committee must contact Debbie Benson before 2 p.m. Monday, Aug 15th at 801-243-2916. All public comment is subject to the discretion of the chairs.

3. 1:05 Unfinished Items from the Morning Agenda

4. 1:05 Opioid Settlement Fund Recommendations from Social Services

5. 1:25 Explore the Validity of Drug Tests in Medicaid

6. 1:55 How was ARPA Funding Used

7. 2:15 Projected Shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax

8. 2:30 Services for Pregnant Women With Substance Abuse Disorder

9. 2:50 Affordable Housing Funding

10. 3:00 Tour DSPD Waiting List Clients, Medicaid Waiver Recipients

11. 3:45 Spinal Cord and Brain Injury Rehabilitation Fund Cost Sharing

12. 4:00 Mental Health and Youth in Rural Utah, What Programs and Funding Exist for

Them? Ages 3-21

13. 4:10 Refugee Assistance

14. 4:20 Follow Up on Performance Measures Audit

15. 4:50 Other Business

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SUBJECT: Notes From the Field - AJPH August Issue
FROM: "Alfredo Morabia" <apha@apha.org>
TO: hborski@utah.gov
DATE: 15/08/2022 11:14

Dear Heather,

The August issue of *AJPH* features a special section on Notes From the Field, an article format that highlights meaningful field experiences.

Join APHA and get full access to AJPH, the official journal of the American Public Health Association.

[redacted]

Here are a few of the many articles in the August 2022 issue:

- Podcast: "Monkeypox Pandemic: How Can We Ensure An Equitable Response?" (Watch as a video)
- Notes From the Field: A Repository of Best Practices
- Reproductive Justice Matters: A Public Health of Consequence, August 2022
- Assessing the Impact of Vaccine Lotteries on COVID-19 Vaccination Rates in the United States in 2021
- Rapid Antigen Screening of Students and Staff for SARS-CoV-2 in Rural School Districts, Pierce County, WA, 2020
- NIOSH Risk-Based Model to Resume Field Research and Public Health Service in 2020 During the COVID-19 Pandemic
- Healthy Davis Together: Creating a Model for Community Control of COVID-19
- Impact of Massachusetts' Statewide Sales Restriction on Flavored and Menthol Tobacco Products on Tobacco Sales in Massachusetts and Surrounding States, June 2020
- Workplaces Most Affected by COVID-19 Outbreaks in California, January 2020–August 2021
- Potential Impact of Telemedicine for Medication Abortion Policy and Programming Changes on Abortion Accessibility in the United States

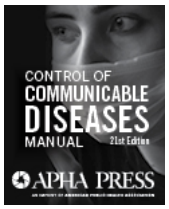
The mission of AJPH is to advance public health research, policy, practice and education. Toward that goal, the journal also produces monthly podcasts available in English and Chinese at ajph.org. The monthly podcasts are also on iTunes and Google Play.

Be on the lookout for more timely research from AJPH, and consider subscribing or becoming an APHA member for full access.

In good health.

Alfredo Morabia, MD, PhD
Editor-in-Chief, AJPH
@AlfredoMorabia
@AMJPublicHealth

AJPH Podcast



Thank you for all you are doing to address the ongoing pandemics of COVID-19 and racism. Please share our COVID-19 guidance in English and Spanish and read our statement on racism as you join in the chorus for justice. Our Advancing Racial Equity and COVID-19 Conversations webinars and COVID-19 and racism pages are also great resources for you and the public.

American Public Health Association
800 I St. NW, Washington DC 20001
www.apha.org
202-777-2742

Opt Out of emails highlighting articles in the American Journal of Public Health.

Unsubscribe from all future APHA emails. *Please Note: This will remove you from all APHA communications, including important updates, membership information and newsletters.*

higher logic

SUBJECT: DHHS Slides and Resources for August 16 SSA Subcommittee Meeting
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>, "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "Angella Pinna (DHHS)" <apinna@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Austin Preston (DHHS)" <austinpreston@utah.gov>, "Kody Harvey (DHHS)" <kharvey@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Rebecca King (DHHS)" <rbarnett@utah.gov>, "Mark Brasher (DHHS)" <mbrasher@utah.gov>, "Diane Moore (DHHS)" <dmoore@utah.gov>
DATE: 15/08/2022 11:18

Sean, Russell, and Kim -

Please see the attached slides/one-pagers for tomorrow's SSA meeting.

We will send the final two to all of you ASAP. They are for the following agenda items:

- Opioid Settlement Fund Recommendations from Social Services
- Mental Health and Youth in Rural Utah, What Programs and Funding Exist for Them? Ages 3-21

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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[redacted]

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SUBJECT: Feds Want Mar-a-Lago Warrant Affidavit Kept Under Wraps
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 16/08/2022 01:54

LAW360

Tuesday, August 16, 2022

Follow

TOP NEWS

Feds Want Mar-a-Lago Warrant Affidavit Kept Under Wraps

Federal prosecutors on Monday asked a Florida federal judge to keep the affidavit in support of the search warrant for former President Donald Trump's Mar-a-Lago residence sealed, citing national security concerns and calling the document a "roadmap" to the government's ongoing criminal investigation.

5 documents attached | Read full article »

Roy Moore Wins $8.2M Defamation Verdict Over Dem PAC Ad

Roy Moore, the former Alabama Supreme Court leader who lost his bid for a U.S. Senate seat following allegations of sexual improprieties with young girls, has won an $8.2 million verdict against a Democratic group and a media company.

Verdict attached | Read full article »

2nd Circ. Vacates $1.5B Order In Family's Case Against Iran

A Second Circuit panel has vacated and remanded an order to collect $1.5 billion from a Kuwaiti bank in favor of the family of a U.S. citizen who was allegedly held captive and tortured for years in Iran.

Opinion attached | Read full article »

Sen. Graham Must Testify In Ga. Election Probe

U.S. Sen. Lindsey Graham, R-S.C., can't quash a subpoena to appear in a Georgia criminal investigation of possible election interference by former President Donald Trump and others, a Georgia federal judge ruled Monday.

Order attached | Read full article »

Jan. 6 Committee Seeks To Toss Miller Subpoena Challenge

Former Trump White House senior policy adviser Stephen Miller's bid to invalidate a subpoena requesting his phone records for the months leading up to the Jan. 6 insurrection falls flat and should be tossed, the Jan. 6 House select committee told a D.C. federal judge.

Motion attached | Read full article »

ENERGY & ENVIRONMENTAL

NC Enviros Defend EPA Drinking Water Advisory At 3rd Circ.

Environmental groups and North Carolina residents have aligned themselves with the U.S. Environmental Protection Agency as it defends recent health advisories for so-called forever chemicals challenged by The Chemours Co., telling the Third Circuit the DuPont spinoff has been polluting Cape Fear River for decades.

Motion attached | Read full article »

Trump-Era Species Regs Should Go Back To FWS, Court Told

Federal regulators have asked a California federal judge to let them revise several measures that the Trump administration took to weaken the Endangered Species Act,

LAW FIRMS IN TODAY'S NEWS

Abraham Fruchter
Arnold & Porter
Bartlett LLP
Berger Montague
Boies Schiller
Bondurant Mixson
Caplan Cobb
Clean Law PC
Cleary Gottlieb
Cooley LLP
Covington & Burling
Cozen O'Connor
DLA Piper
Dominick Feld
Eccleston & Wolf
Eckert Seamans
Federman & Sherwood
FeganScott
FisherBroyles
Freshfields
Gibson Dunn
Gilbert Litigators
Goldman Ismail
Gordon Wolf & Carney
Hogan Lovells
Jenner & Block

arguing that the court should not have repealed those policies when it remanded them to the U.S. Fish and Wildlife Service last month.

Response attached | Read full article »

HEALTH & LIFE SCIENCES

Ga. Abortion Law Can Stand During Legal Fight, Judge Says

A Georgia state court judge on Monday ruled that the state can enforce a state law banning most abortions as early as six weeks into a pregnancy while litigation challenging it makes its way through the courts.

Order attached | Read full article »

Wis. Cafe Can't Revive 'Mask Free' Dispute, 7th Circ. Says

The Seventh Circuit on Monday threw out a Wisconsin cafe's claim that the city of Madison violated the First Amendment by attempting to revoke its license after it posted a "mask free zone" sign, saying it had not shown that the city's alleged actions were part of a larger pattern or practice of retaliation.

Opinion attached | Read full article »

MEDIA & ENTERTAINMENT

Leaked Memo Backs AG In Political Ad Fight, NC Judge Told

North Carolina Attorney General Josh Stein told a federal judge on Friday the contents of a leaked report regarding an investigation into a political ad his campaign aired in 2020 further shows he shouldn't be prosecuted for allegedly violating the state's political speech law until after the Fourth Circuit weighs in.

3 documents attached | Read full article »

INSURANCE

Study Finds Value In Insurer Discounts For Wildfire Defenses

Insurance policies can be priced to encourage homeowners living in wildfire-prone areas to protect their properties, researchers at the University of Pennsylvania found in a paper released Monday by the National Bureau of Economic Research.

Study attached | Read full article »

REAL ESTATE

Pittsburgh Calls Builders' 'Inclusionary Zoning' Suit Unripe

The City of Pittsburgh urged a federal judge to throw out developers' challenge to an "inclusionary zoning ordinance" as unripe Monday, since no members of the Builders Association of Metropolitan Pittsburgh had sought to build any projects that would be subject to the new rules.

Brief attached | Read full article »

EMPLOYMENT & BENEFITS

13 States Ask 10th Circ. To Join Oral Args To Halt Wage Hike

A group of 13 states asked the Tenth Circuit to allow it to participate in oral arguments in two outdoor groups' suit challenging a rule increasing federal contractors' hourly minimum wage to $15, saying they are affected by the wage hike.

Motion attached | Read full article »

COMPETITION

UnitedHealth Can't Afford To Misuse Rivals' Data, Judge Told

UnitedHealth Group and Change Healthcare won't be tempted to violate safeguards protecting rival insurers' data after their planned $13.8 billion merger, the companies' lead expert economist testified Monday in D.C. federal court, rebutting claims by the U.S. Department of Justice.

Read full article »

Penguin Exec. Says Internal Book Competition Is Strong

The head of Penguin Random House's U.S. operations told a D.C. federal judge Monday that there's real competition between the company's various imprints, in an effort to debunk the government's allegations that its planned

Jones Day
K&L Gates
Kellogg Hansen
King & Spalding
Kirkland & Ellis
Latham & Watkins
Law Office of Thomas V. Allen
Levine Eisberner
Markovits Stock
Mayer Brown
McCarter & English
McKool Smith
Meyer Unkovic
Michael Best
Miller Shakman
Morgan Lewis
Municipal Law & Litigation Group SC
Nagle & Zaller
Napoli Shkolnik
Nelson Mullins
Norton Rose
Novack & Macey
O'Melveny & Myers
Orrick Herrington
Parker McCay
Paul Hastings
Perkins Coie
Polsinelli PC
Potter Anderson
Quinn Emanuel
Robert & Robert PLLC
Roche Freedman
Ropes & Gray
Saul Ewing
Shearman & Sterling
Sher Tremonte
Sidley Austin
Sills Cummis
Simmons Hanly
Simpson Thacher
Skadden Arps
Steptoe & Johnson LLP
Strauss Troy
Wachtell Lipton
Weil Gotshal
Weisman Kennedy
White & Case
Wiley Rein
Williams & Connolly
WilmerHale
Wilson Sonsini
Wollmuth Maher
Womble Bond
Zimmerman Law Offices

COMPANIES IN TODAY'S NEWS

Amazon.com Inc.
American Civil Liberties Union
Animal Legal Defense Fund
Berkshire Hathaway Inc.
Bertelsmann AG
California Institute of Technology
Center for Biological Diversity
Change Healthcare Inc.
Cisco Systems Inc.
Citigroup Inc.
Cornell University

purchase of Simon & Schuster from Paramount Global will dampen author pay.

Read full article »

Judge Says Top Universities Must Face Financial Aid Suit

An Illinois federal judge allowed a suit accusing over a dozen top private universities of conspiring to limit financial aid to move forward despite claims from the schools that their actions were permitted under an exemption to antitrust law.

Opinion attached | Read full article »

FTC's Suit Challenging Meta's VR Merger Gets December Trial

A California federal judge on Monday set a five-day antitrust bench trial to begin Dec. 8 over the Federal Trade Commission's effort to block the Facebook parent company's purchase of virtual reality device app developer Within Unlimited Inc.

Read full article »

CONSUMER PROTECTION

Amazon Fights FTC's 'Unworkable' Demands In Prime Probe

Amazon.com Inc. is pressing the Federal Trade Commission to scrap the latest round of demands in its probe of Prime enrollment and cancellation policies, arguing that the expanded inquiries are "unworkable and unfair" and driven by "unexplained pressure" being put on the agency's staff to "hastily" wrap up the investigation.

Petition attached | Read full article »

TAX

Wyden Probes Blackstone Sub's Tax-Free Insurance Policy

Lombard International Group, a subsidiary of global investment firm Blackstone, is the first company to be scrutinized by the top U.S. Senate tax writer over the growing popularity of a special tax-free insurance policy among wealthy individuals.

Letter attached | Read full article »

IMMIGRATION

Immigrant Wins Citizenship, Drops Suit Over Process 'Limbo'

A green card holder who sued the federal government for allegedly sitting on her naturalization paperwork has won approval to become a U.S. citizen, her attorney said Monday, leading to the dismissal of the case.

Notice attached | Read full article »

Fed. Claims Tosses IT Co.'s Suit Over H-1B Visa Petitions Rule

A Court of Federal Claims judge on Friday dismissed a suit brought by a group of information technology service companies accusing U.S. Citizenship and Immigration Services of illegally raking in hundreds of millions of dollars in fees for workers already in the country who apply for H-1B visa status.

Opinion attached | Read full article »

Immigrant Families Seek Early Win In Title 42 Expulsion Fight

A group of asylum-seeking families on Monday urged a D.C. federal judge to toss the Trump-era policy authorizing the rapid removal of migrants during the COVID-19 pandemic, saying the policy was arbitrary and capricious.

Memorandum attached | Read full article »

TELECOMMUNICATIONS

FCC Floats Reforms Aimed At Saving Subsidies

The Federal Communications Commission told Congress on Monday that sweeping changes to the Universal Service Fund are needed and that lawmakers must act to preserve the FCC's array of subsidies to spur telecom growth and help future generations of consumers.

3 documents attached | Read full article »

NTIA Chief Sees Federal Privacy Bill As Critical Priority

The lack of a federal data privacy law is a major gap in U.S. policy as other countries move decisively to protect consumers, a U.S. Department of Commerce official who

Earthjustice
Endo International PLC
Facebook Technologies LLC
FirstEnergy Corp.
Georgetown University
Getty Images Inc.
Google LLC
Hachette Book Group Inc.
HarperCollins Publishers LLC
Helix TCS Inc.
Incisive Media Ltd.
Instagram Inc.
International Dairy Queen Inc.
Kuwait Finance House KSC
Massachusetts Institute of Technology
Meta Platforms Inc.
Natural Resources Defense Council
News Corp.
Optum Inc.
Oxfam America Inc.
Pacific Legal Foundation
Paramount Global
Planned Parenthood Federation
Purdue Pharma LP
ScottMadden Inc.
Sierra Club
Simon & Schuster Inc.
T-Mobile US Inc.
Tesla Inc.
Teva Pharmaceutical Industries Ltd.
Texas Civil Rights Project
The Center for Reproductive Rights Inc.
The Chemours Co.
The New York Times Co.
Twitter Inc.
UnitedHealth Group Inc.
Vivendi SA
Washington Post Co.
Yale University

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arkansas Supreme Court
Bureau of Alcohol and Tobacco Tax and Trade
Bureau of Citizenship and Immigration Services
Centers for Disease Control and Prevention
Delaware Court of Chancery
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Trade Commission
Financial Crimes Enforcement Network
Fish and Wildlife Service
Food and Drug Administration
Internal Revenue Service
National Archives and Records Administration
National Telecommunications and Information Administration
New Jersey Supreme Court

manages the government's approach to technology issues warned.

Read full article »

CANNABIS

ND Pot Legalization Question Cleared For Ballot

North Dakotans will have an opportunity to vote on whether to legalize marijuana for adult recreational use at the ballot this November, North Dakota's secretary of state said Monday.

2 documents attached | Read full article »

NY Pot Regulators OK 1st Adult-Use Processor Applications

New York cannabis regulators at their regular meeting Monday approved the first 15 applications to process lawfully grown recreational cannabis into consumer products for the state's adult-use marijuana market.

Read full article »

PEOPLE

Latham Adds Ex-Facebook GC As Of Counsel In DC

Latham & Watkins LLP has hired the former general counsel for Facebook Inc., now Meta Platforms Inc., as of counsel in the firm's Washington, D.C., office, the firm announced Monday.

Read full article »

EXPERT ANALYSIS

Senate Cannabis Bill May Give Some Cos. A Competitive Edge

Though the recently introduced Cannabis Administration and Opportunity Act is unlikely to pass, it provides a bellwether for federal legalization, with a robust regulatory framework that would offer large food and beverage companies a structural advantage and poise multistate cannabis operators for further growth, say attorneys at Perkins Coie.

Read full article »

Fission And CHIPS: The Case For Coal-To-Nuclear Transitions

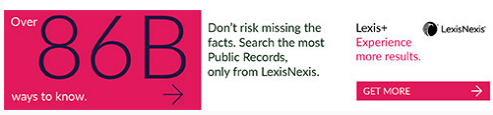
With demand for carbon-free baseload electricity growing — even as coal power plant retirements cut baseload capacity — siting nuclear facilities at defunct coal plant locations is an increasingly attractive idea to project sponsors, and the CHIPS and Science Act provides added incentives, says Ryan Lighty at Morgan Lewis.

Read full article »

Attorneys Should Note Judges' Financial Conflicts Of Interest

The Federal Circuit's recent ruling vacating a $2.75 billion judgment in Centripetal Networks v. Cisco should be a wake-up call for lawyers that they and their clients could pay a heavy price if a judge with financial ties to a litigant fails to take appropriate action, says Deborah Winokur at Cozen O'Connor.

Opinion attached | Read full article »



LEGAL INDUSTRY

Norton Rose Absorbs 7 Lawyers From Chicago Boutique

Norton Rose Fulbright said Monday it has added a seven-lawyer team from Chicago-based renewable energy and real estate boutique Clean Law PC to its real estate practice as the firm continues to expand in the Midwest.

Read full article »

NY AG Rips 'Secret' Info From 'Besmirched' Arnold & Porter

One year after extraordinary cover-up claims erupted in opioid litigation, the New York Attorney General's Office is accusing Arnold & Porter of wielding "secret evidence" to dodge well-deserved discipline, while the BigLaw firm says Empire State lawyers are dragging out the saga to wreck its reputation.

Read full article »

New York Attorney General's Office
North Carolina Department of Environmental Quality
Nuclear Regulatory Commission
Solicitors Regulation Authority
U.S. Attorney's Office for the District of Colorado
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Commerce
U.S. Department of Energy
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the District of New Jersey
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Western District of Pennsylvania
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Secret Service
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Northern District of Alabama

Orrick Asks 9th Circ. To Clarify Jones Day Fight Isn't Over

Orrick Herrington & Sutcliffe LLP asked the Ninth Circuit on Monday to clarify that the firm can still raise more dismissal challenges before the trial court after losing an appeal from Jones Day this month over Orrick's refusal to provide testimony in an international arbitration hearing.

Read full article »

Chancery OKs Just 1 More Twitter Record-Keeper For Musk

Billionaire Elon Musk got access Monday to only one of the 22 additional Twitter employees he sought documents from in his response to the social media giant's Delaware Chancery Court suit seeking to force him to close on his $44 billion deal to buy the company.

Read full article »

Boies Loses Bid To Lead FirstEnergy Shareholder Suit

An Ohio federal judge on Monday rejected famed attorney David Boies' bid to be named lead counsel in a derivatives suit, instead appointing the law firms of Markovits Stock & Demarco LLC and Abraham Fruchter & Twersky LLC to lead the case over FirstEnergy Corp.'s billion-dollar bailout and bribery scandal.

Read full article »

LA County DA Gascón Defeats 2nd Recall Election Attempt

Proponents of the latest effort to recall Los Angeles County District Attorney George Gascón have once again failed to collect enough valid signatures for a recall election, the L.A. County Registrar-Recorder/County Clerk said Monday.

Read full article »

British Tribunal's Penalties For Solicitors Drop In 2021

The Solicitors Disciplinary Tribunal said Friday the sanctions it imposed against attorneys decreased in 2021, though the number of applications it received went up.

Read full article »

3 Appellate Judges Tapped For Temporary NJ High Court Gigs

Chief Justice Stuart Rabner of the New Jersey Supreme Court on Monday assigned three Appellate Division judges to temporarily fill seats on the high court.

Read full article »

Law Firm Not Subject To Consumer Loan Law, Md. Court Says

A Maryland appellate court has ruled in a split opinion that law firm Nagle & Zaller PC's debt collection on behalf of homeowners associations doesn't violate the state's Consumer Loan Law because the measure regulates traditional consumer lenders.

Read full article »

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SUBJECT: UnitedHealth Can't Afford To Misuse Rivals' Data, Judge Told
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 16/08/2022 02:46

HEALTH

LAW360®

Tuesday, August 16, 2022

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TOP NEWS

UnitedHealth Can't Afford To Misuse Rivals' Data, Judge Told

UnitedHealth Group and Change Healthcare won't be tempted to violate safeguards protecting rival insurers' data after their planned $13.8 billion merger, the companies' lead expert economist testified Monday in D.C. federal court, rebutting claims by the U.S. Department of Justice.

Read full article »

NY AG Rips 'Secret' Info From 'Besmirched' Arnold & Porter

One year after extraordinary cover-up claims erupted in opioid litigation, the New York Attorney General's Office is accusing Arnold & Porter of wielding "secret evidence" to dodge well-deserved discipline, while the BigLaw firm says Empire State lawyers are dragging out the saga to wreck its reputation.

4 documents attached | Read full article »

1st Circ. Partially Resurrects Azurity's Beef With Edge Pharma

The First Circuit on Friday partially revived portions of Azurity Pharmaceuticals' suit against Edge Pharma over its competing hydrochloride vancomycin drug, agreeing with a Massachusetts federal court that some of its claims don't hold up, but not for the same reason.

Opinion attached | Read full article »

Okla. Court Fit For Cherokee Opioids Suit, 10th Circ. Told

The Cherokee Nation urged the Tenth Circuit on Monday to support a decision to send back to Oklahoma state court the tribe's claims that three national pharmacy chains contributed to opioid addiction on the tribe's reservation, saying a district judge was either required to remand the suit or had the discretion to do so.

Brief attached | Read full article »

Doc Cleared Of $85M Medicare Scam Wants Feds Sanctioned

A doctor who was acquitted of participating in an $85 million Medicare fraud scheme in June has requested that prosecutors cover her legal expenses, claiming they knew she had no knowledge of the scheme but arrested and prosecuted her anyway.

Motion attached | Read full article »

Ga. Abortion Law Can Stand During Legal Fight, Judge Says

A Georgia state court judge on Monday ruled that the state can enforce a state law banning most abortions as early as six weeks into a pregnancy while litigation challenging it makes its way through the courts.

Order attached | Read full article »

Catching Up With Delaware's Chancery Court

More than a dozen new cases in fields ranging from petrochemicals to biopharma to e-bikes hit Delaware's Court of Chancery last week, as the court's newest vice chancellor began doling out his first round of rulings.

Read full article »

POLICY & REGULATION

NY Pot Regulators OK 1st Adult-Use Processor Applications

New York cannabis regulators at their regular meeting Monday approved the first 15 applications to process lawfully grown recreational cannabis into consumer products for the state's adult-use marijuana market.

COMPANIES IN TODAY'S NEWS

AVX Corp.
American Civil Liberties Union
Array Technologies Inc.
Arsenal Capital Partners
Azurity Pharmaceuticals Inc.
Baylor Scott & White Health LLC
Berkshire Hathaway Inc.
Brookfield Property Partners LP
CVS Health Corp.
Change Healthcare Inc.
Cisco Systems Inc.
Convey Health Solutions Inc.
Endo International PLC
Evercore Inc.
FirstEnergy Corp.
General Growth Properties Inc.
Getty Images Inc.
Health Management Associates Inc.
Helix TCS Inc.
Inovalon Holdings Inc.
Instagram Inc.
International Dairy Queen Inc.
Ionis Pharmaceuticals Inc.
JPMorgan Chase & Co.
Kyocera Corporation
Los Angeles Rams
McKesson Corp.
Meta Platforms Inc.
Minnesota State Board of Investment
National Collegiate Athletic Association
Newmark Group Inc.
Nordic Capital Ltd.

Read full article »

LITIGATION

Wis. Cafe Can't Revive 'Mask Free' Dispute, 7th Circ. Says

The Seventh Circuit on Monday threw out a Wisconsin cafe's claim that the city of Madison violated the First Amendment by attempting to revoke its license after it posted a "mask free zone" sign, saying it had not shown that the city's alleged actions were part of a larger pattern or practice of retaliation.

Opinion attached | Read full article »

Doctor Asks Full 11th Circ. For Redo In VA Age Bias Suit

A doctor suing the U.S. Department of Veterans Affairs over alleged hiring discrimination has asked the Eleventh Circuit to hear his case for the third time, arguing that the full court should find he is allowed to prove his claim using circumstantial evidence.

Petition attached | Read full article »

Health Care Co., Worker Want $1.5M ERISA Deal OK'd

An upper Midwestern health care provider and a proposed class of current and former employees who participated in the company's 401(k) plan asked a Michigan federal judge to grant a preliminary blessing to a $1.5 million settlement to claims of benefits plan mismanagement.

Settlement attached | Read full article »

Texas Workers Want Hospital Declared Liable For Unpaid OT

Workers for a Texas health care system asked a federal judge to find their employer liable for violating the Fair Labor Standards Act by denying them time-and-a-half overtime compensation.

Memorandum attached | Read full article »

McKesson Hid Sales Data In FCA Suit, Whistleblower Says

McKesson Corp. and its lawyers from Covington & Burling LLP have "cabined off" discovery in a False Claims Act suit to hide the role of its wholesale pharmaceutical division in an alleged scheme to repackage injectable drugs, counsel for a whistleblower told a Brooklyn federal judge Monday.

Read full article »

NCAA Hit With Concussion Class Action By Ex-FSU Player

An NFL front office executive who played at Florida State University in the early 1990s has lodged a proposed class action lawsuit against the NCAA alleging the organization knowingly misled him and others about the danger of concussions, becoming the latest in a growing list of players to make such accusations.

Complaint attached | Read full article »

NJ Hospital Network Sues Rival Over Ambulance Services

New Jersey hospital network CarePoint Health has sued its rival in state court, claiming it violated a settlement agreement by steering ambulance patients with private insurance to its own doors while sending underinsured and uninsured patients to CarePoint hospitals.

Complaint attached | Read full article »

Inovalon Sued In Del. Over Insider Gains On $7.3B Co. Sale

Stockholders who sued health care data venture Inovalon Holdings over an allegedly unfair $7.3 billion go-private deal last year are seeking potentially hundreds of millions in damages in a new Delaware Chancery Court suit alleging multiple duty breaches and insider conflicts.

Read full article »

DEALS

Kirkland Leads Arsenal In Clinching 2 Funds Totaling $5.4B

Arsenal Capital Partners announced Monday that it had closed two funds with a total of $5.4 billion in capital commitments, with legal guidance from Kirkland & Ellis LLP.

Read full article »

BANKRUPTCY

Bankrupt Nursing Home Biz Gets OK For Deal On Backup Bid

Optum Inc.
Planned Parenthood Federation
Plug Power, Inc.
Provention Bio Inc.
Purdue Pharma LP
Redbox Automated Retail LLC
Scott & White Healthcare
SolarCity Corp.
Station Casinos LLC
Straight Path Communications Inc.
Tesla Inc.
Teva Pharmaceutical Industries Ltd.
The Center for Reproductive Rights Inc.
Thermo Fisher Scientific Inc.
Twitter Inc.
UnitedHealth Group Inc.
Walgreens Co.
Walmart Inc.
Warner Bros. Discovery Inc.
Washington Post Co.

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Covington & Burling
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DLA Piper
Dominick Feld
Eccleston & Wolf
Federman & Sherwood
Foley & Lardner
Foliart Huff
Friedman Oster
Gordon Wolf & Carney
Hodgson Russ
Hogan Lovells
Holden Litigation
Jackson Walker LLP
Jones Day
K&L Gates
Kellogg Hansen
Kessler Topaz
Kirkland & Ellis
Labaton Sucharow
Latham & Watkins
Levenfeld Pearlstein
Levine Eisberner
Markovits Stock
McCarter & English
Mintz Levin
Moore Kuehn
Morgan Lewis
Municipal Law & Litigation Group SC
Nagle & Zaller
Napoli Shkolnik
Newman Ferrara
Norton Rose

A Delaware bankruptcy judge has allowed nursing home chain American Eagle Delaware Holding Co. to strike a deal with the second-place bidder for two of its Florida facilities in order to close the sale and move toward the end of its Chapter 11 case.

Read full article »

Texas Landlord Blasts Nursing Home's 'Fairy Tale' Ch. 11 Plan

The landlord of a Dallas retirement community urged a Texas bankruptcy judge to reject the operator's Chapter 11 plan, arguing that the proposal is predicated on changes to the existing lease that amount to a "Disney fairy tale."

Motion attached | Read full article »

EXPERT ANALYSIS

Senate Cannabis Bill May Give Some Cos. A Competitive Edge

Though the recently introduced Cannabis Administration and Opportunity Act is unlikely to pass, it provides a bellwether for federal legalization, with a robust regulatory framework that would offer large food and beverage companies a structural advantage and poise multistate cannabis operators for further growth, say attorneys at Perkins Coie.

Read full article »

Attorneys Should Note Judges' Financial Conflicts Of Interest

The Federal Circuit's recent ruling vacating a $2.75 billion judgment in Centripetal Networks v. Cisco should be a wake-up call for lawyers that they and their clients could pay a heavy price if a judge with financial ties to a litigant fails to take appropriate action, says Deborah Winokur at Cozen O'Connor.

Opinion attached | Read full article »

LEGAL INDUSTRY

Latham Adds Ex-Facebook GC As Of Counsel In DC

Latham & Watkins LLP has hired the former general counsel for Facebook Inc., now Meta Platforms Inc., as of counsel in the firm's Washington, D.C., office, the firm announced Monday.

Read full article »

Norton Rose Absorbs 7 Lawyers From Chicago Boutique

Norton Rose Fulbright said Monday it has added a seven-lawyer team from Chicago-based renewable energy and real estate boutique Clean Law PC to its real estate practice as the firm continues to expand in the Midwest.

Read full article »

Orrick Asks 9th Circ. To Clarify Jones Day Fight Isn't Over

Orrick Herrington & Sutcliffe LLP asked the Ninth Circuit on Monday to clarify that the firm can still raise more dismissal challenges before the trial court after losing an appeal from Jones Day this month over Orrick's refusal to provide testimony in an international arbitration hearing.

Read full article »

Roy Moore Wins $8.2M Defamation Verdict Over Dem PAC Ad

Roy Moore, the former Alabama Supreme Court leader who lost his bid for a U.S. Senate seat following allegations of sexual improprieties with young girls, has won an $8.2 million verdict against a Democratic group and a media company.

Read full article »

Chancery OKs Just 1 More Twitter Record-Keeper For Musk

Billionaire Elon Musk got access Monday to only one of the 22 additional Twitter employees he sought documents from in his response to the social media giant's Delaware Chancery Court suit seeking to force him to close on his $44 billion deal to buy the company.

Read full article »

Boies Loses Bid To Lead FirstEnergy Shareholder Suit

Orrick Herrington
Parker McCay
Perkins Coie
Phillips Murrah
Polsinelli PC
Potter Anderson
Quinn Emanuel
Rigrodsky Law
Robert & Robert PLLC
Robinson & Cole
Seyfarth Shaw
Shrader & Associates
Sills Cummis
Simmons Hanly
Simpson Thacher
Skadden Arps
Squitieri & Fearon
Steptoe & Johnson LLP
Strauss Troy
Wachtell Lipton
Walcheske & Luzi
Weisman Kennedy
Whitten Burrage
Wiley Rein
Williams & Connolly
Wilson Sonsini
Wollmuth Maher
Zimmerman Law Offices
Zuckerman Spaeder

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Alcohol and Tobacco Tax and Trade
California Public Employees' Retirement System
Cherokee Nation
Delaware Court of Chancery
Financial Crimes Enforcement Network
Food and Drug Administration
Indian Health Service
New Jersey Supreme Court
New York Attorney General's Office
Solicitors Regulation Authority
U.S. Attorney's Office
U.S. Attorney's Office for the Middle District of Florida
U.S. Bankruptcy Court for the District of Delaware
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Veterans Affairs
U.S. Department of the Treasury
U.S. District Court for the District of Columbia

An Ohio federal judge on Monday rejected famed attorney David Boies' bid to be named lead counsel in a derivatives suit, instead appointing the law firms of Markovits Stock & Demarco LLC and Abraham Fruchter & Twersky LLC to lead the case over FirstEnergy Corp.'s billion-dollar bailout and bribery scandal.

Read full article »

LA County DA Gascón Defeats 2nd Recall Election Attempt

Proponents of the latest effort to recall Los Angeles County District Attorney George Gascón have once again failed to collect enough valid signatures for a recall election, the L.A. County Registrar-Recorder/County Clerk said Monday.

Read full article »

British Tribunal's Penalties For Solicitors Drop In 2021

The Solicitors Disciplinary Tribunal said Friday the sanctions it imposed against attorneys decreased in 2021, though the number of applications it received went up.

Read full article »

3 Appellate Judges Tapped For Temporary NJ High Court Gigs

Chief Justice Stuart Rabner of the New Jersey Supreme Court on Monday assigned three Appellate Division judges to temporarily fill seats on the high court.

Read full article »

Law Firm Not Subject To Consumer Loan Law, Md. Court Says

A Maryland appellate court has ruled in a split opinion that law firm Nagle & Zaller PC's debt collection on behalf of homeowners associations doesn't violate the state's Consumer Loan Law because the measure regulates traditional consumer lenders.

Read full article »

JOBS

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Associate - Healthcare Regulatory
Bass, Berry & Sims
-, -

U.S. District Court for the Eastern District of New York

U.S. District Court for the Northern District of Florida

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Northern District of Texas

U.S. District Court for the Western District of Michigan

U.S. Drug Enforcement Administration

U.S. House of Representatives

U.S. Securities and Exchange Commission

U.S. Senate

U.S. Supreme Court

United States District Court for the Northern District of Alabama

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SUBJECT: Morning Consult Health: 340B Drug Discount Program Saw Another BigJump in 2021
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 16/08/2022 06:13

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 16, 2022

BY MATT BRACKEN

Twitter Email

Top Stories

- Prescription medicines bought through the 340B Drug Discount Program rose 16% to $44 billion last year, per the Health Resources & Service Administration, continuing a yearslong trend of swelling sales under the controversial initiative. Though approximately 12,400 entities are now participants in the program, 18 major pharmaceutical companies have cut back on their discounts or limited the number of pharmacies that can sell their drugs, with several having been warned by the Health and Human Services Department watchdog to reinstitute discounts or face penalties. (Stat News)

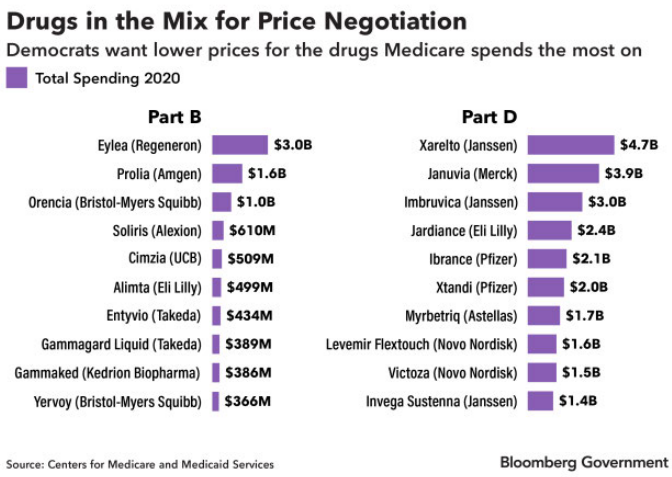
- Moderna Inc.'s reformulated COVID-19 vaccine targeting both the original strain of the virus and the omicron BA.1 variant cleared its first regulatory hurdle, as England's Medicines and Healthcare Regulatory Agency authorized the shot, which will now be offered this fall to British people 50 and older. (The Associated Press) Novavax Inc. has filed for emergency use authorization with the Food and Drug Administration for its traditional protein-based COVID-19 booster shot, which would be available to people who have received two doses of the Novavax vaccine or another approved offering. (Axios)

- The Centers for Disease Control and Prevention updated its monkeypox guidance to note that it's possible for dogs to be infected, following a French case reported in The Lancet last week that documented the first human-to-dog transmission of the disease. (CBS News) HHS said it is making up to 442,000 additional doses of Bavarian Nordic A/S's Jynneos monkeypox vaccine available for states and other localities to order now, expediting a timeline that follows the beginning of the federal dose-sparing strategy and a move from the agency's Administration for Strategic Preparedness and Response to raise the cap on the Danish drugmaker's contract from $871 million to $1 billion. (Bloomberg Law)

- The Federal Trade Commission issued a policy paper pushing states to refrain from enacting laws to conceal mergers and acquisitions activity among health care providers from antitrust scrutiny. (Bloomberg Law) The Idaho-based data analytics firm Kochava Inc. sued the FTC over potential action regarding geolocation data that the agency said could be used to monitor visits people may make to sensitive places, including abortion clinics. (The Wall Street Journal)

Chart Review

J&J, Amgen, Regeneron Drugs Likely to Face Medicare Negotiation
Bloomberg Government



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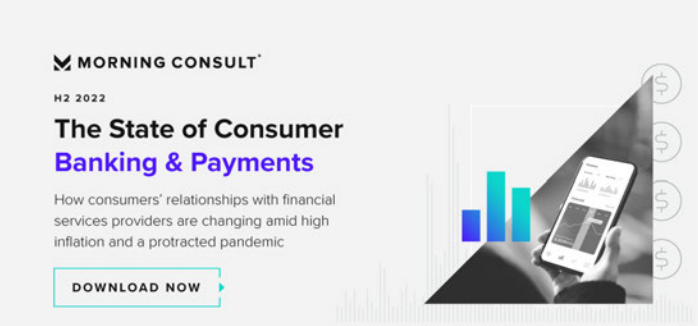

State of Consumer Banking & Payments Report: August 2022

Consumers have weathered half a year of historic inflation. It's wearing on their financial well-being, slowing their progress toward their goals and beginning to impact their interactions with financial services providers.

Access Morning Consult's report, The State of Consumer Banking & Payments, to understand how consumers' relationships with financial services providers are changing amid high inflation and a protracted pandemic. Download today.

What Else You Need to Know

CORONAVIRUS

Pfizer CEO Albert Bourla tests positive for COVID-19, has mild symptoms
CBS News
The top executive at Pfizer, a leading producer of COVID-19 vaccines, has tested positive for the virus and says he is experiencing very mild symptoms.

The Odds of Getting COVID From Your Housemate Are 'About a Coin Flip'
Yasmin Tayag, The Atlantic
By this point, the pandemic saga has introduced us to a cast of recurring characters. Among them are the Chill Friend, who is totally over COVID precautions at this point, and the Unlucky Acquaintance, who has had COVID three times and brings it up whenever someone else falls sick. And then there is the Person Whose Roommate Has COVID. You know the type: They'll describe, in the hushed tones usually reserved for tragic gossip, how and when their live-in friend, partner, child, or whoever came down with the virus—before interjecting, "But I feel fine! … For now." Nervous laughter ensues. Whether their house is dealing with a blazing-fever situation or a mild-cough one, Person Whose Roommate Has COVID always has the same underlying worry: Am I next?

It's going to be a complicated fall for Covid and flu vaccinations
Andrew Joseph, Stat News
The U.S. plan to roll out updated Covid-19 boosters will not only coincide with the logistical tangle of the regular flu shot drive, but will also face questions about when people should get the new shots to provide themselves with the best protection through our third Covid winter.

Health departments apply lessons learned from Covid to other public health concerns
Katheryn Houghton, Kaiser Health News
The pandemic laid bare the gaps and disparities in the U.S. public health system, and often resulted in blowback against local officials trying to slow the coronavirus's spread. But one positive outcome, in part fueled by a boost in federal dollars, is that health workers have started adapting lessons they learned from their covid-19 response to other aspects of their work.

GENERAL

Biden to sign health and climate bill on Tuesday
Morgan Chalfant, The Hill
President Biden will sign into law the sweeping climate, health care and tax legislation that has been Democrats' priority for more than a year during a ceremony at the White House on Tuesday.

Immunization leader lays bare challenges facing the monkeypox response
Helen Branswell, Stat News
The good news is that there is a licensed vaccine. At the start of many outbreaks of new or rare diseases, there are no vaccines. But the bad news quickly overtakes the good. Demand outstrips supply, both domestically and internationally. In the U.S., the federal government has

decided to use fractional doses — one-fifth of a normal dose, per person — to try to stretch supplies.

Eating Disorder Crisis Plaguing Americans on Government-Funded Insurance
Madison Muller, Bloomberg
The pandemic exacerbated many mental health problems, and eating disorders are no exception: Emergency room visits for girls suffering from anorexia and bulimia were twice as high in January of this year as they were three years earlier.

Private equity is shortchanging kids with autism, parents, clinicians say
Tara Bannow, Stat News
Families and clinicians who once believed fully in the promise of ABA say the financial investors' fixation on profit has degraded the quality of services kids receive, turning it into the equivalent of fast food therapy. They've grown disillusioned with the industry, they told STAT. Some are now questioning whether the therapy is helpful at all, or even harmful, especially after a recent Fortune article detailed an allegation of physical abuse at one chain.

Data Shows Increases in Students Feeling 'Sad or Hopeless'
Chris Gilligan, U.S. News & World Report
Data from state surveys on youth behavior show the continuation of a concerning trend in high school students feeling persistently "sad or hopeless."

Monkeypox: Experts debunk 11 myths and misconceptions
Orion Rummler, The 19th
Can monkeypox spread on the subway? Can it kill like COVID-19? Is it transmitted through sex? Misconceptions, myths and a lack of public knowledge on the monkeypox virus are widespread.

How monkeypox spreads: Experts clear up misinformation
Benjamin Ryan, NBC News
Misinformation about the monkeypox outbreak is spawning an epidemic of largely unfounded anxiety, experts say.

Georgia Six-Week Abortion Law Remains in Effect Pending Suit
Mary Anne Pazanowski, Bloomberg Law
Abortion after the sixth week of pregnancy is illegal in Georgia for now, as reproductive rights groups on Monday lost a bid to stop the state from enforcing the ban while a suit testing its validity under the state constitution is pending.

Idaho Lawmakers to Help Defend Abortion Law in Federal Lawsuit
Mary Anne Pazanowski, Bloomberg Law
The Idaho legislature can join the defense of a first-ever lawsuit by the US challenging Idaho's near-total ban on abortion but it's limited to attempting to show "the holes in the 'factual' foundation" of the argument that the ban violates an emergency care law, a federal judge said.

Post-Roe, Americans seek tubal sterilizations — but barriers persist
Meena Venkataramanan, The Washington Post
Anxious about abortion access, these patients are mobilizing online to spread the word about getting sterilized — while trying to surmount

challenges that have long made it difficult to access the procedure, which is meant to be permanent but still allows for planned pregnancies through in vitro fertilization (IVF) or surrogacy.

Abortion bans restrict medications women need for chronic conditions
Janet Shamlian and Nic Cutrona, CBS News
Methotrexate is often used to treat rheumatoid arthritis, Crohn's disease and cancer. But it can also be used to terminate nonviable pregnancies, where a fertilized egg grows outside the womb. After the Supreme Court's decision overturning Roe v. Wade, pharmacies in some states made methotrexate harder to get, regardless of what it's being prescribed for.

Once routine, pre-surgical pregnancy testing now is anything but
Trisha Pasricha, Stat News
Such pre-procedure pregnancy tests are routine for patients of child-bearing age before everything from tooth extractions to ACL repairs, to guard against any potential risks to a developing fetus. Tens of thousands are done every year, with neither patients nor physicians giving it much thought — until now. The Supreme Court's Dobbs decision has raised the stakes of a positive pregnancy test in the states where abortion is now banned or sharply restricted, making testing anything but routine.

Scotland Makes Period Products Free
Remy Tumin, The New York Times
The initiative makes Scotland the first country in the world to provide free sanitary products, part of a global effort to end "period poverty" — or a lack of access to tampons or sanitary pads because of prohibitively high costs.

PAYERS

Oscar Health presses pause on new full-service technology deals
Paige Minemyer, Fierce Healthcare
Oscar Health is pressing pause on new deals for its technology platform for more than a year as it manages issues in integrating with Health First Health Plans, an early adopter of the tech stack, executives told investors.

Here are 4 key health policy items in the Inflation Reduction Act
Robert King, Fierce Healthcare
Experts say regulating the bill will have a big impact on providers, including those that rely heavily on reimbursements for Medicare Part B drugs. Some providers purchase their own products under a buy and bill model and then get reimbursed by Medicare for the average sales price of Part B plus 4% for storage and handling costs. The problem is that model doesn't work if Medicare will reimburse for a smaller negotiated rate.

Natural Family Planning Reinstated in Birth Control Pay Rule
Mary Anne Pazanowski, Bloomberg Law
Health insurers required by Obamacare to pay in full for birth control drugs and related services also must pay for counseling about fertility awareness-based methods of family planning, as federal guidelines omitting them are unlawful, a federal court in Texas said.

Bright Health heads toward insolvency as it rushes to raise more cash
Bob Herman, Stat News

Bright, a health insurance company that also owns physician offices, had $2 billion to fund operations as of June 30. Although executives are telling investors that Bright is "meaningfully closer to profitability in 2023," the company admitted it could go belly-up by the end of the year if it doesn't secure more cash.

PROVIDERS

Kaiser Permanente mental health workers on strike

Ginger Christ, Modern Healthcare

The more than 2,000 therapists, chemical dependency counselors and social workers represented by the National Union of Healthcare Workers have been working without a contract since September. Bargaining started in July 2021.

Base pay, incentives up for health system executives

Caroline Hudson, Modern Healthcare

Turnover in healthcare leadership positions is up, with more executives looking to retire after years of COVID-19. At the same time, health systems have become more complex as they consolidate, requiring additional levels of experience.

New York hospitals, healthcare workers reach few agreements on staffing levels

Maya Kaufman, Modern Healthcare

Hospitals across New York largely failed to reach consensus with nurses and ancillary-service workers in their final clinical staffing plans submitted to the state Department of Health, union members said.

Mismanaged hospitals in rural Missouri abandoned their own employees' health insurance plans

Sarah Jane Tribble, Kaiser Health News

The first unexpected bill arrived in December, just weeks before Tara Lovell's husband of 40 years died from bladder cancer. Lovell worked as an ultrasound technologist at the local hospital, in Mexico, Missouri, and was paying more than $400 each month for health insurance through her job. The town's struggling hospital, the sole health care provider and major employer, had changed ownership in recent years and had been sold to Noble Health, a private equity-backed startup whose managers had never run a hospital.

PHARMA, BIOTECH AND DEVICES

Meet the 10 biggest pharma companies in the world

Paige McGlauflin, Fortune

The pharmaceutical industry had a big year in 2021. The 10 largest pharma companies by revenue spanned five countries and brought in a collective $734.8 billion in revenue and $130.6 billion in profits, according to the 2022 Fortune Global 500, released earlier this month.

BrainStorm to seek FDA approval for ALS drug, despite agency objections

Adam Feuerstein, Stat News

Last year, the Food and Drug Administration issued a rare public statement to inform the ALS community that a negative clinical trial involving an experimental stem-cell therapy from Brainstorm Cell

Therapeutics did not support the filing of a marketing application. On Monday, Brainstorm announced its intention to seek approval from the FDA for its ALS treatment, called NurOwn, regardless of the agency's past opposition.

How to get Wegovy for Weight Loss? Startup Calibrate Used Drug Company Coupons

Emma Court, Bloomberg

The weight-loss startup Calibrate Health Inc. attracted thousands of customers with an enticing pitch: It could get them low-cost access to obesity drugs like Wegovy, a breakthrough, $1,350-a-month medication that helps people lose 15% of their excess weight.

The private equity firms behind 8 of the biggest names in autism therapy

Tara Bannow, Stat News

Private equity investors are backing all of the major chains offering the country's most popular form of autism therapy, known as applied behavior analysis, or ABA. Now, however, there are signs that those investors may be cooling on the industry.

Elliott Management Has Large Position in Cardinal Health

Joseph Walker and Cara Lombardo, The Wall Street Journal

Activist investor Elliott Management has a large position in Cardinal Health Inc. and is seeking a handful of seats on the medical-products distributor's board, according to people familiar with the matter.

Supreme Court abortion ruling has birth control advocates worried

Ben Paviour, NPR News

When the Supreme Court issued its ruling that overturned Roe v. Wade, Justice Clarence Thomas wrote in a concurring opinion that the court "should reconsider" its past rulings related to contraception.

HEALTH TECHNOLOGY

Artificial intelligence was supposed to transform health care. It hasn't.

Ben Leonard and Ruth Reader, Politico

Investors see health care's future as inextricably linked with artificial intelligence. That's obvious from the cash pouring into AI-enabled digital health startups, including more than $3 billion in the first half of 2022 alone and nearly $10 billion in 2021, according to a Rock Health investment analysis commissioned by POLITICO.

Kidney Transplant Discovery Offers Hope to Ethnic Minorities

Dong Lyu, Bloomberg

British scientists have managed to change the blood type in three donor kidneys in a discovery that could potentially speed up transplants for patients with less common blood types, such as ethnic minorities.

OPINIONS, EDITORIALS AND PERSPECTIVES

'Is an abortion medically necessary?' is not a question for ethicists

Holly Fernandez Lynch et al., Stat News

Abortion raises many ethical questions. Determining whether an abortion is needed to save a pregnant person's life or health is not among them. That's a factual question requiring medical — not ethical — judgment.

RESEARCH REPORTS

Compliance of National Cancer Institute-Designated Cancer Centers With January 2021 Price Transparency Requirements

Christopher P. Childers et al., JAMA Surgery

In an effort to increase competition and drive down prices, the Centers for Medicare & Medicaid Services (CMS) initiated 2 policies in the last 3 years to increase hospital price transparency. Starting January 2019, hospitals were required to publish their chargemasters—a list of the nondiscounted prices for services provided. This effort has been criticized because charges rarely reflect the actual prices paid for a service and do little to spur competition. In response to this criticism, CMS expanded this mandate in January 2021 to require hospitals to publish a list of their negotiated rates with health insurers. In theory, this should more effectively increase competition between payors and hospitals and drive down rates.

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SUBJECT: White House Health Newsletter + Briefing Invites
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 16/08/2022 13:52

THE WHITE HOUSE
WASHINGTON

Health Community Updates

Friends – Please join us for our next bi-weekly White House Health Community Call on **Wednesday, August 24th** at 2:30pm ET. You can RSVP here. Please invite colleagues and members of your community – all are welcome.

Below are several important updates. Have a wonderful rest of the week.

White House Healthcare/Prescription Drug Briefing on the Inflation Reduction Act

The Inflation Reduction Act will lower costs for families, combat the climate crisis, reduce the deficit, and finally ask the largest corporations to pay their fair share. You can read more here, and please join us for a briefing this Thursday at 1pm ET to hear more about this monumental legislative achievement. All info is below.

Briefing: How the Inflation Reduction Act Will Cut Prescription Drug Costs, Lower Health Insurance Premiums and Expand Coverage with Special Guest Deputy Secretary of Health and Human Services Andrea Palm
Date: Thursday, August 18th
Time: 1:00 PM ET
RSVP: https://pitc.zoomgov.com/webinar/register/WN_LfSsDsUVTxuSV5WvT-2qHQ

USDA, HHS, National WIC Association, and AAP Briefing on Imported Infant Formula
Please join the U.S. Department of Agriculture, the U.S. Department of Health & Human Services, the National WIC Association and the American Academy of Pediatrics for a briefing on imported infant formula. There will be an opportunity for questions from attendees after the presentation. Register in advance of the webinar here. Instructions on how to join the session will be provided automatically upon registration.

HHS Weekly Briefing on Monkeypox
Please join the Department of Health and Human Services Office of Intergovernmental and External Affairs, Centers for Disease Control and Prevention (CDC), U.S. Food and Drug Administration (FDA), and Office of the Assistant Secretary for Preparedness and Response (ASPR) for our weekly Monkeypox briefing on Thursdays at 2:00 PM EST.

Call Details
Date: Every Thursday
Time: 2:00 PM EST
Zoom Link: RSVP Here.

FDA Hearing Aid Announcement
Today, the FDA issued a final rule to make hearing aids available over the counter – delivering on the President's Executive Order calling for more competition and lowering costs for the American people. Today's action means that in October, hearing aids will be available over the counter, saving nearly $3000 per pair for American families. Below are resources on the announcement.

POTUS Statement: https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/16/statement-by-president-joe-biden-on-fda-hearing-aids-final-rule/

VPOTUS video: https://twitter.com/VP/status/1559529233470439427?s=20&t=jMfHX5OLpvgbqsqBQ7JvlQ

FDA Release: https://www.fda.gov/news-events/press-announcements/fda-finalizes-historic-rule-enabling-access-over-counter-hearing-aids-millions-americans

HHS Approves 12-month Extension of Postpartum Medicaid and CHIP Coverage in Hawaii, Maryland, and Ohio
Today, the U.S. Department of Health and Human Services (HHS), through the Centers for Medicare & Medicaid Services (CMS), approved the extension of Medicaid and Children's Health Insurance Program (CHIP) coverage for 12 months after pregnancy in Hawaii, Maryland, and Ohio. As a result, up to an additional 34,000 people annually – including 2,000 in Hawaii; 11,000 in Maryland; and 21,000 in Ohio – will now be eligible for Medicaid or Title XXI-funded Medicaid expansion CHIP coverage for a full year after pregnancy. With today's approval, in combination with previously approved state extensions, an estimated 318,000 Americans annually in 21 states and D.C. are eligible for 12 months of postpartum coverage. If all states adopted this option, as many as 720,000 people across the United States annually would be guaranteed Medicaid and CHIP coverage for 12 months after pregnancy.

All best,

White House Office of Public Engagement

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http://eepurl.com/hIdkdf

PRIVACY POLICY | UNSUBSCRIBE

SUBJECT: 'Sea Change In The Law': Inside One Firm's Post-Roe Practice
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 17/08/2022 02:07

LAW360

Wednesday, August 17, 2022

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TOP NEWS

Interview

'Sea Change In The Law': Inside One Firm's Post-Roe Practice

The U.S. Supreme Court's nullification of the constitutional right to abortion has ushered in "transformative" changes for health care attorneys and become one of the rare events to which entirely new practice groups can be devoted, the leaders of a boutique health firm's post-Roe v. Wade practice told Law360.

Read full article »

Biden Signs Landmark Tax And Climate Bill Into Law

President Joe Biden signed the tax, climate and health care legislation known as the Inflation Reduction Act into law Tuesday, marking a major victory for Democrats ahead of the November midterm elections.

Bill attached | Read full article »

DOJ Can Shield Michael Cohen Probe Docs, 2nd Circ. Affirms

The Second Circuit on Tuesday agreed with a district judge's decision that documents related to FBI interviews with Donald Trump's former lawyer Michael Cohen are attorney work product, and thus are exempt from Freedom of Information Act requests.

Opinion attached | Read full article »

Trump Urges 2nd Circ. To Revive Challenge To NY Biz Probe

Former President Donald Trump on Tuesday urged the Second Circuit to undo a lower court decision tossing his challenge to the New York attorney general's investigation into his business dealings, saying the probe's "harassing and overreaching" nature needs judicial scrutiny.

Brief attached | Read full article »

SDNY Courthouses To Drop Mask Mandates In Near Future

Judges and court personnel in the Southern District of New York are telling lawyers that with COVID-19 cases falling along with rates of severe illness, rules requiring masks are likely to be relaxed as early as next week in favor of a masks-optional policy.

Read full article »

North Carolina AG Could Face Grand Jury Over Political Ad

North Carolina Attorney General Josh Stein could face criminal prosecution over a 2020 campaign ad after a federal judge on Monday declined to delay enforcement of the state political speech law he is potentially accused of violating.

Order attached | Read full article »

NYC Pols Urge DOJ To Fix 'Crisis' Conditions At Brooklyn Jail

New York City elected officials and congressional candidates traveled to Brooklyn's oft-maligned Metropolitan Detention

LAW FIRMS IN TODAY'S NEWS

AlvaradoSmith
Arnold & Porter
Ashcroft Law Firm
Berger Montague
Blank Rome
CKR Law LLP
Cleary Gottlieb
Cohen Milstein
DLA Piper
Davis Polk
Del Sole Cavanaugh
Dorsey & Whitney
Faruqi & Faruqi
Gibson Dunn
Gitlin Horn
Glasser & Glasser
Goldman Ismail
Goodwin Procter
Gottlieb & Associates
Greenbaum Rowe
Habba Madaio
Hagens Berman
Hangley Aronchick
Harris Wiltshire

Center on Tuesday to call for greater U.S. Department of Justice oversight of the largest federal pretrial jail in the nation.

Letter attached | Read full article »

Texas State Bar Beats Attys' Dues Suit

A Texas federal judge struck down a proposed class action against the State Bar of Texas arguing that attorneys who don't agree with how the bar's money is spent should be reimbursed their dues, ruling that the three attorney plaintiffs couldn't overcome the hurdle of sovereign immunity.

Order attached | Read full article »

Ex-Trump Aide Navarro 'Fishing' For Irrelevant Docs, Feds Say

The federal government said former Trump White House trade adviser Peter Navarro is "fishing for irrelevant information" as he fights contempt charges for defying a congressional subpoena related to the Jan. 6 attack on the U.S. Capitol.

Memorandum attached | Read full article »

BANKING & SECURITIES

Analysis

SEC's New Hedge Fund Proposal Leaves Some Wary Of Hacks

Hedge fund advisers are likely to express concern about the safety of sensitive business information being requested by the U.S. Securities and Exchange Commission under an enhanced disclosure rule proposed last week, particularly after the hack of an agency database in recent years, legal experts told Law360.

Read full article »

DC Circ. Orders SEC To Review FINRA Bond Reporting Plan

The U.S. Securities and Exchange Commission has been ordered to take another look at a bond reporting system it approved the Financial Industry Regulatory Authority to run after the D.C. Circuit found Tuesday that the regulator did not adequately respond to concerns raised by Bloomberg LP.

Opinion attached | Read full article »

Fed Says Banks Should Notify It Before Dipping Into Crypto

The Federal Reserve issued guidance Tuesday for what banks under its oversight should do before getting involved in any cryptocurrency-related activities, saying it wants to receive a heads-up from them for starters.

1 document attached | Read full article »

'Uber Files' Leaked To The Guardian Prompt Investor Suit

Uber Technologies' stock price took a significant hit, damaging shareholders, after thousands of internal company records — dubbed the "Uber Files" by journalists — were leaked to The Guardian, revealing the company's misconduct, according to an investor class action filed Tuesday in California federal court.

Complaint attached | Read full article »

ENERGY & ENVIRONMENTAL

9th Circ. May Rethink Go-Ahead For Ariz. Copper Mine

The Ninth Circuit may be poised to revisit a ruling from earlier this summer that upheld plans to tap nearly 2 trillion tons of copper ore on federal land in Arizona after one of its judges asked the full appeals court to reconsider whether the project would violate a local Apache group's religious liberty.

Order attached | Read full article »

States Oppose USPS Effort To Centralize Mail Truck Suits

States, environmental groups and autoworkers on Monday asked the Judicial Panel on Multidistrict Litigation not to centralize three lawsuits alleging the U.S. Postal Service overlooked climate change impacts when it decided to replace its aging delivery fleet with fossil fuel-powered vehicles.

3 documents attached | Read full article »

HEALTH & LIFE SCIENCES

Abortion Providers Ask Fla. Justices To Hear Fight Over Ban

Hilliard & Shadowen
Hinshaw & Culbertson
Hogan Lovells
Hogen Adams
Holwell Shuster
Hooper Lundy
Houston Harbaugh
Jenner & Block
Joseph & Kirschenbaum
Katten Muchin
Kaufman & Canoles
Kenny Nachwalter
Kessler Topaz
Kirkland & Ellis
Latham & Watkins
Mayer Brown
Miller Shah LLP
Morgan Lewis
Motley Rice
Mound Cotton
Municipal Law & Litigation Group SC
Napoli Shkolnik
Nussbaum Law Group PC
O'Melveny & Myers
Orrick Herrington
Paul Hastings
Pomerantz LLP
Pryor Cashman
Radice Law Firm
Reed Smith
Ridley McGreevy
Robert C Gottlieb & Associates
Schulte Roth
Shearman & Sterling
Sperling & Slater
Squire Patton
Steptoe & Johnson LLP
Taus Cebulash
Vinson & Elkins
Wiley Rein
Williams & Connolly
Wilson Sonsini
Wolcott Rivers
Womble Bond
Woods Rogers
YK Law

COMPANIES IN TODAY'S NEWS

Allied World Assurance Company Holdings, ltd.
American Civil Liberties Union
American College of Physicians
American Council on Renewable Energy
Applebee's International Inc.
Axon Enterprise Inc.
Bates White LLC
Bertelsmann AG
Bloomberg
Center for Biological Diversity
Coinbase Global Inc.
Consolidated Edison Inc.
DCI Consulting Group Inc.
Earthjustice
Financial Industry Regulatory Authority Inc.
Flynn Restaurant Group LP
Georgetown University

Planned Parenthood and other abortion providers are asking the Florida Supreme Court to consider their challenge to the state's ban on most abortions after 15 weeks of gestation after the providers were dealt a blow by a lower court last month.

Notice attached | Read full article »

NJ Nursing Home's COVID Immunity Pitch Meets Skepticism

A New Jersey state judge on Tuesday challenged a nursing home's bid to throw out a lawsuit over a resident's COVID-19 death, questioning its stance that the allegations entirely deal with negligence and thus are blocked by a state law shielding medical facilities from civil liability over pandemic-related treatment.

Read full article »

IP & TECHNOLOGY

SG Urges High Court To Back Photographer In Warhol IP Fight

The Biden administration has told the U.S. Supreme Court it should affirm a Second Circuit decision that Andy Warhol's artwork did not make fair use of a photo of music legend Prince, telling the justices that siding with Warhol "would dramatically expand" the fair-use doctrine.

5 documents attached | Read full article »

INSURANCE

Warburg Pincus-Owned Lender Fleeced Borrowers, States Say

Five U.S. states and the District of Columbia sued a Warburg Pincus-backed lender Tuesday on claims that the firm charged consumers for hidden add-on policies that they didn't agree to buy, adding that the private equity giant's "high-growth demands" led to the alleged predatory tactics.

Complaint attached | Read full article »

Insurers Claim Calif. Franchisee's Virus Suit Can't Stay In Pa.

A restaurant franchise company's lawsuit seeking insurance coverage for pandemic losses doesn't belong in a Pennsylvania state court because neither the company nor the insurers have enough contact with the Keystone State to grant its courts personal jurisdiction, attorneys for the insurers argued Tuesday.

Read full article »

EMPLOYMENT & BENEFITS

DC Circ. Affirms Judiciary Workers' Right To Political Activity

A federal judiciary policy forbidding employees from championing political candidates and parties outside of work and organizing to support their campaigns violates the First Amendment, the D.C. Circuit ruled Tuesday.

Opinion attached | Read full article »

COMPETITION

Publishing Merger Won't Hurt Competition, Yale Prof Says

A Yale University economist told a D.C. federal judge on Tuesday that there's plenty of competition in the publishing industry for the acquisition of new books and that author advances are not likely to fall after Penguin Random House acquires Simon & Schuster.

Read full article »

FTC Renews Fight Against State Shields For Hospital Mergers

The Federal Trade Commission urged state lawmakers Monday to avoid using Certificates of Public Advantage, which allow hospital mergers without federal oversight, claiming that they create higher prices and reduced quality of care for patients and slower wage growth for employees, despite hospitals' claim that the certificates lower patient costs and improve overall health.

2 documents attached | Read full article »

FTC Gets Backing In High Court Constitutionality Case

The American Antitrust Institute has thrown its weight behind the Federal Trade Commission in an appeal before the U.S. Supreme Court, supporting the agency's argument that lawsuits challenging the constitutionality of the FTC's administrative court cannot proceed until the agency's court hands down a final ruling.

Glenmark Pharmaceuticals Ltd.
Google LLC
Hachette Book Group Inc.
HarperCollins Publishers LLC
International Consortium of Investigative Journalists
Iqvia Holdings Inc.
LinkedIn Corp.
Macmillan Publishers Ltd.
McAfee Inc.
Merck & Co. Inc.
Meta Platforms Inc.
Natural Resources Defense Council
New Civil Liberties Alliance
North Carolina Justice Center
Northern Mariana Islands Retirement Fund
PJM Interconnection LLC
Panera Bread Co.
Paramount Global
Pilgrim's Pride Corp.
Planned Parenthood Federation
Public Broadcasting Service
Recording Industry Association of America Inc.
Ripple Labs Inc.
Roberts Group (Little Rock, US)
Rogers Communications Inc.
Shaw Communications Inc.
Sierra Club
Simon & Schuster Inc.
Space Exploration Technologies Corp.
Spectrum Management Holding Co.
The Center for Reproductive Rights Inc.
The Charles Schwab Corp.
The Florida Bar
Theranos Inc.
Trump Organization Inc.
Twitter Inc.
Uber Technologies Inc.
United Auto Workers
Videotron s.e.n.c.
Warburg Pincus LLC
Wells Fargo & Co.
Wynn Resorts Ltd.
Yale University

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bad River Band of Lake Superior Chippewa Tribe
Bureau of Ocean Energy Management
Centers for Disease Control and Prevention
Commodity Futures Trading Commission
Congressional Budget Office
Equal Employment Opportunity Commission
European Union
Federal Bureau of Investigation
Federal Bureau of Prisons
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Reserve System

Brief attached | Read full article »

Poultry Execs Get Clarification On Price-Fixing Charges

A Colorado federal judge has ordered the U.S. Department of Justice to provide two former chicken industry executives with more information about the price-fixing charges filed against them, finding the disclosure is appropriate to allow the men to properly prepare a defense for trial.

Order attached | Read full article »

CYBERSECURITY & PRIVACY

Calif. Agency Urges House To Scrap 'Weak' Data Privacy Bill

California's new privacy agency is stepping up pressure on House leaders to abandon data privacy legislation that would preempt stronger state laws, arguing that Congress needs to set a "floor of federal protections" rather than hamstring the work of the agency and state policymakers.

Letter attached | Read full article »

TAX

Feds Spell Out EV Tax Breaks Under Inflation Reduction Act

Ford Escape PHEV, BMW X5 and Jeep Wrangler PHEV are among the electric vehicles assembled in North America that consumers can buy using a tax credit revised under a new landmark law that aims to tackle climate change.

4 documents attached | Read full article »

IMMIGRATION

DOL Wants H-2B Suit Cut, Citing Crawfish Season's End

The U.S. Department of Labor has asked a D.C. federal judge to further trim a lawsuit by employees of a Louisiana crawfish plant, saying the end of the crawfish season also meant their H-2B wage rule challenge ended.

Memorandum attached | Read full article »

WHITE COLLAR

Ex-House Rep. TJ Cox Arrested On Fraud Charges In Calif.

Former U.S. Rep. T.J. Cox was arrested Tuesday and hit with a nearly 30-count indictment alleging campaign contribution fraud, financial institution fraud and wire fraud as well as money laundering, according to the U.S. Department of Justice.

Indictment attached | Read full article »

Judge Strikes DOJ Memo Over Footnotes In Wynn FARA Case

A D.C. federal judge overseeing the U.S. Department of Justice's civil suit against former casino and hotel mogul Steve Wynn, who is accused of failing to register as a foreign agent, on Tuesday struck a government memorandum that disputed Wynn's motion to dismiss, determining it had "excessive footnotes."

Motion attached | Read full article »

TELECOMMUNICATIONS

Interview

FCC Democrat Touts Pilot Effort To Connect More Americans

Federal Communications Commission member Geoffrey Starks has kept up a frenetic schedule lately, touring American cities from Boston to Los Angeles to see firsthand the problems people are experiencing without high-speed internet.

Read full article »

High-Speed Deployment Barriers Bedevil US Neighbors Too

The United States is not the only North American country still facing steep obstacles in getting all its people connected to modern high-speed internet, top-level telecom regulators from across the continent said Tuesday.

Read full article »

Canadian Telecoms Ink Divestiture In Bid To Save $20B Merger

Telecommunications corporations Rogers Communications Inc. and Shaw Communications have announced a deal to sell off a wireless carrier in an attempt to address an

Federal Trade Commission
Florida Supreme Court
Food and Drug Administration
Internal Revenue Service
Lac Courte Oreilles Band
Lac du Flambeau Band of Lake Superior Chippewa Indians
National Archives and Records Administration
National Institute of Standards and Technology
National Telecommunications and Information Administration
New Jersey Supreme Court
New York Attorney General's Office
New York State Joint Commission on Public Ethics
Office of Defender Services
Office of the Comptroller of the Currency
Red Cliff Band
Risk Management Agency
Rural Utilities Service
San Carlos Apache Nation
State Bar of Texas
Texas Legislature
Texas Supreme Court
U.S. Army
U.S. Attorney's Office
U.S. Attorney's Office for the District of Colorado
U.S. Attorney's Office for the District of New Jersey
U.S. Attorney's Office for the Eastern District of California
U.S. Attorney's Office for the Southern District of New York
U.S. Copyright Office
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of California
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of New York

ongoing challenge to their $20 billion merger from Canada's Competition Bureau.

Read full article »

CANNABIS

Calif. Court Says Unlawful Pot Biz Operated As Fake Church

A California state judge permanently barred a nonprofit, which had claimed to be a church, from selling, making or giving away cannabis in the city of South Gate during a public nuisance trial, ruling against the group after one of its members abandoned the case midtrial.

2 documents attached | Read full article »

Nebraska Attys Can Invest In Medical Cannabis, Panel Says

The Advisory Committee to Nebraska Attorneys has said in an advisory opinion that attorneys there and their spouses can invest in medical cannabis operations in states where cannabis businesses are legal without violating Nebraska's professional code of conduct.

Read full article »

Wis. Can't Tax Reacquired Tribal Land, 7th Circ. Rules

The Seventh Circuit has reversed a Wisconsin federal judge's ruling allowing the state to tax lands of four Chippewa tribes that have been reacquired by tribe members, saying the tribes retain a treaty-based right not to pay taxes on those lands and the state didn't overcome the "sanctity" of tribal tax immunity under U.S. Supreme Court precedent.

Opinion attached | Read full article »

Church Says Oakland Denied Permits Because Of Cannabis

An Oakland branch of the Church of Ambrosia, whose members believe they become closer to God through the use of cannabis and mushrooms, is suing the city, alleging that it discriminated against the church by denying a land-use permit.

Complaint attached | Read full article »

PEOPLE

Gibson Dunn Taps Former FERC Judge For DC Office

Gibson Dunn & Crutcher LLP announced Tuesday that it had brought on a former Federal Energy Regulatory Commission administrative law judge as senior counsel, marking a second hire from government ranks to the firm's D.C. office this week.

Read full article »

DC Boutique Changes Name As Co-Founder Heads To NTIA

D.C. boutique Harris Wiltshire & Grannis LLP has rebranded as HWG LLP after a name partner left to take up a senior advisory role at the National Telecommunications and Information Administration.

Read full article »

EXPERT ANALYSIS

Are Securities Laws Appropriate To Protect Crypto Markets?

Following the U.S. Securities and Exchange Commission's recent Coinbase fraud charges, regulators should consider whether using securities law to oversee digital asset markets may contradict both the scienter requirements of insider trading and the general concepts of notice and due process that undergird U.S. legal theory, says Amy Caiazza at Wilson Sonsini.

2 documents attached | Read full article »

3 Trends To Watch In US Offshore Wind Development

As the offshore wind industry continues to build momentum in the U.S. with billions of dollars in new infrastructure spending and offshore lease sales, developers should keep an eye on emerging solutions to grid connectivity, expansion into new potential lease areas and more, say attorneys at V&E.

Read full article »

NYC Employers Face Ambiguities In AI Bias Law

There are less than five months to go before the enactment of a new law in New York City that will regulate the use of artificial intelligence in employers' hiring processes, but its effectiveness will be limited if outstanding questions are not addressed soon, say consultants at DCI Consulting.

Read full article »

U.S. House of Representatives

U.S. Postal Service

U.S. Securities and Exchange Commission

U.S. Senate

U.S. Supreme Court

United States District Court for the District of Colorado

Wisconsin Department of Revenue

Digital Health Cos. Should Expect More Scrutiny Amid Growth

As the digital health market continues to flourish, the privacy and security of patient data has become a focus of legislative, regulatory and interest group action, and developers should be motivated to reassure both regulators and consumers that users' data is adequately protected, say attorneys at Kirkland.

Read full article »

What Litigators Can Really Learn From Rambo

A Rambo litigator is a consistently overaggressive and dishonest attorney, but the John Rambo of "First Blood," which recently celebrated its 40th anniversary, has several excellent qualities worth emulating in the legal profession, including professional competence, mental resilience and improvisational ability, says Christopher Van de Kieft at Gitlin Horn.

Read full article »

LEGAL INDUSTRY

Law Firm Revenue Growth Slows Amid Falling Profits

Revenue at large and midsize law firms across the U.S. grew just 5.8% since last summer as booming expenses led to falling profits following record gains in 2021, according to a report from Wells Fargo Private Bank released Tuesday.

Read full article »

Mansfield Rule 6.0 Stresses Transparent Path To Leadership

Law firms participating in the Diversity Lab's Mansfield Rule certification process, which is aimed at improving diversity in leadership within the legal industry, were presented with some heightened standards to certification on Tuesday, including a strong emphasis on transparency in a number of areas that affect promotion.

Read full article »

Andrew Cuomo Beats Ethics Panel's Bid For $5M Book Profits

A New York state judge held Tuesday that a now-defunct state ethics commission unlawfully sought to seize the proceeds of Andrew Cuomo's $5.1 million book deal, finding the commission had determined wrongdoing without giving the former governor a due process hearing.

Read full article »

Merck's Zetia Arguments Don't Misuse Privilege, Judge Says

A Virginia federal judge will allow Merck to make certain arguments about how its executives interpreted a patent litigation settlement with rival drugmaker Glenmark over cholesterol drug Zetia despite claims from antitrust plaintiffs that the company previously made the information off-limits by claiming it's privileged attorney-client communication.

Read full article »

NY Judge OKs $945K Arbitration Award For Ex-CKR Atty

A New York state judge has signed off on a $945,000 arbitration award that went in favor of a former crypto-focused lawyer and against CKR Law LLP and its managing partner.

Read full article »

Former Boston Prosecutor Pleads Not Guilty In Rape Case

A former Boston prosecutor and criminal justice reform advocate pled not guilty on Tuesday to accusations that he raped a woman while she slept during an encounter in a New York hotel room in 2017, the Manhattan District Attorney's Office told Law360.

Read full article »

SEC Taps Seasoned Federal Prosecutor To Run Philly Office

The U.S. Securities and Exchange Commission has tapped a federal prosecutor to serve as the regional director of the agency's Philadelphia office, while also permanently installing the acting regional director of the San Francisco office.

Read full article »

JOBS
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Illinois Attorney General's Office
-, -

Vice President, Assistant General Counsel
Bank Policy Institute
Washington, District of Columbia

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SUBJECT: 'Sea Change In The Law': Inside One Firm's Post-Roe Practice
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 17/08/2022 02:48

LAW360®

Wednesday, August 17, 2022

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TOP NEWS

Interview

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Read full article »

Abortion Providers Ask Fla. Justices To Hear Fight Over Ban

Planned Parenthood and other abortion providers are asking the Florida Supreme Court to consider their challenge to the state's ban on most abortions after 15 weeks of gestation after the providers were dealt a blow by a lower court last month.

Notice attached | Read full article »

Idaho Co. Fights FTC's Suit Threat Over Data Tracking

A marketing and analytics company has sued the Federal Trade Commission in Idaho federal court over the agency's threat to challenge the company's sale of consumer geolocation data, which could be used to track people to sensitive places, like therapists' offices and reproductive health care clinics.

Complaint attached | Read full article »

Merck's Zetia Arguments Don't Misuse Privilege, Judge Says

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Order attached | Read full article »

COMPANIES IN TODAY'S NEWS

American Civil Liberties Union
American College of Physicians
American Council on Renewable Energy
American International Group Inc.
Archroma
Arsenal Capital Partners
Axon Enterprise Inc.
Brigham & Women's Hospital
Canopy Growth Corp.

Biden Signs Landmark Tax And Climate Bill Into Law

President Joe Biden signed the tax, climate and health care legislation known as the Inflation Reduction Act into law Tuesday, marking a major victory for Democrats ahead of the November midterm elections.

Bill attached | Read full article »

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2 documents attached | Read full article »

POLICY & REGULATION

Nebraska Attys Can Invest In Medical Cannabis, Panel Says

The Advisory Committee to Nebraska Attorneys has said in an advisory opinion that attorneys there and their spouses can invest in medical cannabis operations in states where cannabis businesses are legal without violating Nebraska's professional code of conduct.

Read full article »

LITIGATION

United Worker Asks 9th Circ. To Revive Mask Policy Bias Suit

A United Airlines airport worker asked the Ninth Circuit to bring back his disability bias suit alleging United placed him on leave instead of accommodating his post-traumatic stress disorder when he couldn't comply with the airline's face-masking requirements during the height of the COVID-19 pandemic.

Brief attached | Read full article »

USAG Keeps Fee Award In Nassar Coverage Suit

Liberty Underwriters Insurance Inc. must pony up the remainder of a roughly $2.1 million judgment for USA Gymnastics, a Seventh Circuit panel ruled Tuesday, saying the insurer failed to show that any portion of the fees incurred during investigations into sexual abuse by former team doctor Larry Nassar were not reasonable and necessary.

Opinion attached | Read full article »

Asset Manager Exits $227M Stock Buy Class Action

A California federal judge handed an investment management firm a win in a benefits suit originally involving KPC Healthcare Holdings Inc. that accused the companies of botching a $227 million purchase by KPC's employee stock ownership plan, ruling the workers couldn't prove the asset manager knew the conduct was unlawful.

Order attached | Read full article »

Harvard Dodges Ex-Lab Worker's Race Bias Suit

A Massachusetts federal judge Tuesday tossed a Black former Harvard University employee's suit alleging that white colleagues were promoted faster than she was and that the school stifled her career progression, ruling there's little evidence of any meaningful racial disparities.

2 documents attached | Read full article »

Ex-Walmart Worker Ends Stealth Shift Discrimination Suit

A former Walmart employee told a Michigan federal court she was dropping a proposed class action alleging the retail giant scheduled employees for work while they were on medical leave to justify firing them.

Notice attached | Read full article »

Mass. Health Network, Insurer Settle Over Scientist's Award

A Massachusetts health care network has resolved a suit against its secondary insurer for refusing to help cover a $20 million judgment in favor of a cancer scientist, according to an order issued Tuesday in Boston federal court.

Order attached | Read full article »

Dental Practices Settle After COVID Insurance Coverage Win

Dental Experts LLC and Massachusetts Bay Insurance Co. asked an Illinois federal judge on Monday to vacate his summary judgment ruling holding that the insurer was wrong

Competitive Enterprise Institute
Conagra Brands Inc.
Emigrant Bancorp Inc.
Fitbit Inc.
Garmin Ltd.
Glenmark Pharmaceuticals Ltd.
Google LLC
Harvard University
Huntsman Corp.
Iqvia Holdings Inc.
Jazz Pharmaceuticals Inc.
Liberty Mutual Insurance Group
LinkedIn Corp.
Merck & Co. Inc.
Meta Platforms Inc.
Nature's Bounty Co.
New Civil Liberties Alliance
Planned Parenthood Federation
Princeton University
Public Broadcasting Service
Reckitt Benckiser Group PLC
Roberts Group (Little Rock, US)
Royal Philips NV
Spectrum Management Holding Co.
Steward Health Care System LLC
Technicolor
Teleflex Inc.
The Center for Reproductive Rights Inc.
The Charles Schwab Corp.
The Florida Bar
Theranos Inc.
Twitter Inc.
USA Gymnastics
United Airlines Holdings Inc.
Walmart Inc.
Wells Fargo & Co.
Wynn Resorts Ltd.

LAW FIRMS IN TODAY'S NEWS

AlvaradoSmith
Ashcroft Law Firm
Axelrod LLP
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Blank Rome
Block & Leviton
CKR Law LLP
Cohen Milstein
Cranfill Sumner
Dhillon Law Group
Dinsmore & Shohl
Donahoo & Associates
Ellis & Winters
Faruqi & Faruqi
Feinberg Jackson
Fisher Phillips
Gibson Dunn
Gitlin Horn
Glasser & Glasser
Goldman Ismail
Goodwin Procter
Gordon & Rees
Gottlieb & Associates
Greenbaum Rowe
Hagens Berman

to limit the dental practices to a single payment of $25,000 for disease contamination coverage, in light of reaching a settlement.

Motion attached | Read full article »

PTAB Trims Fitbit Calorie-Tracking Patent In Philips IP Feud

The Patent Trial and Appeal Board has invalidated eight claims in a Fitbit patent that covers tracking calorie burn, but said 12 other claims weren't shown to be invalid by Philips North America LLC, which challenged the patent after it was accused of infringing it.

Decision attached | Read full article »

NC Court Tosses Suit Over Patient's Appendectomy Injuries

A North Carolina appellate panel on Tuesday tossed a suit accusing a surgeon and a hospital of botching a 13-year-old's appendectomy, deciding that under state law children over the age of 7 do not get an extension of the statute of limitation for medical malpractice cases.

Opinion attached | Read full article »

NJ Nursing Home's COVID Immunity Pitch Meets Skepticism

A New Jersey state judge on Tuesday challenged a nursing home's bid to throw out a lawsuit over a resident's COVID-19 death, questioning its stance that the allegations entirely deal with negligence and thus are blocked by a state law shielding medical facilities from civil liability over pandemic-related treatment.

Read full article »

Co. Fights 'Serial Objector' Claim In Settlement Of Ad Case

A U.K-based company accused of falsely advertising its celebrity-endorsed brain supplement has asked the Eleventh Circuit to reject a "serial objector's" attempt to derail an $8 million class action settlement, arguing there is no evidence the deal was not negotiated fairly.

Brief attached | Read full article »

Princeton University Hit With Bias Suit Over COVID Policies

Princeton University was hit Tuesday with a religious discrimination lawsuit in New Jersey federal court from a onetime budget analyst at the Ivy League school over claims it fired her in retaliation for objecting to policies aimed at curbing the spread of COVID-19.

Complaint attached | Read full article »

Fed. Circ. Urged To Toss Pot Co.'s CBD Patent Appeal

British pharmaceutical firm GW Pharmaceuticals told the Federal Circuit on Monday that a district judge was correct to toss claims brought by cannabis giant Canopy Growth, accusing the company of allegedly cribbing a process to make its flagship CBD drug Epidiolex.

1 document attached | Read full article »

Calif. Court Says Unlawful Pot Biz Operated As Fake Church

A California state judge permanently barred a nonprofit, which had claimed to be a church, from selling, making or giving away cannabis in the city of South Gate during a public nuisance trial, ruling against the group after one of its members abandoned the case midtrial.

2 documents attached | Read full article »

DEALS

Kirkland-Guided Thompson Street Closes $1.5B Fund

Thompson Street Capital partners, guided by Kirkland & Ellis LLP, announced Tuesday that it had closed its sixth capital investment fund with more than $1.5 billion in commitments.

Read full article »

EXPERT ANALYSIS

Digital Health Cos. Should Expect More Scrutiny Amid Growth

As the digital health market continues to flourish, the privacy and security of patient data has become a focus of legislative, regulatory and interest group action, and developers should be motivated to reassure both regulators and consumers that users' data is adequately protected, say attorneys at Kirkland.

Read full article »

What Litigators Can Really Learn From Rambo

Hamilton Lincoln Law Institute
Hangley Aronchick
Harris Wiltshire
Herold Law Group PC
Hilliard & Shadowen
Hogan Lovells
Hogie & Campbell
Holwell Shuster
Hooper Lundy
Hurwitz Law PLLC
Jenner & Block
Joseph & Kirschenbaum
Kaufman & Canoles
Kenny Nachwalter
Kessler Topaz
Kightlinger & Gray
King & Spalding
Kirkland & Ellis
Latham & Watkins
Levin Papantonio
MKLLC Law
Milberg Coleman
Miller Johnson
Miller Shah LLP
Morgan Brown
Morgan Lewis
Motley Rice
Napoli Shkolnik
Nussbaum Law Group PC
Paul Hastings
Perkins Coie
Plews Shadley
Radice Law Firm
Robert C Gottlieb & Associates
Shub Law Firm
Sperling & Slater
Steptoe & Johnson LLP
Taus Cebulash
Todd & Weld
Tressler LLP
Venable LLP
Vinson & Elkins
Vlasac & Shmaruk
White and Williams
Wolcott Rivers
Woods Rogers
YK Law

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Congressional Budget Office
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Federal Communications Commission
Federal Trade Commission
Florida Supreme Court
Food and Drug Administration
Indiana Attorney General's Office
Internal Revenue Service
International Trade Commission
Los Angeles World Airports
National Telecommunications and Information Administration
New Jersey Supreme Court

A Rambo litigator is a consistently overaggressive and dishonest attorney, but the John Rambo of "First Blood," which recently celebrated its 40th anniversary, has several excellent qualities worth emulating in the legal profession, including professional competence, mental resilience and improvisational ability, says Christopher Van de Kieft at Gitlin Horn.

Read full article »

LEGAL INDUSTRY

Law Firm Revenue Growth Slows Amid Falling Profits

Revenue at large and midsize law firms across the U.S. grew just 5.8% since last summer as booming expenses led to falling profits following record gains in 2021, according to a report from Wells Fargo Private Bank released Tuesday.

Read full article »

Mansfield Rule 6.0 Stresses Transparent Path To Leadership

Law firms participating in the Diversity Lab's Mansfield Rule certification process, which is aimed at improving diversity in leadership within the legal industry, were presented with some heightened standards to certification on Tuesday, including a strong emphasis on transparency in a number of areas that affect promotion.

Read full article »

DC Circ. Affirms Judiciary Workers' Right To Political Activity

A federal judiciary policy forbidding employees from championing political candidates and parties outside of work and organizing to support their campaigns violates the First Amendment, the D.C. Circuit ruled Tuesday.

Read full article »

Andrew Cuomo Beats Ethics Panel's Bid For $5M Book Profits

A New York state judge held Tuesday that a now-defunct state ethics commission unlawfully sought to seize the proceeds of Andrew Cuomo's $5.1 million book deal, finding the commission had determined wrongdoing without giving the former governor a due process hearing.

Read full article »

DOJ Can Shield Michael Cohen Probe Docs, 2nd Circ. Affirms

The Second Circuit on Tuesday agreed with a district judge's decision that documents related to FBI interviews with Donald Trump's former lawyer Michael Cohen are attorney work product, and thus are exempt from Freedom of Information Act requests.

Read full article »

Judge Strikes DOJ Memo Over Footnotes In Wynn FARA Case

A D.C. federal judge overseeing the U.S. Department of Justice's civil suit against former casino and hotel mogul Steve Wynn, who is accused of failing to register as a foreign agent, on Tuesday struck a government memorandum that disputed Wynn's motion to dismiss, determining it had "excessive footnotes."

Read full article »

DC Boutique Changes Name As Co-Founder Heads To NTIA

D.C. boutique Harris Wiltshire & Grannis LLP has rebranded as HWG LLP after a name partner left to take up a senior advisory role at the National Telecommunications and Information Administration.

Read full article »

NY Judge OKs $945K Arbitration Award For Ex-CKR Atty

A New York state judge has signed off on a $945,000 arbitration award that went in favor of a former crypto-focused lawyer and against CKR Law LLP and its managing partner.

Read full article »

Former Boston Prosecutor Pleads Not Guilty In Rape Case

A former Boston prosecutor and criminal justice reform advocate pled not guilty on Tuesday to accusations that he

New York Attorney General's Office
New York State Joint Commission on Public Ethics
Office of Defender Services
State Bar of Texas
Texas Legislature
Texas Supreme Court
U.S. Army
U.S. Attorney's Office
U.S. Attorney's Office for the District of New Jersey
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Department of Commerce
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Idaho
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. House of Representatives
U.S. Securities and Exchange Commission
U.S. Supreme Court

raped a woman while she slept during an encounter in a New York hotel room in 2017, the Manhattan District Attorney's Office told Law360.

Read full article »

SEC Taps Seasoned Federal Prosecutor To Run Philly Office

The U.S. Securities and Exchange Commission has tapped a federal prosecutor to serve as the regional director of the agency's Philadelphia office, while also permanently installing the acting regional director of the San Francisco office.

Read full article »

Texas State Bar Beats Attys' Dues Suit

A Texas federal judge struck down a proposed class action against the State Bar of Texas arguing that attorneys who don't agree with how the bar's money is spent should be reimbursed their dues, ruling that the three attorney plaintiffs couldn't overcome the hurdle of sovereign immunity.

Read full article »

FTC Gets Backing In High Court Constitutionality Case

The American Antitrust Institute has thrown its weight behind the Federal Trade Commission in an appeal before the U.S. Supreme Court, supporting the agency's argument that lawsuits challenging the constitutionality of the FTC's administrative court cannot proceed until the agency's court hands down a final ruling.

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JOBS

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SUBJECT: Morning Consult Health: FDA Issues Rule to Make Hearing AidsAvailable Over the Counter
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 17/08/2022 06:05

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Health

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AUGUST 17, 2022

BY MATT BRACKEN

Twitter Email

Top Stories

- Hearing aids for people with mild to moderate hearing loss will be available without a prescription by October, after the Food and Drug Administration finalized a rule that President Joe Biden said would provide almost $3,000 in savings to U.S. families for a pair of the devices. By making hearing aids available over the counter, the administration is banking on more competition in the market leading to lower prices, as hearing aids typically cost between $1,000 to $4,000 per ear. (Roll Call)

- Bavarian Nordic A/S said "it's no longer certain" that it can meet the demand for its Jynneos monkeypox vaccine, forcing the Danish company to consider outsourcing parts of its production and potentially exploring a technology transfer with a contract manufacturer in the United States. (Bloomberg) The Health and Human Services Department's announcement earlier this month that it would pursue a dose-sparing strategy with the vaccine is said to have infuriated Bavarian Nordic Chief Executive Paul Chaplin, who told a U.S. health official that the plan amounted to a breach of contract and that the company would consider canceling future U.S. orders of the vaccine, two people with knowledge of the matter said. (The Washington Post)

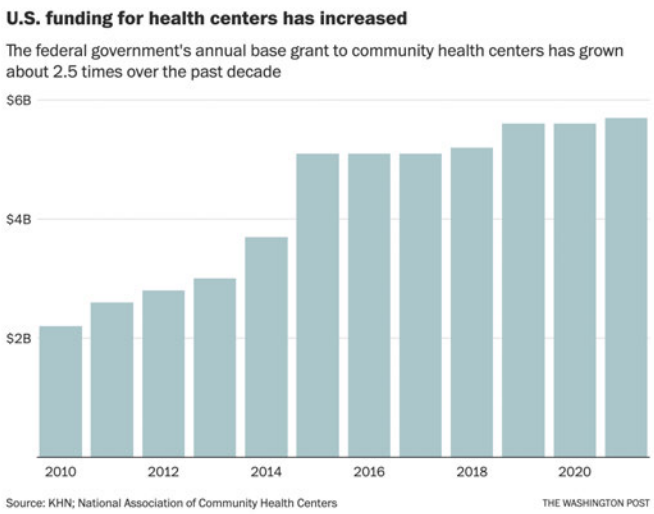
- Biden signed Democrats' Inflation Reduction Act into law yesterday at a White House ceremony, enacting a three-year extension of Affordable Care Act subsidies, a $35 monthly insulin price ceiling for Medicare enrollees and measures to lower prescription drug prices. (NBC News) Next on the Biden administration's health agenda is a move to broaden the "medically necessary" scenarios in which Medicare would cover dental services, with a proposal under consideration that would authorize reimbursement for oral and dental care in service of treating Medicare-covered conditions such as heart disease and diabetes. (Bloomberg Law)

- The next step in the Biden administration's efforts to protect abortion rights involve an influence campaign targeting men as well as women, as health officials plan to emphasize how forced pregnancies adversely affect both genders, according to sources with direct knowledge of the strategy. The administration also reportedly plans to utilize two federal statutes enacted before the Supreme Court's Roe v. Wade reversal — the Emergency Medical Treatment and Active Labor Act and FDA pre-emption under the Federal Food, Drug & Cosmetic Act — as it engages in court battles with states pursuing various restrictions on abortion. (Reuters)

Chart Review

For a few community health centers, serving the poor brings big surpluses

The Washington Post



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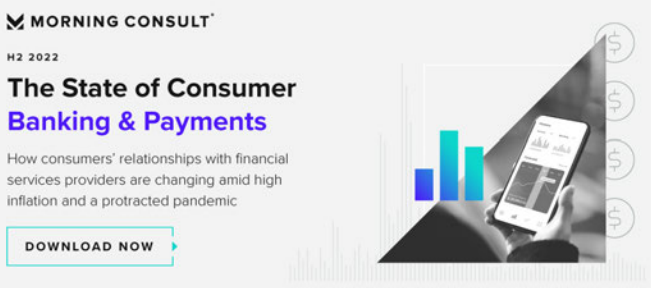

State of Consumer Banking & Payments Report: August 2022

Consumers have weathered half a year of historic inflation. It's wearing on their financial well-being, slowing their progress toward their goals and beginning to impact their interactions with financial services providers.

Access Morning Consult's report, The State of Consumer Banking & Payments, to understand how consumers' relationships with financial services providers are changing amid high inflation and a protracted pandemic. Download today.

What Else You Need to Know

CORONAVIRUS

Even the CDC Is Acting Like the Pandemic Is Functionally Over
Katherine J. Wu, The Atlantic
Americans have been given the all clear to dispense with most of the pandemic-centric behaviors that have defined the past two-plus years—part and parcel of the narrative the Biden administration is building around the "triumphant return to normalcy," says Joshua Salomon, a health-policy researcher at Stanford.

Jill Biden tests positive for COVID-19, has 'mild' symptoms
Zeke Miller, The Associated Press
First lady Jill Biden tested positive for COVID-19 and was experiencing "mild symptoms," the White House announced Tuesday. President Joe Biden continues to test negative after recently recovering from the virus but will wear a mask indoors for 10 days as a precaution.

Why a Century-Old Vaccine Offers New Hope Against Pathogens
Roni Caryn Rabin, The New York Times
The B.C.G. tuberculosis vaccine may protect against Covid-19 and other infections by broadly bolstering the immune system.

What, Exactly, Is 'Paxlovid Mouth,' and How Do You Get Rid of It?
Alex Janin, The Wall Street Journal
A Pfizer spokesperson acknowledged the side effect, called dysgeusia, and pointed to a study that found the symptom occurred 5.6% of the time people took the drug. The study was funded by Pfizer and published in the New England Journal of Medicine. The company said most patients' dysgeusia symptoms were mild.

NYC Schools Abandon Covid Health Screenings, PCR Tests
Nic Querolo, Bloomberg
The country's largest school district, which serves roughly 1 million students, will no longer require daily health screenings to enter school buildings, nor will it conduct in-school PCR surveillance testing, according to new health guidelines. Schools will still require vaccination for all visitors, DOE employees and students participating in high-risk activities like sports.

GENERAL

US Defends Emergency Abortion Rule in Texas AG's Lawsuit
Erik Larson, Bloomberg
The Biden administration asked a judge to throw out a Texas lawsuit challenging a federal mandate that emergency abortions in hospitals take priority over state bans on such procedures, calling the rule "reasonable and reasonably explained."

Inflation Reduction Act becomes law: How it will impact your health care
Berkeley Lovelace Jr., NBC News
The Inflation Reduction Act, signed into law by President Joe Biden, is set to lower the cost of prescription drugs — including cancer medications, blood thinners and insulin — for millions of Americans, experts say.

Congress isn't done with messy health care fights

Victoria Knight, Axios

The Inflation Reduction Act is law. But that doesn't mean major health care interests are done testing their lobbying clout. Many are already lining up for year-end relief from Medicare payment cuts, regulatory changes and inflation woes.

Florida court blocks teen from getting abortion, must continue pregnancy

Oriana Gonzalez, Axios

A Florida appellate court on Monday blocked a 16-year-old teenager from getting an abortion, saying that she is not "sufficiently mature" to choose to end her pregnancy.

Childhood lead exposure is linked to low test scores for Black students, study finds

Tat Bellamy-Walker, NBC News

The findings, published Monday in the Proceedings of the National Academy of Sciences (PNAS), are based on surveys of more than 25,000 fourth graders in North Carolina. The data shows that Black students are disproportionately exposed to lead in racially segregated neighborhoods and that these stressors are linked to poor test scores in reading among Black youth relative to their white peers.

Monkeypox Outbreak: CDC Says Pets Should Be Isolated If Possibly Infected

Madison Muller, Bloomberg

Pets exposed to people with monkeypox should be isolated to ensure they don't spread the virus to other people or animals, US health officials said after a dog was reported to be infected with the virus in Paris.

Polio circulating locally in NYC area, poses risk to unvaccinated, CDC says

Spencer Kimball, CNBC

An unvaccinated young adult in Rockland County, a suburb of New York City, caught polio in June and suffered paralysis. The individual had not traveled internationally during the period when they were exposed to polio, and the strain they caught is linked to a weakened form of the virus used in the oral vaccine, according to a CDC investigation published Tuesday.

First possible case of human-to-dog monkeypox transmission 'not surprising,' WHO says

Naomi Thomas, CNN

The first possible case of human-to-dog transmission of monkeypox — recently reported in two men and their pet in Paris — had been a theoretical risk up till now, said Dr. Rosamund Lewis, technical lead on the monkeypox response for the World Health Organization.

Why calling monkeypox an STD is about more than just a label

Jacqueline Howard, CNN

A hallmark of the ongoing monkeypox outbreak is that most cases have been linked to sexual activity, and this has prompted some debate around whether to describe the illness as a sexually transmitted disease.

Walgreens becomes a Roe v. Wade battlefield as it moves deeper into healthcare

Ally Marotti, Crain's Chicago Business

Walgreens Boots Alliance's transformation into a healthcare company puts the Illinois-based drugstore chain in the middle of the bitter debate roiling the country since the U.S. Supreme Court overturned Roe v. Wade in June.

The Forgotten Virus: Zika Families and Researchers Struggle for Support
Stephanie Nolen, The New York Times
Some babies born with devastating birth defects from the mosquito-borne illness are 7 now, but Covid turned the world's attention away.

Walmart sticks with second-half outlook after earnings beat expectations
Melissa Repko, CNBC
The company reported low double-digit comparable sales growth in grocery and high single-digit gains in health and wellness.

Baby formula supplies improving, say U.S. retailers Walmart and Target
Reuters
Two big U.S. retailers Walmart Inc (WMT.N) and Target Corp (TGT.N) said on Tuesday that supplies of baby formula were improving, months after the country faced acute shortages that had caused a panic among parents.

PAYERS

Medicaid expansion sees new life in longtime GOP holdout states
Lucille Sherman and Emma Hurt, Axios
Republican-led states that have resisted expanding Medicaid for more than a decade are showing new openness to the idea.

HCSC set to acquire Trustmark Health Benefits
Paige Minemyer, Fierce Healthcare
Health Care Service Corporation is set to acquire a third-party benefits administrator in a bid to bulk up its ability to provide customizable, flexible benefit solutions to a broader swath of customers.

PROVIDERS

Hospital mergers that dodge antitrust scrutiny lead to dramatically higher prices, study finds
Tara Bannow, Stat News
A forthcoming study in the Journal of Law and Economics found hospitals hiked prices between 39% and 51% after the repeal or expiration of their state regulated certificates of public advantage, or COPAs. COPAs are laws that allow anticompetitive mergers to proceed under state oversight, thereby avoiding the federal antitrust scrutiny lawsuits they would otherwise have to contend with.

Healthcare utilization lag dings hospitals, boosts insurers
Nona Tepper and Caroline Hudson, Modern Healthcare
Health systems attributed the slump in inpatient services to staff shortages that limited procedures, telemedicine alternatives and fewer acute COVID-19 patients. Insurers credited the decline to patients deferring care due to rising inflation, the availability of more cost-efficient value-based care payment arrangements and care shifting from hospitals to less expensive outpatient sites.

Nurses' union sues University of Michigan over workload expectations
Anna Fifelski, Crain's Detroit Business
The Michigan Nurses Association at the University of Michigan filed a lawsuit against the university on Tuesday over the workload its members are facing. The MNA alleges UM is breaking the law by refusing to bargain over nurses' workloads in its contract negotiations with the University of Michigan Professional Nurse Council.

Providence's net loss nears $2B as industry trends dent results
Caroline Hudson, Modern Healthcare
Providence, a not-for-profit health system based in Washington, on Tuesday reported a first-half net loss of $1.84 billion, as the industry's higher expenses and staff shortages plague another health system.

PHARMA, BIOTECH AND DEVICES

Merck Commits $3.75 Billion to Circular RNA Vaccines, Drugs
Angelica Peebles, Bloomberg
Merck & Co will spend as much as $3.75 billion to create vaccines, cancer therapies and infectious-disease drugs with Orna Therapeutics Inc, a closely held biotechnology company developing medicines using circular RNA.

J&J Unit Tells Appeals Court Only Bankruptcy Can Settle Talc Claims
Jonathan Randles, The Wall Street Journal
A Johnson & Johnson subsidiary urged a federal appeals court to uphold the controversial legal strategy it used to move to bankruptcy roughly 38,000 lawsuits linking its talc-based products to cancer.

Endo Files for Bankrupty Over Debt, US Opioid Litigation
Eliza Ronalds-Hannon and Steven Church, Bloomberg
Drug manufacturer Endo International Plc filed for bankruptcy after being overwhelmed by litigation, including claims that it profited by helping fuel the US opioid epidemic.

AstraZeneca sues former executive over move to rival GSK
Hannah Kuchler and Jane Croft, Financial Times
AstraZeneca has sued a former top business development executive to delay him taking a job at rival GSK, claiming he received awards worth over £600,000 to sign a non-compete agreement.

Ex-Google CEO's VC firm brings in hype-busting researcher to expand its biotech investments
Allison DeAngelis, Stat News
Innovation Endeavors, the venture capital firm co-founded by former Google chairman and CEO Eric Schmidt, is bringing in one of the few researchers who saw through Theranos to help expand its biotech investing.

Frustrated by known cancer biomarkers, biologists make their own
Angus Chen, Stat News
The hunt for cancer cures has, to a large degree, been a hunt for biomarkers — DNA, peptides, RNA, proteins or more — that might set tumor cells apart from healthy tissue. With the right biomarker, scientists can find cancers earlier, monitor a treatment's progress, or predict if a

certain therapy will work for a given patient. The trouble is that for many cancers, the known biomarkers have been a disappointment, particularly for early cancer detection.

Sanofi trial failure ends development of breast cancer treatment amcenestrant

Ludwig Burger and Tassilo Hummel, Reuters

Sanofi (SASY.PA) stopped further work on amcenestrant, once seen to have large potential against breast cancer, after a second trial failure dealt a major blow to the French healthcare company's development prospects.

U.S. FDA gets over 48,000 reports of faulty Philips respiratory devices in May-July

Brendan Pierson, Reuters

The U.S. Food and Drug Administration said it had received more than 48,000 reports of faulty Dutch medical equipment maker Philips' (PHG.AS) ventilators and respiratory devices between May and July, which included 44 deaths.

HEALTH TECHNOLOGY

Why even discussing abortion can now get you arrested

Irina Ivanova, CBS News

The recent case of a Nebraska teenager facing felony charges over an alleged abortion — charges that prosecutors were able to bring thanks to messages they obtained from Facebook — is causing alarm in privacy and technology circles. Lawyers and and privacy advocates highlight a chilling new reality of digital surveillance in which even discussing the procedure in states that have made illegal potentially exposes people to criminal prosecution.

OPINIONS, EDITORIALS AND PERSPECTIVES

A Biden Hearing-Aid Breakthrough

The Editorial Board, The Wall Street Journal

Hear, hear to the Biden Food and Drug Administration, which on Tuesday finalized a rule that Commissioner Robert Califf said will open up the hearing-aid market to competition and "unleash the power of American industry." This is the right way to reduce prices.

RESEARCH REPORTS

Edelman Trust Barometer Special Report: Healthcare Institutional Investors

Edelman

Investors are facing a challenging landscape for growth as global economies face headwinds from inflation and heightened geopolitical risk, to continued emerging Covid-19 variants. The uncertainty of this economic environment raises an important question: can companies that outperformed through the pandemic once again demonstrate their long-term value? Many investors are looking to the healthcare sector for answers.

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TOP STORIES

Biden signs Inflation Reduction Act into law

President Joe Biden on Tuesday signed into law the Inflation Reduction Act, which contains provisions aimed at lowering prescription drug costs and improving access to health care. The law will extend enhanced Affordable Care Act subsidies through 2025, allow Medicare to negotiate prices for some of the costliest prescription drugs, limit out-of-pocket medication costs for Medicare beneficiaries at $2,000, penalize pharmaceutical firms if drug prices rise faster than the rate of inflation, and cap monthly insulin out-of-pocket costs at $35 for Medicare beneficiaries. **Full Story:** NBC News (8/16), The Associated Press (8/16)

Over-the-counter hearing aid sales could start this fall

The FDA has finalized a rule stating that hearing aids can be sold over the counter at stores, a move that the Biden administration said should make them affordable for more individuals. Likely by mid-October, people with mild to moderate hearing loss will be able to buy the devices without a prescription, medical examination or audiologist fitting. **Full Story:** The Hill (8/16)

Payment Integrity that touches the entire value chain

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PROVIDERS & SUPPLIERS

Spending on primary care tied to Medi-Cal plan outcomes

(Pixabay)

An analysis of spending on primary care by 13 Medi-Cal managed care plans representing 5.4 million beneficiaries found that greater primary care spending was associated with improved patient experience, quality of care and National Committee for Quality Assurance scores. The study, commissioned by the California Health Care Foundation, documented primary care spending ranging from $8.85 to $61.24 per member per month, and the portion of health care spending devoted to primary care ranged from 5% to 19%. **Full Story:** HealthLeaders Media (8/16)

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MEDICAL UPDATE

Fungal pathogens developing resistance to treatment

Aspergillus and Candida auris are developing drug resistance and becoming more difficult to treat, causing some patients to switch from one medication to the next and others to face the possibility of running out of treatment options. Data from the CDC indicate that C. auris infections increased eightfold in the US from 2017 to 2021, and the mortality rate is 30% to 60%, while aspergillosis cases rose 3% each year from 2000 to 2013 and caused more than 14,000 hospitalizations annually. **Full Story:** NBC News (8/13)

BMI of 30 may be protective for those with A-Fib

For patients with atrial fibrillation, a body mass index of 30 to 35 is most protective against all-cause mortality, according to a study involving 40,482 adults with A-Fib published in the journal Open Heart. Risk for all-cause mortality increased by 16% for every five BMI points above 30 and increased by 32% for every five BMI points lower than 30, leading researchers to conclude that those who are underweight or extremely obese have the worst prognoses. **Full Story:** Medscape (free registration) (8/12)

ICU death rate higher in T2D with preadmission insulin

Preadmission insulin treatment was linked to longer stays and a higher death rate for critically ill patients with type 2 diabetes who were admitted to an ICU, according to a study published in Diabetes, Metabolic Syndrome and Obesity: Targets and Therapy. Researchers found that preadmission insulin-treated patients had a hypoglycemia rate of 14.5%, compared with 8.7% for those without preadmission insulin, and the two groups' mortality rates were 30% and 16%, respectively. **Full Story:** Medical Dialogues (8/14)

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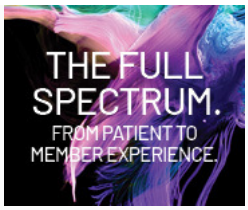

experience, reduce member churn, and improve star ratings to accelerate plan performance. **Get started.**

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TOUCHPOINTS PODCAST

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Lessons from a virtual-first early adopter

Even before the pandemic, Michigan's Priority Health was building out a model for virtual-first care. As remote work took hold, employers, too, saw a need for a digital-first plan that would align with their new workplaces. Megan Schmidt explains why Priority was an early adopter, what their approach to virtual care looks like and what's most important for virtual-first models moving forward. **Listen now.**

EMERGING TRENDS

Humana to expand Medicaid services with Inclusa buy

Humana said it will purchase Wisconsin-based managed care organization Inclusa to expand its geographic presence and Medicaid services. Inclusa provides long-term-care coverage and assistance to 16,600 older adults and adults with disabilities through Wisconsin's Family Care program and contracts with the state to deliver family care services in 68 of 72 counties. **Full Story:** FierceHealthcare (8/12)

HEALTH INSURANCE PROVIDER COMPANY NEWS

- **Aflac Incorporated names Virgil R. Miller as president, Aflac US**
- **CareFirst BlueCross BlueShield Appoints Lester Davis as Chief of Staff**
- **Optima Health and Verde Environmental Technologies Inc. launch new initiative to encourage safe medication disposal**
- **Quartz Announces Statewide Partnership with National Fitness Campaign to Build Outdoor Fitness Courts Across Wisconsin**
- **Sutter Health Plus: Premium Rates and Trends for Group and Individual Coverage**

SOLUTIONS PROVIDER NEWS

- **For the 3rd Time, ClarisHealth Appears on Inc. 5000, Ranking No. 2362**
- **Eric Reimer, CEO of Healthmap Solutions, on VatorNews podcast**
- **CHRISTUS Health Partners with Kyruus to Streamline Provider Data Management Across Health System and Health Plan**
- **Quest Diagnostics Aims to Close Gaps in Maternal Healthcare with New Obstetrics Test Panel that Includes Hepatitis C Screening**
- **SimpliFed to Provide Virtual Baby Feeding Support Services to Health First Colorado Beneficiaries**

PHARMA NEWS

COVID-19 vaccine reactions in pregnant people assessed

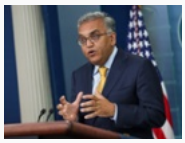
Data showed about 7% of people who were pregnant experienced a significant health event after receiving two doses of an mRNA COVID-19 vaccine, while about 4% had a reaction within a week after receiving the first dose, researchers reported in The Lancet Infectious Diseases. The study, which included data from more than 191,000 women in Canada, showed 3% of women who were pregnant but not vaccinated experienced similar significant health events. **Full Story:** HealthDay News (8/15)

Problems with dissolution prompt recall of Teva BP drug

Teva is voluntarily recalling two lots of its hypertension drug Matzim LA, or diltiazem hydrochloride, due to dissolution issues that could lead to adverse health outcomes, though the company has not received reports of problems. Both recalled lots have expiration dates of September 2022 and were distributed across US states and in Puerto Rico. **Full Story:** FiercePharma (8/16)

POLICY WATCH

Jha: Government to stop buying COVID-19 tests, drugs



Jha (Kevin Dietsch/Getty Images)

White House COVID-19 Response Coordinator Dr. Ashish Jha said the Biden administration is working to transition away from purchasing COVID-19 vaccines, tests and treatments, in a shift toward commercialization of those items beginning this fall. Jha said the transition will be made carefully to ensure access to vaccines and other items is not compromised, and the government will continue to invest in next-generation vaccines and readiness for future pandemics. **Full Story:** CNN (8/16)

AHIP NEWS

Options and flexibility to enhance provider networks

PPO Direct Members offer payers and administrators targeted strategies that can help expand their provider networks while better serving their customers. American Specialty Health (ASH), a member of PPO Direct, is a health and wellness company, providing health insurance providers, employer groups, insurance carriers, and trust funds with programs to improve the health of their members or employees.

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Susan Choi
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SUBJECT: August 2022 Health data and informatics news and updates (DHHS)
FROM: "Utah Division of Data, Systems & Evaluation (formerly CHDI)" <dse@utah.gov>
TO: "Utah Center for Health Data and DHHS (DHHS)" <dse@utah.gov>
BCC: HBORSKI@utah.gov
DATE: 17/08/2022 09:11

To: Health data report readers

Please note the following new publications and information produced by the Utah Department of Health and Human Services. Please let us know if you have any questions.

Sincerely,
Division of Data, Systems, and Evaluation
Utah Department of Health and Human Services

Utah health status update (August 2022)

Reduced incidence of congenital Cytomegalovirus (CMV) infections during the COVID-19 pandemic
https://ibis.health.utah.gov/pdf/opha/publication/hsu/2022/08_cCMV.pdf#HSU

Spotlight: Asthma clinical quality improvement processes: evaluating successes and barriers to implementation

Monthly Health Indicator Report: Data Through June 2022

Division of Data, Systems, and Evaluation reports, products, and announcements

New publications for the Center for Health Data and Informatics are listed by Office. You can also search reports at: https://chdi.health.utah.gov/.

IBIS-PH Updates https://ibis.health.utah.gov/ibisph-view/

- 2021 data has been updated on the Drinking water contaminants query module
- 2021 data has been updated on the YRBS query module with 4 new measures. 1- Not enough food in student's home, 2- Race/ethnicity stigma, 3- Sexual orientation stigma, and 4- Sleep 8 hours.

2022 Public Health Outcome Measures Report

The Utah public health outcome measures report of health indicators will be updated fall 2022.
https://ibis.health.utah.gov/ibisph-view/report/phom/Introduction.html

Link to previous publications:

https://ibis.health.utah.gov/ibisph-view/publications/index/Chronological.html

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August 17, 2022

BECKER'S
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Virtual Events • Webinars • Whitepapers • OnDemand Learning • Podcasts

1. Biden signs Inflation Reduction Act into law: 7 healthcare takeaways Full story
2. Boston Children's faces harassment campaign over transgender healthcare Full story
3. HCA hospitals make 21 leadership changes Full story
4. TempTraq is an FDA Cleared device clinically proven to detect fevers earlier than the standard of care by a median of 18.5 hours. Learn more.
5. Eyes on EMTALA in abortion fights Full story
6. Outlook 'deteriorating' for nonprofit hospitals, Fitch says Full story
7. Hospitals are becoming more dangerous - almost half of nurses report experiencing physical violence during the pandemic. Monitor

staff safety with real-time location services.
8. Seton nurses call for hospital finance probe in wake of no-confidence vote Full story
9. Union accuses Providence of wage theft Full story
10. Mount Sinai spinoff lays off 250 employees; founder exits Full story
11. Healthcare has a new 3-pronged imperative: Patient-centricity, cybersecurity and carbon-neutrality. Learn how to reinvent care in the face of existential change during this virtual learning session.
12. CXO of Vanderbilt University Medical Center to step down Full story
13. South Carolina hospital names new CEO Full story
14. Top 10 hospitals for consumer loyalty in 2022 Full story
15. Stats by state:

- COVID-19 hospitalization rates
- COVID-19 test positivity rates
- Percentage of population fully vaccinated
- COVID-19 death rates
- ICU utilization
- Staffing shortages
- Booster rates
- COVID-19 vaccination rates up/down
- COVID-19 cases trend

Becker's Learning Opportunities

1. 50% of hospitalizations occur within 7.5 days of an ED discharge. See how hospitals can close care gaps after an ED visit to improve outcomes and lower costs here.
2. Better medication management is a priority for health systems, but less than half rely on vendors. Learn why + what hospital execs are looking for in new vendors.
3. For years, the GI industry has been looking for ways to decrease infection during ERCP procedures. 53% of patients are less likely to be readmitted to the hospital when treated with this device.

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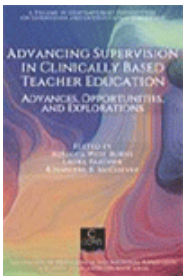

Advancing Supervision in Clinically Based Teacher Education

Advances, Opportunities, and Explorations

Edited by:

Rebecca West Burns, University of North Florida

Laura Baecher, Hunter College The City University of New York

Jennifer K .McCorvey, University of South Florida

A volume in Contemporary Perspectives on Supervision and Instructional Leadership

Supervision in teacher education is entering an exciting time. In the last decade, national reports calling for the transformation of teacher preparation have advocated for greater school-university collaboration and increased clinical preparation of teachers (AACTE, 2018; NCATE, 2010). Thus, institutions with teacher preparation should be increasingly concerned with the clinical component of their teacher certification programs (AACTE, 2010; 2018; NCATE, 2001; NEA, 2014). However, supervision in teacher preparation has historically been held in low regard, (Beck & Kosnik, 2002; Feiman-Nemser, 2001; The Holmes Group, 1986; Hoover, O'Shea, & Carroll, 1988; Soder & Sirotnik, 1990) even though research has shown that high-quality supervision promotes teacher candidate learning (Bates, Drits, & Ramirez, 2011; Burns, Jacobs, & Yendol-Hoppey, 2016; Darling-Hammond, 2014; Gimbert & Nolan, 2003; Lee, 2011). In fact, university superviso rs "may be the most undervalued actors in the entire teacher preparation equation when one considers the knowledge, skills, and dispositions they must have to teach about teaching in the field" (Burns & Badiali, 2016, p. 156). Despite this research, the function of supervision has often been relegated to adjunct faculty or even removed the university-based supervisor altogether in some colleges/schools of education (McIntyre & McIntyre, 2020; NCATE, 2010; Slick, 1998; Zeichner, 1992, 2005). These practices are incredibly problematic for actualizing clinically based teacher education. Thus, the road to transforming teacher education must involve addressing such long standing misperceptions about what supervision is, what purpose it serves, and how it can be renewed from an afterthought to become the driving engine of high quality teacher preparation.

Advancing Supervision in Clinically Based Teacher Education: Advances, Opportunities, and Explorations aim s to elevate supervision and supervisors, as undervalued actors, by disseminating high-quality manuscripts on this critical area of study. The chapters in this book tackle the persistent issue of devaluing and marginalizing supervision in some institutions of higher education by sharing current research, illuminating challenges of supervising in the current high stakes accountability climate, and offering innovative ideas that can improve supervision in clinically based teacher education.

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Series Foreword, *Sheryl Cowart Moss.* Foreword, *Jim Nolan.* Acknowledgments. Introduction, *Rebecca West Burns, Laura Baecher, and Jennifer K. McCorvey.* **SECTION I: PERSISTENT CHALLENGES.** Supervising Linguistically Diverse Student Teachers, *Keli Garas-York, Julie Henry, Gliset Colón, and Pixita del Prado Hill.* (In)Visibility, Value, and the Clinical Educator, *Nancy S. Niemi and Amanda R. Bozack.* "Passing" as a Teacher and the Dance of Supervision, *John Beaumont and Laura Baecher.* High-Stakes Performance Assessments and Supervising Student Teachers: The Increasingly Complex Roles of University Supervisors, *Alexander Cuenca, Jessica Zaker, and Melanie Dupell.* **SECTION II: ADVANCES AND OPPORTUNITIES.** Defining and Credentialing the Expertise of School-Based Teacher Educators (Cooperating Teachers): A Conceptual Model Based o n the Nursing Preceptor Process, *René Roselle and Michael Alfano.* The Importance of Supervision in Preparing Scholars of Teacher Education: One Student's Transformative Journey, *Jennifer K. McCorvey and Rebecca West Burns.* A Conceptual Framework for Longitudinal Supervision in an Online Teacher Education Program, *J. Spencer Clark, Lotta Larson, Eileen Wertzberger, and Thomas J. Vontz.* Supervisor as Instructional Coach: Supporting Elementary Education Teacher Candidates' Enactment of Questioning Strategies, *Drew Polly.* Conclusion, *Laura Baecher, Rebecca West Burns, and Jennifer K. McCorvey.* About the Authors.

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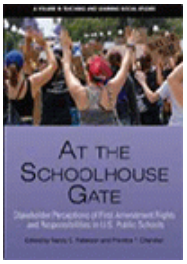

At the Schoolhouse Gate

Stakeholder Perceptions of First Amendment Rights and Responsibilities in U.S. Public Schools

Edited by:

Nancy C .Patterson, Bowling Green State University

Prentice T .Chandler, Austin Peay State University

A volume in Teaching and Learning Social Studies

The objective of this edited volume is to shed light upon K-12 perspectives of various school stakeholders in the current unique context of increasing political polarization and heightened teacher and student activism. It is grounded in academic freedom case law and the majority of opinion of the Supreme Court in the Tinker v. Des Moines Independent Community School

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District (1969) that held that certain forms of expression are protected by the First Amendment. Justice Fortas wrote in the majority opinion that "it can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."

This volume is timely and instructive, as protections afforded by the First Amendment are a topic of enduring concern, with such freedoms requiring vigilant advocacy and protection from each generation. Paulo Freire stated, "Citizenship is not obtained by chance: It is a const ruction that, never finished, demands we fight for it" (1998, p. 90). There is confusion and much debate in and outside of schools about how and when these and other rights described in the First Amendment may or may not be limited, and the time is now to clarify the place of such rights in public education.

At the Schoolhouse Gate is divided into three sections: Foundations, Case Studies of Rights in Schools, and Choices to Act. The "Foundations" section presents the case law pertaining to the rights of both teachers and students, setting the tone for what presently is permissible and chronicling the ongoing struggle with defining rights and responsibilities in schools. In "Case Studies of Rights in Schools," various authors examine teacher and student interactions with rights and responsibilities in schools, including the interest of students in participating with their teachers in the democratic experiment of schooling, the promise of studen t-led conferences, a new teacher's success with democratizing her classroom, and student views of news and technology. "Choices to Act" includes a portrait of teacher activism during the Oklahoma Walkout, a general counsel's advice to teachers for availing themselves of their rights, a story of a civic education curriculum generating student agency, and vignettes of two public high school students who took action in their schools and communities.

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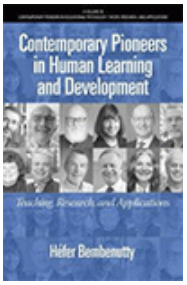
Foreword, *Mikayla Hernandez and Wesley Wagner.* Introduction, *Prentice T. Chandler and Nancy C. Patterson.* **PART I: FOUNDATIONS.** Academic Freedom in the Balance, *Nancy C. Patterson and Prentice T. Chandler.* A More Complicated Story: Student Free Expression Rights in Public Education, *Ryan Suskey.* **PART II: THE STATE OF RIGHTS IN SCHOOLS.** Taking Action and Taking Offense in "Our Little Democracy": High School Students Share Their Perceptions of First Amendment Rights and Responsibilities, *Nancy C. Patterson, Diann Brown, and Jeanne Vidoni.* Practicing Free Expression in Schools Through Student-Led Conferences: A Review of Literature, *Cheryl Lambert.* Student and Teacher Perceptions of Democratic Classroom Organization, Management, and Instruction, *Jeffery D. Nokes.* First Amendment Rights and Expression: News and Views From Stude nts on Information and Social Media in Schools, *Sarah J. Kaka.* **PART III: CHOICES TO ACT.** "I Walk for ...": Teacher Activism in Action, *Kristy A. Brugar and Dalton C. Savage.* Defending Academic Freedom: Advice for Teachers, *Michael Simpson.* They Speak for Themselves: Students Name the Phenomenon of Civic Education and Freedom of Speech, *Donna K. Philips.* Real Choices to Act: Waking Up to Charlottesville and Testing the First Amendment, *Ellie Boyle, Leo Bucks and Clayton Kalaf-Hughes.* About the Contributors.



Contemporary Pioneers in Human Learning and Development

By:
Héfer Bembenutty, Queens College of The City University of New York
A volume in Contemporary Pioneers in Educational Psychology: Theory, Research, and Applications

This volume traces the socialization process, professional development, career paths, and theory and research of contemporary pioneers in education and psychology. This volume contains interviews with leading scholars who are at the vanguard of teaching and learning. They shared how their childhood development influenced their theoretical paths and research endeavors and revealed their thoughts, beliefs, and experiences that made them who they are today. These scholars responded to questions pertaining to their childhood, initial interest in education and psychology, role models, research interests and major findings, future directions of their research, educational implications derived from their research, and perception of their legacy. They are real people who have had experiences like anybody else, but found homes and teachers who supported them. While in college, they found educators who mentored them.

Readers will find that this volume offers them an opportunity to learn the background of contemporary pioneers in education and psychology, provides valuable sources where they can learn about how major theories developed and where they are moving, and reveals the personal anecdotes that influenced the conceptualization of contemporary theories and research. Educators and students will find that this book provides hope and a rejuvenated enthusiasm about the status of education and psychology and that they too can be leaders in their own ways.

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TO: hborski@utah.gov
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TOP NEWS

5th Circ. Says Block Of Biden's Gas Lease Ban Is Too Vague

A Fifth Circuit panel on Wednesday lifted a nationwide injunction purportedly blocking the Biden administration's pause of new oil and gas leases, finding that the injunction is so vague that it's unclear exactly what the injunction intended to block.

Opinion attached | Read full article »

1st Circ. Says Dormant Commerce Clause Applies To Med. Pot

A split First Circuit panel affirmed Wednesday that the Constitution's dormant commerce clause applies to the

[redacted]

federally illegal medical cannabis industry and that a Maine law mandating local ownership of cannabis businesses cannot stand.

Opinion attached | Read full article »

Sidney Powell Dropped From 2nd Defamation Suit in NY

Sidney Powell, an attorney allied with former President Donald Trump, has escaped another defamation suit in New York related to her assertions about election fraud on Fox News, with a federal judge ruling that the state was the wrong venue to sue the Texas resident.

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Florida Prosecutor Sues DeSantis Over Suspension

A former state attorney suspended for pledging not to use his resources to enforce abortion bans or laws targeting transgender people sued Florida Gov. Ron DeSantis on Wednesday, saying his removal from office violates the First Amendment.

Complaint attached | Read full article »

Sen. Graham Seeks Emergency Stay In Ga. Subpoena Fight

U.S. Sen. Lindsey Graham, R-S.C., filed an emergency stay request in Georgia federal court Wednesday, asking the court to pause a remand order requiring him to testify next week in a state criminal investigation into possible election interference by former President Donald Trump and others.

3 documents attached | Read full article »

BANKING & SECURITIES

Fed Says Crypto Bank Can't Sue Its Way To Account Decision

Federal Reserve System officials are urging a Wyoming federal judge to reject a lawsuit from a cryptocurrency bank that they say seeks to rush them into granting it access to key central bank services before they can finish thinking through all the bigger-picture ramifications of its request.

2 documents attached | Read full article »

FDIC Grilled On Claims Of Anti-Crypto Pressure On Banks

Whistleblower reports suggest that the Federal Deposit Insurance Corporation may be discouraging banks from doing business with lawful cryptocurrency-related companies, Sen. Pat Toomey told FDIC leadership in a recent letter.

Letter attached | Read full article »

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3rd Circ. Says Del., Hoboken Climate Suits Stay In State Court

The Third Circuit on Wednesday upheld Delaware and New Jersey federal rulings that climate change lawsuits against energy giants like Chevron Corp. can be brought in state court, despite attempts from energy companies to bring the cases into federal court.

Opinion attached | Read full article »

DOE Earmarks $45M To Protect Power Grid From Cyberthreats

The U.S. Department of Energy is setting aside $45 million to fund research efforts to develop new tools and technologies to protect the electric grid from increasingly prevalent cyberattacks, the agency announced Wednesday.

Read full article »

REAL ESTATE

9th Circ. Partially Revives Challenge To LA Waste Ordinance

The Ninth Circuit on Tuesday mostly affirmed the dismissal of a lawsuit challenging the constitutionality of a Los Angeles city ordinance that requires businesses and apartments to pay for waste collection services by a city franchisee, but revived one claim alleging the city's "show-your-receipt" requirement violates the Fourth Amendment.

Opinion attached | Read full article »

3rd Circ. Won't Revive Suit Over Jersey City Rental Law

The Third Circuit on Tuesday upheld a New Jersey federal judge's dismissal of a lawsuit over a Jersey City ordinance banning short-term subleases of long-term rentals and limiting non-occupant owners' rentals to guests to 60 nights per year, saying Airbnb hosts' constitutional rights were not violated.

Opinion attached | Read full article »

Pittsburgh Orgs Want In On City 'Inclusionary Zoning' Battle

A coalition of Pittsburgh community organizations filed to intervene in a developers trade group's suit challenging the city's "inclusionary zoning ordinance," telling a Pennsylvania federal court the edict falls within states' broad power to regulate housing conditions.

2 documents attached | Read full article »

COMPETITION

Judge Nixes Cost Savings From Book Merger Trial

A D.C. federal judge on Wednesday issued a midtrial order excluding Penguin Random House's predicted cost-savings from the trial on its planned merger with Simon & Schuster,

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savings the publisher says would be passed on to authors in the form of higher advances.

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PERSONAL INJURY & MEDICAL MALPRACTICE

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A New Jersey state judge on Wednesday tossed a lawsuit against a nursing home over a resident's COVID-19 death, finding that certain allegations in her estate's complaint are not specific enough to avoid a state law shielding medical facilities from civil liability over pandemic-related treatment.

2 documents attached | Read full article »

INTERNATIONAL TRADE

Stellantis Plant To Rehire Fired Workers After USMCA Probe

A Stellantis-owned Mexican automotive parts facility will recognize its workers' union as their collective bargaining representative and rehire workers fired for organizing activities, the Biden administration announced Tuesday following a review under the North American trade pact.

2 documents attached | Read full article »

TAX

Analysis

Shareholder Status Will Shape Impact Of Stock Buyback Tax

A 1% excise tax on stock buybacks in the Democrats' tax, climate and health care legislation will make repurchases costlier and reduce their preferential tax treatment, but whether it actually reduces those transactions will partly depend on a company's shareholders.

Read full article »

IMMIGRATION

Feds Explore Making Virtual I-9 Verification Permanent

The Biden administration is looking into creating permanent programs that would allow employers to use email, video and other technologies to remotely verify their employees' eligibility to work in the U.S., according to a proposed rule released on Wednesday.

Notice attached | Read full article »

WHITE COLLAR

BakerHostetler, Crowell & Moring Sued Over Web Scam Client

BakerHostetler and Crowell & Moring LLP have been hit with a malpractice lawsuit claiming an attorney who worked at both firms advised a serial scammer as he built a constellation of predatory websites called On Point Global LLC, which took in $85 million from unsuspecting Americans

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before being sued into receivership by the Federal Trade Commission.

Complaint attached | Read full article »

CANNABIS

The 10 Fixes Equity Advocates Want To See In SAFE Banking

A bipartisan federal bill to let banks do business with state-legal marijuana businesses would not accomplish its boosters' stated goals of broadening minority ownership in the cannabis industry without amendments, equity-focused cannabis advocates said on Wednesday.

1 document attached | Read full article »

PEOPLE

Longtime Hogan Lovells Partner Jumps To Mayer Brown In DC

Mayer Brown LLP has added a longtime Hogan Lovells partner to its corporate and securities practice who focuses on matters related to products regulated by the U.S. Food and Drug Administration, the firm announced Tuesday.

Read full article »

EXPERT ANALYSIS

Opinion

Calif. Law Creates Heavy Burden For US Pork Industry

The California law at issue in National Pork Producers Council v. Ross, which will be heard by the U.S. Supreme Court this fall, effectively regulates the entire national pork industry, increases costs, and usurps Congress' power to govern interstate commerce, says Daniel Kolkey at the Pacific Research Institute.

Read full article »

Preparing Ticket Seller Sites For NY Fee Transparency Law

Ahead of Aug. 29, ticket sellers such as StubHub, Ticketmaster and individual entertainment venues should work with their web developers to ensure that their platforms are compliant with a new law that makes New York the national leader in prohibiting deceptive drip pricing in the ticket market, say attorneys at Fox Rothschild.

Read full article »

Cos. Handling Kids' Data Must Prep For Greater Regulation

With recent Federal Trade Commission policy statements, enforcement actions and forthcoming privacy legislative developments, it's clear that companies processing children's personal information should prepare for heightened oversight and consider five key compliance steps, say Jacqueline Klosek and JB Schiller at Goodwin.

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LEGAL INDUSTRY

Randy Mastro Leaves Gibson Dunn For King & Spalding

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SUBJECT: CVS, Walmart, Walgreens Owe $650M In Ohio Opioid Fallout
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 18/08/2022 03:36

LAW360 HEALTH

Thursday, August 18, 2022

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TOP NEWS

CVS, Walmart, Walgreens Owe $650M In Ohio Opioid Fallout

A federal judge in Cleveland said Wednesday that three major pharmacy chains must pay more than $650 million to fund a 15-year plan to address the fallout from opioid abuse

in two northeast Ohio counties, delivering a blow to pharmacy companies as more cases make their way to trial.

2 documents attached | Read full article »

Endo Hits Ch. 11 Amid Opioid Suit Crush

Besieged by opioid crisis lawsuits, drugmaker Endo International has filed for Chapter 11 protection in a New York bankruptcy court, saying a deal will cut $6 billion in debt and earmark $550 million for claims it contributed to an epidemic of narcotic abuse.

2 documents attached | Read full article »

Endo Beats Investors' Opioid Crisis Class Action, For Good

A New Jersey federal judge on Wednesday tossed a proposed class action accusing Endo International PLC — which yesterday filed for Chapter 11 protection — of misleading investors about its role in the opioid crisis, saying the shareholders haven't shown the company's statements were misleading or caused their losses.

Order attached | Read full article »

Health Co. Asks 11th Circ. To Toss Ex-Worker's Sex Bias Case

A health management company urged the Eleventh Circuit to affirm its win over a former sales executive's sex bias case, saying her firing was a result of the company's decision to reduce its numbers and wasn't intentionally discriminatory.

Brief attached | Read full article »

Zantac MDL Plaintiff Dismisses Suit 1 Week Before Trial

A 79-year-old Illinois man whose trial was set to be the first to begin in sprawling state and federal litigation over whether a chemical in Zantac heartburn medication causes cancer has notified a state court that he intends to voluntarily dismiss his suit, one week before that trial was scheduled to start.

Read full article »

Surescript's EpiPen Citation 'Nothing New,' FTC Says

The Federal Trade Commission assailed Surescripts for telling a D.C. federal judge that a Tenth Circuit decision sparing Mylan from antitrust allegations over the EpiPen bolsters Surescripts' bid to escape claims it uses exclusive contract terms to maintain a monopoly in e-prescriptions.

Response attached | Read full article »

LITIGATION

5th Circ. Rules Against DOL In Data-For-Insurance ERISA Row

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LAW FIRMS IN TODAY'S NEWS

Akin Gump
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The Fifth Circuit on Wednesday agreed with a Texas federal court's determination that federal benefits law covered a company's offering of health insurance to individuals in exchange for their user data, ruling that the U.S. Department of Labor had arbitrarily found the plan to be exempt.

Opinion attached | Read full article »

Gov't Ordered To Reimburse NY Hospital $1.7M In Atty Fees

The U.S. Court of Federal Claims ordered the government to reimburse NewYork-Presbyterian Hospital $1.7 million in attorney fees for defending itself against doctors who claimed their payroll taxes were wrongly withheld and eventually settled.

Opinion attached | Read full article »

Judge Axes IP Suit Over Xifaxan, Ruling The Drug Is Prior Art

A New Jersey federal judge on Wednesday dismissed an infringement suit against Bausch Health unit Salix Pharmaceuticals Ltd. over its drug Xifaxan after finding the drug product actually constitutes prior art to the four patents it was accused of infringing.

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A New Jersey state judge on Wednesday tossed a lawsuit against a nursing home over a resident's COVID-19 death, finding that certain allegations in her estate's complaint are not specific enough to avoid a state law shielding medical facilities from civil liability over pandemic-related treatment.

2 documents attached | Read full article »

Aetna Wants Class Dissolved In Benefits Clawback Battle

Aetna urged a Pennsylvania federal judge Wednesday to disband a class of policyholders who said the company violated federal benefits law by reclaiming disability benefits, saying a recent Third Circuit ruling meant the lower court had jumped the gun by granting certification.

Motion attached | Read full article »

COVID Deaths At Mass. Vets' Home Spark Whistleblower Suit

Two former Massachusetts health care officials claimed in a lawsuit filed Wednesday that they were fired after flagging concerns about pandemic conditions in a pair of veterans' nursing facilities, including one where a COVID-19 outbreak killed 76 people.

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Complaint attached | Read full article »

Del. Suit Alleges Insider Trades Worth $171M By Nektar Execs

Officers and directors of Nektar Therapeutics misled the public about the prospects of the company's cancer-fighting immunotherapy treatment and then sold more than $171 million worth of their stock before the truth sent shares plummeting, a new derivative complaint filed in Delaware Chancery Court alleges.

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LEGAL INDUSTRY

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Florida Prosecutor Sues DeSantis Over Suspension

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GOVERNMENT AGENCIES IN TODAY'S NEWS

Delaware Court of Chancery
Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
New York Department of Financial Services
Solicitors Regulation Authority
U.S. Bankruptcy Court for the Southern District of New York
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Justice
U.S. Department of Labor

[redacted]

U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of New Jersey
U.S. District Court for the Middle District of Pennsylvania
U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Southern District of Florida
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the Northern District of Ohio

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SUBJECT: Morning Consult Health: Walensky Orders Overhaul of CDC in Wake ofLackluster COVID-19 Response
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 18/08/2022 05:57

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Health

Essential health care industry news & intel to start your day.

AUGUST 18, 2022

BY MATT BRACKEN

Twitter Email

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TOP STORIES

- Centers for Disease Control and Prevention Director Rochelle Walensky said the agency will undergo an overhaul to boost transparency, deliver quicker data releases and improve communication with the public, moves designed to "transform" an organization that has been maligned for its handling of COVID-19 and more recently the monkeypox outbreak. The changes were made following a review of the CDC's pandemic response by Health Resources and Services Administration official Jim Macrae and a review of agency operations by CDC chief of staff Sherri Berger, while former Health and Human Services Deputy Secretary Mary Wakefield is now tapped to manage the revamp and create a new executive council. (Politico)

- A federal judge in Cleveland said pharmacy giants CVS Health Corp., Walgreens Boots Alliance Inc. and Walmart Inc. must pay $650 million in damages to two Ohio counties for their roles in fueling the opioid crisis, accusing the companies of squandering "the opportunity to present a meaningful plan to abate the nuisance." The companies, whose spokespeople criticized the ruling and indicated appeals could be forthcoming, were ordered to immediately deliver $87 million for the first two years of payments, while Lake County is set to receive $306 million over 15 years and Trumbull County will get $344 million during the same period. (The Associated Press)

- Oxford University researchers found that people who have had COVID-19 face elevated risks of brain fog, dementia, seizures, psychosis and other neurological conditions up to two years following infection, while anxiety and depression were also more common in the aftermath of infection, albeit not as long-lasting conditions. The lead author of the study, which was published in the Lancet Psychiatry journal, said the results suggest "new cases of neurological conditions linked to COVID-19 infection are likely to occur for a considerable time after the pandemic has subsided." (Axios)

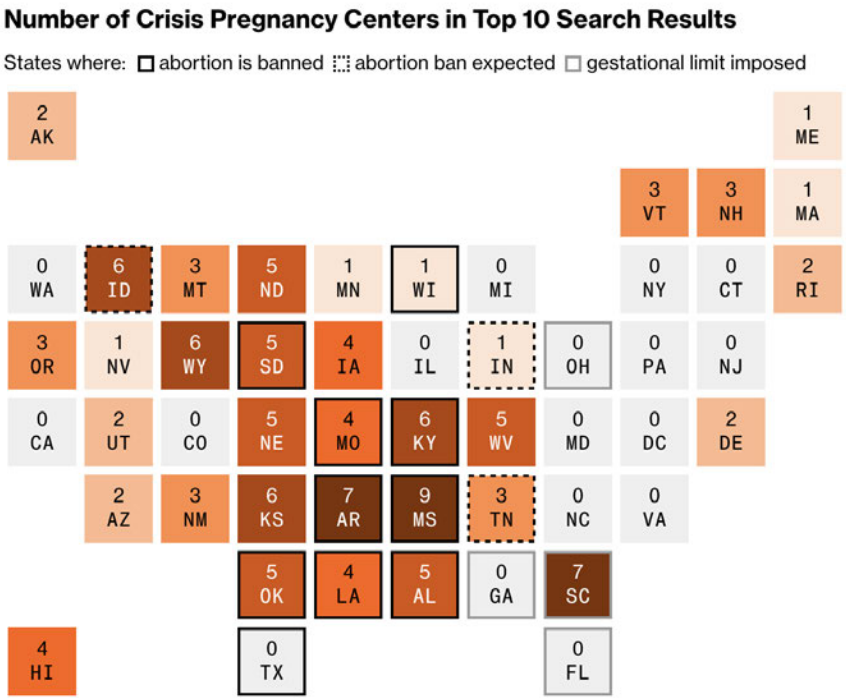
- The Food and Drug Administration approved Bluebird Bio Inc.'s Zynteglo gene therapy, offering patients suffering from a rare

genetic blood disorder called beta-thalassemia a possible cure — though at an exorbitant cost. Bluebird, which has priced the treatment at $2.8 million per patient, said it would pay back private and commercial payers up to 80% of the cost if it's no longer effective two years after a patient takes it. (The Wall Street Journal)

CHART REVIEW

Google Maps Regularly Misleads People Searching for Abortion Clinics

Bloomberg



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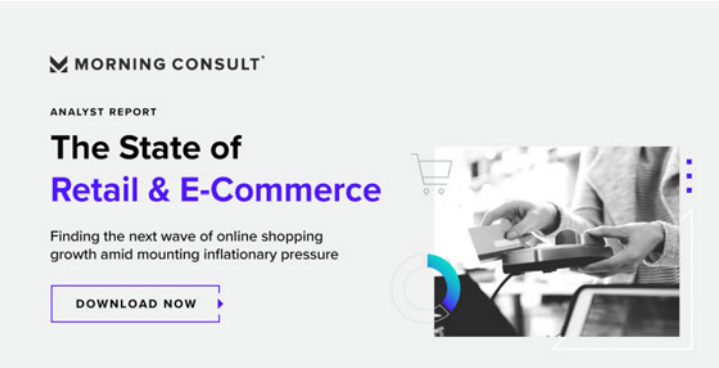

The State of State of Retail & E-Commerce

Morning Consult's semi-annual State of Retail & E-Commerce report tracks evolving consumer shopping behaviors and expectations and interprets what they mean for the industry's future. Download today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

New Covid boosters expected soon for everyone over age 12

Berkeley Lovelace Jr., NBC News

White House Covid coordinator Dr. Ashish Jha said on Wednesday that the newly updated Covid boosters will be available to teens and adults "in a few short weeks."

HHS says it plans to extend Covid-19 public health emergency

David Lim, Politico

State and local public health officials — having not heard differently this week — are expecting the Biden administration to extend the Covid-19 public health emergency for another 90 days in mid-October.

There's good news in the crowded field of Omicron subvariants: 'Bad Ned' is (nearly) dead—but 'Aeterna' and 'Centaurus' are on the rise

Erin Prater, Fortune

Last week, a new subvariant called BA.4.6—dubbed Aeterna by health care experts on Twitter—compromised 5.1% of sequenced COVID infections in the U.S., up from 4.6% the week prior. It's been

steadily rising, albeit slowly, since late May, when it comprised one-tenth of 1% of infections, according to data released Tuesday from the U.S. Centers for Disease Control and Prevention.

COVID-19 pandemic dents medical tourism revenue

Alex Kacik, Modern Healthcare

Revenue from international patients seeking heart transplants, oncology treatment and other services grew more than 4% a year from 2015 to 2019, according to the U.S. International Trade Commission. In 2019 alone, the U.S. health system generated more than $1.2 billion from medical tourism.

Covid Vaccine 'Windfall Profits' Under Attack by Patent Holders

Ian Lopez, Bloomberg Law

Alnylam Pharmaceuticals Inc. and CureVac NV are staking claim in court to a long history of scientific breakthroughs that led to the messenger RNA vaccine used for Covid-19.

For some students, back to school will mean better ventilated classrooms

Evan Bush et al., NBC News

Billions of federal dollars available to improve schools have yet to be spent, but some districts have made strides in making changes that experts say could stymie the spread of Covid-19 and other viruses.

GENERAL

C.D.C. Investigates 'Fast-Moving' E. Coli Outbreak

Michael Levenson and April Rubin, The New York Times

Federal health officials said Wednesday that they were investigating an E. coli outbreak that has been linked to a growing number of illnesses in Ohio and Michigan.

Experts cite simple way to cut opioid deaths: expand methadone access

Lev Facher, Stat News

When it comes to fighting opioid addiction, there's no tool more effective than methadone. Doctors have been prescribing the drug since the 1960s, and patients who use it are far less likely to experience an overdose.

Sex between men, not skin contact, is fueling monkeypox, new research suggests

Benjamin Ryan, NBC News

The claim that skin-to-skin contact during sex between men, not intercourse itself, drives most monkeypox transmission is likely backward, a growing group of experts say.

Monkeypox case reported in man whose 'primary risk factor' was close, nonsexual contact at a crowded outdoor event

Deidre McPhillips, CNN

A man noticed his first lesion and subsequently developed a rash about two weeks after attending a "large, crowded outdoor event at which he had close contact with others, including close dancing, for a few hours," according to researchers from Stanford University School of Medicine. He tested positive for monkeypox after seeking care at an emergency department about a week later.

Monkeypox cases jumped 20% in the last week to 35,000 across 92 countries, WHO says

Spencer Kimball, CNBC

Infections increased by nearly 7,500 to more than 35,000 cases total across 92 countries, but nearly all reported cases are in Europe and the Americas, according to WHO data. Twelve deaths have been reported so far.

Are monkeypox vaccines getting to people most at risk? It's hard to tell, but early data isn't promising

Deidre McPhillips, CNN

About three months into the ongoing monkeypox outbreak in the US, there are more than 12,000 cases and counting. But despite a growing supply of the Jynneos vaccine — and a new strategy that could stretch the current supply five times further — there is still no evidence that protection is reaching those most at risk.

Planned Parenthood to spend record $50M in midterm elections

The Associated Press

Planned Parenthood, the nation's leading reproductive health care provider and abortion rights advocacy organization, plans to spend a record $50 million ahead of November's midterm elections, pouring money into contests where access to abortion will be on the ballot.

Court temporarily blocks South Carolina's six-week abortion ban

Oriana Gonzalez, Axios

The South Carolina state Supreme Court on Wednesday temporarily blocked the state's six-week abortion ban, which had taken effect shortly after Roe v. Wade was overturned.

Judge reinstates North Carolina's 20-week abortion ban

Hannah Schoenbaum, The Associated Press

Abortions in North Carolina are no longer legal after 20 weeks of pregnancy, a federal judge ruled Wednesday, eroding protections in one of the South's few remaining safe havens for reproductive freedom.

Medical groups, 20 states weigh in on Idaho abortion lawsuit

Rebecca Boone, The Associated Press

Twenty states, Washington, D.C., the American College of Emergency Physicians, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics, and others are among those to have filed "friend of the court" briefs as of Wednesday, siding with the federal government's claims that Idaho's near-total abortion ban violates federal health care law.

Advocates Urge Mississippi to Expand Medicaid for Mothers After Abortion Ban

Sheryl Gay Stolberg, The New York Times

The state that spurred the overturning of abortion rights is among 17 that have not adopted a new option to extend new mothers' Medicaid coverage for a year.

West Nile virus detected in 2 people, record number of mosquitos in New York City

Olafimihan Oshin, The Hill

New York City health officials announced that the West Nile Virus (WNV) has been detected in two people and a record number of mosquitos in the city.

PAYERS

Slowing economy could ding insurers, Moody's says

Samantha Liss, Healthcare Dive

A slow down in the economy may result in job losses and clip commercial enrollment, which would push down a key earnings driver for insurers, Moody's analysts said in a report sizing up the challenges ahead for the healthcare industry.

Payers struggle to manage costs, efficiencies, HealthEdge survey finds

Anastassia Gliadkovskaya, Fierce Healthcare

The survey, conducted by payment integrity solution HealthEdge, reached more than 300 health plan leaders. Common themes, per a report of the survey results, included the move to newer systems amid a digital transformation, rising demand for real-time data access and the promise of interoperability.

PROVIDERS

Hospitals are seeing sicker patients after pandemic delays, AHA warns

Susan Kelly, Healthcare Dive

Hospitals are treating an influx of sicker patients who deferred care earlier in the pandemic at the same time as rising COVID-19 admissions, the American Hospital Association warned this week. The higher patient acuity is increasing the burden on staff and creating "unsustainable" financial challenges, the hospital lobby said in a report.

Outlook for nonprofit hospitals is 'deteriorating,' Fitch says

Samantha Liss, Healthcare Dive

The ratings agency revised its sector outlook from neutral, as hospitals are squeezed by pricier labor, more expensive supplies due to inflation, and investment losses.

Boston Children's Hospital says it's gotten violent threats over care for transgender children

Jen Christensen, CNN

The harassment followed a variety of posts from social media users including the Twitter account LibsofTikTok, which has shared a series of anti-LGBTQ messages with its 1.3 million followers. In this case, the account posted a video August 11 of a doctor explaining a hysterectomy, but young girls and minors were not mentioned.

Kaiser cancels over a thousand appointments amid clinician strike

Hailey Mensik, Healthcare Dive

A strike that began Monday involving 2,000 mental health clinicians at Kaiser Permanente facilities in Northern California has led to more than a thousand canceled appointments for behavioral health services, according to the union and system.

CMS discontinues medical device forms to ease physician administrative burdens

Robert King, Fierce Healthcare

The Biden administration is removing two forms providers need to fill out to get reimbursement for certain durable medical equipment in an effort to ease administrative burden.

Some Rural Hospitals Are in Such Bad Shape, Local Governments Are Practically Giving Them Away

Blake Farmer, Nashville Public Radio

Kyle Kopec gets a kick out of leading tours through the run-down hospitals his boss is snapping up, pointing out what he calls relics of poor management left by a revolving door of operators. But there's a point to exposing their state of disrepair — the company he works for, Braden Health, is buying buildings worth millions of dollars for next to nothing.

PHARMA, BIOTECH AND DEVICES

Pharma's likely to sue over Medicare negotiation. Here are the arguments they might use

Rachel Cohrs, Stat News

Democrats finally achieved a win over the pharmaceutical industry this month when they passed the most aggressive drug pricing reform in decades. But their victory could be short-lived.

Moderna Names New CFO After Hasty Departure of Predecessor

Jennifer Williams-Alvarez, The Wall Street Journal

Moderna Inc. named a new finance chief roughly three months after the Covid-19 vaccine maker's previous hire for the role departed abruptly due to an internal investigation under way at a prior employer.

Valneva: U.S. Dept of Defense ends Ixiaro vaccine supply deal

Reuters

The U.S. Department of Defense (DoD) has ended an encephalitis vaccine supply contract with Valneva (VLS.PA), said the French drugmaker, adding that a slowdown in global travel activity, mainly affecting Asia, had led to lower demand.

HEALTH TECHNOLOGY

With Amazon alum at the helm, Alto Pharmacy charts next chapter

Heather Landi, Fierce Healthcare

Seven years ago two software engineers-turned-entrepreneurs had an idea to simplify the pharmacy experience for both doctors and patients. But there was a problem—neither one understood the ins and outs of pharmacy operations.

Maven Clinic adds menopause benefit to virtual care services

Anastassia Gliadkovskaya, Fierce Healthcare

Businesses can now offer their employees the specialized program, which includes nearly 1 million lives across 40 employers. It aims to fill gaps in care by identifying early symptoms, providing guidance on courses of treatment and virtual access to specialist providers. It also directs members to educational resources related to this health journey, the company said in a press release.

OPINIONS, EDITORIALS AND PERSPECTIVES

Long COVID could be leading to a wave of erectile dysfunction as the pandemic invades our sex lives

Carolyn Barber, Fortune

Doctors and researchers have exhaustively categorized those symptoms, which range from the mundane (cough, fever, headache) to the slightly mysterious (brain fog, loss of taste or smell, a pins-and-needles sensation). But it's a more recent body of evidence that has them looking for answers-and it may push many vaccine-hesitant men to reconsider their stance.

The promise of payer transparency

Niall Brennan, Healthcare Dive

In today's digital age, people are empowered with access to knowledge like never before. With one exception — most Americans still have no idea what their healthcare visit will cost prior to receiving the bill. In fact, one in five U.S. adults has received an unexpected medical bill in 2022, even after federal protections were introduced to shield patients from surprise medical billing. Patients are often left in the dark when it comes to the cost of care and what is deemed a "covered service," and this inability to effectively research and compare services acts as a major barrier to achieving health literacy and equity.

The emergence of polio in New York is an emergency. And a tragedy.

Leana S. Wen, The Washington Post

I learned about polio in medical school as a disease of history. When it was at its peak in the 1940s and early 1950s, parents were terrified that their children would be among the tens of thousands every year who became permanently disabled. Thousands of children died when the paralysis immobilized their breathing muscles.

RESEARCH REPORTS

The National Institutes Of Health Did Not Ensure That All Clinical Trial Results Were Reported In Accordance With Federal Requirements

Department of Health and Human Services' Office of Inspector General

The noncompliance with Federal reporting requirements occurred because NIH did not have adequate procedures for ensuring that responsible parties submitted the results of clinical trials, took limited enforcement action when there was noncompliance, and continued to fund new research of responsible parties that had not submitted the results of their completed clinical trials. For the 47 NIH-funded clinical trials in which the responsible party submitted their results (35 submitted on time and 12 submitted late) NIH complied with the Federal reporting requirements to post the results to ClinicalTrials.gov.

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PUBLIC HEALTH WEEKLY

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State Policies to Improve Youth Mental Health and Reduce Suicides

The COVID-19 pandemic negatively impacted youth and could have long-term consequences for their mental health. States have many strategies to choose from to improve youth mental health and reduce suicide. Providing them with access to needed mental healthcare and connections to trusted adults have been shown to improve mental health and reduce suicide risk.

Learn more about state strategies to improve youth mental health and reduce suicides in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

New ASTHO Training on HIV | This interactive, self-paced microlearning will give participants a brief background on HIV and an introduction to the National HIV Strategy, the four pillars of *Ending the HIV Epidemic in the United States*, and federal programs in place to help lessen the burden of HIV. **Take advantage of this new resource now.**

Braiding and Layering Funding to Address Housing and Food Insecurity | ASTHO has two new white papers out providing state and territorial health departments with evidence-based recommendations and concrete starting points to reduce food insecurity. The papers identify models and case studies focused on braiding and layering funding to reduce food insecurity and improve neighborhood-level access to food. Read the white papers now:

- **Access to Food**
- **Proximity to Food Retailers**

Performance Improvement Learning Series | ASTHO has published two microlearnings to support public health agencies looking to increase knowledge of quality improvement principles and data visualization tools that facilitate

[redacted]

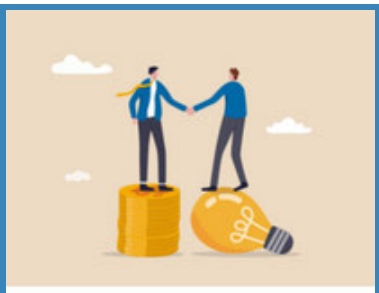
the connection with public health performance management and planning. The series are available in English and Spanish. Check them out below:

- **Quality Improvement Learning Series**
- **Data Visualization for Performance Improvement Series**

Podcast

Substance Use During Pregnancy - Reducing Stigma of Treatment

LISTEN NOW



Report

Flexible Funding to Support Public Health Innovation

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Blog

Using Your Braiding and Layering Funding to Address Food Insecurity

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **How the Pandemic Changed PH Comms** | Khalilah LeGrand, Nebraska Department of Health and Human Services
- **Predicting COVID-19 in the Fall** | Dylan George, CDC
- **New Data on Public Health Authority** | Maggie Davis, ASTHO
- **Monkeypox Vaccine Strategy** | Marcus Plescia, ASTHO
- **Monkeypox Funding** | Devon Page, ASTHO

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PUBLIC HEALTH REVIEW PODCAST

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PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

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Press Room | Careers | Events | Funding

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TO: hborski@utah.gov
DATE: 18/08/2022 14:45

August 18, 2022

Consortium to Lower Obesity in Chicago Children
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CLOCC NEWS

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Momentum Grows for Improved Prepackaged Food Labelling

The forthcoming White House Conference on Hunger, Nutrition and Health has generated new calls from health advocates to improve food labeling in the United States. Earlier this month, the Center for Science in the Public Interest (CSPI) introduced a **regulatory petition** with the Food and Drug Administration geared toward establishing and standardizing front-of-package labeling for prepackaged foods sold in the United States. While the current Nutrition Facts information placed on packaged foods has evolved greatly over the years, CSPI indicated the information is generally under-utilized, and simpler front-of-package nutrition labels have shown great potential to improve diets in other countries that have adopted them.

“Shopping for healthy foods should be as easy as possible, and front-of-package nutrition labels have a proven track record for helping consumers make better choices,” said CSPI president Dr. Peter G. Lurie.

According CSPI's statement, real world evidence shows that interpretive front-of-package nutrition labeling can improve consumer understanding and encourage healthier diets. While mandates for front-of-package labelling were previously considered a barrier to food trade, U.S. neighbors Canada and Mexico are among the many nations which have already employed similar guidelines, creating additional incentive for the United States to fall in line. CLOCC has previously supported improved food nutrition labeling standards and expects to publish more information and advocacy opportunities in upcoming newsletters when available.

FDA Petitioned for Front-Of-Pack Nutrition Labeling - *National Law Review*

Upcoming Events

Health Equity & Social Justice Conference 2022: Strengthening Communities of Belonging: Reconnecting, Restoring, and Rebuilding

Hosted by DePaul University’s Master of Public Health Program, Center for Community Health Equity, and Sinai Urban Health Institute

Now more than ever, we recognize the need to connect with our communities and the importance of belonging as a determinant of health. We are excited to announce that we plan to convene the 13th annual Health Equity & Social Justice Conference in person this year, providing a space to rekindle our networks and renew our collective passion for health equity. We look forward to sharing best practices with our research and practice communities and centering our efforts to facilitate health and well-being across Chicago. Please join us!

Date: Friday, August 26
Location: Malcolm X College, 1900 W Jackson Blvd, Chicago IL, 60612
Keynote Speaker: Derek M. Griffith, PhD

Dr. Derek M. Griffith is a Founder and Co-Director of the Racial Justice Institute, Founder and Director of the Center for Men's Health Equity, Member of the Lombardi Comprehensive Cancer Center, and tenured Professor of Health Management and Policy at Georgetown University. Dr. Griffith's program of research focuses on developing strategies to achieve racial, ethnic and gender equity in health and wellbeing in the US and across the globe through policies and community-based programs. Dr. Griffith is a DePaul alumni, having obtained his master's in the Clinical-Community Psychology program.

Registration is free-of-charge and open to the public.

Learn More Here

Nutrition Myths Webinar
Hosted by the Greater Chicago Food Depository

Following healthy eating patterns is challenging when there are so many nutrition myths in the communities we serve. Unhealthy recommendations can be found on social media, from peers, and even on the evening news, which blur the line between falsehoods and evidence-based recommendations.

Please join the Community Nutrition team at the Food Depository on Wednesday, August 31st, from 1-1:45pm for our "Nutrition Myths" webinar, where we will address common nutrition myths and provide healthy eating recommendations from trusted nutrition organizations.

Date: Wednesday, August 31
Time: 1:00-1:45 PM
Location: Virtual

Register Here

Racism and Food Access and Nutrition Culture: Discussion Series
Hosted by the Illinois Public Health Institute

The Illinois Public Health Institute is excited to present a two-part, virtual discussion series to explore how racism, oppression, and colonialism have shaped American food access and nutrition culture and what providers can do to challenge these systems. **View the speaker bios here**.

PART 1
One Bad Apple: How the Lack of Knowledge about Black and Indigenous Food Histories Informs our Nutrition Work
Date: September 15
Time: 10-11:00 AM

PART 2
Eating with Our Neighbors: How to Identify Injustices and Create Change in Food and Nutrition Programs
Date: September 27
Time: 10-11:30 AM

Register Here

Exploring the Power of Youth Leadership in Creating Conditions for Health and Equity

Join the National Academies of Sciences, Engineering, and Medicine Roundtable on Population Health Improvement as it explores how young people are engaging in and leading efforts to improve the social, economic, and environmental factors that influence the health and equity of communities and the nation.

Date: September 19
Time: 11:00 AM to 6:30 PM CDT

This event will include presentations and discussions that highlight case examples from select domains in which young people engage (e.g., education, climate justice, community safety); consider the types of civic infrastructure and resources that support youth participation and leadership of change efforts; and explore the available evidence on how young people themselves (and society at large) benefit from being involved in this kind of work.

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Girls in the Game

Girls in the Game seeks a driven, engaging, and strategic development professional with exceptional written and verbal

communication skills and the ability to self-direct to work with Girls in the Game's Director of Development and Communications to ensure that Development team goals are met for both fundraising and marketing plans. The Development and Communications Manager will oversee special event efforts in Chicago, including oversight of the organization's two largest fundraisers (Field of Dreams gala and Chip in for Girls golf outing) as well as partner event and cause marketing efforts. In addition, the Development and Communications Manager is responsible for the organization's communications, marketing and social media efforts, including management of the organization's website, email communications, marketing materials and creation of the annual report. The ideal candidate is tech savvy, flexible and organized with a good sense of humor and the ability to juggle multiple projects and deadlines simultaneously. **Learn more or apply here**.

Equiticity is hiring for three positions:

EQUITICITY
POWER + EQUITY

- Director, Community Mobility Rituals (Full-Time, $75,000 annual salary and competitive benefits package)
- Advocacy & Movement Building Manager (UPDATE: This position is now FT with a $65,000 annual salary and competitive benefits package)
- Community Mobility Rituals Manager, The Go Hub (Part-Time contractor position, 16 week timeline, $12,000 total compensation)

The deadline for applying for three open positions at Equiticity has been extended to this coming Friday, August 19. Those interested should send their cover letters and resumes to **careers@equiticity.org**.

Learn more or apply here.

Submit Job Openings and Future Events to be Listed on CLOCC.net and in the CLOCC Newsletter

Connect with CLOCC's network of nearly 3,000 childhood obesity prevention advocates by listing your organization's upcoming events or current job openings on the Consortium's website. Upon submission, postings will be approved by CLOCC staff; events and careers applicable to the CLOCC network may also be featured in this newsletter. If you have questions or are not able to access the webpage, contact **info@clocc.net**. CLOCC will not publish for-profit services or events, or products for sale.

clocc careers

Click here, or the image above, to view the latest job opportunities in obesity prevention and public health. Are you looking to fill an opening? Submit your listing using the button below.

Submit an Opening

clocc events

Click here, or the image above, to view upcoming events targeted for child health and obesity prevention, as well events hosted by local partners. Submit your own event using the button below.

Submit an Event

Focus Upstream

CLOCC focuses upstream to identify the fundamental root causes of obesity, and to broaden the scope of our obesity prevention strategies. This work draws from local and national attention to health equity and social influencers of health, such as immigration, education, poverty and racism, all of which have an impact on people's ability to eat healthy and be active where they live, work, learn, and play. If you have comments or questions about this focus, we invite you to reach out to info@clocc.net.

UPSTREAM NEWS:

- **Post-Roe Landscape Could Further Stress America's Crumbling Child Care System** - *The Hechinger Report*
- **Inflation Has Many Americans Cutting Back on Health Care, Poll Finds** - *U.S. News & World Report*
- **'We Have Nowhere to Go': Many Face Eviction During a Crisis in Affordable Housing** - *WBEZ*
- **Raising Young Kids in America Has Become Hell, and the Government Should Finally Acknowledge That** - *New Republic*

Childhood Obesity in the Media

- **Education With Goal-Oriented Activities Motivates Students to Choose Fruits and Vegetables** - *MedicalXpress*
- **Doctors Concerned About High Caloric Meals, Inadequate Nutrition in Universal School Meals Program** - *CBS News*
- **Study: Convincing Consumers to Ditch Sports Drinks for Water 'Most Difficult' Despite Health Risks** - *Food Navigator*
- **Free for All California Public School Students: At Least Two Meals a Day** - *Los Angeles Times*
- **Food Insecurity Among College Students Can Have Lingering Effects** - *Seattle Times*
- **Rewriting Black America's Narrative of Food Insecurity** - *The Observer*
- **What the Most Recent Map the Meal Gap Tells Us** - *Food Bank News*
- **How the Inflation Reduction Act Affects Food and Agriculture** - *Mother Jones*

Funding and Recognition Opportunities

- The **Chicago Metropolitan Agency for Planning (CMAP)** is seeking community-based organizations to apply to the new Community Alliance for Regional Equity program — an initiative to improve CMAP's investment processes to better serve people traditionally excluded from transportation planning. CMAP will recruit up to 12 community-based

organizations and pay $10,000 for one year of their time and expertise. You can find more information on the Community Alliance for Regional Equity webpage and **access the application here**.

- Program highlights include:
  - Ability to influence decision-making that impacts your community, including how federal transportation dollars reach your community
  - Networking and relationship-building opportunities
  - $10,000 unrestricted honorarium, half paid upfront
  - Potential for a multi-year commitment
- If you have questions about the program, please contact CMAP at **CommunityAlliance@cmap.illinois.gov** or call 312-454-0400.

- **NIH's Office of Nutrition Research (ONR**) has issued the notice of special interest (NOSI) **Stimulating Research to Understand and Address Hunger, Food and Nutrition Insecurity**. The purpose of this NOSI is to encourage research on the efficacy of interventions that address nutrition security and the mechanisms of food insecurity on a variety of health outcomes. It also calls for the development of new measures for nutrition security and assessment of food insecurity that are broadly applicable. It was developed by the ONR Implementation Working Group on **Nutrition and Health Disparities** in collaboration with NIH Institutes and Centers (ICs) and Offices in support of the goals and objectives of the **Strategic Plan for NIH Nutrition Research**. ***Deadline, October 5th.***

- Healthy Eating Research, a national program of the Robert Wood Johnson Foundation, is funding research focused on how pandemic-driven social and economic programs and policies related to poverty reduction impact child obesity, diet quality, and food and nutrition security. **Applications are open now here**. ***Deadline, October 12th.***

CLOCC.NET RESOURCES

- LATEST NEWS
- JOB OPENINGS
- EVENTS
- RESOURCE LIBRARY
- *5-4-3-2-1 Go!*
- *five*SMART

CONTACT US

CONSORTIUM TO LOWER OBESITY IN CHICAGO CHILDREN (CLOCC) | 225 E. Chicago Ave., Box #157, Chicago, IL 60611

Unsubscribe hborski@utah.gov

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Sent by info@clocc.net powered by

[redacted]

Constant Contact
Try email marketing for free today!

SUBJECT: Fwd: COVID Community Updates 8/16
FROM: Claudia Loayza <cloayza@utah.gov>
TO: undisclosed-recipients:;
BCC: hborski@utah.gov
DATE: 18/08/2022 17:28

Hello Community Partners,

Below is this week's COVID-19 Community Updates from the Utah Office of Health Equity. Thank you for your dedication and perseverance in addressing community needs!

Best,

CLAUDIA LOAYZA
Planning Policy & Engagement Coordinator
Utah Division of Multicultural Affairs
She/Her/Hers

801-245-7282 (Email is best)
cloayza@utah.gov
multicultural.utah.gov

To stay updated on multicultural COVID-19 resources, please ask to be added to our email listserv.

---------- Forwarded message ---------
From: **Annika Machado (DHHS)** <amachado@utah.gov>
Date: Tue, Aug 16, 2022 at 1:30 PM
Subject: COVID Community Updates 8/16

Good afternoon,

I hope everything is going well for you! Here are the updates I have for this week:

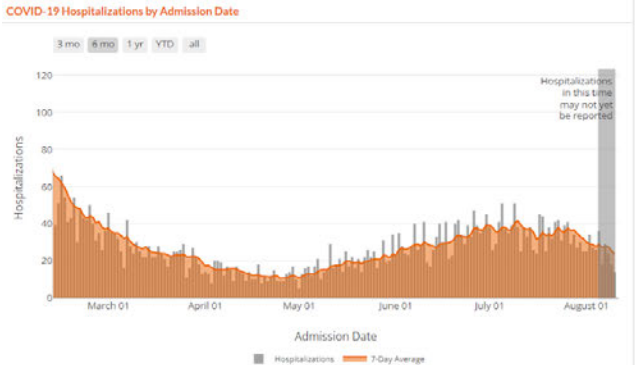
COVID + Other Updates:

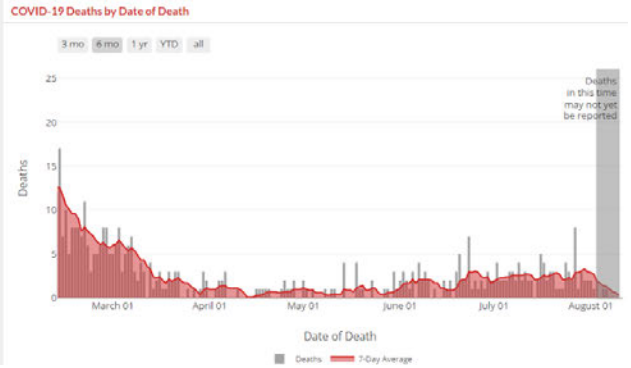
[redacted]

[redacted]

Overview table**

Metric	Previous 7 days	Current 7 days	Change
Seven-day Average Case Count	738.6	671.3	9.1% decrease
Seven-day Average People in the Hospital with COVID-19	173.3	145.9	15.8% decrease
Seven-day Average Cases in ICU	24.6	22.1	10.2% decrease
Seven-day Average New Hospital Admissions	32.1	27.9	13.1% decrease
Seven-day percent positivity (test/test)	23.86%	22.32%	6.5% decrease
Seven-day percent positivity (person/person)	31.04%	29.21%	5.9% decrease
Percent Emergency Department Visits Diagnosed with COVID-19	4.39%	3.63%	17.3% decrease

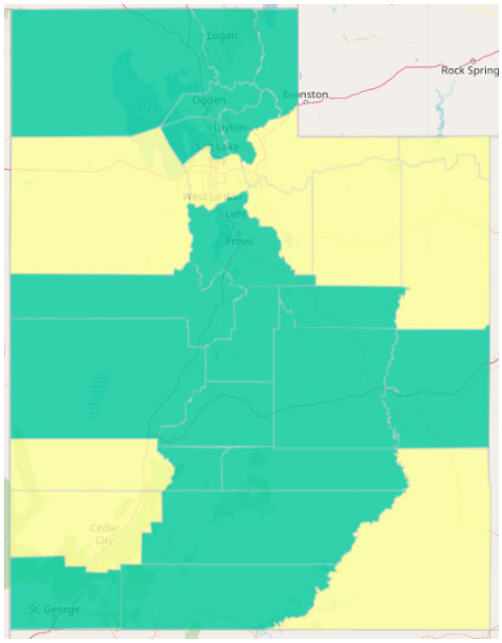




(This week's overview, hospitalizations,and deaths over the past 6 months)

- Check coronavirus.utah.gov/case-counts/ for other **COVID data**.

- Keep updated on **mask recommendations for your county** at the CDC's COVID by County tool. This risk score is based on cases, hospitalizations, and other data for each county.



[redacted]

[redacted]

Low	Medium	High
• Stay up to date with COVID-19 vaccines • Get tested if you have symptoms	• If you are at high risk for severe illness, talk to your healthcare provider about whether you need to wear a mask and take other precautions • Stay up to date with COVID-19 vaccines • Get tested if you have symptoms	• Wear a mask indoors in public • Stay up to date with COVID-19 vaccines • Get tested if you have symptoms • Additional precautions may be needed for people at high risk for severe illness

People may choose to mask at any time. People with symptoms, a positive test, or exposure to someone with COVID-19 should wear a mask. Masks are recommended in indoor public transportation settings and may be required in other places by local or state authorities.

- The latest report for **COVID data by race/ethnicity per Local Health District** can be read here. This report breaks down cases, hospitalizations, and vaccinations by race/ethnicity across the state.

- **Updated guidance** from the CDC about quarantine: If exposed to COVID and you have no symptoms, you do not have to quarantine. You should wear a mask for 10 days and get tested for COVID on day 5 after being exposed. (Read quarantine/isolation guidance here). Remember that anyone who tests positive should isolate at home for at least 5 days, longer depending on symptoms.

Image

Additionally, the FDA suggests that if you test negative on a **home test kit** following exposure to COVID, you should take another home test kit 48 hours later, and then another 48 hours after that– three home test kits total. This is to decrease the chance of a false negative (testing negative even though you have COVID). This article provides a deeper explanation.

- Here is where you can find most **updated information about monkeypox in Utah**, including how many cases there are, who is eligible for vaccines, and contact information of Local Health Departments. The Salt Lake County Health Department

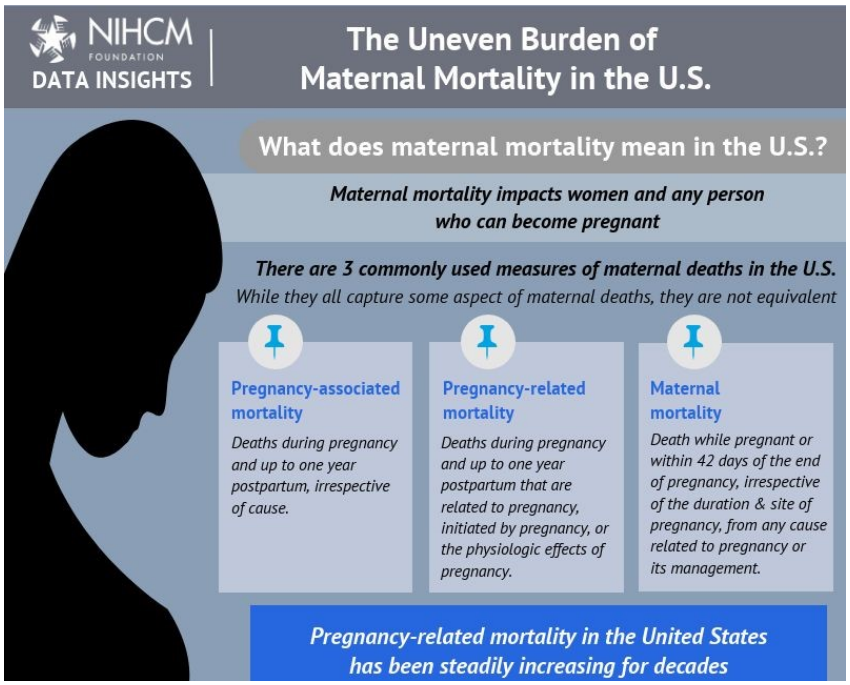
[redacted]

[redacted]

also has a good FAQ page. There will be a webinar by the American Public Health Association and the National Academy of Medicine about monkeypox on August 18 from 3-4:30 pm

- See this FAQ about the new **988 number** for mental health crisis. You can advise community members how to use this number and when to call it, as well as other resources they can utilize when having mental health concerns.

- See this infographic about **pregnancy related mortality** in the US. These numbers have been increasing with deaths occuring during pregnancy, delivery, and the postpartum period. There are also disparities among different populations dues to differences in the care they receive and chronic conditions. Read the rest of the infographic at the link above.



- **COVID boosters** that target the Omicron variant may be available in September. These boosters are still being reviewed and will be submitted to the FDA and CDC to decide who will be eligible. This booster will be important to protect people from infection from the Omicron COVID variant. Read more about the booster here.

Testing, Vaccines, and COVID Treatments:

- Find free COVID testing: https://coronavirus.utah.gov/utah-covid-19-testing-locations/?free=true

- Order free home test kits from the federal government: COVIDtests.gov. Tests ship in 7-12 days.

  Call 1-800-232-0233 for help ordering (English, Spanish, and other languages)

  Disability information and access line for help with testing and vaccination: call 888-677-1199

- **CBOs can order home test kits** from Utah DHHS here

  If you would like updated labels that reflect accurate expiration dates of home test kits, use this link to order

[redacted]

[redacted]

- Find a vaccine site: https://coronavirus.utah.gov/vaccine-distribution/
  - This week's pop-up vaccine clinics in Salt Lake County are attached in English and Spanish; no appointments required. Clinics now offer COVID testing as well.

- Info on accessing COVID Treatment, including monoclonal antibodies and antivirals: https://coronavirus.utah.gov/treatments/
  - These treatments rely on early action– monoclonal antibodies must be started within 7 days of symptom onset and antivirals within 5 days
  - Fill out the COVID treatment Risk Score Calculator here to see if an individual is eligible for monoclonal antibodies and talk to a doctor about accessing antiviral treatment

Events and Opportunities:

- Healthy Start West Valley from the U of U Health is hosting a **free vaccination and health screening clinic** for adults and children on August 25 at 4-9 pm (Centennial Park 5405 W 3100 S, West Valley City). This will include vaccinations and vision, dental, and adult diabetes screenings. Screenings are free and do not require ID. See all the info here.

- Join Voices for Vaccines for a **training about having vaccine discussions** in your community. They provide tools and resources for having conversations with people who are vaccine hesitant. August 17 at 5 PM. Register here.

- **Free virtual naloxone trainings** from Utah Naloxone on August 25 (5-6 pm) and August 31 (12-1 pm) for International Overdose Awareness Day. Naloxone is an opioid overdose antidote and can save a life of someone overdosing from pain pills, heroin, fentanyl, etc. Learn how to use this medication and receive a free naloxone rescue kit. Training will have Spanish interpretation available. Register at these links: August 25 and August 31. Flyer attached.

- **The Virtual Latino Health Summit: Road to Resiliency** will be held September 15 and 16 from 11-3 (in Spanish and English). This summit seeks to celebrate and recognize the efforts and contributions of the Hispanic/Latino community during the pandemic. This summit will highlight the innovation and replicability of different approaches implemented by organizations serving the Hispanic/Latino community, as well as foster collaboration and partnerships among participants. Topics highlighted will include: Healthcare Access, Adolescent Health, Workforce, and Environmental Health/Justice. Register here, flyer attached

La Cumbre Virtual de Salud Latina: Camino a la Resiliencia se llevara a cabo en Septiembre 15 y 16 de 11-3 PM (en Inglés a Español). En esta cumbre se resaltará la innovación y la replicabilidad de diferentes enfoques implementados por organizaciones que sirven a la comunidad hispana/latina, así como también se fomentara la colaboración y las asociaciones entre los participantes. Los temas destacados incluirán: Acceso a la atención médica, salud adolescente, la fuerza laboral y Salud/Justicia Ambiental. Se registra aquí, el volante está adjunta

- The Division of Multicultural Affairs is hosting a webinar about **Cross Sector Impacts | Continuing Our Learning Journey** as a part of their Equitable Communications and Engagement series. August 24 from 12-1:15 PM. Learn about unique ways panelists' cross-sector organizations are operationalizing equitable practices in their engagement, communications, service models, and missions. The webinar will encourage attendees to build on their learning journey around how to lead with

[redacted]

customized approaches so that communities are informed and receive resources according to their unique needs. Register here.

- **Wrap Around Services: Emergency Responders and CHWs** webinar from the National Association of CHWs. Explore ways to create a continuum of care that is sustainable in most communities by combining the efforts of emergency responders and CHWs. August 18 from 12-1 pm. Register here.

- **Health Choice Utah is partnering with Davis Links** to hold a networking event (in-peron) on September 7 for Davis County-serving organizations/programs. Fill out this form to register and have your organization's information shared with other attendees. Sept. 7, 2022, 8:30a.m.-10:00a.m. Davis County Administration Building 61 S. Main St, Farmington, UT Room 131 A&B.

- **Children Under Stress: Preventing ACEs and Supporting Childhood Well-being** webinar. August 23 from 12-1 pm. Learn ACEs prevention strategies, actions to promote safe and trauma-informed environments for children, and creating community programs. Register here.

Funding:

- The Utah Department of Cultural & Community Engagement has announced that their **Cultural Capital Grants** are officially open. These grants are available to facilities that are publicly owned or owned by a nonprofit organization and are accessible to the general public. The funds can be used for **new construction, or renovations and remodeling** to an existing facility. Educational institutions are not eligible for this funding. Please share with other organizations who could use this funding for their facilities. Apply here, the deadline is September 6, 2022.

Things to Share:

- Up2Date is a website from Utah Department of Health and Human Services that outlines **recommended immunizations, screenings, and health checks** for adults and children per age.

- Social media posts about sending kids **back to school** safely. See the posts and captions here.

[redacted]

Let me know if there's anything you'd like me to share with the rest of the group or if you have any questions. Thank you!

--
Annika Machado, RN (she/her/hers)
COVID-19 Health Disparities Coordinator
385.266.5712
amachado@utah.gov
healthequity.utah.gov

Utah Department of
Health & Human Services
Health Equity

Beginning July 1, 2022, the Office of Health Disparities will be the Office of Health Equity at the Utah Department of Health & Human Services

********** IMPORTANT MESSAGE **********
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SUBJECT: Trump Lieutenant's Plea May Set DA Domino Effect In Motion
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 19/08/2022 02:26

Friday, August 19, 2022

Follow

TOP NEWS

Analysis

[redacted]

Trump Lieutenant's Plea May Set DA Domino Effect In Motion

Trump Organization finance chief Allen Weisselberg is poised to implicate his longtime employer in a 15-year tax evasion scheme after signing a plea deal that could pose big problems for the former president's real estate company and potentially for Trump himself.

Read full article »

Trump Organization CFO Pleads Guilty In NY Tax Case

Longtime Trump Organization finance chief Allen Weisselberg pled guilty in New York state court Thursday to a 15-year scheme to evade taxes on executive compensation, flipping on former President Donald Trump's real estate company as it faces a looming trial.

Read full article »

Fla. Judge May Unseal Part Of Mar-A-Lago Warrant Affidavit

A Florida federal magistrate judge on Thursday said he is inclined to allow a partial unsealing of the affidavit in support of the search warrant for former President Donald Trump's Mar-a-Lago residence.

Read full article »

Fed. Court Blocks Fla.'s Workplace Bias Training Restrictions

A federal judge on Thursday blocked part of a controversial Florida law that prevents employers from promoting various sex- and race-based concepts as part of worker training sessions, saying the limitations flout the First Amendment.

2 documents attached | Read full article »

CSX Scores Ohio High Court Win In Train Crossing Law Fight

The Ohio Supreme Court has ruled that the state cannot enforce a law that penalizes railroads if their trains blocked grade crossings for more than five minutes, finding that federal law governing railroad operations preempts the Ohio statute.

Opinion attached | Read full article »

DHS Can't Escape Sex Trafficking Victim's T Visa Suit

An Illinois federal judge on Thursday denied the government's request to toss a lawsuit lodged by an alleged sex trafficking victim, saying it overlooked a provision concerning who was authorized to grant inadmissibility waivers to trafficking victim visa applicants.

Order attached | Read full article »

Ex-Trump Adviser Navarro Wants Contempt Charges Tossed

LAW FIRMS IN TODAY'S NEWS

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Campbell Conroy
Chipman Brown
Cooper & Kirk
Cummings McClorey
DiRuzzo & Co.
Dinsmore & Shohl
Dunnington Bartholow
Eversheds Sutherland
Faegre Drinker
Fisher Phillips
Foley Hoag
Fox Rothschild
Friedman Kaplan
Glancy Prongay
Gray Reed
Gunderson Palmer
Hunton Andrews
Husch Blackwell
Ice Miller
Jackson Lewis P.C.
Kasowitz Benson
Katz Korin
Kirkland & Ellis
Kostelanetz & Fink
Kronenberger Rosenfeld

Former Trump White House trade adviser Peter Navarro has urged a D.C. federal judge to toss contempt of Congress charges filed against him for defying a congressional subpoena related to the Jan. 6 attack on the U.S. Capitol, arguing executive privilege and political animus doom the case.

Motion attached | Read full article »

Q&A

Getting To Know The Mass. AG Hopefuls: Andrea Campbell

Fresh off a failed mayoral bid, former Boston City Councilor Andrea Campbell is hoping a reform-minded agenda and coveted endorsements from Bay State political heavyweights vault her past two other candidates seeking the Democratic nomination for Massachusetts attorney general in the primary on Sept. 6.

Read full article »

ENERGY & ENVIRONMENTAL

Feds Flag Competition Concerns With FERC Grid Policy Plan

Federal antitrust regulators want the Federal Energy Regulatory Commission to abandon a plan to restore a right of first refusal for incumbent utilities to build new transmission projects as part of the agency's overhaul of its grid-planning policies.

Read full article »

Hexcel Poised To Beat NJ Pollution Suit As Barred By Deal

A New Jersey state judge on Thursday said she would throw out a lawsuit against Hexcel Corp. and another entity from the state Department of Environmental Protection seeking natural resource damages over groundwater contamination at a chemical manufacturing facility, finding that the claims are barred by a prior settlement related to a Superfund site.

Read full article »

Pa. Justices Say Customers Can't Opt Out Of 'Smart Meters'

A Pennsylvania state law required electric distribution companies to roll out "smart meters" with no opt-out provisions for customers who didn't want them, the state Supreme Court ruled, and customers who claim to suffer health problems from the meters' radio communications must prove by a preponderance of the evidence that they need an accommodation.

2 documents attached | Read full article »

Ethanol Maker To Pay $1.7M For Absent Chemical Reporting

The owner of four Midwest ethanol plants will pay $1.7 million to resolve allegations that it failed to report toxic

Law Office of Bryan L. Sells
Law Offices of Alan S. Futerfas
Law Offices of Charles H. Camp
Manatt Phelps
Marjorie Rawls Roberts PC
Marzouk Law LLC
Mayer Brown
Meland Budwick
Miller Canfield
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Pillsbury Winthrop
Potter Anderson
Quinn Emanuel
Ropes & Gray
Sandler Reiff
Saul Ewing
Shearman & Sterling
Sheppard Mullin
Shullman Fugate
Shumaker Loop
Skadden Arps
Steve Harvey Law LLC
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COMPANIES IN TODAY'S NEWS

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Council on Foreign Relations

chemical releases, in what the U.S. Environmental Protection Agency said is the largest-ever penalty of its kind.
Read full article »

Biden Admin. Floats Offshore Wind Development In Maine

The Biden administration on Thursday continued its aggressive push to expand U.S. offshore wind development by putting out feelers for any interest in building floating wind farms in the Gulf of Maine.
Read full article »

HEALTH & LIFE SCIENCES

NC Judge Reinstates 20-Week Abortion Ban In Light Of Dobbs

A federal judge in North Carolina has reinstated the state's ban on abortions after 20 weeks, ruling that a three-year-old injunction preventing the law from taking effect is no longer enforceable under the U.S. Supreme Court's Dobbs decision.

Order attached | Read full article »

MEDIA & ENTERTAINMENT

Beto O'Rourke Says Tweets Over Winter Storm Are Protected

Democratic Texas gubernatorial candidate Beto O'Rourke told a state appellate court that statements he made criticizing Gov. Greg Abbott and energy companies' actions during Winter Storm Uri are protected speech and not defamation.

Brief attached | Read full article »

EMPLOYMENT & BENEFITS

DOL Revises Pay Equity Guidance For Federal Contractors

The U.S. Department of Labor's contractor bias watchdog said Thursday that it won't require companies to produce privileged communications when it reviews their internal pay audits, potentially allaying concerns that the agency was trying to overreach.
Read full article »

COMPETITION

Court Questions Penguin's Bid Policy In Merger Challenge

A D.C. federal judge questioned an expert witness Thursday on how well Penguin Random House's promise to allow individual company imprints to bid against each other for books will work after its planned purchase of Simon & Schuster.
Read full article »

GOVERNMENT CONTRACTS

Covetrus Inc.
Edison Electric Institute Inc.
Elanco Animal Health Inc.
Eli Lilly & Co.
Endo International PLC
Energy Transfer Partners LP
Frontier Airlines Inc.
Google LLC
GrubHub Inc.
Hachette Book Group Inc.
HarperCollins Publishers LLC
Hexcel Corp.
Illumina Inc.
Instagram Inc.
Johnson & Johnson
Judicial Watch Inc.
Legal Aid Society of Cleveland
Ligado Networks LLC
LinkedIn Corp.
Macmillan Publishers Ltd.
Marathon Petroleum Corp.
Mercedes-Benz
Meta Platforms Inc.
NBCUniversal Media LLC
Native American Rights Fund Inc.
Netflix Inc.
PECO Energy Co.
PJM Interconnection LLC
Planned Parenthood Federation
PricewaterhouseCoopers LLP
Princeton University
Pro Bono Institute
Protect Democracy Project Inc.
Purdue Pharma LP
Salesforce.com Inc.
Simon & Schuster Inc.
Sirius XM Radio Inc.
Snap Inc.
State Bar of Michigan
StockX LLC
The Andersons Inc.
The Center for Reproductive Rights Inc.
The E.W. Scripps Company
The New York Times Co.
TransUnion LLC
Trump Organization Inc.
Twitter Inc.
U.S. Chamber of Commerce
UCLA School of Law
Walgreens Co.
Walmart Inc.

FAR Council Proposes Labor Deals For Federal Construction

The Federal Acquisition Regulatory Council on Thursday proposed a rule to require labor agreements with unions on "large-scale" federal construction projects, intended to reduce delays and cost overruns and improve employment conditions.

Proposed Rule attached | Read full article »

INTERNATIONAL TRADE

Labor, Digital Trade On Agenda For New US-Taiwan Talks

The U.S. and Taiwan have agreed on 11 focus areas for trade and regulatory negotiations, including agriculture, labor, environment and digital trade, aimed at strengthening mutual economic relations amid rising tensions with mainland China.

1 document attached | Read full article »

TAX

Virgin Islands Judge Nixes Cos.' Excise Tax Refund Suit

A U.S. Virgin Islands District Court judge on Thursday tossed cases brought by seven businesses that import goods to the territory and sought refunds of excise taxes, arguing the tax was unconstitutional.

Opinion attached | Read full article »

Sirius Asks Court To Deny 2nd Chance To Texas Tax Agency

The Texas tax agency should not get another chance to convince a state appeals court that Sirius XM did not provide sufficient evidence to show that a fraction of its services were performed in Texas, the company told the court.

2 documents attached | Read full article »

IMMIGRATION

ICE Sued For Records On Torture-Risk Removal Policy

U.S. Immigration and Customs Enforcement has failed to respond to a request for documents about its policies for removing noncitizens who face threats of persecution and torture in certain designated countries, according to a suit filed in Massachusetts federal court Wednesday.

Complaint attached | Read full article »

NATIVE AMERICAN

SD County Told It Can't Delay Election Changes In Tribal Suit

County officials in South Dakota cannot hold up a federal judge's order instructing them to use new election rules that don't disadvantage Native voters, the judge said

Washington Post Co.
YouTube Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Citizenship and Immigration Services
Bureau of Ocean Energy Management
Delaware Court of Chancery
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
Legal Services Corp.
Michigan Attorney General's Office
Missouri Attorney General's Office
National Aeronautics and Space Administration
National Institutes of Health
New Jersey Attorney General's Office
New Jersey Department of Environmental Protection
New York Attorney General's Office
North Carolina Department of Health and Human Services
North Carolina Department of Justice
Office of Federal Contract Compliance Programs
Office of the U.S. Trade Representative
Ohio Supreme Court
Pennsylvania Public Utility Commission
Pennsylvania Supreme Court
Superior Court of the Virgin Islands
Surface Transportation Board
Texas Attorney General's Office
Texas Comptroller of Public Accounts
Texas Supreme Court

Wednesday, chiding the county for slow-walking a redistricting plan and urging it to prepare revisions by next week.

Order attached | Read full article »

TELECOMMUNICATIONS

Lawmakers Keep Pushing FCC To Rescind Ligado Network OK

A bipartisan group of U.S. senators has urged the Federal Communications Commission to stay its contentious Trump-era 2020 decision allowing Ligado Networks to use "L-band" spectrum for a terrestrial network, warning it could be harmful to national security.

Read full article »

CANNABIS

State Cannabis Regulations In Question After 1st Circ. Ruling

States' ability to regulate cannabis by restricting certain licenses to locals and social equity candidates will be diminished now that a split First Circuit affirmed that the Constitution's dormant commerce clause applies to the industry, experts told Law360.

Read full article »

PEOPLE

Armstrong Teasdale Lobbying Arm Forms Missouri Alliance

Armstrong Teasdale LLP's lobbying arm has partnered with a Missouri lobbying firm whose two co-founders have a combined 35 years of government and advocacy experience in the Show Me State.

Read full article »

EXPERT ANALYSIS

Opinion

Senators' Letter To DOJ Distorts The Premise Of Debarment

U.S. Sens. Elizabeth Warren and Ben Ray Lujan recently called on the U.S. Department of Justice to increase suspension and disbarment of government contractors that engage in misconduct, but this proposal is inconsistent with the purposes of the disbarment system and could politicize the process, says Todd Canni at Pillsbury.

Letter attached | Read full article »

Opinion

Using Bayh-Dole To Control Drug Prices Would Skew Statute

Acceding to 100 congressional lawmakers' request that the Bayh-Dole Act be used to impose price controls on certain drugs by administrative fiat would misrepresent the statute and jeopardize the robust American innovation ecosystem it

U.S. Air Force
U.S. Attorney's Office
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U.S. Attorney's Office for the Southern District of Florida
U.S. Census Bureau
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. District Court for the District of Columbia
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Senate
U.S. Supreme Court
U.S. Uniform Law Commission
United Nations
United States District Court for the District of South Dakota
United States District Court for the Northern District of Ohio
United States District Court for the Southern District of Indiana
United States Virgin Islands Department of Justice

was meant to enhance, says Brian O'Shaughnessy at Dinsmore.

Opinion attached | Read full article »

Breaking Down The Amended Federal Data Privacy Bill

The House Committee on Energy and Commerce recently passed modifications to the American Data Privacy and Protection Act's private right of action, setting forth important limitations for plaintiffs including Article III standing and exclusion of small businesses, say David Stauss and Shelby Dolen at Husch Blackwell.

Bill attached | Read full article »

Opinion

China Has No Legal Claim To Taiwan

Tensions over China's reunification efforts are high after House Speaker Nancy Pelosi's recent visit to Taiwan, but unilaterally seizing Taiwan would be bad for both China and the global economy, and long-standing international law prohibits such actions, says attorney Charles Camp.

Read full article »

Strategies For Improving Diversity In Psychedelics Research

Recent efforts by the U.S. Food and Drug Administration, legislators and the National Institutes of Health underscore the importance of addressing diversity challenges in psychedelics research and therapy, so drug sponsors should consider ways to ensure therapies are safe and effective for all, say Kyle Mack and Julia Markov at Phillips Lytle.

Read full article »

New Mich. Rent Law Improves Borrower-Lender Relationships

The recently enacted Michigan Uniform Assignment of Rents Act, largely driven by bankruptcy court decisions, clears up many legal and practical questions under Michigan state law and will change the borrower-lender relationship for the better, say Scott Lesser and Ronald Spinner at Miller Canfield.

Read full article »

LEGAL INDUSTRY

Interview

Lanier On $650M Opioid Win: I'd Have Settled For 'A Lot' Less

Following a $650 million opioid trial triumph Wednesday against CVS Pharmacy, Walgreens and Walmart, lead

Washington State Liquor and Cannabis Board

plaintiffs counsel W. Mark Lanier told Law360 that the pharmacies "could have settled so much cheaper than this, it's not even funny," and that while the appeal process could take years, he's "not too panicked" about the chains' chances.

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Elanco Judge Says Jurists 'Are Not Pigs, Hunting For Truffles'

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SUBJECT: Lanier On $650M Opioid Win: I'd Have Settled For 'A Lot' Less
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TO: hborski@utah.gov
DATE: 19/08/2022 02:56

Friday, August 19, 2022

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TOP NEWS

Interview

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pharmacies "could have settled so much cheaper than this, it's not even funny," and that while the appeal process could take years, he's "not too panicked" about the chains' chances.

2 documents attached | Read full article »

Endo Noteholders Say Alternative Ch. 11 Plan Needed

Creditors of Endo International told a New York bankruptcy judge Thursday that they will seek to file an alternative to Endo's proposed Chapter 11 sale, as the drugmaker made its first court appearance in its bankruptcy case.

Read full article »

NC Judge Reinstates 20-Week Abortion Ban In Light Of Dobbs

A federal judge in North Carolina has reinstated the state's ban on abortions after 20 weeks, ruling that a three-year-old injunction preventing the law from taking effect is no longer enforceable under the U.S. Supreme Court's Dobbs decision.

Order attached | Read full article »

Sterigenics Polluted Ill. Village For Decades, Jury Hears

Industrial sterilization company Sterigenics pumped excessive amounts of ethylene oxide into the air from its Willowbrook, Illinois, facility for decades without warning the community about the serious health risks of breathing in the known carcinogen, an Illinois jury heard Thursday.

Read full article »

Full 5th Circ. Won't Rehear United Vaccine Mandate Row

The full Fifth Circuit won't review a panel's February decision blocking United Airlines Inc. from forcing unpaid leave on employees who claimed religious exemptions from the airline's COVID-19 vaccine mandate, but a dissenting judge on Thursday decried how the divided panel demolished long-standing tenets of worker discrimination law.

Order attached | Read full article »

Law Firm Sued For Missing $4M In Panama Investment Deal

A Panamanian foundation and its director sued a Florida law firm Thursday, claiming the firm misappropriated $4 million in escrow payments meant to fund an investment scheme in Panama.

Complaint attached | Read full article »

LITIGATION

Tort Report: Tyson Wants High Court Review; 'Rust' Update

Tyson Foods' request for the U.S. Supreme Court to review COVID-19 death suits and an update on the "Rust" shooting investigation lead Law360's Tort Report, which compiles

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American Civil Liberties Union of North Carolina
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Illumina Inc.
Instagram Inc.
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Judicial Watch Inc.
Legal Aid Society of Cleveland
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Lundin Mining Corp.
Manchester United
Memorial Hermann Healthcare System Inc.
Mercedes-Benz
Meta Platforms Inc.

recent personal injury and medical malpractice news that may have flown under the radar.

1 document attached | Read full article »

3rd Circ. Denies Doc's Bid For New Trial In $100M Fraud Case

The Third Circuit denied a request for a new trial from a former New York doctor who was convicted of accepting bribes from a New Jersey lab as part of a referral scheme that scored more than $100 million in Medicare and private insurance money for the business.

Opinion attached | Read full article »

1st Circ. Affirms CVS Win In Investor Suit Over Omnicare Deal

The First Circuit on Thursday held that a Rhode Island federal court was correct to toss a putative investor class action against CVS over its acquisition of Omnicare, agreeing with the lower court that the shareholders hadn't pointed to any false statements made by the pharmacy chain.

Opinion attached | Read full article »

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An Indiana federal judge has dismissed, for now, an Elanco Animal Health investor's securities suit alleging the company engaged in "channel-stuffing" and hid anticipated revenue drops due to inventory backlogs, saying the plaintiff didn't clearly lay out misleading statements and warning, "'Judges are not pigs, hunting for truffles buried in briefs.'"

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COVID Laws Don't Shield Nursing Home From Death Liability

In an issue of first impression, a Pennsylvania federal judge ruled Thursday that a nursing home being sued over the death of an elderly woman allegedly hastened by inadequate COVID-19 precautions is not shielded from liability under pandemic emergency law.

Opinion attached | Read full article »

Neurologist, Hospital Must Face Suit Over Woman's Stroke

A New York appeals court has reinstated a woman's suit against a neurologist and a Queens hospital alleging she suffered a stroke because they didn't administer medication to her when she was a patient, saying the trial court was wrong to dismiss her claims.

Opinion attached | Read full article »

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Isenberg & Hewitt
Jones Day
Katz Korin
Kelly Hart
Kirkland & Ellis
Klausner Kaufman
Kostelanetz & Fink

Iowa Nursing Home Death Suit Fails For Lack Of Expert Filing

An Iowa appeals court tossed a lawsuit accusing a nursing home of negligently causing a woman's hip fracture and infected bedsore which caused her death, saying the patient's estate needed a medical expert to establish the assisted living company violated its standard of care.

Opinion attached | Read full article »

Texas Doctors Escape Suit Over Woman's Blindness

A Texas appellate court on Thursday found that two doctors need not face claims they misdiagnosed a woman's "head bleed" as a sinus headache, leading to her blindness, saying they are entitled to immunity under state law.

Opinion attached | Read full article »

FedEx Wants 'Sprawling' $532M PPE Delivery Suit Tossed

FedEx Corp. urged a Pennsylvania federal judge Thursday to throw out a personal protective equipment supplier's $532 million lawsuit alleging that FedEx breached multiple supply contracts by refusing to pay invoices and failing to accept deliveries, arguing that FedEx honored its contracts and that the supplier's "sprawling" allegations can't proceed.

Memorandum attached | Read full article »

Clinic Defends Ga. Punitive Cap In $50M Sex Abuse Case

In a $50 million case that asks the Georgia Supreme Court to declare the state's cap on punitive damages unconstitutional, a behavioral health clinic has argued the state constitution doesn't guarantee a right to jury-determined punitive damages.

2 documents attached | Read full article »

Cepacol Lozenges Falsely Tout Honey And Lemon, Suit Says

A San Francisco-based consumer hit the maker of Cepacol-brand cough drops with a proposed class action Wednesday in California federal court, alleging that some Cepacol lozenges are falsely advertised as containing honey and lemon when they actually don't, unlike competing products that do contain both ingredients.

Complaint attached | Read full article »

DEALS

Deals Rumor Mill: Manchester United, Meituan, Cardinal Health

The deals rumor mill is often overflowing with transactions that are reportedly close to being signed, but with so many rumors it can be hard to know which ones to stay on top of

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Kutner Friedrich
Law Offices of Alan S. Futerfas
Lewis Brisbois
Martin Clearwater
McDermott Will
Meland Budwick
Miller Shah LLP
Miner Barnhill
Myers Doyle
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Shullman Fugate
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Steptoe & Johnson PLLC
Stewart Wiegand
Thomas & LoCicero
Wachtell Lipton
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Weil Gotshal
Whelan Corrente
White & Case
Williams & Connolly
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GOVERNMENT AGENCIES IN TODAY'S NEWS

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Food and Drug Administration
Georgia Supreme Court
Internal Revenue Service
Legal Services Corp.

every week. Here, Law360 breaks down the deal rumors from the past week that you need to be aware of.

Read full article »

BANKRUPTCY

Family Asks To Dodge Nursing Home's Ch. 11 Stay

The estate of a deceased resident of a Florida nursing facility owned by American Eagle Delaware Holding Co. is asking a Delaware bankruptcy judge to lift the Chapter 11 pause on its wrongful death suit against the nursing home chain.

Motion attached | Read full article »

PEOPLE

McDermott Adds Epic Systems Digital Health Pro In LA

McDermott Will & Emery LLP has expanded its health care practice by adding a health tech expert who was director of health policy and regulatory affairs at software company Epic Systems as a partner in its Los Angeles office.

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EXPERT ANALYSIS

Strategies For Improving Diversity In Psychedelics Research

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Read full article »

Trump Organization CFO Pleads Guilty In NY Tax Case

Longtime Trump Organization finance chief Allen Weisselberg pled guilty in New York state court Thursday to a 15-year scheme to evade taxes on executive compensation, flipping on former President Donald Trump's real estate company as it faces a looming trial.

Michigan Attorney General's Office
National Institutes of Health
New York Attorney General's Office
New York State Department of Health
North Carolina Department of Health and Human Services
North Carolina Department of Justice
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the District of New Jersey
U.S. Attorney's Office for the Southern District of Florida
U.S. Bankruptcy Court for the District of Delaware
U.S. Bankruptcy Court for the Southern District of New York
U.S. Census Bureau
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Justice
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of Florida
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Supreme Court
United States District Court for the Northern District of Ohio
United States District Court for the Southern District of Indiana

[redacted]

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Analysis

Trump Lieutenant's Plea May Set DA Domino Effect In Motion

Trump Organization finance chief Allen Weisselberg is poised to implicate his longtime employer in a 15-year tax evasion scheme after signing a plea deal that could pose big problems for the former president's real estate company and potentially for Trump himself.

Read full article »

Fla. Judge May Unseal Part Of Mar-A-Lago Warrant Affidavit

A Florida federal magistrate judge on Thursday said he is inclined to allow a partial unsealing of the affidavit in support of the search warrant for former President Donald Trump's Mar-a-Lago residence.

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SUBJECT: Morning Consult Health: Biden Administration to Shift Bill onCOVID-19 Shots and Treatments From Government to Payers, Consumers
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 19/08/2022 05:58

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Health

Essential health care industry news & intel to start your day.

AUGUST 19, 2022

BY MATT BRACKEN

Twitter Email

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TOP STORIES

- The Health and Human Services Department will convene representatives from drugmakers, pharmacies and state health departments on Aug. 30 as it prepares to transfer greater control of pricing and coverage for COVID-19 shots and treatments from the federal government to the health care industry. The move, which will likely boost profits for companies and costs for consumers, has been the end game for both the Trump and Biden administrations, and Dawn O'Connell, HHS assistant secretary for preparedness and response, said the time to shift control to the commercial market is approaching now. (The Wall Street Journal)

- Beginning Monday, the Biden administration will make available an additional 1.8 million doses of Bavarian Nordic A/S's Jynneos monkeypox vaccine for states and localities to order, expediting a previous HHS timeline for distribution thanks in part to the new dose-sparing strategy. Additionally, HHS announced its "pre-positioning" of 50,000 courses of the Tpoxx monkeypox treatment to jurisdictions around the country, and the creation of a program to expand vaccine access and engage with at-risk communities at events with large LGBTQ crowds, such as this weekend's Charlotte Pride Festival and Parade in North Carolina. (CNN)

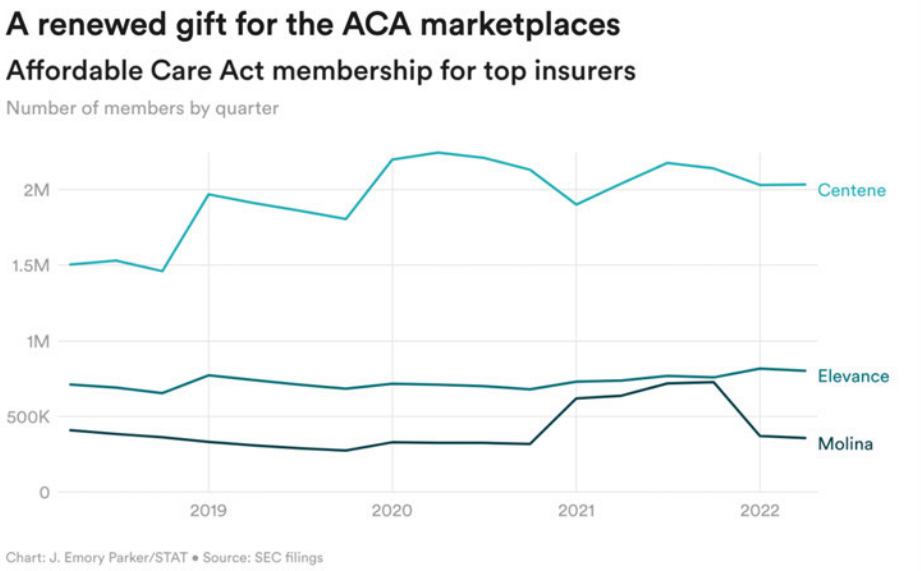
- The Biden administration and Bavarian Nordic announced that the Danish drugmaker struck a deal with Michigan-based Grand River Aseptic Manufacturing Inc. to finish the packaging of 2.5 million ordered doses of the monkeypox vaccine, more than halving production timelines to get shots in arms quicker. O'Connell, the HHS official who oversees strategic preparedness and response, said Bavarian Nordic is also mulling a partnership with a top U.S. pharmaceutical firm, in a potential arrangement intended to boost manufacturing capacity. (Bloomberg)

- The Centers for Medicare and Medicaid Services proposed a rule calling for mandatory reporting from states on the quality of care that Medicaid and Children's Health Insurance Program beneficiaries receive, a move the agency said is intended to bolster equity, help pinpoint disparities and better assess the quality and affordability of coverage. (Modern Healthcare)

CHART REVIEW

Private equity's latest fixation & the ACA subsidy spigot

Stat News



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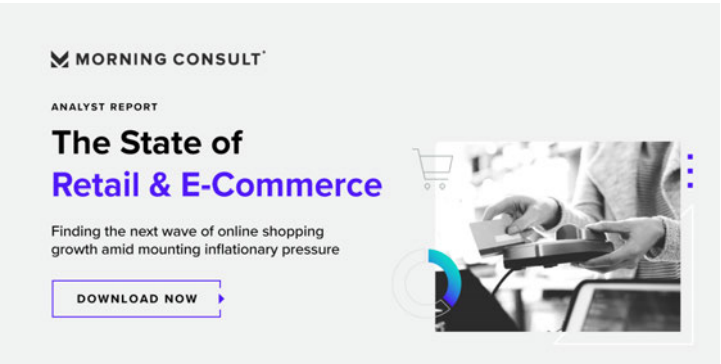

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The State of State of Retail & E-Commerce

Morning Consult's semi-annual State of Retail & E-Commerce report tracks evolving consumer shopping behaviors and expectations and interprets what they mean for the industry's future. Download today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Covid has changed the way we hear some words

Cassie Werber, Quartz

Before the covid-19 pandemic, if you were to overhear someone at a nearby café table or on a train talking about "knockdown prices," you'd have been likely to understand what they were saying. Now, you're more likely to mishear them, and believe they're talking about lockdown prices. That's because, say scientists who study language, we have actually begun to hear words differently as a result of the world-changing event we're living through.

Fauci urges Black Americans to get Covid booster shots in preparation for fall surge

Claretta Bellamy, NBC News

In an interview with TheGrio, the president's chief medical adviser said Black Americans have been disproportionately affected by Covid.

Facebook takes down page for anti-vaccination organization run by Robert F. Kennedy Jr.

Joseph Choi, The Hill

Meta on Wednesday took down the Facebook page and Instagram account for Children's Health Defense, an anti-vaccination organization headed by Robert F. Kennedy Jr., due to what it referred to as repeated violations of its COVID-19 policy.

GENERAL

[redacted]

Almost half of cancer deaths globally are attributable to preventable risk factors, new study suggests

Jacqueline Howard, CNN

Globally, nearly half of deaths due to cancer can be attributable to preventable risk factors, including the three leading risks of: smoking, drinking too much alcohol or having a high body mass index, a new paper suggests.

White House announces funding for youth substance abuse programs to tackle 'overdose epidemic'

Adam Shaw, Fox News

The White House on Thursday is announcing over $12 million in funding for programs to prevent substance abuse by young people across the U.S. as the Biden administration looks to tackle what it describes as an "overdose epidemic."

Before monkeypox outbreak, US officials knew for years they didn't have enough of key shot

Erin Banco and Helen Collis, Politico

Top U.S. health officials have known for years that the country's Strategic National Stockpile did not have enough doses of a smallpox vaccine that is now key to the monkeypox fight, according to three former senior officials and a current official working on the monkeypox response.

FDA targets illegal nicotine gummies in new warning letter

Matthew Perrone, The Associated Press

Federal regulators on Thursday issued a first-of-a-kind warning to the maker of nicotine gummies, saying the illegal candies pose a growing risk to teenagers and younger children.

LGBTQ advocates say the government is missing communities of color in its monkeypox response

Megan Messerly and Krista Mahr, Politico

While the numbers are limited, they are stark. Nearly 28 percent of monkeypox cases in the U.S. right now are among Black individuals, and 33 percent are among Hispanic people, CDC Director Rochelle Walensky said on Thursday, despite those groups only comprising 13.6 and 18.9 percent of the population, respectively.

Monkeypox breakthrough infections are real. 'This vaccine will not be a silver bullet,' WHO officials say

Erin Prater, Fortune

"Breakthrough" cases of monkeypox are being reported, World Health Organization officials said Wednesday—confirmation that the vaccine used to fight it isn't the "silver bullet" that many had hoped for.

Scientists find new way to break down PFAS 'forever chemicals'

Aria Bendix, NBC News

PFAS, a class of synthetic chemicals used in the manufacture of consumer products, can linger permanently in the air, water and soil, which is why they're often referred to as "forever chemicals."

Despite overall decline, late-stage cervical cancer cases are rising

Angus Chen, Stat News

Cervical cancer is one of the most preventable malignancies. The introduction of HPV tests and the HPV vaccine over the past 20 years, following decades of Pap testing, have contributed to a steady decline in the disease — with one notable exception. In a new study published Thursday in the International Journal of Gynecological Cancer, researchers found the incidence of stage 4 cervical cancer has slowly but steadily increased from 2001 to 2018, a worrying and paradoxical trend that experts believe has only gotten worse with the Covid-19 pandemic.

Anti-Abortion Group's Data Trove Represents 'Serious Concern' Post Roe

Margi Murphy, Bloomberg

Heartbeat International, an Ohio-based nonprofit, has spent years collecting data on pregnant women to develop better ways to make sure women carry pregnancies to term and to persuade them from getting an abortion.

Abortion drug maker drops challenge to Mississippi ban

Brendan Pierson, Reuters

A manufacturer of the drug used in medication abortions on Thursday dropped its bid to sell mifepristone in Mississippi despite the state's recently enacted abortion ban.

Child polio vaccination rate low in some New York areas, increasing outbreak risk

Spencer Kimball, CNBC

The childhood polio vaccination rate is as low as 37% in some communities in the New York City metro area, despite a vaccine mandate, increasing the risk of an outbreak as the virus circulates locally for the first time in decades.

Rheumatoid arthritis isn't your grandmother's arthritis

Kate Santichen, CBS News

There are more than 100 forms of arthritis and related diseases, according to the Arthritis Foundation, and rheumatoid arthritis and osteoarthritis are two of the most common. The Centers for Disease Control and Prevention reports arthritis affects 58.5 million Americans.

Brain-eating amoeba suspected in Nebraska child's death, officials say

Christopher Brito, CBS News

Douglas County Health Director Dr. Lindsay Huse said Thursday that the child had gone swimming in the Elkhorn River on August 8 and began showing symptoms five days later. The Health Department had initially said in a statement Wednesday that the child had gone swimming Sunday.

Over 5.5 million U.S. adults use hallucinogens, study finds

Sareen Habeshian, Axios

Hallucinogen use in the United States has increased among adults in the last two decades, a new study found.

PAYERS

Birth control coverage gaps scrutinized as reproductive health landscape shifts

Lauren Gardner, Politico

Insurers and payers are inappropriately using a years-old FDA birth-control chart to limit access to novel contraceptives as the reproductive rights landscape shifts nationwide, consumer advocates and manufacturers said.

Home health agencies make legal case against CMS' proposed cuts

Maya Goldman, Modern Healthcare

Home health providers have set the stage for a legal fight if the Centers for Medicare and Medicaid Services finalizes a proposal to cut home health Medicare reimbursement by 4.2% next year.

Employer health costs expected to rise 6.5% next year, report finds

Hailey Mensik, Healthcare Dive

U.S. employers will pay 6.5% more on average for employee healthcare coverage in 2023 compared to this year, according to an

Aon report out Thursday.

J.D. Power: MA plans falling short on mental health

Paige Minemyer, Fierce Healthcare

J.D. Power released its annual study of MA plans Thursday, and the analysts found members' general satisfaction is up from 2021 and is higher than satisfaction reported by people in employer-sponsored plans. However, while members said they're happy with access to preventive and routine care, coverage of mental health and substance abuse treatment is lacking.

Arbitration Provisions for Surprise Bills Clear OMB Review

Sara Hansard, Bloomberg Law

The Biden administration is one step closer to finalizing rules for resolving payment disputes over emergency health care and when patients don't have an opportunity to select medical providers in their insurance networks.

PROVIDERS

Electronic data sharing between physicians and public health agencies rare, new ONC data finds

Rebecca Pifer, Healthcare Dive

Fewer than one in five primary care physicians electronically exchanged patient health information with public health agencies in 2019, according to a new report from the Office of the National Coordinator. More than 70% of hospitals experienced at least one major challenge with electronic public health reporting that year.

Anti-abortion pregnancy centers are expanding in the post-Roe era

Oriana Gonzalez, Axios

As abortion bans shutter clinics across the country, "crisis pregnancy centers" led by anti-abortion advocates see an opening to expand into the reproductive care void.

PHARMA, BIOTECH AND DEVICES

A $5.4 Billion Deal Finally Brings Long-Ignored Disease Into Focus

Angelica Peebles, Bloomberg

It's been more than seventy years since a renowned scientist first described the cause of a painful, sometimes lethal disorder that in the US afflicts mainly Black people. Finally big drugmakers are taking notice, culminating with Pfizer Inc.'s $5.4 billion acquisition of one of the more promising drugs to treat sickle cell disease.

What the Inflation Reduction Act means for PBMs

Lauren Berryman, Modern Healthcare

Pharmacy benefit managers will still hold great sway over prescription drug prices for those outside of Medicare, and the law further delays a 2019 regulation that would have eliminated safe harbor protections for Medicare Part D rebates until 2032.

Endo Follows Opioid Bankruptcy Gameplan, With a Few Twists

Daniel Gill and James Nani, Bloomberg Law

Endo International Plc's bankruptcy filing this week follows other big pharma companies into Chapter 11 to manage liability from the nation's opioid crisis, but contains some key distinctions from notable mass tort litigation bankruptcies that have come before it.

3M Unit Defends Request to Shield Parent From Mass Earplug Lawsuits

Akiko Matsuda, The Wall Street Journal

Lawyers representing 3M Co. 's bankrupt Aearo Technologies LLC subsidiary defended its request to a bankruptcy judge to extend a litigation stay to the parent company to resolve mass earplug lawsuits, saying such a move would be in line with other court rulings.

An Old Medicine Grows New Hair for Pennies a Day, Doctors Say

Gina Kolata, The New York Times

Dermatologists who specialize in hair loss say that the key ingredient in a topical treatment worked even better when taken orally at a low dose.

HEALTH TECHNOLOGY

NCI Grants $23 Million to Fund Telehealth Research Centers

Bloomberg Law

The National Cancer Institute will award $23 million to four academic institutions for the establishment of research centers for telehealth in cancer care, according to a Thursday news release.

Revolutionary Crispr gene editing speeds from lab to treatment room

Hannah Kuchler, Financial Times

The first drug to make use of technology discovered only a decade ago will be with regulators by the end of the year

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OPINIONS, EDITORIALS AND PERSPECTIVES

The Abysmal Covid Vaccination Rate for Toddlers Speaks Volumes

Aaron E. Carroll, The New York Times

You would think that vaccination sites would have been swamped with parents rushing to vaccinate their young children against Covid after the Food and Drug Administration authorized the vaccines for the under-5 age group in June. But as of early August, around 5 percent of eligible children under 5 had received the first dose of the vaccine series. Worse, the number of them being immunized has been decreasing.

My Abortion at 11 Wasn't a Choice. It Was My Life.

Nicole Walker, The New York Times

In 1982, when I was 10 years old, a 14-year-old boy molested me. He was supposed to be babysitting me and my younger sisters. After my sisters went to sleep, the babysitter and I sat on the couch, watching "M*A*S*H," which came on after the news. He started caressing my arm. Then my neck. Then he took off my shirt and my pants. Then his clothes. He lay on top of me and had intercourse with me.

Biden's long Covid plan is a good start. But it needs to go further

Ryan Prior and Kimberly Knackstedt, Stat News

Two-and-a-half years into the Covid-19 pandemic, the Biden administration released its national action plan to address longer-term impacts of Covid-19, which include orphaned children, bereavement, and the disabling condition known as long Covid that is accompanying the disease. The plan offers a good start for addressing long Covid, but leaves much undone.

RESEARCH REPORTS

Public Health Preparedness: COVID-19 Medical Surge Experiences and Related HHS Efforts

Government Accountability Office

The COVID-19 pandemic has highlighted the importance of hospitals' abilities to evaluate and care for an increased volume of patients exceeding normal operating capacity, known as medical surge. All eight hospitals in GAO's review reported multiple challenges related to staff, supplies, space, or information. These are critical components for an effective medical surge response, according to the Department of Health and Human Services (HHS).

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August 19, 2022

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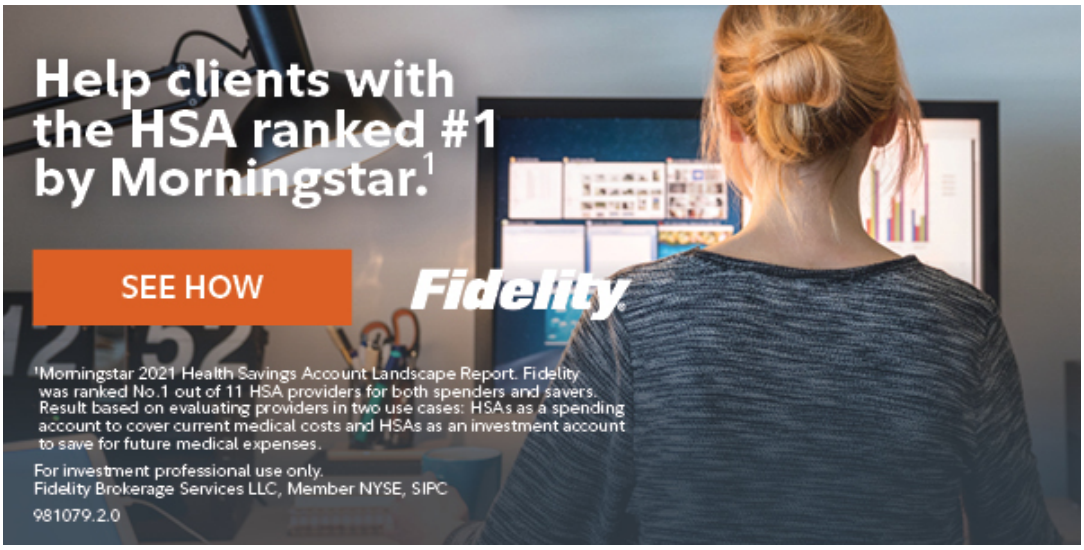
TOP STORIES

White House increases monkeypox test, treatment supply

An additional 50,000 courses of the monkeypox treatment tecovirimat will be made available to local and state jurisdictions, while 1.8 million more doses of the Jynneos monkeypox vaccine will become available next week, according to the White House. Testing capacity was also expanded from 6,000 to 80,000 tests per week, as the US reported more than 13,500 infections as of Wednesday. **Full Story:** Reuters (8/18), Medscape (free registration) (8/18)

Customer satisfaction with MA plans continues to climb

A JD Power Survey of more than 3,000 Medicare Advantage plan members found that customer satisfaction with MA plans grew three points this year, reflecting progress on billing, costs and health care provider choice. Most respondents said they have sufficient coverage for routine diagnostics and preventive and wellness services, and 82% of MA members have signed up to use their health plan member portals, up four percentage points from a year ago. **Full Story:** MedCity News (8/18), Healthcare Finance (8/18)



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PROVIDERS & SUPPLIERS

Many clinicians suffering from job stress, trauma

Nearly half of 1,000 health care workers responding to a survey said they have reached their breaking point or are seeking new work due to job-related stress and trauma, while 40% said they experience anxiety or dread associated with work. The poll, commissioned by recovery and rehabilitation firm All Points North, found 14% of physicians said they have used a controlled substance or alcohol during work to manage stress, and those who indicated reluctance to seek help cited concerns about licensure and judgement from others as reasons. **Full Story:** Medical Economics (8/18), Fortune (tiered subscription model) (8/18)

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MEDICAL UPDATE

44% of cancer deaths linked to preventable risk factors

Forty-four percent of cancer deaths in 2019 and 42% of healthy years lost were linked to potentially modifiable risk factors such as smoking, according to a study published in The Lancet. The study, based on cancer death and disability data from 204 countries, found that risk-attributable cancer deaths rose 20.4% globally from 2010 to 2019.

Full Story: CNN (8/19)

Cutting back on salt may reduce CV risks, study finds

(Pixabay)

Researchers who examined the effects of reduced salt intake in China, where people consume an average of 11 grams of salt per day, found that reducing intake by 1 gram per day yielded a significant reduction in cardiovascular risk. The findings, reported in BMJ Nutrition, Prevention, & Health, linked the reduction to reductions in average systolic blood pressure, cardiovascular disease events and stroke, and experts said that while salt consumption is typically lower in the US, 90% of Americans are believed to consume too much salt.

Full Story: Healthline (8/16)

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TOUCHPOINTS PODCAST

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Lessons from a virtual-first early adopter

Even before the pandemic, Michigan's Priority Health was building out a model for virtual-first care. As remote work took hold, employers, too, saw a need for a digital-first plan that would align with their new workplaces. Megan Schmidt explains why Priority was an early adopter, what their approach to virtual care looks like and what's most important for virtual-first models moving forward. **Listen now.**

EMERGING TRENDS

Reproductive health apps lack privacy, researchers say

Mozilla researchers have pointed out privacy shortcomings in apps that track periods and pregnancy, mirroring similar findings in a study of mental health apps earlier this year. "Companies collecting personal and sensitive health information need to be extra diligent when it comes to the privacy and security of the personal information they collect, especially now in our post-Roe vs. Wade world in the US," says lead researcher Jen Caltrider, noting that most are not extra diligent. **Full Story:** The Verge (8/17)

PHARMA NEWS

Jha: Updated COVID-19 boosters will be available soon

(Joe Raedle/Getty Images)

White House COVID-19 response coordinator Dr. Ashish Jha said updated booster formulations targeting the Omicron BA.4 and BA.5 subvariants along with the original coronavirus will be available to all Americans over age 12 in "a few short weeks." Jha said he expects the new boosters to "work much better at preventing infection transmission and serious illness." **Full Story:** NBC News (8/18)

POLICY WATCH

COVID-19 PHE likely to be extended again

HHS has not notified state and local public health officials that the COVID-19 public health emergency will expire or be terminated, indicating it will likely be extended in mid-October for another 90 days, says Larry Levitt, the Kaiser Family Foundation's executive vice president for health policy, and regulatory flexibilities granted in response to the pandemic, such as expanded telehealth and Medicaid coverage, will remain in place until the end of the PHE. White House COVID-19 Response Coordinator Ashish Jha expects another surge in both COVID-19 and flu cases this fall and winter. **Full Story:** Politico (8/17)

AHIP NEWS

Webinar: Leveraging interoperability - register today.

Join us on Tuesday, Sept. 6 from 1 to 2 p.m. ET for "Leveraging Interoperability to Help Optimize Risk Adjustment Retrieval Strategy" as Change Healthcare discusses how to leverage interoperability and flexible retrieval modalities to improve overall risk adjustment strategy & outcomes, facilitate data-driven decisions, and enable prospective and concurrent programs.

Survey: Insurance providers improving mental health care access

Health insurance providers are improving access to mental health care by bringing more high-quality providers into their networks, training and supporting primary care physicians to care for patients with mild to moderate behavioral health conditions, and helping patients find available appointments, according to findings from a new AHIP survey.

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SUBJECT: Long COVID's Impact on Health Centers
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>

[redacted]
TO: hborski@utah.gov
DATE: 19/08/2022 08:04

Webinar
"Long COVID" and Health Center Legal Obligations Under the Americans with Disabilities Act and Other Disability Rights Laws
Wednesday, August 24 at 1 PM ET

NEW WEBINAR FOR HEALTH CENTERS

Experienced by a large number of those who had COVID-19, Long COVID has been classified as a disability under the ADA and other disability rights laws. As a health center, how should you balance workforce staffing challenges and also ensure you are not discriminating against employees who have Long COVID?

On **Wednesday, August 24 at 1 PM ET**, join this health center human resources and compliance training with FTLF attorney **Kathy Ghiladi** to discuss:

- The legal obligations Long COVID triggers and how to meet them
- What to do when an employee presents with Long COVID and what accommodations must be offered
- Revising your internal documentation requirements, policies, and procedures to address this newly defined disability

Register

Premium Plan Subscribers are eligible for special pricing on this training.
Please contact us for your discount code.

Webinar
Providing Services Outside the Scope of Your Grant: How to Ensure Compliance
Tuesday, September 27 at 1 PM ET

The recent *Dobbs* decision has led many health centers to question how they, as federal grant-funded organizations, can provide services that are out of scope. As health centers explore separate business

[redacted]

lines, they need to consider a number of factors to ensure they stay in compliance with their federal funding agreements.

In this webinar, FTLF attorneys **Carrie Riley** and **Ted Waters** will use elective abortions as an example to address:

- Creating boundaries between business lines and funding streams
- Compliance with cost allocation principles and other grant-related rules
- Key areas of risk and common pitfalls
- Additional legal and practical considerations health centers face when deciding to establish an "other line of business"

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Happy Friday from #OneUtah, a weekly update from the office of Gov. Spencer J. Cox. Here’s your recap of what we did this week, what's on the horizon, and more. Reply to this email with any questions or suggestions regarding the newsletter. And thank you for subscribing!

A reminder about mental health

If you or someone you know is struggling with thoughts of suicide, please reach out. Talk to someone you trust, call 988, or use the SafeUT app, a state-funded crisis chat and tip line, which experts say is saving the lives of at least two Utah students per day.

Help is available, and we need you here.

And if you – or someone you know – fear for your safety due to stalking or intimate partner violence, please contact the statewide domestic violence info line at 1-800-897-5465 for help, including counseling, shelter, transportation, and other services.

Honoring a mentor, friend, and leader

It was a great honor to be part of the opening of Utah Valley University's first and only public policy institute which is named for an outstanding mentor, friend, and governor, Gary R. Herbert.

The Herbert Institute will be a center where UVU students can learn about this great leader and what good government looks like.

Congratulations to President Astrid Tuminez for her visionary effort to create a place where the next generation of Utah's policy leaders can gather, hear from diverse thought leaders, and learn about what makes Utah and our country great. And to Gov. Herbert: Congratulations on this monumental achievement. Your legacy of good governance and public service will benefit UVU and the state of Utah for years to come.

Got a minute?

Tell us what you think of the #OneUtah newsletter! Please click the button below to complete a brief satisfaction survey. We appreciate your feedback!

Tell us what you think!

Meeting with GoUtah and local business leaders

The Go Utah Board promotes and encourages economic opportunity for all Utahns and the state's commercial, financial, industrial, agricultural, and civic welfare. This week we were happy to join their board on two trips to Utah businesses.

First we met with Entrata, the leading operating system for multifamily communities worldwide. We discussed housing and growth in our state, Entrata's community service, and more. We look forward to visiting again soon!
We also toured the Rio Tinto Kennecott mine, a world-class, integrated copper mining operation and major employer in Utah. We appreciate Rio Tinto Kennecott's commitment to supporting and participating in the state's economic growth, environmental protection, and community support!

Staying focused on families and children in Utah

We're staying focused on families and children in Utah. On Wednesday, Lt. Gov. Deidre Henderson chaired the Governor's Early Childhood Commission with leaders from across state government. We're happy to report the commission is laser-focused on coordinating and streamlining support services and bolstering resources for families with young children, including with the DHHS Office of Early Childhood.
Thanks to the commission for doing such important work for the Beehive State. We're also re-examining some of the policies and ideas that we think can make Utah an even better place to live and raise a family. Stay tuned!

PBS Utah Monthly News Conference

This week we answered questions at the PBS Monthly News Conference in a live exchange with reporters. Here are a couple topics we discussed:

Q: With school starting, how are we making schools safer?

A: The SafeUT app, while mainly used for helping with students' mental health, can also be used for school safety. It gives kids and parents the ability to anonymously connect with law enforcement to report any type of bullying or suspicious behavior. We've received close to 300 tips over the past year — some of which pointed to potential violence — so we're glad law enforcement could step in and intervene early.

Over the summer, the Utah Department of Public Safety has also been working very closely with school districts, the state superintendent, and the state school board to make sure everyone is implementing safety measures in every one of our schools. They've checked to make sure everyone is using proper training and that the schools' ingress and egress are figured out in a way that will add additional safety. We also have resource officers in many of our schools that are available to help with any issues that may arise in schools.

Q: What's your take on the energy provisions in the Inflation Reduction Act?

A: It's closer to a better approach. We have a unique opportunity in Utah to seek out an all-of-the-above energy approach that will ultimately lead to much better outcomes, and we appreciate the emphasis on both sides of the energy ledger. There's tremendous potential in Utah for solar, wind, geothermal, hydrogen, and more.

However, the most important thing that can come out of this legislation wasn't actually in the legislation — we're told part of the deal to get that legislation passed is permitting reform. The National Environmental Protection Act has unfortunately prevented, slowed down, or increased the cost of big projects that

we know would have a good impact on the environment. Here in Utah we've seen NEPA slow down transmission lines. As we're trying to electrify things we do, like driving, we need to be able to transmit electricity, and in Utah it can take seven to 10 years to get these projects off the ground.

We care about the climate and about reducing emissions, but we must find ways to greatly increase the speed at which we're able to build these transmission lines.

You can watch the press conference in its entirety here.

Discussing the Utah way, conservation, and more

We also joined Washington Post reporter Jacqueline Alemany for a live discussion.

Here's a look at a few of the questions we answered:

Q: How are you protecting the Great Salt Lake?

A: Historically, the state of Utah had a "use it or lose it" mentality. We changed that mentality in the state and set aside $40 million to purchase water rights from holders which allows farmers and ranchers to keep their water in the streambed. That is going to have a tremendous effect on the Great Salt Lake water levels.

We are using some great nonprofits to help us with preserving waterways and improving animal sanctuaries. We are also doing a significant amount of work to remove invasive species, which will leave more water in the stream and the Great Salt Lake.

We are also working with the federal government. There has been legislation run by members of Congress from the state of Utah with support from leadership in both parties to help us get some resources here as well as the

Army Corps of Engineers who will help us understand what is happening with the lake and what we can do to save it.

Q: Why are Utahns able to compromise on such difficult issues?

A: Utahns are great at this. There are so many areas where we are not that far apart, and either side being willing to compromise a little bit would solve 90% of our problems and build bonds that bring Republicans and Democrats together.

Q: How are you addressing systemic issues that are tied in to abortion care?

A: One is trying to prevent unwanted pregnancies as much as possible. Access to contraception is one area that we can do more.

Supporting mothers, especially single mothers, who are living in poverty through access to child care and making health care more available is another aspect we are looking at as a state.

In addition, we are looking at ways to hold men more accountable. We recently passed a policy change that prohibited the procurement of hunting and fishing licenses for those men who are behind in their child support payments and we have seen that be successful.

I am hoping we have several policy proposals passed in the Legislature that will show that we do care about all life — life in the womb but especially life after birth and the women who are far too often bearing the responsibility of caring for these children.

Watch the discussion here.

Addressing drought in the West

We're continuing to share ways in which the state is working to conserve water and plan for a drier future. This week, we're talking about cross-state collaboration. One-third of Utahns rely on the Colorado River for drinking water, and the river is a major contributor to the state's $189 billion economy. When it comes to resources like the Colorado River, Utah must work with neighboring states to preserve and protect water.

This is especially urgent given that far more Colorado River water is being used, especially by the Lower Basin states, than is available due to the current drought and climate change impacts. Recent estimates based on last year's use show the Lower Basin and Mexico are using about 10 million acre-feet, the Upper Basin states are using about 3.5 million acre-feet and the available flow is only around 6.3 million acre-feet.

We're all going to have to cut back. But Lower Basin states use more than twice the water than Upper Basin states, so it makes sense that the greatest cuts should be shouldered by the Lower Basin.

We support long-term reductions in use over short-term fixes if we are truly going to sustain the system. Utah, along with the other Upper Basin states, will continue to do our part to conserve and bring solutions to the table.

Read more about how we're addressing drought in the West here.

Closing a chapter in Utah history

For 71 years, the Draper prison served the people of Utah as a facility focused on keeping us safe. But over the years, we developed better ways to secure those who were paying their debt to society while at the same time teaching them to rebuild their lives and find a productive future on the outside. The transfer to the new State Correctional Facility in Salt Lake will fulfill this new mission more fully.

This week we were able to recognize those who made the transfer of 2,464 incarcerated individuals possible. We were also able to honor Gov. Gary Herbert for his initiation and support for the prison movement from day one. The Draper Prison Chapel will be preserved in recognition of its significance in the lives of many Utahns. As we close this chapter, we acknowledge the former Draper Prison and look forward to the future.

How to visit rock imagery sites safely

Rock imagery sites in Utah preserve important messages of the past. Familiar symbols etched into colorful rock formations communicate messages from early Native Americans intended for their posterity.

These tips will help you appreciate rock imagery locations respectfully and in the interest of preservation.

Spotlighting Utah's 'Spirit of Service'

In our inaugural Governor's Spirit of Service Award Ceremony, we recently recognized the outstanding service that Utahns are doing throughout the state. Each week, we'll highlight one of these unsung heroes. This week, we're highlighting the Ruff Haven Crisis Sheltering Center.

Ruff Haven Crisis Sheltering Center works to prevent individuals from having to surrender their pets by providing shelter when someone is experiencing a crisis, temporary hardships, medical emergencies and more.

Read more about Ruff Haven Crisis Sheltering Center and the other honorees here.

ICYMI

- We're proud to report that the executive branch took the trophy — figuratively — at this year's executive-legislative softball game. We appreciate the legislative branch's good sportsmanship and look forward to next year's match!
- Speaking of baseball … we'd love to welcome an MLB team to Utah soon.
- Now for the most important baseball-related item to attend to: We're incredibly proud of the Snow Canyon Little League baseball team for making it to the Little League World Series! But we were devastated to hear about one player's recent injuries. Please join us in praying for Easton Oliverson, his family, and his team. You can also show support with one of the team's hats.
- KSL NewsRadio's "Let Me Speak to the Governor" is back! This month, we answered your questions about water conservation, transportation projects, and more. Listen here!
- On Mondays we wear pink? Lt. Gov. Henderson joined ABC4's Good Things Utah on Monday to give a brief update on the state of the Beehive State. She picked out a pink blazer that morning – and so did the hosts. Watch the segment here.
- Good news for conservation efforts: Weber Basin's study of metered usage in the 2021 season concluded that the presence of meters reduced consumption by 20% to 29%. Read the Standard-Examiner story here.
- Vote Utah launched a new TikTok account this week! Staff from the Lieutenant Governor's Office will explore voting in the Beehive State, notary

public, entity registration, document authentication, and other responsibilities that fall under the lieutenant governor's role. Follow Vote Utah on TikTok here.

Coming up

- Aug. 22: We'll welcome many of Utah's mayors to the Capitol and to the Governor's Mansion to learn more about their communities and thank them for their service.
- Aug. 22: Lt. Gov. Henderson will host a luncheon for yet another successful class of returnees. The third Return Utah cohort is wrapping up before the next group starts the 16-week return-to-work program.
- Aug. 25: Join us for a free, in-person discussion with the Women's Leadership Institute about how to elevate Utah women in leadership. Details here.
- Aug. 25-26: Lt. Gov. Henderson will connect with local leaders in Weber County on Thursday and Box Elder County on Friday. Don't miss her at the 97th Annual Box Elder County Fair in Tremonton. It's gonna be fun!
- Sept. 1: We'll help host a town hall with Utah's agricultural community. Stay tuned for details!

Get involved!

Looking for a new job opportunity? From great employee benefits to versatile work schedules, the career opportunities with the state are truly endless. Join Team Utah today!

[redacted]

Those looking to volunteer can also consider more than 300 boards and commissions. Find out which openings are available and how you can get involved here!

Get in touch!

You can reach the Governor's Office here. And you can follow us on Twitter, Facebook, Instagram, TikTok, and YouTube for the latest news and updates.

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AUGUST 21, 2022

BY MATT BRACKEN

Twitter Email

We know that our readers are busy people. With that in mind, we're making changes to our Events Calendar to save you valuable time. Instead of sending you to another page to view the top events for your industry, we'll provide that information right here in the newsletter: in the What's Ahead section on Sundays, and just below the day's top stories during the workweek. We hope you enjoy the change, and also value any feedback you may have. Please reach out to your newsletter scribe with any questions or comments.

Good morning to you, health readers. The past week was not a particularly good one for the global fight against monkeypox, with infections jumping 20% over that time frame, per the World Health Organization. We've got plenty of monkeypox news to review below, but before that, a related question: What share of U.S. adults said they're concerned about the spread of the disease in this country?

A: 34%
B: 43%
C: 52%
D: 61%

You can find the answer at the bottom of the newsletter.

WHAT'S AHEAD

Beginning tomorrow, the Biden administration will make available an additional 1.8 million doses of Bavarian Nordic A/S's Jynneos monkeypox vaccine for states and localities to order, expediting a previous Health and Human Services Department timeline for distribution thanks in part to the new dose-sparing strategy.

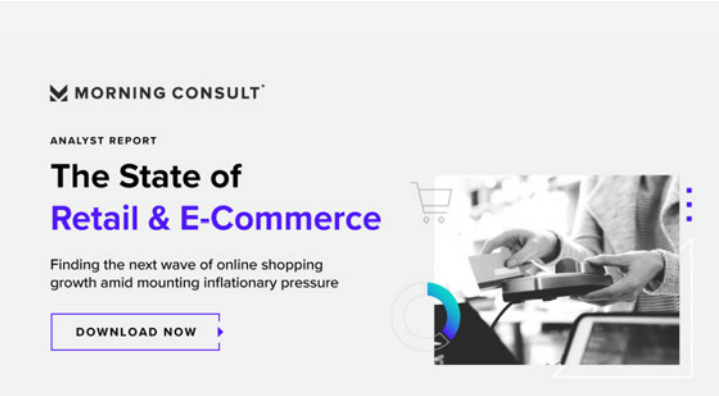
Two other things to note from HHS on the monkeypox front: The agency will start "pre-positioning" 50,000 courses of the Tpoxx monkeypox treatment to jurisdictions around the country, and it has created a program to expand vaccine access and engage with at-risk communities at events with large LGBTQ crowds, including in North Carolina at the Charlotte Pride Festival and Parade, which began yesterday and continues today.

The Kaiser Family Foundation is hosting a webinar on health care inflation in the United States, with Larry Levitt, the organization's executive vice president for health policy, set to moderate the panel at 12 p.m. Wednesday. The discussion will cover how the Inflation Reduction Act will affect payments, pricing and prescription drug costs, as well as how rising consumer prices have impacted payers, providers, government programs including Medicaid and Medicare and the public overall.

Joining Levitt on the panel will be Cynthia Cox, KFF vice president and director of its Affordable Care Act program; Corey Rhyan, Altarum's senior analyst of health economics and policy; and Suzie Desai, S&P Global Ratings senior director and sector lead of its U.S. not-for-profit health care group.

Earnings season for the health care industry has mostly ground to a halt, though there's one company we'll be watching this week: Medtronic PLC, which is scheduled to report its first-quarter earnings for fiscal year 2023 on Tuesday. The medical device company, dominant in the U.S. pacemaker market, has had a handful of product recalls this summer, with the Food and Drug Administration last week classifying the recall of more than a million catheters as its most serious type of recall.

A MESSAGE FROM MORNING CONSULT



The State of State of Retail & E-Commerce

Morning Consult's semi-annual State of Retail & E-Commerce report tracks evolving consumer shopping behaviors and expectations and interprets what they mean for the industry's future. Download today.

WEEK IN REVIEW

Biden administration: HHS announced plans to convene representatives from drugmakers, pharmacies and state health departments on Aug. 30 as it prepares to transfer greater control of pricing and coverage for COVID-19 shots and treatments from the federal government to the health care industry. The move, which will likely boost profits for companies and costs for consumers, has been the end game for both the Trump and Biden administrations, and Dawn O'Connell, HHS assistant secretary for preparedness and response, said the time to shift control to the commercial market is approaching now.

Centers for Disease Control and Prevention Director Rochelle Walensky said the agency will undergo an overhaul to boost transparency, deliver quicker data releases and improve communication with the public, moves designed to "transform" an organization that has been maligned for its handling of COVID-19, and more recently, monkeypox.

The FDA finalized a rule to make hearing aids for people with mild to moderate hearing loss available without a prescription by October, which

President Joe Biden said would provide almost $3,000 in savings to U.S. families for a pair of the devices.

Biden signed Democrats' Inflation Reduction Act into law at a White House ceremony, enacting a three-year extension of ACA subsidies, a $35 monthly insulin price ceiling for Medicare enrollees and measures to lower prescription drug prices.

Next on the Biden administration's health agenda is a move to broaden the "medically necessary" scenarios in which Medicare would cover dental services, with a proposal under consideration that would authorize reimbursement for oral and dental care in service of treating Medicare-covered conditions such as heart disease and diabetes.

The Centers for Medicare and Medicaid Services proposed a rule calling for mandatory reporting from states on the quality of care that Medicaid and Children's Health Insurance Program beneficiaries receive, a move the agency said is intended to bolster equity, help pinpoint disparities and better assess the quality and affordability of coverage.

Monkeypox: The Biden administration and Bavarian Nordic announced that the Danish drugmaker struck a deal with Michigan-based Grand River Aseptic Manufacturing Inc. to finish the packaging of 2.5 million ordered doses of the monkeypox vaccine, more than halving production timelines to get shots in arms quicker. O'Connell, the HHS official who oversees strategic preparedness and response, said Bavarian Nordic is also mulling a partnership with a top U.S. pharmaceutical firm, in a potential arrangement intended to boost manufacturing capacity.

The CDC updated its monkeypox guidance to note that it's possible for dogs to be infected, following a French case reported in The Lancet that documented the first human-to-dog transmission of the disease.

COVID-19: The FDA ordered Pfizer Inc. to deliver initial results of a randomized controlled trial of a second course of Paxlovid by Sept. 30, 2023, testing people who had rebound COVID-19 cases after taking the drugmaker's antiviral treatment.

Oxford University researchers found that people who have had COVID-19 face elevated risks of brain fog, dementia, seizures, psychosis and other neurological conditions up to two years following infection, while anxiety and depression were also more common in the aftermath of infection, albeit not as long-lasting conditions.

Moderna Inc.'s reformulated COVID-19 vaccine targeting both the original strain of the virus and the omicron BA.1 variant cleared its first regulatory hurdle, as England's Medicines and Healthcare Regulatory Agency authorized the shot, which will now be offered this fall to British people 50 and older.

Novavax Inc. filed for emergency use authorization with the FDA for its traditional protein-based COVID-19 booster shot, which would be available to people who have received two doses of the Novavax vaccine or another approved offering.

STAT OF THE WEEK

$650 million

The amount pharmacy giants CVS Health Corp., Walgreens Boots Alliance Inc. and Walmart Inc. must pay in damages to two Ohio counties for their roles in fueling the opioid crisis. The companies plan to appeal the ruling, issued by a federal judge in Cleveland.

THE MOST READ STORIES THIS WEEK

1) Sales from controversial drug discount program rose to $44 billion last year
Ed Silverman, Stat News

2) J&J, Amgen, Regeneron Drugs Likely to Face Medicare Negotiation
Alex Ruoff and Jeannie Baumann, Bloomberg Law

3) Newly launched U.S. drugs head toward record-high prices in 2022
Deena Beasley, Reuters

4) The world's 10 biggest pharmaceutical companies raked in over $700 billion in revenue in 2021
Paige McGlauflin, Fortune

5) FDA finalizes over-the-counter hearing aid rule
Lauren Clason, Roll Call

6) CDC director orders agency overhaul, admitting flawed Covid-19 response
Krista Mahr, Politico

7) Monkeypox Disproportionately Impacts Gay and Bisexual Men. But the General Public Is Almost as Alarmed by the Disease
Matt Bracken, Morning Consult

8) Pharma's likely to sue over Medicare negotiation. Here are the arguments they might use
Rachel Cohrs, Stat News

9) A complicated fall vaccine campaign: Updated Covid boosters, flu shots, and how to time the jabs
Andrew Joseph, Stat News

10) Here are 4 key health policy items in the Inflation Reduction Act
Robert King, Fierce Healthcare

OTHER HEALTH NEWS

- Amazon's health ambitions sometimes clashed with medical best practices, nurses say (The Washington Post)
- Walmart expands abortion coverage for its employees in the wake of Roe v Wade decision (CNBC)
- Almost half of cancer deaths globally are attributable to preventable risk factors, new study suggests (CNN)
- White House announces funding for youth substance abuse programs to tackle 'overdose epidemic' (Fox News)
- FDA targets illegal nicotine gummies in new warning letter (The Associated Press)

- FDA Approves Bluebird's $2.8 Million Gene Therapy for Rare Blood Disease (The Wall Street Journal)
- New Biden abortion rights push addresses both women and men (Reuters)
- Sales from controversial drug discount program rose to $44 billion last year (Stat News)
- Newly launched U.S. drugs head toward record-high prices in 2022 (Reuters)
- FTC Urges States to Avoid Hospital Merger Antitrust Shield Laws (Bloomberg Law)
- Idaho Company Sues FTC, Claiming Agency Threatened Suit Over Its Tracking Data (The Wall Street Journal)
- C.D.C. Investigates 'Fast-Moving' E. Coli Outbreak (The New York Times)
- HHS says it plans to extend Covid-19 public health emergency (Politico)
- Everyone over 12 expected to be eligible for new boosters, White House official says (NBC News)

The answer to this week's quiz question is **D:** 61% of U.S. adults said they're concerned about the spread of monkeypox in the United States, nearly as many as the 68% of gay or bisexual men who said the same. Check out the full story here: Monkeypox Disproportionately Impacts Gay and Bisexual Men. But the General Public Is Almost as Alarmed by the Disease

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TO: hborski@utah.gov
DATE: 22/08/2022 02:08

Monday, August 22, 2022

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TOP NEWS

Analysis

CHIPS Act 'Guardrails' Bring Uncertainties For Chipmakers

The newly passed CHIPS and Science Act of 2022 set aside over $52 billion to increase domestic semiconductor manufacturing, and its implementation is raising new questions for businesses, which are seeking clarity on the law's novel "guardrail" provisions.

Read full article »

Analysis

New Climate Law Expands Ways To Monetize Energy Credits

Clean energy projects' access to existing and new energy tax credits is expected to go beyond the traditional tax equity financing with new ways to monetize the refunds under a sweeping new law that aims to tackle climate change.

Read full article »

Judge Permanently Blocks Biden Oil And Gas Lease 'Pause'

A day after the Fifth Circuit vacated his preliminary injunction blocking the Biden administration's pause of new oil and gas leases, a Louisiana federal judge Thursday permanently enjoined the administration's policy to stop leasing.

Memorandum attached | Read full article »

LAW FIRMS IN TODAY'S NEWS

Adler Pollock
Akerman LLP
Allen & Overy
Arnold & Porter
Baker & Hostetler
Blake Cassels

Treasury Thins Out Narcotics And Organized Crime Blacklist

The U.S. Department of Treasury lifted economic sanctions against more than a dozen drug "kingpins," mob members and their affiliated businesses on Friday, restoring their access to the U.S. financial system.

Read full article »

DC Circ. Rules DOJ Improperly Redacted Russia Probe Memo

The U.S. Department of Justice improperly shielded a memo to then-Attorney General Bill Barr related to whether former President Donald Trump committed obstruction of justice during the special counsel probe into Russian interference in the 2016 election, a D.C. Circuit panel ruled Friday.

Opinion attached | Read full article »

Texas AG Loses Appeal Over Courthouse's Gun Restrictions

A Texas appellate court has ruled that the trial court should have tossed a gun carry lawsuit brought in 2016 by Attorney General Ken Paxton over signs posted outside the Waller County Courthouse restricting firearms in the building.

Opinion attached | Read full article »

11th Circ. Puts Hold On Sen. Graham Grand Jury Testimony

The Eleventh Circuit on Sunday blocked a subpoena directing U.S. Sen. Lindsey Graham to testify before a special purpose grand jury investigating former President Donald Trump's alleged efforts to overturn the 2020 election results in Georgia, two days after a district court ordered him to appear as directed.

3 documents attached | Read full article »

11th Circ. Wrongly Nixed Ga. Election Change, Justices Say

In an unusual ruling Friday, the U.S. Supreme Court revived a Georgia federal court's ruling to enjoin the allegedly discriminatory statewide election system the state uses to elect public service commissioners, finding that the Eleventh Circuit had misapplied a principle of election law.

Order attached | Read full article »

Court Orders Pa. Counties To Include Undated Ballots In Tally

Three Pennsylvania counties will have until Aug. 24 to submit updated primary election vote totals to state officials that include mail-in ballots missing handwritten dates on their outer envelopes, under a state court ruling issued Friday.

Boies Schiller
Boles Holmes
Browning Kaleczyc
Buckley LLP
CMS Cameron McKenna Nabarro Olswang
Carrington Coleman
Clark Howell LLP
Conti Fenn
Cooley LLP
Covington & Burling
Cowdery & Murphy
Cozen O'Connor
Curtis Mallet-Prevost
DAC Beachcroft
DLA Piper
Davenport Evans
Davis Wright
Dentons
Dillon McCandless
Duane Morris LLP
Eversheds Sutherland
Gateley PLC
Gibson Dunn
Gitlin Horn
Gray Reed
Greenberg Traurig
Gustafson Gluek
Herbert Smith Freehills
Hobbs Straus
Holland & Hart
Hunton Andrews
Jenner & Block
Jennings Strouss
John J. Radshaw III Attorney at Law
Jones Day
Kennedys Law LLP
Kilpatrick Townsend
King & Spalding
Kirkland & Ellis
Klasko Immigration Law Partners
Latham & Watkins
Law Office of Bryan L. Sells
Leech Tishman
Lichten & Liss-Riordan
Mayer Brown
McDermott Will
McGuireWoods
Miller Nash LLP
Mishcon de Reya
Mitchell Sandler

Opinion attached | Read full article »

11th Circ. Clarifies Scope, Validity Of Ala. Grand Jury Law

Alabama's grand jury secrecy law doesn't violate the First Amendment and doesn't bar witnesses from discussing information they learned outside the jury room, the Eleventh Circuit ruled in a published opinion Thursday.

Opinion attached | Read full article »

DHS Sued For Withholding Social Media Monitoring Records

The nonprofit Brennan Center lodged a lawsuit Thursday against the U.S. Department of Homeland Security and its U.S. Immigration and Customs Enforcement division under the Freedom of Information Act, saying in its complaint that it had tried to obtain records related to private-sector third-party monitoring services but said its request was shut down.

Complaint attached | Read full article »

BANKING & SECURITIES

FDIC Warns Banks About Risks Tied To Bounced Check Fees

The Federal Deposit Insurance Corp. warned financial institutions that charging customers repeat fees for bouncing checks on the same transaction may increase regulatory scrutiny and litigation risk, suggesting that the safest way to eliminate these risks is to eliminate the fees altogether.

Letter attached | Read full article »

Judge Dings FirstEnergy For Unprepared Witness's Testimony

A federal magistrate judge on Friday told FirstEnergy Corp. it must produce a new deposition witness in an ongoing securities lawsuit stemming from a massive federal corruption probe, after finding the utility did not adequately prepare the witness to answer reasonable questions.

Order attached | Read full article »

CFPB Says Jack Dorsey's Block 'Slow-Walking' Doc Demands

The Consumer Financial Protection Bureau has petitioned a California federal court for help enforcing investigative demands against Jack Dorsey-led Block Inc., the maker of the Cash App mobile payment service, which the agency said it is looking into as part of a broader payments-related probe.

Petition attached | Read full article »

ENERGY & ENVIRONMENTAL

Morgan Lewis
Munger Tolles
Murray Murphy
Nelson Mullins
O'Melveny & Myers
Orrick Herrington
Osborne Clarke
Parker Lawrence
Pipestem Law
Quinn Emanuel
Reed Smith
Relman Colfax
Reynolds Porter
Robbins Geller
Robinson & Cole
Shakespeare Martineau
Shearman & Sterling
Sheppard Mullin
Skadden Arps
Smith Bukowski
Squire Patton
TLT LLP
Taylor English
Tucker Ellis
Williams & Connolly
WilmerHale
Wilson Sonsini
Winston & Strawn
Womble Bond
Zimmerman Reed

COMPANIES IN TODAY'S NEWS

AARP Inc.
Activision Blizzard Inc.
Amazon.com Inc.
American Bar Association
American Chemistry Council Inc.
American Civil Liberties Union
American Civil Liberties Union of Northern California
American Public Power Association
Apple Inc.
Association of Corporate Counsel
Association on American Indian Affairs
Aviva SA
Bank of America Corp.
Bates White LLC
Bertelsmann AG
Bloomberg
Blue Bell Creameries LP
Bridgestone Corp.

[redacted]

FERC's Cost Determination Order Overstepped, 5th Circ. Says

A Fifth Circuit panel said the Federal Energy Regulatory Commission overstepped its authority when it directed an administrative law judge to determine a reasonable cost for remediation activities at an Oklahoma farm affected by a natural gas pipeline that crossed the property.

Opinion attached | Read full article »

EPA Proposes Strengthening Chemical Risk Management Rule

The U.S. Environmental Protection Agency on Friday suggested beefing up an Obama-era chemical risk management program that was weakened by the Trump administration.

Proposed Rule attached | Read full article »

Ariz. Judge Again Tosses Suit Over Utility's Solar Rates

A federal judge once again rejected claims brought forward by consumers accusing an Arizona public utility of unlawfully raising rates for customers with rooftop solar-energy systems in order to squash competition in the electricity market.

Order attached | Read full article »

Air Force Chemical Cleanup Dispute Sent To NM State Court

A New Mexico federal judge has tossed a case alleging the state exceeded its authority by requiring the cleanup of so-called forever chemicals at a U.S. Air Force base, saying the dispute belongs in state court.

Opinion attached | Read full article »

Brake Makers To Pay $700K In Ind. Asbestos Cleanup Suit

Bridgestone Americas Tire Operations and a Tenneco subsidiary agreed to pay the federal government $700,000 toward cleanup costs at an Indiana Superfund site where their predecessors manufactured asbestos-tainted brake shoes, according to a proposed consent decree filed Friday.

Complaint attached | Read full article »

Enviros' Challenge To Corps Pipeline Permit Sent To DC Court

A Montana federal judge has transferred a challenge to a Clean Water Act permit issued by the U.S. Army Corps of Engineers covering oil and gas pipelines and other projects to D.C. federal court, saying there is no indication in the record that the permit will negatively affect plaintiffs in Montana.

CVS Health Corp.
Cash App
Center for Biological Diversity
Cheniere Energy Inc.
Cisco Systems Inc.
Citizens for Responsibility and Ethics in Washington
Covidien PLC
DaVita Inc.
Edison Electric Institute Inc.
Electronic Frontier Foundation
Endo International PLC
Entain PLC
FTI Consulting Inc.
FirstEnergy Corp.
Fraternal Order of Police
Getty Images Inc.
GigaMedia Limited
Gilead Sciences Inc.
Google LLC
HSBC Holdings PLC
Hachette Book Group Inc.
HarperCollins Publishers LLC
Harvard University
International Association of Privacy Professionals
International Business Machines Corp.
Investments Ltd.
Johnson & Johnson
Johnson Controls International PLC
KPMG International
Ladbrokes PLC
Liberty Mutual Insurance Group
Lloyds Bank PLC
Lyft Inc.
Macmillan Publishers Ltd.
Magic City Casino
Major Lindsey & Africa LLC
Massachusetts Institute of Technology
Medtronic PLC
Meta Platforms Inc.
Michigan State University
Myriad Genetics Inc.
National Congress of American Indians
National Rural Electric Cooperative Association
Native American Rights Fund Inc.
Navy Federal Credit Union

[redacted]

Order attached | Read full article »

HEALTH & LIFE SCIENCES

Insuring Psychedelic Therapy Key To Promising Industry

Researchers have found that psychedelic drugs such as psilocybin and MDMA may be effective in alleviating a number of mental health conditions, but therapists who treat patients with the substances may face difficulties in securing sufficient insurance coverage due to ongoing federal bans and other factors.

Read full article »

IP & TECHNOLOGY

EFF Says Tillis Bill Would Bring Back 'Worst Patent Abuses'

One of the nation's top digital privacy, free speech and innovation advocacy groups has launched a grassroots campaign blasting a new patent eligibility bill introduced by Sen. Thom Tillis, R-N.C., saying it would "bring back terrible software and genetic patents."

Read full article »

MEDIA & ENTERTAINMENT

NC AG Wants 4th Circ. To Speed Up Appeal Over Political Ad

The campaign for North Carolina Attorney General Josh Stein has doubled down on its efforts to delay enforcement of the state's law criminalizing false political speech pending his constitutional challenge, asking the Fourth Circuit to speed up the appeal and issue an emergency order temporarily preventing prosecution under the statute.

3 documents attached | Read full article »

EMPLOYMENT & BENEFITS

Q&A

Getting To Know Mass. AG Hopeful Shannon Liss-Riordan

Labor attorney Shannon Liss-Riordan of Lichten and Liss-Riordan PC is touting her civil litigation chops as she looks to capture the Democratic nomination for Massachusetts attorney general in the Sept. 6 primary.

Read full article »

DC Circ. Upholds Toss Of Cops Union's Disciplinary Rule Fight

A D.C. Circuit panel on Friday affirmed a lower court's order tossing the District of Columbia police union's constitutional challenge to a reform measure that limits union negotiations over officer discipline, rejecting arguments that the measure unfairly sought to punish D.C. police for officer misconduct elsewhere in the country.

Opinion attached | Read full article »

Netflix Inc.
New Jersey State Bar Association
New York University
Purdue Pharma LP
Salt River Project
Sierra Club
Simon & Schuster Inc.
Sompo International Holdings Ltd.
Sony Pictures Entertainment Inc.
Spectrum Management Holding Co.
Spotify Technology SA
Square Inc.
State Bar of California
Stratton Mortgage LLC
Swiss Reinsurance Co. Ltd
Taiwan Semiconductor Manufacturing Co. Ltd.
Tenneco Inc.
Tesla Inc.
The Lawyers' Committee for Civil Rights Under Law
Trividia Health Inc.
Trump Organization Inc.
Twitter Inc.
U.S. Chamber of Commerce
UBS Group AG
Uber Technologies Inc.
Union of Concerned Scientists
United Parcel Service Inc.
University of Houston
VOYlegal LLC
WSP Global Inc.
Walgreens Co.
Walmart Inc.
Wells Fargo & Co.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Citizenship and Immigration Services
Bureau of Land Management
California Department of Justice
Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Cherokee Nation
Committee on Foreign Investment in the United States
Consumer Financial Protection Bureau
Delaware Court of Chancery

[redacted]

Drug Impairment Testing Deemed Reliable In NJ Case

The testimony of police officers who are trained as certified drug recognition experts, or DREs, is admissible as evidence in cases involving motorists' drug intoxication, a special master told the New Jersey Supreme Court in a massive report submitted Thursday.

Report attached | Read full article »

1st Circ. Won't Revive Challenge To RI Benefits Law Changes

The First Circuit refused to reopen a suit alleging Rhode Island violated retirees' constitutional rights when it amended its retirement benefits plan as part of a class settlement agreement, ruling that doing so would ultimately mean reconsidering a decision made by the state court.

Opinion attached | Read full article »

Del. To Build Public Retirement Fund For Uninvested Workers

Delaware will begin building a public retirement fund for employees who don't have an employer-sponsored fund to invest into, a move that proponents of the law say will help residents create a more financially secure future.

Read full article »

COMPETITION

Book Publishers Say DOJ Hasn't Shown Harm To Authors

Attorneys for Penguin Random House and Simon & Schuster told a D.C. federal court on Friday that the government failed to prove their planned $2.18 billion merger would reduce author pay, arguing that a deal should not be blocked based on a vague notion of softened competition.

Read full article »

CYBERSECURITY & PRIVACY

India, Canada Lead International Privacy Laws To Watch

As the global data privacy law patchwork continues to expand, companies need to think beyond the U.S. and European Union and ensure they're paying attention to places such as India and Canada, which are inching toward enacting laws with major penalties and tight data transfer restrictions.

1 document attached | Read full article »

IMMIGRATION

USCIS Says Congress Wanted 'Makeover' Of EB-5 Program

U.S. Citizenship and Immigration Services told a California federal court it was following Congress' intent to reform the EB-5 visa program when it told regional centers managing

Equal Employment Opportunity Commission
European Union
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
Mississippi Band of Choctaw Indians
Morongo Band of Mission Indians
National Institute of Standards and Technology
National Labor Relations Board
National Telecommunications and Information Administration
Navajo Nation
New Jersey Attorney General's Office
New Jersey Office of the Public Defender
New Jersey Supreme Court
New York Attorney General's Office
Office of Foreign Assets Control
Oneida Tribe of Indians of Wisconsin
Pennsylvania Attorney General's Office
Quinault Indian Nation
Rhode Island Attorney General's Office
Texas Attorney General's Office
Texas Legislature
The Bureau of Investigative Journalism
U.S. Air Force
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the District of Montana
U.S. Attorney's Office for the Southern District of Indiana
U.S. Court of Appeals for the District of Columbia Circuit

[redacted]

money from foreign investors seeking a green card that they need to be reauthorized to stay in business.

Memorandum attached | Read full article »

WHITE COLLAR

UK Criminal Defense Firms And Attorneys Decreased In 2022

The total number of criminal defense attorneys and law firms providing criminal legal advice has decreased significantly in the United Kingdom, according to a Legal Aid Agency study published Thursday.

Read full article »

NATIVE AMERICAN

US Urges DC Circ. To Revive Seminole Sports Betting Pact

Federal authorities want the D.C. Circuit to reinstate a controversial gaming compact that would give the Seminole Tribe exclusive rights to offer online sports betting in Florida, telling the appeals court that the 2021 deal complies with the Indian Gaming Regulatory Act.

Brief attached | Read full article »

TELECOMMUNICATIONS

US, Canadian Regulators Release Plan For Fighting Robocalls

The Federal Communications Commission released a memorandum of understanding between the agency and its Canadian counterpart that aims to enhance cross-border collaboration in fighting robocall scams.

1 document attached | Read full article »

NTIA Awards Nearly $50M For Choctaw, Osage Broadband

Two tribes in Oklahoma and Mississippi will receive roughly $49,112,883 in rural broadband funds, according to an announcement from the U.S. Department of Commerce.

Read full article »

CANNABIS

Medical Cannabis Advocates Launch Ballot Petition In Idaho

Cannabis advocates in Idaho have kicked off a campaign to put a medical program on the 2024 ballot, penning a letter to the secretary of state saying the initiative is "essentially identical" to another filed two years ago.

Read full article »

PEOPLE

Ex-US Atty Joins FTI Consulting's Cybersecurity Practice

Financial consulting firm FTI Consulting has added a former U.S. attorney as a director in its cybersecurity practice in Los

U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Interior
U.S. District Court for the District of Arizona
U.S. District Court for the District of Columbia
U.S. District Court for the District of Connecticut
U.S. District Court for the District of New Mexico
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Louisiana
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Colorado

Angeles.
Read full article »

Newsom Taps Ex-ACLU Atty As Civil Rights Dept. Top Counsel

California Gov. Gavin Newsom has selected a former American Civil Liberties Union lawyer as the new top attorney of the state Civil Rights Department, months after he fired the previous chief counsel.
Read full article »

Tribes, States, Lawmakers, Profs Ask Justices To Keep ICWA

Nearly 500 federally recognized tribes and many Native American organizations led a host of amici on Friday urging the U.S. Supreme Court to uphold the constitutionality of the Indian Child Welfare Act, saying that disturbing the law would damage Indian families and could ripple through other important aspects of Indian law.

Brief attached | Read full article »

EXPERT ANALYSIS

A Jump Forward For Fla. Pharmacy Technicians' Vax Authority

Newly effective Florida legislation allows pharmacy technicians to seek certification to provide immunizations, granting them a significant leap in authority and bringing changes to pharmacies that should increase community access to vaccines, says Martin Dix at Akerman.
Read full article »

DOJ Filing Reawakens Fraud-On-The-FDA Theory Of Liability

The U.S. Department of Justice's recent statement of interest in U.S. ex rel. Crocano v. Trividia Health before a Florida federal court represents a substantial attempt to revive a False Claims Act liability theory involving misstatements to the U.S. Food and Drug Administration, potentially leading to increased scrutiny of medical products, say attorneys at Duane Morris.
Read full article »

What EPA Enviro Justice Guidance Means For Chemical Cos.

Recent guidance from the U.S. Environmental Protection Agency makes it clear that environmental justice has become an increasing priority for the Biden administration — and signals to the chemical sector that EJ will be a critical component to EPA decision making going forward, say attorneys at Hunton.
Read full article »

Prepare For NLRB Collaboration With Antitrust Agencies

United States District Court for the District of Montana
United States District Court for the Southern District of Indiana
United States District Court for the Southern District of Ohio

The National Labor Relations Board's recent agreements with the Federal Trade Commission and the U.S. Department of Justice may herald increased interagency engagement on noncompete and no-poach issues, so companies that face scrutiny from one agency may well quickly be in the crosshairs of another, say attorneys at BakerHostetler.

Read full article »

The Significance And Legal Risks Of Quantum Computing

As quantum computing becomes more viable in the near future, it's urgent for companies to understand the threat it poses to intellectual property, financial data and other sensitive information, and to prepare for new regulatory standards, say attorneys at Eversheds Sutherland.

Read full article »

LEGAL INDUSTRY

Buckley Must Produce Docs In Policy Fight, NC Justices Say

Buckley LLP must hand over to an insurer a swath of documents generated during an investigation conducted by Latham & Watkins LLP into alleged misconduct by Buckley's former co-founder as part of a $6 million coverage dispute, the North Carolina Supreme Court ruled Friday.

Read full article »

Tesla's Near Silence On Legal Chief Stirs Disclosure Concerns

Tesla Inc. has spent weeks refusing to clear up a murky situation surrounding the role of its onetime legal chief, but experts are split on when the publicly traded company owes it to investors to tell them what happened.

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SUBJECT: Bill Paxton's Family Settles Death Suit With Hospital, Surgeon
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 22/08/2022 02:55

Monday, August 22, 2022

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TOP NEWS

Bill Paxton's Family Settles Death Suit With Hospital, Surgeon

The widow and children of the late actor Bill Paxton told a California judge on Friday that they have reached a settlement resolving their wrongful death lawsuit against the Los Angeles hospital and the surgeon who performed heart surgery on Paxton shortly before his death in 2017.

3 documents attached | Read full article »

Medical Supply Co. Gets $5M In Nursing Home Fraud Case

An Arkansas judge awarded $5 million in damages to a medical supply company for bills left unpaid by Skyline Healthcare, a nursing home operator whose owner faces tax fraud charges in New Jersey.

1 document attached | Read full article »

5th Circ. Backs La. EMS Win In Male Workers' Sex Bias Suit

The Fifth Circuit refused to reinstate a bias lawsuit from four male Baton Rouge Emergency Medical Services dispatchers who said their female supervisor treated female workers better, saying their allegations didn't rise to the level of illegal discrimination.

Opinion attached | Read full article »

Ga. County Loses Appeal Bid In Trans Deputy Bias Suit

A Georgia federal judge declined a county sheriff's request for an interlocutory review of a June ruling allowing parts of a transgender sheriff's deputy's bias claims that the county's health insurance illegally excludes gender-affirming health care to move forward, saying there were no issues with the ruling.

Order attached | Read full article »

COMPANIES IN TODAY'S NEWS

American Civil Liberties Union
Ampio Pharmaceuticals Inc.
Apollo Global Management LLC
Apple Inc.
Association of Corporate Counsel
Aviva SA
Bloomberg
Blue Bell Creameries LP
CVS Health Corp.
Cedars-Sinai Medical Center
Cisco Systems Inc.
Citizens for Responsibility and Ethics in Washington
Covidien PLC
Curaleaf Holdings Inc.

Insuring Psychedelic Therapy Key To Promising Industry

Researchers have found that psychedelic drugs such as psilocybin and MDMA may be effective in alleviating a number of mental health conditions, but therapists who treat patients with the substances may face difficulties in securing sufficient insurance coverage due to ongoing federal bans and other factors.

Read full article »

LITIGATION

2nd Circ. OKs Nurses Benefit Fund's Full Audit Ask

A split Second Circuit panel ruled Friday that a benefits fund should be allowed to access payroll records for all employees at a hospital outside New York City and not just those for nurses, saying a trial court interpreted U.S. Supreme Court precedent too narrowly.

Opinion attached | Read full article »

Drug Impairment Testing Deemed Reliable In NJ Case

The testimony of police officers who are trained as certified drug recognition experts, or DREs, is admissible as evidence in cases involving motorists' drug intoxication, a special master told the New Jersey Supreme Court in a massive report submitted Thursday.

Report attached | Read full article »

Colo. Pharma Co. Faces Securities Suit Over Drug Claims

Colorado pharmaceutical company Ampio is facing a proposed shareholder class action accusing the firm's executives of making false and misleading claims about the efficacy of its star drug, Ampion, which it billed as a potential treatment for long COVID-19.

Complaint attached | Read full article »

DEALS

Apollo Helps GI Alliance Doctors In Buyout Of $2.2B Practice

The physicians who own national gastroenterology medical practice GI Alliance are getting an assist from funds managed by Apollo Global Management to buy out the minority stake owned by private equity firm Waud Capital Partners, valuing the practice at $2.2 billion in a deal announced Friday.

Read full article »

Goodwin-Guided Kymera Raises $150M With Share Sale

Clinical-stage biopharmaceutical company Kymera has raised $150 million through a securities purchase agreement advised by Goodwin Procter LLP, with existing and newly accredited investors, according to a Friday announcement.

Endo International PLC
Entain PLC
GigaMedia Limited
Gilead Sciences Inc.
Google LLC
HSBC Holdings PLC
Houlihan Lokey Inc.
Hub International Ltd.
Investments Ltd.
Jefferies Financial Group Inc.
Johnson & Johnson
Johnson Controls International PLC
Ladbrokes PLC
Leafly Holdings Inc.
Liberty Mutual Insurance Group
Lloyds Bank PLC
Major Lindsey & Africa LLC
Medtronic PLC
Meta Platforms Inc.
Netflix Inc.
New Jersey State Bar Association
New York State Nurses Association
Nyack Hospital
Sompo International Holdings Ltd.
Spectrum Management Holding Co.
Spotify Technology SA
Stratton Mortgage LLC
Swiss Reinsurance Co. Ltd
T. Rowe Price Group Inc.
Tesla Inc.
Trividia Health Inc.
Trulieve
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Twitter Inc.
U.S. Chamber of Commerce
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LAW FIRMS IN TODAY'S NEWS

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EXPERT ANALYSIS

DOJ Filing Reawakens Fraud-On-The-FDA Theory Of Liability

The U.S. Department of Justice's recent statement of interest in U.S. ex rel. Crocano v. Trividia Health before a Florida federal court represents a substantial attempt to revive a False Claims Act liability theory involving misstatements to the U.S. Food and Drug Administration, potentially leading to increased scrutiny of medical products, say attorneys at Duane Morris.

Read full article »

A Jump Forward For Fla. Pharmacy Technicians' Vax Authority

Newly effective Florida legislation allows pharmacy technicians to seek certification to provide immunizations, granting them a significant leap in authority and bringing changes to pharmacies that should increase community access to vaccines, says Martin Dix at Akerman.

Read full article »

Roundup

In-House At A Cannabis Company

In this ongoing Expert Analysis series, in-house counsel at cannabis companies discuss the unique compliance issues they're navigating as the industry burgeons into a multibillion-dollar ballgame.

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LEGAL INDUSTRY

DC Circ. Rules DOJ Improperly Redacted Russia Probe Memo

The U.S. Department of Justice improperly shielded a memo to then-Attorney General Bill Barr related to whether former President Donald Trump committed obstruction of justice during the special counsel probe into Russian interference in the 2016 election, a D.C. Circuit panel ruled Friday.

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Buckley Must Produce Docs In Policy Fight, NC Justices Say

Buckley LLP must hand over to an insurer a swath of documents generated during an investigation conducted by Latham & Watkins LLP into alleged misconduct by Buckley's former co-founder as part of a $6 million coverage dispute, the North Carolina Supreme Court ruled Friday.

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Tesla Inc. has spent weeks refusing to clear up a murky situation surrounding the role of its onetime legal chief, but experts are split on when the publicly traded company owes it to investors to tell them what happened.

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11th Circ. Clarifies Scope, Validity Of Ala. Grand Jury Law

Alabama's grand jury secrecy law doesn't violate the First Amendment and doesn't bar witnesses from discussing information they learned outside the jury room, the Eleventh Circuit ruled in a published opinion Thursday.

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Recruiter Hires Atty To Carry On Suit Against Robinson & Cole

A South Dakota-based legal recruiting organization suing Robinson & Cole LLP, alleging breach of contract, has obtained an attorney just three days after a Connecticut federal judge admonished its CEO, saying it sought legal advice from the court and had not yet had an attorney appear.

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UK Criminal Defense Firms And Attorneys Decreased In 2022

The total number of criminal defense attorneys and law firms providing criminal legal advice has decreased significantly in the United Kingdom, according to a Legal Aid Agency study published Thursday.

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WilmerHale
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GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Delaware Court of Chancery
Equal Employment Opportunity Commission
European Union
Food and Drug Administration
New Jersey Attorney General's Office
New Jersey Office of the Public Defender
New Jersey Supreme Court
New York Attorney General's Office
The Bureau of Investigative Journalism
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Department of Justice
U.S. District Court for the District of Connecticut
U.S. District Court for the Eastern District of Arkansas
U.S. District Court for the Middle District of Georgia
U.S. District Court for the Southern District of Florida
U.S. Drug Enforcement Administration
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court

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SUBJECT: Morning Consult Health: UnitedHealth, Amazon Said to Be LeadingContenders to Acquire Signify Health
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 22/08/2022 05:50

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MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 22, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- Signify Health Inc. is considering bids from Amazon.com Inc., CVS Health Corp., Option Care Health Inc. and UnitedHealth Group Inc., according to people with knowledge of the matter, and the home health care services provider is set to hold a board meeting today to discuss its options. At more than $30 per share, UnitedHealth has submitted the highest bid, though Amazon's offer isn't far behind, the people said. (Bloomberg)

- The departments of Health and Human Services, Treasury and Labor jointly issued final rules to update the No Surprises Act, clarifying how arbitration between providers and payers over out-of-network billing disagreements should be handled. The law to ban surprise medical bills passed Congress in 2020 and went into effect at the beginning of this year, though the Biden administration has faced multiple legal challenges over its implementation. (Fierce Healthcare)

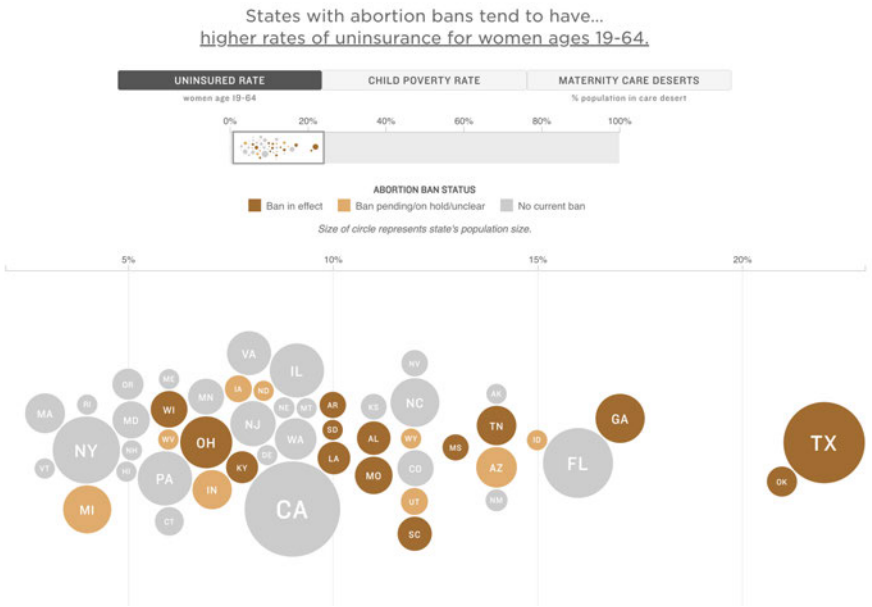
- Following the enactment of the Inflation Reduction Act, Centers for Medicare and Medicaid Services Administrator Chiquita Brooks-LaSure said she will create a team within the agency's Medicare arm that will be charged with negotiating drug prices, with hiring for at least 100 positions starting in the fall. Brooks-LaSure said CMS is interested in candidates with negotiating experience and "clinical expertise," while the next step for the agency is selecting the drugs on which it will plan to negotiate. (Reuters)

- The Food and Drug Administration issued emergency use authorization for Novavax Inc.'s protein-based COVID-19 vaccine in children between the ages of 12 and 17, a little more than a month after the agency cleared the biotech's two-dose shot for adults. (CNBC)

CHART REVIEW

States with the toughest abortion laws have the weakest maternal supports, data shows

NPR News



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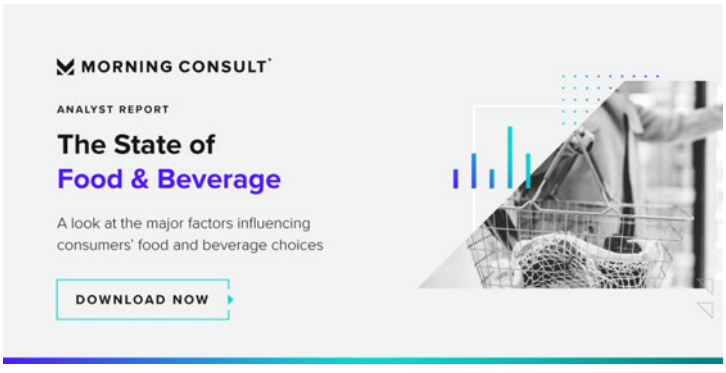

The State of Food and Beverage: August 2022

Cost pressures brought on by inflation are trickling into many consumers' decisions, from where to source groceries to when to cook meals at home.

Morning Consult's semiannual State of Food & Beverage report tracks evolving consumer behaviors in the food & beverage sector and what they mean for the future of the industry. Download the report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Variant-Targeted Covid-19 Boosters Test the Promise of mRNA Technology

Peter Loftus, The Wall Street Journal

Moderna, Pfizer are racing to make different boosters for U.S. than the Omicron-specific shots rolling out for other countries.

Most people with omicron variant didn't know they had COVID-19, study finds

Shauneen Miranda, NPR News

The majority of people likely infected with the omicron variant that causes COVID-19 were not aware they contracted the virus, which likely played a role in the rapid spread of omicron, according to a study published this week.

Dr. Birx says reliance on Europe for early COVID-19 data an 'indictment of our system'

Abigail Adcox, Washington Examiner

Dr. Deborah Birx, the White House coronavirus response coordinator under the Trump administration, said having to lean on data coming out of Europe during the first months of the COVID-19 pandemic in 2020 was an "indictment of our system."

Are you among the 1 in 5 Americans with long COVID? Here's what you need to know about how brain-foggy—and potentially dangerous—it is

Erin Prater, Fortune

You could be forgiven for wondering, "Do I have long COVID? Is that why I'm mentally hazy?" Indeed, brain fog, muscle aches, and fatigue are some of the most common symptoms of the nebulous condition called long COVID, which experts think affects as many as one in five Americans who survived the relatively new virus.

Confused about how long to isolate with COVID? The most ethical, scientifically sound timeline looks a lot like what Joe Biden did, London researchers say

Erin Prater, Fortune

People with COVID should isolate for at least five days—and until they receive two negative at-home tests on two different days—according to a new study out of London.

First lady Jill Biden tests negative for COVID-19, leaves isolation

Stefan Becket, CBS News

First lady Jill Biden has tested negative for COVID-19 and left isolation five days after first testing positive, her office said Sunday.

GENERAL

Monkeypox Virus Can Stay on Common Household Items, Surfaces, CDC Says

Madison Muller, Bloomberg

The monkeypox virus can linger on many common household objects, though it's not yet clear if that can spread the infection, according to a new government study.

Websites Selling Unapproved Abortion Pills Are Booming

Dominique Mosbergen and Vibhuti Agarwal, The Wall Street Journal

Dozens of websites state they ship abortion drugs anywhere in the U.S. without a prescription, which violates Food and Drug Administration rules. Most of the sites don't clearly state who operates them or where they get the pills. The operator of one website said demand for abortion pills has surged since the Supreme Court removed constitutional protection for abortion in June.

NIH Tees Up Monkeypox Vaccine Trial to Test US Dose-Sparing Plan

Jeannie Baumann, Bloomberg Law

A monkeypox clinical trial at the NIH will evaluate the US approach to increasing vaccine supply with smaller, more superficially administered doses, answering critical questions as cases climb.

Scientists Fear Polio Plan Will Be Repeat of COVID Horror Show

David Axe, The Daily Beast

The U.S. is refusing to allow widespread polio testing outside of government labs. Some experts are wondering if the CDC learned anything from its COVID mistakes.

Initiative to Stop HIV's Spread Gains Post-Pandemic 'Reset'

Shira Stein, Bloomberg Law

Efforts to end the spread of HIV in the US are slowly recovering after the Covid-19 pandemic hindered a federal initiative to end the epidemic by 2030, public health officials and researchers said.

E-coli outbreak that sickened 37 people may be linked to Wendy's lettuce

Aria Bendix, NBC News

According to the CDC, many people reported feeling ill after eating burgers and sandwiches with romaine lettuce at Wendy's restaurants in Michigan, Ohio and Pennsylvania.

Signs of heart disease may be more subtle in women than men

Erika Edwards, NBC News

In a review paper, the American Heart Association spells out how symptoms of heart attack, stroke and other cardiovascular problems differ in women and men.

Aerobic exercise and simple stretching may both lower Alzheimer's risk

Ken Alltucker, USA Today

For older adults at risk of dementia, regular exercise from light stretching to rigorous aerobics can help slow memory and thinking decline, a new study shows.

Asthma deaths rose during the pandemic. Climate change may make it worse.

Erik Ortiz, NBC News

Most susceptible are communities of color, which are disproportionately burdened by poorer air quality and other environmental factors.

Lengthening fertility may extend a woman's life

Sandee LaMotte, CNN

One organ in a woman's body ages more than twice as fast as all other tissues, wreaking havoc with both fertility and long-term health.

Judge: Prosecutors cannot enforce Michigan's abortion ban

Joey Cappelletti, The Associated Press

A Michigan judge on Friday blocked county prosecutors from enforcing the state's 1931 ban on abortion for the foreseeable future, after two days of witness testimony from abortion experts, providers and the state's chief medical officer.

Is a Fetus a Person? An Anti-Abortion Strategy Says Yes.

Kate Zernike, The New York Times

Even as roughly half the states have moved to enact near-total bans on abortion since the Supreme Court overturned Roe v. Wade in June, anti-abortion activists are pushing for a long-held and more absolute goal: laws that grant fetuses the same legal rights and protections as any person.

PAYERS

Employer health costs set to rise 6.5% in 2023: Aon

Paige Minemyer, Fierce Healthcare

The researchers found that average costs per employee will reach $13,800 in 2023. This is more than double the 3% increase that employers saw in 2022 but far below the current inflation index, according to Aon.

Georgia Medicaid work requirements policy backed by court

Maya Goldman, Modern Healthcare

A federal judge has reopened the door for Medicaid work requirements in Georgia in a ruling issued Friday.

Design value-based models with equity in mind, experts say

Frank Diamond, Fierce Healthcare

Health insurance payment reforms implemented over the last decade have a spotty record in driving down costs and can unintentionally worsen the inequities experienced by marginalized groups, experts say.

PROVIDERS

Hospitals wrangle billions in FEMA funding to offset Covid costs

Bob Herman, Stat News

More hospitals are tapping into billions of dollars from the Federal Emergency Management Agency to offset costs for caring for Covid-

19 patients.

How North Carolina hospitals justify thwarting Medicaid expansion

Bob Herman, Stat News

North Carolina hospitals just helped kill a major expansion of the state's Medicaid program. Both Democrats and Republicans in the state legislature had been working toward expanding the program to another 600,000 low-income people, but the deal fell apart this month.

White coats in the state capital: OB-GYNs become political force in abortion wars

Alice Miranda Ollstein and Megan Messerly, Politico

Red state lawmakers rushing to pass new abortion restrictions are being stymied by an unexpected political force — OB-GYNs.

Mayo Clinic's operating margin holds firm at 3.8% in Q2 2022

Dave Muoio, Fierce Healthcare

"At the midpoint of the 2022 fiscal year, performance results reflect the challenges facing both the healthcare industry and the nation," Mayo's management wrote in a summary of its financial performance. "Workforce shortages and inflation in both labor and non-labor costs have had an impact on the first and second quarter operating results but Mayo Clinic is well-positioned to enter the second half of 2022."

U.S. clinics scramble as courts, politicians battle over abortion restrictions

Sharon Bernstein, Reuters

With West Virginia's 1849 abortion ban tied up in court and its conservative legislature stymied over details of enacting a new one, the state's only abortion clinic ought to be operating as usual.

PHARMA, BIOTECH AND DEVICES

GSK vaccine chief aims to break dominance of mRNA shots

Hannah Kuchler, Financial Times

Group developing jab with Sanofi that could have benefits.

FDA scolds Sun Pharma for allegedly backdating documents and fudging records for collecting drug samples

Ed Silverman, Stat News

Sun Pharmaceutical, which is one of the largest purveyors of generic drugs, allegedly falsified various documents that were maintained by

employees at one of its plants in India, according to an inspection report issued by the U.S. Food and Drug Administration.

Axsome's depression drug enters competitive market after U.S. approval

Amruta Khandekar, Reuters

Axsome Therapeutics Inc (AXSM.O) on Friday gained U.S. approval for its treatment for depression, giving more than 20 million Americans affected by the disorder a new option in a market crowded by older drugs.

How Pharmacy Work Stopped Being So Great

Noam Scheiber, The New York Times

Two years of economic recovery brought strong gains to workers at the top and the bottom, but headwinds for those in between. Consider the pharmacist.

HEALTH TECHNOLOGY

Congress ordered agencies to use tech that works for people with disabilities 24 years ago. Many still haven't.

Ruth Reader, Politico

Congress made a portion of the 1973 Rehabilitation Act known as Section 508, which asks federal agencies to make technology accessible, mandatory in 1998. But nearly a quarter century later, they are still failing to do so. And it's not just about ordering lunch. Roughly 30 percent of the most popular federal websites don't meet accessibility standards, according to a 2021 report by the Information Technology and Innovation Foundation. Enforcement is virtually nonexistent, and agencies are spending little effort or money to comply.

OPINIONS, EDITORIALS AND PERSPECTIVES

The Inflation Reduction Act: One step closer to pharmacoequity?

Utibe R. Essien, Stat News

President Biden's signing of the Inflation Reduction Act on Tuesday marked a health care law that could have the greatest impact since President Obama signed the Affordable Care Act in 2010. There are many reasons to praise the act for what it will do for millions of older Americans.

Even a Single Case of Polio Is a Threat

Mary T. Bassett, The New York Times

The case of a young adult paralyzed by polio in New York is not simply unexpected. It's shocking. The last time polio was diagnosed in New York State was in 1990. And yet the virus has now also been found in wastewater samples in Rockland County, Orange County and New York City. As surveillance continues, we will learn more, but what we know already is enough. We have circulating poliovirus that can cause paralysis in these communities. Polio in New York today is an imminent threat.

The covid pandemic has 'ended,' but I'll keep my mask on, thanks

Stacy Torres, The Washington Post

This summer, I've played a new people-watching game while walking New York's sweaty streets: What's the story behind the mask? Who's still adhering to covid-19 restrictions when we've cast off nearly all public health guidelines in this era of pandemic apathy?

RESEARCH REPORTS

How Differences in Medicaid, Medicare, and Commercial Health Insurance Payment Rates Impact Access, Health Equity, and Cost

Cindy Mann and Adam Striar, The Commonwealth Fund

Persistent and growing disparities in the rates paid to health providers by Medicaid, Medicare, and commercial insurance are almost certain to be a key issue for the Biden administration in its efforts to strengthen access to care in Medicaid and in regulations it is slated to release in early 2023. Rates alone do not determine provider participation in Medicaid, but they are a key lever to ensuring access.1 Medicaid rates are generally well below Medicare rates, which are themselves well below commercial rates. In this post, we compare rates across the market and pose questions relating to access, equity, and costs that are suggested by the data.

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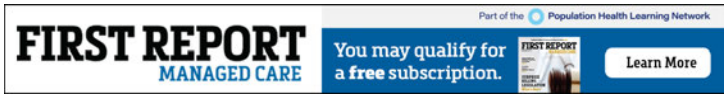
FIRST REPORT
MANAGED CARE

THE LATEST

California Bill Would Eliminate Out-of-Pocket Costs for Vasectomies, Condoms

By Rachel Bluth, Kaiser Health News

Lawmakers in California are considering a bill that would require commercial health plans to fully cover male sterilization and non-prescription birth control options.



COMMENTARY

Three Insights From Trailblaze 2022: Member Experience Is About Humanization

By Icario Team

In this commentary, the Icario team shares advice on how to connect with members better, elevate their experience, and improve outcomes.

IN THE NEWS

Rates of Prostate Cancer Mortality Highest Among Men of African Ancestry

By Jolynn Tumolo

Patients: PsA Treatment Should Prioritize Musculoskeletal Pain, Functional Improvement

By Jolynn Tumolo

Endoscopic Management Beneficial But Costly for Low-Grade Upper Tract Urothelial Carcinoma

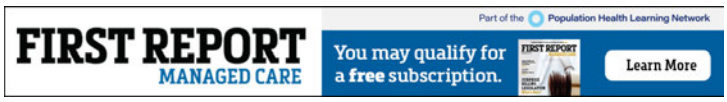
By Samantha Matthews

POPHEALTH PERSPECTIVES

Inflation, Mobile Health's Impact on the Health Care Industry

By Samantha Matthews

Keith Algozzine, founder and chief executive officer of UCM Digital Health, discusses how inflation is impacting the health care industry, areas of top concern, and how mobile health plays into the future of health care.



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SUBJECT: Economic Burden of MS; Mobile Health
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TO: hborski@utah.gov
DATE: 22/08/2022 15:00

FIRST REPORT
MANAGED CARE

THE LATEST

Cognitive Deficits Contribute to Economic Burden of Multiple Sclerosis

By Samantha Matthews

Study authors examined the correlation between cognitive impairment and the economic burden of multiple sclerosis.

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POPHEALTH PERSPECTIVES

The Future of Medical Imaging: Advances in AI, Analytics

By Samantha Matthews

Morris Panner, president of Intelerad, discusses the impact of large hospital system consolidations, trends and perspectives around the future of medical imaging, and the latest advances in AI and analytics.

IN THE NEWS

California Bill Would Eliminate Out-of-Pocket Costs for Vasectomies, Condoms

By Rachel Bluth, Kaiser Health News

Rates of Prostate Cancer Mortality Highest Among Men of African Ancestry

By Jolynn Tumolo

Patients: PsA Treatment Should Prioritize Musculoskeletal Pain, Functional Improvement

By Jolynn Tumolo

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Inflation, Mobile Health's Impact on the Health Care Industry

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By Samantha Matthews

Keith Algozzine, founder and chief executive officer of UCM Digital Health, discusses how inflation is impacting the health care industry, areas of top concern, and how mobile health plays into the future of health care.

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SUBJECT: A Deep Dive Into The Glass Ceiling Report: Women In Law
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TO: hborski@utah.gov
DATE: 23/08/2022 01:36

Tuesday, August 23, 2022

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A Deep Dive Into The Glass Ceiling Report: Women In Law

Law firms are working to improve diversity, equity and inclusion in their ranks. But Law360 Pulse's Glass Ceiling Report: Women in Law shows only modest growth in the number of female lawyers in private practice in the U.S.

Read full article »

High Court Wants Gov't View On Controversial FCA Case

The U.S. Supreme Court asked the federal government Monday to weigh in on whether the justices should review a contentious decision that a supermarket chain's alleged overcharging of Medicare and Medicaid was "objectively reasonable" enough to defeat a False Claims Act case.

Order List attached | Read full article »

Feds Finalize Surprise Medical Billing Rules Amid Legal Fights

The federal government has finalized rules relating to a law that shields patients from "surprise medical bills" for services unexpectedly performed by out-of-network providers and creates an arbitration system for handling payment fights between out-of-network providers and health insurers.

2 documents attached | Read full article »

Pharmacies Can't Be Forced To Fill Ivermectin Rx, Judge Says

A Minnesota federal judge on Friday nixed a suit filed against a Walmart pharmacy for refusing to fill prescriptions for ivermectin, an anti-parasite drug used on humans and animals, to treat a couple's COVID-19 infection, calling their purported "right to self-determination" that would force medical providers to administer certain treatments "mind-boggling."

Order attached | Read full article »

COMPANIES IN TODAY'S NEWS

AMC Networks Inc.
American Civil Liberties Union
American Civil Liberties Union of Ohio
American Federation of State County & Municipal Employees
American International Group Inc.
American Property Casualty Insurance Association
Ampersand Capital Partners
Armistice Capital LLC
Bioventus LLC
Cable News Network Inc.
Carolinas HealthCare System
Center for Justice
Communications Workers of America

[redacted]

Fla. Ambulance Co. Illegally Denied OT, EMTs Say At Trial Start

Paramedics and emergency medical technicians suing a Florida Keys ambulance service told jurors Monday that contrary to what the company's owner will argue, they were employees who are due overtime wages under the Fair Labor Standards Act, not independent contractors.

Read full article »

UPMC Dr. Keeps Contested Tape Under Wraps In Med Mal Suit

An allegedly surreptitious recording of a star University of Pittsburgh Medical Center surgeon set off a contentious hearing in Pennsylvania state court Monday, triggering volleys of accusations and arguments over academic misconduct, drug use, open courts and potential ripple effects on a state medical malpractice case and a federal whistleblower suit.

Read full article »

Analysis

NY Victims' Families Bill Could Cause Insurance Cost Spike

As New York's Grieving Families Act awaits the governor's signature, some experts said insurance costs could potentially increase in the Empire State due to the bill's allowance of recovery by extended family members for emotional damages such as grief or anguish.

Read full article »

POLICY & REGULATION

Neb. Medical Pot Legalization Effort Fails To Qualify For Ballot

Two proposals to legalize medical marijuana in Nebraska failed to secure the required number of signatures and won't appear on the November ballot, state officials said Monday.

Read full article »

ENFORCEMENT & COMPLIANCE

Pay Expert Cops To Taking Illegal $400K Insider Payday

A California executive compensation expert told a Manhattan federal judge that he made illegal bets on a pharmaceutical sector client company that had been targeted for acquisition by global giant Sanofi SA, copping to insider trading charges.

Read full article »

LITIGATION

Anti-Abortion Activists Lose At 9th Circ. In Video Row

The Ninth Circuit has shut down an appeal from anti-abortion activists who likened their crusade to distribute selectively edited and secretly recorded conversations with abortion providers to the Pentagon Papers case, after a lower court judge found they violated the language of confidentiality agreements they had signed.

Convey Health Solutions Inc.
Endo International PLC
FirstEnergy Corp.
Gallup Inc.
Getty Images Inc.
HCA Healthcare Inc.
Hy-Vee
Inovalon Holdings Inc.
Judicial Watch Inc.
La Jolla Pharmaceutical Co.
LinkedIn Corp.
Mayo Foundation for Medical Education and Research
Mazars LLP
Miami Herald Media Co.
NASDAQ Inc.
NBCUniversal Media LLC
National Association of Realtors
Nektar Therapeutics
NetSuite Inc.
Nevakar Inc.
Oracle Corp.
Palantir Technologies Inc.
Planned Parenthood Federation
Quest Diagnostics Inc.
Safeco Insurance Co.
Sanofi SA
Santander Consumer USA Inc.
Shanghai Stock Exchange Ltd.
Strategic Value Partners LLC
Supervalu Inc.
Tesla Inc.
Texas Medical Association
The E.W. Scripps Company
The ERISA Industry Committee
The Goldman Sachs Group Inc.
The New York Times Co.
The Newspaper Guild
TransDigm Group Inc.
Trump Organization Inc.
Twitter Inc.
United Natural Foods Inc.
University of California Davis
University of Pittsburgh Medical Center
Vaxart Inc.
WP Glimcher Inc.
Walmart Inc.
Washington Post Co.
Zillow Group Inc.

LAW FIRMS IN TODAY'S NEWS

Abraham Fruchter

Opinion attached | Read full article »

Pandemic Wage-Fixing Trial Is Pushed To December

A federal judge in Maine pushed back a slated trial over objections from the government in a criminal case accusing operators of several home health care agencies of conspiring to fix pay rates to avoid competing with each other for workers during the pandemic.

Order attached | Read full article »

Quest's Virus Row Stays In Wash. As AIG's NJ Suit Is Tossed

A New Jersey judge dismissed AIG Specialty Insurance's suit seeking to avoid coverage of Quest Diagnostics' COVID-19-related losses, finding the New Jersey state court didn't have a compelling reason to retain jurisdiction when Quest's similar suit in Washington was filed first.

2 documents attached | Read full article »

NC Justices Ax 'Obsolete' Precedent On Nurse Liability

The North Carolina Supreme Court has revived a suit alleging a nurse caused a toddler's brain injury by negligently administering an anesthetic, overturning a 1932 precedent in the state that held that nurses could not be held liable when they were acting under the direction of a physician.

Opinion attached | Read full article »

Vaxart Investors Seek Initial OK Of $12M Deal In Fraud Suit

A proposed class of investors in Vaxart has urged a California federal court to give its initial OK to a $12 million settlement with the biotechnology company over allegations it pumped its stock price with deceptive headlines about a COVID-19 vaccine, arguing that it's a favorable outcome for investors.

Motion attached | Read full article »

Ohio AG Says Dobbs Ends Abortion Clinic Licensing Suit

Ohio Attorney General Dave Yost has shot back at claims by abortion clinics that the state's licensing rules are unconstitutionally onerous, arguing the U.S. Supreme Court's takedown of Roe v. Wade gave the state wider latitude to regulate abortion, rendering the clinics' lawsuit untenable.

Motion attached | Read full article »

NC Health Network's Monopoly Drove Up Prices, Counties Say

Akin Gump
Baker Botts
Ballard Spahr
Bartlett LLP
Berger Montague
Bernstein Litowitz
Boies Schiller
Bradley Arant
Bryant Miller Olive
Carney Badley
Chartwell Law
Cloutier Conley
Cole Scott
Connell Foley
Consovoy McCarthy
Debevoise & Plimpton
Del Sole Cavanaugh
Dhillon Law Group
Dickie McCamey
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Edelson Lechtzin
Edwards Kirby
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Friedman Oster
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K&L Gates
Kaskela Law
Kirkland & Ellis
Levi & Korsinsky
Lewis Brisbois
Lieff Cabraser
Limandri & Jonna
Marcus & Shapira
Markovits Stock
Meland Budwick
Morrison Foerster

A North Carolina hospital system's alleged regional monopoly has driven up the price of providing health insurance to public employees, two cities and counties said in a new antitrust suit.

Complaint attached | Read full article »

AMC Barred Medic After Reporting Producer To HR, Suit Says

AMC Networks sought to blacklist a set medic who accused a producer of making derogatory comments about her looks by falsely claiming she had broken COVID-19 protocols, according to a suit filed in Boston federal court.

Complaint attached | Read full article »

Pa. Newspaper Endangering Workers' Health Care, Unions Say

Four unions representing employees of the Pittsburgh Post-Gazette sued the newspaper in Pennsylvania federal court on Monday, accusing it of placing workers at risk of losing their health and life insurance by refusing to ensure that their monthly premiums are fully funded.

Complaint attached | Read full article »

Catching Up With Delaware's Chancery Court

Shareholders of Santander Consumer USA, La Jolla Pharmaceutical, Nektar Therapeutics and Inovalon Holdings filed new suits in Delaware's Court of Chancery last week, and attorneys for billionaire Elon Musk and Twitter Inc. deforested a small hillside to document an increasing number of discovery disputes.

Read full article »

DEALS

Goodwin Guides PE Firm Ampersand To $1.2B Fund Closing

Private equity firm Ampersand Capital Partners, led by Goodwin Procter LLP, said Monday that it has closed its latest fund after securing $1.2 billion in commitments, with plans to target investments in new, founder-owned health care and life sciences companies.

Read full article »

Medical Imaging Startup Soars In Shanghai After Smash IPO

Chinese medical technology company United Imaging Healthcare Ltd. boomed in debut trading Monday following a $1.6 billion initial public offering on the Shanghai Stock Exchange's STAR market, the year's largest IPO for the technology-focused venue.

Read full article »

BANKRUPTCY

Norman Hanson DeTroy
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Simpson Thacher
Skadden Arps
Sugarman & Cannon
Thomas & LoCicero
Thompson Hine
Troubh Heisler
Wachtell Lipton
Whitmyer IP Group
Wilson Elser
Wilson Sonsini

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arkansas Supreme Court
Delaware Court of Chancery
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Food and Drug Administration
Internal Revenue Service
National Labor Relations Board
Nebraska Attorney General's Office
New Jersey Supreme Court
Ohio Attorney General's Office
Pennsylvania Public Utility Commission
Solicitors Regulation Authority
U.S. Air Force
U.S. Attorney's Office
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Justice

Endo Unit Seeks To Stop Termination Of Drug License Deal

An Endo International affiliate Monday asked a New York bankruptcy judge to prevent another pharmaceutical company from canceling pre-Chapter 11 asset purchase and drug licensing deals, denying that it breached the contracts.

Complaint attached | Read full article »

EXPERT ANALYSIS

A Cautionary Tale On Diversity Jurisdiction From The 6th Circ.

The Sixth Circuit's recent opinion in Akno 1010 Market St. v. Pourtaghi highlights the importance of properly establishing citizenship of all parties before filing a federal lawsuit under diversity jurisdiction rules, and shows how overlooking jurisdiction issues could undo years of litigation, say Lauren Snyder and Charles Loeser at Harris Wiltshire.

Opinion attached | Read full article »

LEGAL INDUSTRY

'Grizzly Scouts' Member Linked To Court Killing Gets 10 Years

A California federal judge sentenced a "Grizzly Scouts" militia member Monday to 10 years for sexually enticing a minor and six months for obstructing an investigation into the killing of a Federal Protective Service security guard outside a district courthouse, while acknowledging that six months for obstruction seems too low.

Read full article »

Boies Conflict Letter In FirstEnergy Case Released By Judge

An Ohio federal judge on Monday rebuffed accusations that he improperly withheld documents from lawyers involved in a lawsuit revolving around a FirstEnergy Corp.
bribery scandal, saying that his battle with COVID-19 prevented him from revealing that Boies Schiller Flexner LLP withdrew its request to take over the case due to a possible conflict.

Read full article »

Trump Sues For Oversight Of Feds' Mar-A-Lago Doc Review

Former President Donald Trump sued in Florida federal court on Monday seeking to halt the FBI's review of documents seized from Mar-a-Lago until a third-party

U.S. Department of Labor
U.S. District Court for the District of Maine
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of Minnesota
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Pennsylvania
U.S. District Court for the Western District of Washington
U.S. General Services Administration
U.S. House of Representatives
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the Northern District of Ohio
United States District Court for the Southern District of Ohio

special master is appointed to pull out privileged documents and ensure investigators return personal items, saying the prosecution's privilege "filter team" won't protect his rights.
Read full article »

Judge Points To Witness Risks In Mar-A-Lago Affidavit Fight

Citing the risk of witness intimidation, a judge said Monday he may unseal the key affidavit that led to the unprecedented FBI search of former President Donald Trump's Mar-a-Lago estate, but that it might be so heavily redacted as to be "meaningless."
Read full article »

Trump Urges DC Circ. To Void House Financial Doc Subpoena

The D.C. Circuit should completely void a House subpoena seeking former President Donald Trump's financial documents, he told the appeals court Monday, arguing its earlier decision partially approving of the subpoena "tilts the institutional balance of power in Congress' favor."
Read full article »

Twitter Founder Drawn Into Del. Fight Over $44B Musk Deal

Twitter Inc. founder Jack Dorsey was swept up Monday in the tidal wave of subpoenas triggered by Elon Musk's attempted breakout from a $44 billion offer to buy the social media company, with Delaware's Court of Chancery now planning an argument on a separate discovery dispute.
Read full article »

Zillow Says Antitrust Foe Didn't Preserve Workers' Laptops

Zillow has accused REX-Real Estate Exchange of failing its discovery obligations, asserting that the brokerage firm gave away laptops as "severance" when hemorrhaging workers as part of a business nosedive allegedly triggered by anti-competitive National Association of Realtors listing services rules.
Read full article »

SRA Floats Changes To Fines For Law Firms And Attys

The Solicitors Regulation Authority laid out plans Monday to change its approach to fining law firms and attorneys as it looks to resolve cases more quickly and reduce costs, including setting fixed fines for low-level misconduct and tying other penalties to firm income.
Read full article »

Criminal Barristers Vote For Indefinite Strike Over Pay

The Criminal Bar Association said Monday that its members have voted to stage an indefinite, uninterrupted walkout because long-standing grievances with the government over pay for legal aid work remain unaddressed.
Read full article »

[redacted]

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SUBJECT: A Deep Dive Into The Glass Ceiling Report: Women In Law
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 23/08/2022 02:08

Tuesday, August 23, 2022

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Law firms are working to improve diversity, equity and inclusion in their ranks. But Law360 Pulse's Glass Ceiling Report: Women in Law shows only modest growth in the number of female lawyers in private practice in the U.S.

Read full article »

Analysis

Decision Awash In Footnotes Reveals 5th Circ. Judges' Depth

Fifth Circuit judges recently headed below deck to skirmish over claims stemming from a sea accident, packing dozens of salty footnotes into a split en banc opinion and leaving legal experts to contemplate the role of these often-overlooked treasures buried in judicial opinions.

[redacted]

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Trump Sues For Oversight Of Feds' Mar-A-Lago Doc Review

Former President Donald Trump sued in Florida federal court on Monday seeking to halt the FBI's review of documents seized from Mar-a-Lago until a third-party special master is appointed to pull out privileged documents and ensure investigators return personal items, saying the prosecution's privilege "filter team" won't protect his rights.

Complaint attached | Read full article »

Judge Points To Witness Risks In Mar-A-Lago Affidavit Fight

Citing the risk of witness intimidation, a judge said Monday he may unseal the key affidavit that led to the unprecedented FBI search of former President Donald Trump's Mar-a-Lago estate, but that it might be so heavily redacted as to be "meaningless."

Read full article »

9th Circ. Panel Will Review Calif. Arbitration Law Again

The Ninth Circuit panel that largely upheld California's law banning mandatory arbitration agreements in the workplace on Monday withdrew its decision to take another look at the law following a recent U.S. Supreme Court ruling that the U.S. and California Chambers of Commerce argued invalidated the law.

Order attached | Read full article »

BANKING & SECURITIES

Banking Orgs Decry CFPB's 'Unfair' Customer Service Query

A trio of banking industry groups on Monday railed against a Consumer Financial Protection Bureau request for information about customer service at large banks, claiming that the bureau unfairly put forth a "flawed premise that banks provide poor customer service."

Letter attached | Read full article »

Trump Urges DC Circ. To Void House Financial Doc Subpoena

The D.C. Circuit should completely void a House subpoena seeking former President Donald Trump's financial documents, he told the appeals court Monday, arguing its earlier decision partially approving of the subpoena "tilts the institutional balance of power in Congress' favor."

Petition attached | Read full article »

ENERGY & ENVIRONMENTAL

DC Circ. Backs FERC In Fight Over Grid Tariff Change

LAW FIRMS IN TODAY'S NEWS

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Debevoise & Plimpton
Edelson Lechtzin
Engleman Fallon
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Fennemore Craig
Friedman Oster
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Giffen & Kaminski
Gunderson Palmer
Harris Wiltshire
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Ifrah Law
Jenner & Block
Kaskela Law
Keller Rohrback
Law Office of Bryan L. Sells
Levi & Korsinsky
Lieff Cabraser
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Manatt Phelps
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McNees Wallace
Meland Budwick
Norman Hanson DeTroy
Orrick Herrington
Parsons Behle
Potter Anderson
Quinn Emanuel

The D.C. Circuit backed the Federal Energy Regulatory Commission's approval of a regional grid operator's tariff shift governing certain grid projects, rejecting challenges from an independent transmission developer and industrial electricity consumers.

2 documents attached | Read full article »

Filed-Rate Doctrine Dooms ComEd Bribery Suits At 7th Circ.

The Seventh Circuit on Monday affirmed the dismissal of customers' racketeering claims against Commonwealth Edison for paying bribes to secure favorable energy legislation in Illinois, saying that allowing those claims to move forward would inevitably require a court to adjust electricity rates filed with regulators.

Opinion attached | Read full article »

Judge Tosses Newark Residents' Power Line Suit For Good

A New Jersey federal judge has permanently dismissed a proposed class action filed by Newark residents challenging the installation of 65-foot power lines in the historic district of Forest Hill, ruling that the residents' constitutional due process rights weren't violated.

Opinion attached | Read full article »

NJ Judge Says Hexcel Pollution Suit Barred By Agreement

Hexcel Corp. and another entity have toppled a New Jersey lawsuit from the state Department of Environmental Protection seeking natural resource damages over groundwater contamination at a chemical manufacturing facility, with a judge terminating the case as being off-limits due to a prior Superfund-related settlement.

Decision attached | Read full article »

9th Circ. Won't Revisit Ruling Against Ariz. Copper Mine

The full Ninth Circuit has rejected Rosemont Copper Co.'s bid for a rehearing after the Hudbay Minerals Inc. subsidiary asked the appellate court to reconsider a decision nixing the company's plans for a proposed copper mine waste site in Arizona.

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HEALTH & LIFE SCIENCES

Ohio AG Says Dobbs Ends Abortion Clinic Licensing Suit

Ohio Attorney General Dave Yost has shot back at claims by abortion clinics that the state's licensing rules are unconstitutionally onerous, arguing the U.S. Supreme Court's takedown of Roe v. Wade gave the state wider

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Earthjustice
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Hexcel Corp.
Hudbay Minerals Inc.
Inovalon Holdings Inc.
Judicial Watch Inc.
LS Power
La Jolla Pharmaceutical Co.
Mazars LLP
Miami Herald Media Co.
Midcontinent Independent System Operator Inc.
NBCUniversal Media LLC
National Association of Broadcasters
National Association of Realtors
National Federation of Independent Business
National Retail Federation Inc.
Native American Rights Fund Inc.
Nektar Therapeutics

latitude to regulate abortion, rendering the clinics' lawsuit untenable.

Motion attached | Read full article »

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2 documents attached | Read full article »

EMPLOYMENT & BENEFITS

DOL Asks Court To Kill Industry Group's ERISA Guidance Suit

The U.S. Department of Labor told a Florida federal court that a challenge to agency guidance about ERISA fiduciary standards brought by the American Securities Association should go no further, arguing that the trade group is trying to illegitimately alter its complaint.

Response attached | Read full article »

Calif. Seeks To Revive 'Women On Boards' Law During Appeal

California's secretary of state asked a state court judge Monday to pause her order enjoining a state law requiring publicly held corporations to appoint women on boards, arguing the injunction will affect reporting procedures and change the status quo in ways that "can't be undone with the stroke of a keyboard."

Read full article »

Conn. Criminal Justice Body Avoids Atty's Bias Suit For Now

A Connecticut federal judge has dismissed a discrimination suit against the state's Criminal Justice Commission by a senior assistant state's attorney who alleged he missed out on various high-ranking state's attorney positions because of his age.

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Pandemic Wage-Fixing Trial Is Pushed To December

A federal judge in Maine pushed back a slated trial over objections from the government in a criminal case accusing operators of several home health care agencies of conspiring to fix pay rates to avoid competing with each other for workers during the pandemic.

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Santander Consumer USA Inc.
Strategic Value Partners LLC
Tesla Inc.
Texas Medical Association
The E.W. Scripps Company
The ERISA Industry Committee
The Goldman Sachs Group Inc.
The New York Times Co.
TransDigm Group Inc.
Trump Organization Inc.
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University of Virginia
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California Attorney General's Office
California Department of Justice
California Secretary of State
California Supreme Court
Connecticut Department of Banking
Consumer Financial Protection Bureau
Delaware Court of Chancery
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Financial Crimes Enforcement Network
Fish and Wildlife Service
Idaho Department of Finance

Feds Call To Merge Suits Over Plywood Evasion Findings

The federal government is seeking to roll up three suits over U.S. Customs and Border Protection determinations that plywood importers tried to avoid tariffs on Chinese boards by importing them through Vietnam, saying consolidation will avoid complications later on.

2 documents attached | Read full article »

WHITE COLLAR

Q&A

Getting To Know The Mass. AG Hopefuls: Quentin Palfrey

A veteran of the Massachusetts attorney general's office and both the Obama and Biden White Houses, Quentin Palfrey is one of three candidates seeking to capture the Democratic nomination for state AG during the Sept. 6 primary.

Read full article »

10th Circ. Flips Ruling Against Ponzi Schemer's Ex-Employee

A former employee of a convicted Ponzi schemer in Utah did not derive any inappropriate benefit from money that the investor paid him in wages or from work done to make his house accessible for his disabled wife, a Tenth Circuit panel ruled on Monday.

Opinion attached | Read full article »

NATIVE AMERICAN

SD County Digs In Heels, Says Tribe's Voting Suit Is Moot

A South Dakota county told to revise its electoral map to protect Native American voting rights is fighting back, saying immediate action is unnecessary because a proposed change would let the Lower Brule Sioux Tribe elect its preferred candidates within two years.

2 documents attached | Read full article »

TELECOMMUNICATIONS

Top Cable Industry Lobbyist Stepping Down

A key lobbyist for independent cable and broadband providers plans to step down from his role at the end of August after more than 15 years.

Read full article »

State Broadcaster Groups Claim FCC Fees Hurt Industry

Broadcasters at the state level told the Federal Communications Commission that regulatory fees the FCC wants to charge their members are "unsustainable" and, combined with thin margins, are driving some stations out of the market.

Illinois Environmental Protection Agency
Internal Revenue Service
National Transportation Safety Board
Nebraska Attorney General's Office
New Jersey Attorney General's Office
New Jersey Department of Environmental Protection
New Jersey Supreme Court
New York Department of Financial Services
Occupational Safety and Health Administration
Ohio Attorney General's Office
Pennsylvania Public Utility Commission
Solicitors Regulation Authority
U.S. Air Force
U.S. Army
U.S. Attorney's Office
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Federal Circuit
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U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Customs and Border Protection
U.S. Department of Commerce
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the District of Columbia

Letter attached | Read full article »

CANNABIS

DC Cannabis Lobby Taps Curaleaf Exec As New CEO

Cannabis industry lobbying group U.S. Cannabis Council has tapped an executive at multistate giant Curaleaf to be its next CEO, the organization announced Friday.

Read full article »

Ark. Justices To Let Anti-Pot Group Intervene In Ballot Battle

The Arkansas Supreme Court is allowing an anti-cannabis legalization group to intervene in a suit challenging the state Board of Elections' decision not to certify a ballot question to legalize cannabis for recreational use.

3 documents attached | Read full article »

Neb. Medical Pot Legalization Effort Fails To Qualify For Ballot

Two proposals to legalize medical marijuana in Nebraska failed to secure the required number of signatures and won't appear on the November ballot, state officials said Monday.

Read full article »

EXPERT ANALYSIS

HUD Chicago Finding Reflects Biden's Enviro Agenda

A recent final finding issued by the U.S. Department of Housing and Urban Development regarding relocation of a Chicago recycling facility illustrates how leveraging nonenvironmental statutes to force change and address environmental justice issues can work in practice, say J. Michael Showalter and Samuel Rasche at ArentFox Schiff.

Read full article »

Crypto Money Transmitters Must Beware Regulatory Scrutiny

A recent Connecticut advisory on unlicensed money transmissions is part of a broader state and federal enforcement trend and should warn digital asset transmitters that regulators are watching and pursuing heavy fines, and prosecutors may seek criminal charges, for licensure or anti-money laundering program deficiencies, say attorneys at Ballard Spahr.

Read full article »

A Cautionary Tale On Diversity Jurisdiction From The 6th Circ.

The Sixth Circuit's recent opinion in Akno 1010 Market St. v. Pourtaghi highlights the importance of properly establishing citizenship of all parties before filing a federal lawsuit under diversity jurisdiction rules, and shows how overlooking jurisdiction issues could undo years of litigation, say Lauren Snyder and Charles Loeser at Harris Wiltshire.

Opinion attached | Read full article »

U.S. District Court for the District of Connecticut
U.S. District Court for the District of Maine
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Western District of Louisiana
U.S. District Court for the Western District of Michigan
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency
U.S. Forest Service
U.S. General Services Administration
U.S. House of Representatives
U.S. Navy
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of South Dakota
United States District Court for the Northern District of Ohio
United States District Court for the Southern District of Ohio

LEGAL INDUSTRY

'Grizzly Scouts' Member Linked To Court Killing Gets 10 Years

A California federal judge sentenced a "Grizzly Scouts" militia member Monday to 10 years for sexually enticing a minor and six months for obstructing an investigation into the killing of a Federal Protective Service security guard outside a district courthouse, while acknowledging that six months for obstruction seems too low.

Read full article »

Boies Conflict Letter In FirstEnergy Case Released By Judge

An Ohio federal judge on Monday rebuffed accusations that he improperly withheld documents from lawyers involved in a lawsuit revolving around a FirstEnergy Corp.
bribery scandal, saying that his battle with COVID-19 prevented him from revealing that Boies Schiller Flexner LLP withdrew its request to take over the case due to a possible conflict.

Read full article »

Twitter Founder Drawn Into Del. Fight Over $44B Musk Deal

Twitter Inc. founder Jack Dorsey was swept up Monday in the tidal wave of subpoenas triggered by Elon Musk's attempted breakout from a $44 billion offer to buy the social media company, with Delaware's Court of Chancery now planning an argument on a separate discovery dispute.

Read full article »

Zillow Says Antitrust Foe Didn't Preserve Workers' Laptops

Zillow has accused REX-Real Estate Exchange of failing its discovery obligations, asserting that the brokerage firm gave away laptops as "severance" when hemorrhaging workers as part of a business nosedive allegedly triggered by anti-competitive National Association of Realtors listing services rules.

Read full article »

SRA Floats Changes To Fines For Law Firms And Attys

The Solicitors Regulation Authority laid out plans Monday to change its approach to fining law firms and attorneys as it looks to resolve cases more quickly and reduce costs, including setting fixed fines for low-level misconduct and tying other penalties to firm income.

Read full article »

[redacted]

Criminal Barristers Vote For Indefinite Strike Over Pay

The Criminal Bar Association said Monday that its members have voted to stage an indefinite, uninterrupted walkout because long-standing grievances with the government over pay for legal aid work remain unaddressed.

Read full article »

Catching Up With Delaware's Chancery Court

Shareholders of Santander Consumer USA, La Jolla Pharmaceutical, Nektar Therapeutics and Inovalon Holdings filed new suits in Delaware's Court of Chancery last week, and attorneys for billionaire Elon Musk and Twitter Inc. deforested a small hillside to document an increasing number of discovery disputes.

Read full article »

JOBS

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SUBJECT: Morning Consult Health: Fauci to Retire This Year
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 23/08/2022 06:05

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 23, 2022

BY MATT BRACKEN

Twitter Email

[redacted]

TODAY'S TOP NEWS

- Dr. Anthony Fauci, head of the National Institute of Allergy and Infectious Diseases and President Joe Biden's chief medical adviser, said he will leave the federal government in December, ending a nearly four-decade tenure that saw him serve as the public face of the country's responses to COVID-19, AIDS, Ebola, Zika and other infections. Fauci, 81, said he's stepping down in good health and is looking forward to being "able to do something else on the next stage or a few years of my career," while Republicans were quick to say they'd call him back to Capitol Hill for congressional testimony should they reclaim the majority in the midterm elections. (Politico)

- The Food and Drug Administration will consider a new request from Pfizer Inc. and BioNTech SE to grant emergency use authorization for the drugmakers' reformulated COVID-19 booster targeting the BA.5 omicron variant, with a decision following data review expected sometime next month. (NBC News) The Centers for Disease Control and Prevention cleared Novavax Inc.'s protein-based COVID-19 vaccine for use in children ages 12 to 17, following FDA authorization for the shot last week. (Reuters)

- Researchers in Beijing found that the incubation period for COVID-19 has shortened with each subsequent variant, with data showing an average of five days for an alpha infection compared to 3.42 days with omicron. The study, published in the JAMA Network Open journal, also noted that the COVID-19 incubation period is longer than other notable respiratory viral infections, and that prolonged internal replication before the onset of symptoms makes it more difficult to stop the infection. (Bloomberg)

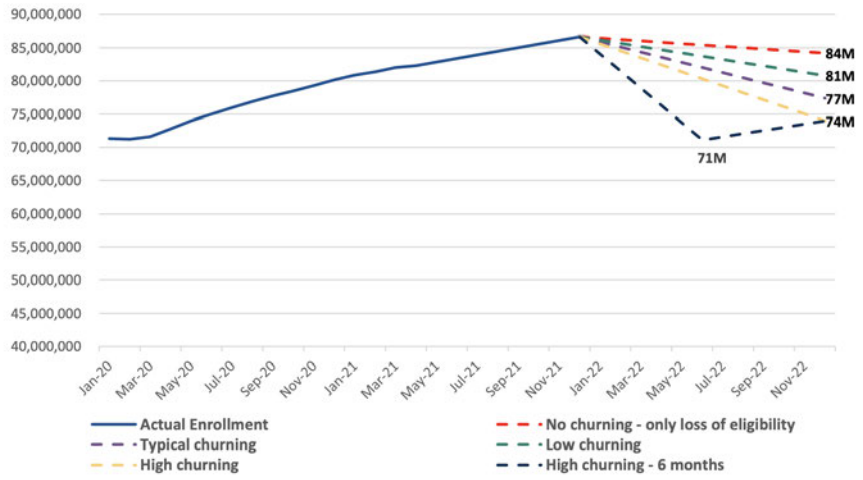
- The CDC released data showing that life expectancy in all 50 states and Washington, D.C. declined from 2019 to 2020, a fact primarily attributable to the onset of the COVID-19 pandemic and "unintentional injuries" like drug overdoses. Life expectancy for the country overall during that period was 77.0 years, down 1.8 years, while Southern states tended to have the lowest levels of life expectancy and states in the Northeast and West typically fared best. (ABC News)

CHART REVIEW

Unwinding the Medicaid Continuous Enrollment Provision: Projected Enrollment Effects and Policy Approaches

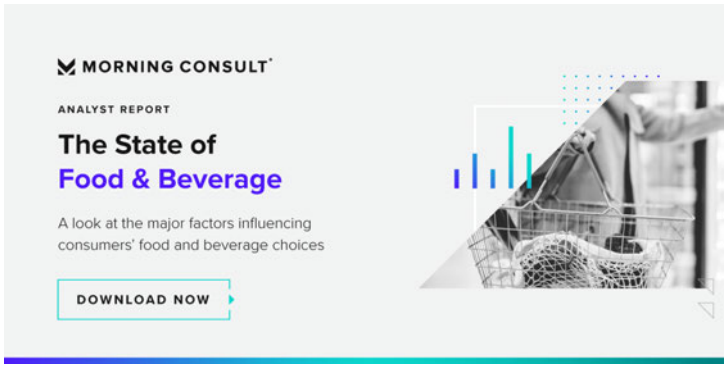
Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services

Figure 2. Projected Medicaid Coverage Loss During 12 Months of 2022 Under Alternative Assumptions About Rates of Administrative Churning



Source: Analysis of SIPP treating March 2015-Nov. 2016 as analogous to March 2020-Dec. 2021 PHE, among enrollees ever-enrolled in Medicaid during the 21-month period. New monthly Medicaid enrollment in 2021 based on monthly enrollment January-April 2021.

A MESSAGE FROM MORNING CONSULT



The State of Food and Beverage: August 2022

Cost pressures brought on by inflation are trickling into many consumers' decisions, from where to source groceries to when to cook meals at home.

Morning Consult's semiannual State of Food & Beverage report tracks evolving consumer behaviors in the food & beverage sector and what they mean for the future of the industry. Download the report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Your first brush with coronavirus could affect how a fall booster works

Carolyn Y. Johnson, The Washington Post

As omicron-specific boosters near, scientists debate how 'original antigenic sin' will influence immune responses.

Cognitive rehab may help clear covid-related brain fog in older adults

Judith Graham, The Washington Post

In a recent development, some medical centers are offering cognitive rehabilitation to patients with long covid (symptoms that persist several months or longer after an infection that can't be explained by other medical conditions). According to the Centers for Disease Control and Prevention, about 1 in 4 older adults who survive covid-19 have at least one persistent symptom.

Scientists developing home tests that measure protection against Covid-19

Edward Chen, Stat News

A new study, published Monday in Cell Reports Methods, presents a simple test to detect neutralizing antibodies against SARS-CoV-2, using little more than a finger prick and a testing cartridge. The approach, if it bears out in large-scale testing and receives the blessing of regulatory agencies, could one day offer a cheap, easy option to measure protection against the virus.

Republicans vow to keep investigating Fauci after he leaves government

Emily Brooks, The Hill

"Retirement can't shield Dr. Fauci from congressional oversight," House Oversight and Reform Committee ranking member James Comer (R-Ky.) said in a statement. Comer would likely become the chair of the committee in a Republican majority.

Walmart Beats Suit Over Refusal to Fill Ivermectin Prescription

Mary Anne Pazanowski, Bloomberg Law

Walmart Inc. escaped a lawsuit over its refusal to fill prescriptions for controversial Covid-19 treatments, as a federal court in Minnesota said health-care providers have no legal obligation to provide any and all treatments demanded by patients.

GENERAL

More trigger bans loom as 1 in 3 women lose most abortion access post-Roe

Katie Shepherd et al., The Washington Post

Two months after the Supreme Court overturned Roe v. Wade, about 20.9 million women have lost access to nearly all elective abortions in their home states, and a slate of strict new trigger laws expected to take effect in the coming days will shut out even more.

U.S. plan to stretch monkeypox vaccine supply runs into problems

Helen Branswell and Theresa Gaffney, Stat News

The Biden administration's plan to stretch supplies of monkeypox vaccine by giving people fractional doses of the product is running into problems, with some local health officials saying they are unable to extract the targeted number of doses from vials.

Idaho Lawmakers Walk Back Abortion Crackdown to Assuage US Judge

Joel Rosenblatt, Bloomberg

Idaho lawmakers offered to revise a plan to prosecute doctors for performing abortions to allow emergency health exceptions after a judge said the state's strict enforcement may run afoul of federal law.

Even After Recount, Anti-Abortion Activists Will Keep Fighting Kansas Vote Results

Kelsey Butler, Bloomberg

Anti-abortion activists are calling for a second recount in a Kansas election that saw voters resoundingly reject an effort to allow new restrictions on abortion access. The move comes amid baseless conspiracy theories over voter fraud and underscores a growing

movement on the right for election deniers to challenge results they don't agree with.

Polio Vaccines Are Urged in New York as Once-Defeated Virus Lurks

Brianna Abbott, The Wall Street Journal

Health officials said they have sent alerts to healthcare providers, hung fliers in houses of worship, grocery stores and summer camps, and talked with community leaders to boost polio vaccination rates in the greater New York City area. Some places including Rockland and Orange counties have polio vaccination rates around 60% among eligible children, compared with a national rate of around 93%, according to federal data.

Zapping the brain with electricity boosts older people's memory

Megan Molteni, Stat News

Sending weak electrical current into the brain for 20 minutes a day for four days in a row reversed declines in working and long-term memory that come with aging, scientists reported Monday in Nature Neuroscience. The researchers found that the effects lingered even after the electricity was turned off. When they tested subjects a month later, many of the improvements from the brief sessions of brain stimulation remained.

The Preventable Tragedy of Polio in New York

Dhruv Khullar, The New Yorker

Polio is one of the few diseases that can be eradicated—but faltering vaccination rates could undo years of hard-won global progress.

For CDC, monkeypox prevention focus remains on vaccines

Ariel Cohen, Roll Call

While the Centers for Disease Control and Prevention has urged LGBTQ men to limit their sexual partners during this outbreak, the preponderance of its public-facing messaging has focused on vaccine acquisitions and where to get the shots, not prevention.

About half of men who have sex with men reduced sexual activity due to monkeypox: survey *Joseph Choi, The Hill*

Roughly half of men who have sex with men have reported reducing their number of sexual partners and encounters in response to the monkeypox outbreak, according to a survey released on Monday by the Centers for Disease Control and Prevention (CDC).

Overlapping emergencies strain the nation's public health workforce and threaten critical vaccination campaigns

Brenda Goodman, CNN

Health officials are banking on vaccinations to contain monkeypox and polio before those become standing threats in the United States. They're counting on updated boosters to restore waning immunity against Covid-19. With influenza expected back in the US this fall, flu shots could be critical to prevent severe illness and keep hospitals from becoming overwhelmed.

California Wants to Snip Costs for Vasectomies and Condoms

Rachel Bluth, Kaiser Health News

California lawmakers are now considering a bill that would expand that requirement to male sterilization and non-prescription birth control, including condoms and contraceptive sponges. If the Contraceptive Equity Act of 2022 passes, commercial insurance plans regulated by the state won't be allowed to impose out-of-pocket costs, like copays, coinsurance, and deductibles, on those modes of birth control.

A Teen's Journey Into the Internet's Darkness and Back Again

Matt Richtel, The New York Times

As anxiety and depression soar among adolescents, researchers struggle to understand how exactly social media affects mental health.

PAYERS

Wyden Seeks Info on Questionable Medicare Marketing Activity

Tony Pugh, Bloomberg Law

A rising number of complaints have prompted Senate Finance Committee Chairman Ron Wyden to seek information about "potentially deceptive" marketing tactics of Medicare prescription drug plans and private Medicare managed care plans.

State Medicaid Programs Pushed on Nursing Home Quality, Safety

Tony Pugh, Bloomberg Law

The Biden administration issued guidance urging states to tie Medicaid nursing home payments to quality measures in order to improve safety and quality of care and ensure that facilities are properly staffed and resourced.

Abortion Bans Trip Over States' Past Efforts to Fight Obamacare

Alex Ebert, Bloomberg Law

State constitutional amendments fueled by a backlash against the Affordable Care Act are now forcing courts to confront the very meaning of "health care" where abortion is against the law.

Insurtech shift focus to near-term profitability

Nona Tepper, Modern Healthcare

This time last year, a gaggle of buzzy health insurance startups justified big investments as key to their aggressive growth plans. Now, these same companies are pulling back and instead pursuing a novel business strategy: earning profits.

PROVIDERS

States Get $25 Million to Expand Access to Home Health Services

Bloomberg Law

The Department of Health and Human Services awarded approximately $25 million in planning grants through the Centers for Medicare & Medicaid Services to five states and territories to expand home and community-based services access with Medicaid's Money Follows the Person demonstration program, the HHS said Monday.

CommonSpirit to launch nation's largest nursing residency program

Alex Kacik, Modern Healthcare

In his first weeks as CEO of CommonSpirit Health, Wright Lassiter is focusing on a few key priorities he says will help the largest not-for-profit system in the country navigate a post-COVID world.

PHARMA, BIOTECH AND DEVICES

Guidance on Charging for Unapproved Drugs Undergoes Update

Jeannie Baumann, Bloomberg Law

Drug companies and researchers looking to charge for investigational medications at cost will have more direction from US regulators on how to submit their paperwork.

Gilead, Cipla Lose Bid to End Health Plan's Suit Over HIV Drugs

Mike Leonard, Bloomberg Law

Gilead Sciences Inc. and Cipla Ltd. must face antitrust litigation over their alleged scheme to delay generic versions of Gilead's blockbuster HIV drugs through illegal patent settlements, a federal judge in Oakland, Calif., ruled, though he did trim part of the case.

Medtronic's New Legal Chief Got $11.7 Million After 3M Departure

Tiana Headley, Bloomberg Law

Ivan Fong, the top lawyer at medical device company Medtronic Plc, had a pay package valued at more than $11.7 million in his first year on the job.

Major Indian generic drugmaker closes a U.S. facility after years of manufacturing problems

Ed Silverman, Stat News

After a decade of manufacturing problems, a U.S. federal court ordered a unit of Wockhardt, one of the largest makers of generic drugs, to refrain from making allegedly adulterated medicines at a facility in Illinois. However, the U.S. subsidiary, Morton Grove Pharmaceuticals, recently decided to discontinue operations at the site, according to court documents.

Lifesaving cancer treatment out of reach for rural people

Debby Waldman, NBC News

CAR T-cell therapy eradicates cancer in some patients but remains inaccessible to people who live far from major cities with transplant centers.

Faster approval route sparks investment in rare kidney disease treatments

Isabella Cueto, Stat News

Recent years have seen a surge of research into rarer forms of kidney disease, with drug companies, regulators, and researchers alike hunting for ways to help patients who have few options.

HEALTH TECHNOLOGY

In early research, an AI model detects signs of Parkinson's using breathing patterns

Casey Ross, Stat News

The paper by researchers at the Massachusetts Institute of Technology and several other institutions describes an artificial intelligence tool that can analyze changes in nighttime breathing to

detect and track the progression of disease, which causes tremors and other serious issues with movement.

Anomaly rolls out AI tech to predict insurance claims denials

Heather Landi, Fierce Healthcare

Anomaly, a startup using artificial intelligence to streamline the healthcare billing and payments process, developed a tech solution to tackle this problem. The company's AI technology, called smart response, gives providers a real-time response predicting actionable denials and payment amounts—so providers can correct and avoid denials before they occur.

OPINIONS, EDITORIALS AND PERSPECTIVES

China Should Rejoin the U.S. in the Opioid Crisis

Rahul Gupta, The Wall Street Journal

As a physician, I have treated people poisoned by these drugs in half a dozen states over the past 25 years. While clandestinely produced drugs such as fentanyl hardly ever leave China in their final form, precursor chemicals for these drugs often are imported by criminals from China to Mexico, where lethal synthetic drugs are produced and trafficked to countries across the globe, including the U.S.

The Biden administration needs to curtail crisis pregnancy centers

Susannah Baruch, Stat News

Although crisis pregnancy centers have been in operation for decades, they are now a particular threat to the work currently underway to ensure abortion access post-Dobbs.

Drug pricing reforms can hurt innovation. Here are 3 ways to prevent that.

Caleb Watney and Heidi Williams, The Washington Post

Giving billions of dollars in government prize money to drug companies might sound like an idea from the pharmaceutical industry. In fact, it was a sweeping 2013 proposal from Sen. Bernie Sanders (I-Vt.) using "innovation prizes" to put the cures of tomorrow and affordability of drugs today on equal footing.

RESEARCH REPORTS

Marijuana and hallucinogen use among young adults reached all-time high in 2021

[redacted]

National Institutes of Health

Marijuana and hallucinogen use in the past year reported by young adults 19 to 30 years old increased significantly in 2021 compared to five and 10 years ago, reaching historic highs in this age group since 1988, according to the Monitoring the Future (MTF) panel study. Rates of past-month nicotine vaping, which have been gradually increasing in young adults for the past four years, also continued their general upward trend in 2021, despite leveling off in 2020. Past-month marijuana vaping, which had significantly decreased in 2020, rebounded to pre-pandemic levels in 2021.

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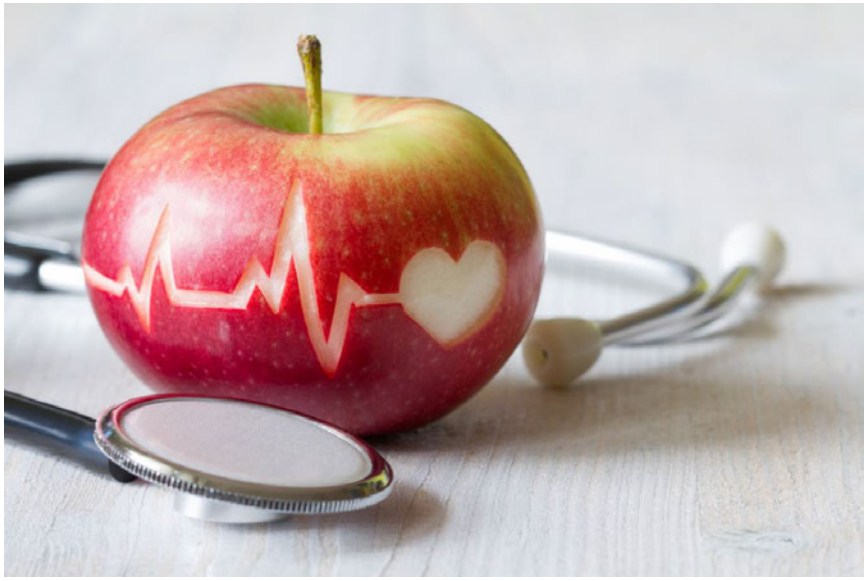
SUBJECT: August 23rd Wellness and Prevention Digest
FROM: Trust for America's Health <info@tfah.org>
TO: hborski@utah.gov
DATE: 23/08/2022 08:16

Wellness and Prevention Digest

TODAY'S NEWS - August 23rd, 2022



Reports and Announcements

- Today, the Task Force on Hunger, Nutrition, and Health (Task Force) — an independent group of national leaders and experts convened by the Chicago Council on Global Affairs, Food Systems for the Future, the Friedman School of Nutrition Science and Policy at Tufts University, and World Central Kitchen — publicly released its comprehensive Report to inform the upcoming White House Conference on Hunger, Nutrition, and Health. On Wednesday, Aug. 31, the Task Force Co-Chairs will host a public webinar on the Report and its critical recommendations – register here.

[redacted]

- Earlier this month the, Centers for Disease Control and Prevention (CDC) and the Agency for Toxic Substances and Disease Registry (ATSDR), in partnership with the Department of Health and Human Services released the Environmental Justice Index (EJI). The EJI uses data from the U.S. Census Bureau, the U.S. Environmental Protection Agency, the U.S. Mine Safety and Health Administration, and the U.S. Centers for Disease Control and Prevention to rank the cumulative impacts of environmental injustice on health for every census tract. Census tracts are subdivisions of counties for which the Census collects statistical data. The EJI ranks each tract on 36 environmental, social, and health factors and groups them into three overarching modules and ten different domains.

- The NICHM Foundation has published a new infographic which highlights the dangers of extreme heat, the relationship with the built environment, ways for individuals to protect themselves, and solutions to promote heat mitigation and management.

Events

- The National Foundation for Infectious Diseases (NFID) is hosting two upcoming webinars:

    - Monkeypox Updates, August 24th: Join NFID for a discussion on the recent monkeypox outbreak in the US. Speakers will discuss the public health impacts of the disease along with prevention and treatment strategies.

    - The Benefits of Maternal Immunization: 2-For-1 Approach to Disease Prevention, August 30th: Join NFID and the American College of Obstetricians and Gynecologists (ACOG) for a discussion on the importance of maternal immunization in protecting both mother and baby. Speakers will discuss current US immunization recommendations for pregnant women and best practices for making strong vaccine recommendations.

- An ad hoc committee formed by the National Academies of Sciences, Engineering, and Medicine will host a public webinar on September 9th and invites public input on federal policies that contribute to racial and ethnic health inequities, as well as potential solutions that could improve health equity. The committee is interested in hearing about lived experiences navigating federal programs and systems including barriers and solutions from community members and organizations.

- Join the Foundation for Social Connectedness for the 2022 End Social Isolation and Loneliness Action Forum from October 11th - 13th. This international three-day event aims to publicly raise the visibility of the social isolation and loneliness crisis, identify key innovations, promote federal and state policy solutions, and spur nationwide organizational commitments to action.

Take Action

- The Protecting the Health of America's Older Adults Act (H.R. 6302) would create a healthy aging program at CDC, including grants to states for public health approaches to healthy aging. A fact sheet to the bill, which includes a list of endorsing organizations, can be found here. To endorse the bill, fill out this form (no need to fill it in if your organization is already listed).

- The Improving Social Determinants of Health Act of 2021 (S. 104/H.R. 379) would create a SDOH program at CDC, including grants to states for a public health approach to SDOH. A fact sheet to the bill, which includes a list of endorsing organizations, can be found here. To endorse the bill, fill out this form (no need to fill it in if your organization is already listed).

Funding Opportunity

- Participation in the Healthy Brain Initiative (HBI) Road Map Strategists offers the opportunity for local health departments and community partners to establish their agencies as leaders in dementia and receive national recognition for their efforts to advance public health action on Alzheimer's disease. Up to eight Local health departments or tribal health organizations will receive direct funding, training, and technical assistance to establish a part-time HBI Road Map Strategist, a public health professional serving as a system change agent, and translating guidance from the State and Local Public Health Partnerships to Address Dementia, The 2018-2023 Road Map into action. Sponsored by the Alzheimer's Association and the National Association of County and City Health Officials (NACCHO), this 13-month initiative runs from October 2022 through November 2023. As the second cohort of this initiative, participants will have the opportunity to network with peers from across the country who have implemented projects on topics such as dementia early detection, risk reduction, caregiver health, workforce development, and surveillance. Applications are due September 9, 2022. Local health departments and tribal health organizations are encouraged to apply.

Internship Opportunity

- TFAH is currently seeking motivated undergraduate students, graduate students, or recent graduates for our Fall 2022 internship program (September 2022 – December 2022). Interns will have the opportunity to work and gain knowledge on a range of public health policy-related issues, develop workplace skills, and receive general professional development and mentorship opportunities. Internships will be available in the following areas: Communications and Policy Research, Government Relations, and Policy Development. For more information, please view the full posting here.

Opportunities and Deadlines

Sign On Documents and Opportunities for Input

- The Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act (S. 1658) would close the coverage gap in the Break Time for Nursing Mothers law, ensuring an additional 9 million women of childbearing age have the right to time and space to pump breast milk during the workday. Organizational are invited to sign on to a joint letter urging the Senate to pass the bill. Signers will be added on a rolling basis.

- The Centers for Disease Control and Prevention Hospitals Promoting Breastfeeding program helps fund critical initiatives to support breastfeeding families in hospitals, workplaces, and communities. Organizations are invited to sign on to a joint letter

urging policymakers to increase investments in this program in fiscal year 2023. Signers will be added on a rolling basis.

- USDA is interested in learning from stakeholders how we can better meet the needs of customers seeking kosher or halal foods through The Emergency Assistance Food Program (TEFAP). So far, USDA has held discussions with several advocacy organizations, 9 State Agencies, and food banks in those states that serve communities with kosher and/or halal food needs. USDA is reviewing the information gathered through these conversations to determine some actions and next steps we can take to better meet the needs of customers seeking kosher and halal foods. USDA is interested in feedback from States and food banks in all States and territories about how to best meet their customers' needs. Feedback can always be shared with your State Agency or sent to USDAFoods@usda.gov.

- Johns Hopkins Bloomberg School of Health and the de Beaumont Foundation recently released the report Seven Ways Business Can Align with Public Health for Bold Action and Innovation. To support collaboration between business and public health, the organizations are collecting endorsements and stories of alignment, which are reflections on how organizations are applying recommendations from the report as well as endorsements, which will be accepted on a rolling basis.

Funding Opportunities and Awards

- Applications are open for the de Beaumont Foundation's Modernized Anti-Racist Data Ecosystems (MADE) for Health Justice grant opportunity. The grants seek to accelerate the development of health-focused local data ecosystems that center principles of anti-racism, equity, justice, and community power. Through MADE for Health Justice, non-profit organizations will be funded to build and facilitate multi sector teams tasked with creating local data ecosystems. These ecosystems must focus on improving community health, connecting data across multiple sectors of local government, prioritizing the needs and voices of communities oppressed by structural racism, and ultimately driving just and equity-centered decision making. The deadline to apply is August 31st.

- Participation in the Healthy Brain Initiative (HBI) Road Map Strategists offers the opportunity for local health departments and community partners to establish their agencies as leaders in dementia and receive national recognition for their efforts to advance public health action on Alzheimer's disease. Up to eight Local health departments or tribal health organizations will receive direct funding, training, and technical assistance to establish a part-time HBI Road Map Strategist, a public health professional serving as a system change agent, and translating guidance from the State and Local Public Health Partnerships to Address Dementia, The 2018-2023 Road Map into action. Sponsored by the Alzheimer's Association and the National Association of County and City Health Officials (NACCHO), this 13-month initiative runs from October 2022 through November 2023. As the second cohort of this initiative, participants will have the opportunity to network with peers from across the country who have implemented projects on topics such as dementia early detection, risk reduction, caregiver health, workforce development, and surveillance. Applications are due September 9, 2022. Local health departments and tribal health organizations are encouraged to apply.

- The Presidential Advisory Council on Combating Antibiotic-Resistant Bacteria (PACCARB) is currently soliciting nominations to fill 16 upcoming openings on the Council. Nine of the openings are for Voting member positions and seven are for Non-Voting Liaison positions. Interested parties can find the online application as well as additional details about the Council and nomination process on the PACCARB homepage. Deadline, September 12th.

- NIH's Office of Nutrition Research (ONR) has issued the notice of special interest (NOSI) Stimulating Research to Understand and Address Hunger, Food and Nutrition Insecurity. The purpose of this NOSI is to encourage research on the efficacy of interventions that address nutrition security and the mechanisms of food insecurity on a variety of health outcomes. It also calls for the development of new measures for nutrition security and assessment of food insecurity that are broadly applicable. It was developed by the ONR Implementation Working Group on Nutrition and Health Disparities in collaboration with NIH Institutes and Centers (ICs) and Offices in support of the goals and objectives of the Strategic Plan for NIH Nutrition Research. Deadline, October 5th.

- Healthy Eating Research, a national program of the Robert Wood Johnson Foundation, is funding research focused on how pandemic-driven social and economic programs and policies related to poverty reduction impact child obesity, diet quality, and food and nutrition security. Applications are open at this link with an October 12th deadline.

- The PHS Commissioned Officers Foundation (COF) for the Advancement of Public Health have announced the 2023 Barclay-Giel Seed Grants opportunity. Any 501c3 non-profit or local/state/tribe/tribal organization with a focus on public health. Grants will be open to all areas of public health, with the Surgeon General's Priorities of special interest. Specific topics of interest related to the COVID-19 pandemic include health misinformation, health worker burnout, and youth mental health. The application period will be September 8th - November 3rd, with awards being announced in February 2023.

- CDC's National Center for Injury Prevention and Control (NCIPC) is accepting applications for Injury Control Research Center (ICRC) grants. The ICRCs support NCIPC's priorities and mission through high-quality research, training, and outreach, as well as effective translation of scientific discoveries into practice for the prevention and control of injuries and violence. The application deadline is January 6th, 2023.

- The Center for Science in the Public Interest's (CSPI's) first round of grantmaking for 2022 is now open. CSPI seeks to support communities as they explore local, state, and federal policy interventions to elicit systemic change and advance a just and equitable food environment. CSPI is focused on identifying strategies and passing policies aimed at increasing purchasing power for, and access to, nutritious food that meets people's needs, supporting a healthier food environment, and reducing health disparities across demographic groups. Several opportunities are currently open, with details available here.

- Evidence for Action's released an open and rolling call for proposals, Innovative Research to Advance Racial Equity. Through this CFP they seek to fund researchers, practitioners, community leaders, advocates, policymakers, and/or other stakeholders to investigate the impacts of various social interventions on health and racial equity outcomes. They are interested in projects that develop and disseminate evidence

about what works to advance racial equity and improve health and well-being outcomes for people and communities of color.

Other

- The National Headache Foundation (NHF) encourages physicians, physician assistants and nurse practitioners to help their patients experiencing headache and migraine issues by earning its Certificate of Added Qualification in Headache Medicine (AQH). The deadline for applying to NHF to take the certification exam is Aug. 23, and the Fall exam will be administered online in September. Qualifications for the AQH exam have been expanded to reflect the increased patient incidence of headache and migraine disorders and to encourage caregivers serving our nation's Veterans to become AQH certified. For more details and to register for the Fall AQH exam – https://headaches.org/aqh/

- Learn how your health department can protect workers and diners from COVID-19 with a new, video-based, interactive training developed by the Public Health Foundation, in partnership with the Food and Society Program at the Aspen Institute. The training, Safety First: Helping Restaurants Reduce the Spread of COVID-19, is now available through the TRAIN Learning Network.

- The National Headache Foundation (NHF) launched Primary Care Migraine, a new educational training program available at no cost to health practitioners. The program was announced by Tom Dabertin, Executive Director and Chief Executive Officer of the National Headache Foundation. The course also offers a diagnosis tool to assist one in quickly diagnosing migraines while interviewing and examining patients.

- Prevent Blindness is seeking applicants for the A.S.P.E.C.T. (Advocacy, Support, Perspective, Empowerment, Communication, and Training) Program, which aims to equip participants with the knowledge, skills, and confidence to become advocates for vision and eye health- at the individual, peer-to-peer, community, state, or national levels via an 8-week educational series.

Upcoming Events

Today's Additions in Red

U.S. Success and Failure after 10 Years of PrEP: Where Do We Go from Here?
Sponsored by PrEp4All and Johns Hopkins University
Tuesday, August 23rd, 3:00 p.m. (ET)
For more information and to register

Healthy People 2030: Civic Engagement as a Social Determinant of Health
Wednesday, August 24th, 1:00 - 2:00 p.m. (ET)
For more information and to register

Best Practices in Developing Health Equity Objectives: The Key to Unlocking State and Federal-Level Funding
Sponsored by the HHS Office of Minority Health (OMH), in partnership with the National Association of State Offices of Minority Health (NASOMH) and the Association of State and Territorial Health Officials (ASTHO)
Wednesday, August 24th, 2:00 p.m. (ET)

[redacted]

Email here for registration

Voting and Health: Actions for Every Sector
Sponsored by the National Academies of Sciences, Engineering, and Medicine
Roundtable on Population Health Improvement
Wednesday, August 31st, 3:00 p.m. (ET)
For more information and to register

How Advocates Can Influence Healthcare to Advance Equity
Sponsored by Raising the Bar
Tuesday, September 13th, 2:00 p.m. (ET)
For more information and to register

Exploring the Power of Youth Leadership in Creating the Conditions for Health and Equity
Sponsored by the National Academies of Sciences, Engineering, and Medicine
Roundtable on Population Health Improvement
Monday, September 19th, 12:00 - 7:30 p.m. (ET)
For more information and to register

Models for Strategic Planning to Coordinate Equity Efforts
Sponsored by Raising the Bar
Thursday, September 29th, 1:30 p.m. (ET)
For more information and to register

SHIFT Summit
Sponsored by GP RED
October 17th - 20th
Fort Collins, CO
For more information and to register

SOPHE Advocacy Summit
October 21st - 24th
Washington, DC
For more information and to register

Informing Workplace Practices and Policies to Advance Equity
Sponsored by Raising the Bar
Monday, October 24th, 3:00 (ET)
For more information and to register

2022 Mom and Baby Action Network Summit
Sponsored by March of Dimes
October 24th - 25th
Atlanta, GA and virtual
For more information and to register

Community Benefit 101
Sponsored by Catholic Health Association
October 25th - 27th - virtual
For more information and to register

[redacted]

2022 AICR Research Conference
October 31st - November 2nd
Leesburg, VA and virtual
For more information and to register

My City My Health Conference
Sponsored by The Healthy Project
Friday, November 11 9:00 – 3:00 p.m. (CT)
For more information and to register

Active Living Conference
Sponsored by GP RED
March 13th - 16th, 2023
Bethesda, MD
For more information and to register

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SUBJECT: Starting Next Week! Two New Series on Adult Urology in Primary Care
FROM: ECHO Colorado <susan.stoveall@cuanschutz.edu>
TO: <hborski@utah.gov>
DATE: 23/08/2022 10:07

ADULT UROLOGY IN PRIMARY CARE

The Adult Urology in Primary Care ECHO series aim to give primary care physicians and providers the baseline knowledge and skills needed to assess and manage common, non-surgical, urologic conditions in adults. These two, new ECHO series serve as a virtual space where primary care providers and specialists can collaborate to increase access to care for patients with urologic conditions. ECHO participation will also enable connections between healthcare providers, maximizing patient evaluation and facilitating consultations and co-management among primary care providers and specialists.

Register for one or both series using the links below.

ADULT UROLOGY IN PRIMARY CARE
LEARNING CASE CONFERENCE

Sessions will include a didactic presentation by an expert, opportunities for Q&A with the expert and case-based discussions. ***Participants are highly encouraged to bring de-identified patient cases for group discussion and expert consultation.*** See below for topics covered in each block. Resources and referral information will be shared throughout the series.

AUDIENCE

Colorado prescribing providers working in adult primary care

SCHEDULE

Sessions held virtually every first Friday of the month
12:00 - 1:00 PM MT
First session September 2

BLOCK 1

The Urinalysis and Urine Culture in Urology:
Common Questions and Pathologies

Sept. 2: The Urinalysis

Oct. 7: Evaluation of Microscopic Hematuria - Review of the Updated AUA Risk-Stratified Guidelines

Nov. 4: Bacteriuria in Non-Pregnant Adults: How do we define and manage asymptomatic bacteriuria vs UTI

Watch for information about Blocks 2 and 3.

SIGN UP FOR BLOCK 1

ADULT UROLOGY IN PRIMARY CARE OFFICE HOURS

This is a new, monthly, free, drop-in opportunity designed for Colorado-based primary care providers (MD, DO, NP, PA, APP) to discuss urology topics of their choice and receive feedback from a urology specialist. This ongoing series will allow participants to share de-identified cases, including de-identified patient imaging, and ask questions for peer-to-peer and specialist consultation to support one another in patient diagnosis and management.

Read more about Office Hours.

AUDIENCE

Colorado prescribing providers working in adult primary care

SCHEDULE

Sessions held virtually every second Friday of the month
12:00 - 1:00 PM MT
First session September 9

Registered participants can attend sessions at any time.
Series ends June 9, 2023. No Office Hours April 14, 2023.

SIGN UP FOR OFFICE HOURS

The new Urology in Primary Care ECHO series are offered through a partnership with:
University of Colorado School of Medicine Division of Urology

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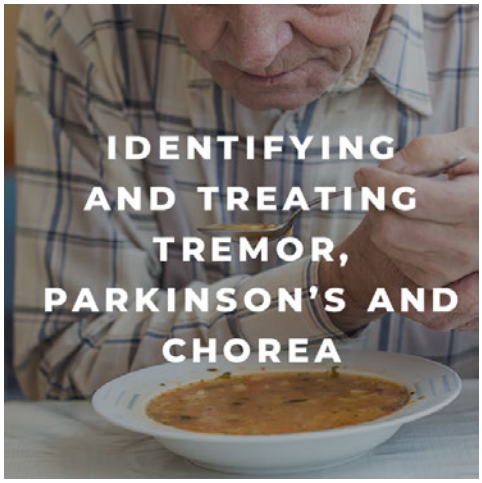
MORE UPCOMING ECHOS



EXTENSION FOR COMMUNITY HEALTH OUTCOMES | ECHOCOLORADO.ORG

Add us to your address book

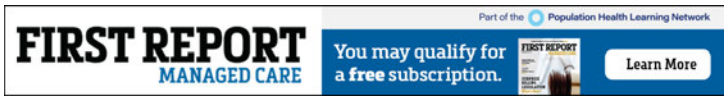
SUBJECT: Abortion Restrictions; Member Experience
FROM: First Report Managed Care <newsletter@firstreportnow.com>
TO: hborski@utah.gov
DATE: 23/08/2022 10:23

THE LATEST

Policies to Roll Back Abortion Rights Will Hit Incarcerated People Particularly Hard

By Carly Graf, Kaiser Health News

Abortion restrictions will disproportionately impact incarcerated women who are pregnant by exacerbating barriers to quality care, prison reform advocates say.



COMMENTARY

Three Insights From Trailblaze 2022: Member Experience Is About Humanization

By Icario Team

In this commentary, the Icario team shares advice on how to connect with members better, elevate their experience, and improve outcomes.

IN THE NEWS

Cognitive Deficits Contribute to Economic Burden of Multiple Sclerosis

By Samantha Matthews

California Bill Would Eliminate Out-of-Pocket Costs for Vasectomies, Condoms

By Rachel Bluth, Kaiser Health News

Rates of Prostate Cancer Mortality Highest Among Men of African Ancestry

By Jolynn Tumolo

POPHEALTH PERSPECTIVES

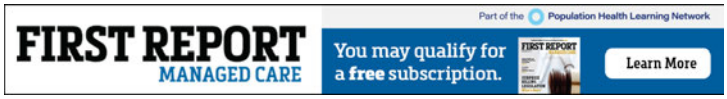
Inflation, Mobile Health's Impact on the Health Care

[redacted]

Industry

By Samantha Matthews

Keith Algozzine, founder and chief executive officer of UCM Digital Health, discusses how inflation is impacting the health care industry, areas of top concern, and how mobile health plays into the future of health care.



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SUBJECT: Re: Agenda for August 26
FROM: Kirk Benge <kbenge@tricountyhealth.com>
TO: "Tamara Hampton (DHHS)" <thampton@utah.gov>
CC: HL-HAC <hl-hac@utah.gov>, "Nathan Checketts (DHS)" <natechecketts@utah.gov>
DATE: 23/08/2022 11:08

HAC members,

Almost everyone accepted the calendar invite. Is everyone planning to attend in person? Please let Tamara and I know if you are NOT planning to attend in-person, so we can plan accordingly.

Additionally, I have a small reading assignment in preparation for our afternoon discussion. I've attached a brief history of public health in Utah, also available at https://health.utah.gov/wp-content/uploads/A-HISTORY-OF-PUBLIC-HEALTH-IN-UTAH.pdf
I recommend reading the entire document, but at the very least, reading the section titled "THE CHALLENGE - PUBLIC HEALTH VS POLITICS" which starts on page 3 would be beneficial in adding some historical context to our afternoon discussions.

Kirk Benge
Director / Health Officer
TriCounty Health Department
133 S. 500 E.
Vernal, UT 84078
435.247.1172

On Mon, Aug 22, 2022 at 10:56 AM Tamara Hampton (DHHS) <thampton@utah.gov> wrote:
Attached is the agenda for the August 26th Health Advisory Council meeting.

[redacted]

[redacted]

The meeting will be held at the Capitol Board Room, at the State Capitol.

If you have any questions, please let me know.

--

Tamara Hampton
Executive Assistant
DHHS Executive Director's Office
801-520-9445
thampton@utah.gov

Utah Department of Health & Human Services

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SUBJECT: RVPHTC August Update: PH WINS Assistance & New Blog Posts!
FROM: Region V Public Health Training Center <rvphtc@umich.edu>
TO: <hborski@utah.gov>
DATE: 23/08/2022 13:33

Public Health in Gear

A newsletter from the **Region V Public Health Training Center**

Updates

PH WINS Technical Assistance

[redacted]

Thank you for participating in the 2021 Public Health Workforce Interests and Needs Survey (PH WINS)! By now you should have received your individual agency or department coalition reports from the de Beaumont Foundation.

The Region V Public Health Training Center (RVPHTC) is available for additional no-cost technical assistance for agencies in IL, IN, MI, MN, OH, and WI to customize those reports to meet your needs. In partnership with the University of Minnesota Center for Public Health Systems, we can:

- Tabulate your data to examine crosstabs of interest
- Work with your state to compare to regional data
- Interpret your findings to inform a workforce development plan
- Curate or develop relevant trainings to meet your agency's identified needs

Please reach out to us at rv-phwins@umich.edu for additional information.

BLOG POSTS

FOUR COMMON MISCONCEPTIONS ABOUT ETHICS AND ETHICS COMMITTEES IN PUBLIC HEALTH

In the world of local public health, even well-intended, cost-effective, and legally sound initiatives can yield unintended consequences. Ethics committees and an established ethical reflection process can provide just the kind of guidance local health departments need.

This post comes from our partners at Grand Valley State University and the Kent County Health Department (MI).

Read Now

THE DIVIDED STATES OF HEALTHCARE IN POST-ROE AMERICA

The fall of Roe will sow further division in the nation's fragmented healthcare landscape and worsen health disparities... however, recent developments in medicine and technology may keep safe abortions within reach and spur innovative methods for overcoming abortion restrictions.

This post comes from a student in the RVPHTC field placement program.

Read Now

From Our Partners

SYSTEMS APPROACHES FOR HEALTHY COMMUNITIES

>From the University of Minnesota, Systems Approaches for Healthy Communities is a web-based, professional development program that promotes the integration of policy, systems, and environmental (PSE) change approaches with educational strategies. The program was designed for organizations* whose work focuses on health promotion, to help staff understand, reflect, and act on the many factors that influence whether individuals can easily make healthy choices.

**For those unable to participate with an organization, the program has been adapted for individual participation.*

Cost: $75 per individual participant or $4,000 for organizations with up to 200 participants

Participation in the course offers 5 hours of continuing education.

Learn More

PARTICIPATE IN NACCHO'S PROFILE STUDY TO BE A PART OF THE LOCAL PUBLIC HEALTH PICTURE

NACCHO's 2022 National Profile of Local Health Departments (Profile) Study is here! All local health officials across the nation received the survey via email, and we hope you will complete it promptly to help us create a comprehensive picture of the local governmental public health infrastructure. NACCHO's Profile Study is a vital source of information for public health policy at the local, state, and federal levels—especially as local health departments are being reshaped by many economic, social, and political forces. To view findings from previous iterations of the Profile Study, visit NACCHO's website at www.naccho.org/profile.

Let's Connect!

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: High Costs for Health Plans; Biomarker Testing
FROM: First Report Managed Care <newsletter@firstreportnow.com>
TO: hborski@utah.gov
DATE: 23/08/2022 14:56

[redacted]

FIRST REPORT
MANAGED CARE

THE LATEST

Alopecia Areata Associated With High Cost Burden for Health Plans, Adolescents

By Maria Asimopoulos

An analysis of real-world data revealed alopecia areata incurs a high burden for adolescent patients as well as health plans.

Advertisement

POPHEALTH PERSPECTIVES

Improving Biomarker Testing Rates in Metastatic Colorectal Cancer

By Maria Asimopoulos

Pashtoon Kasi, MD, MS, oncologist, director of colon cancer and liquid biopsy research, Weill Cornell Medicine, discusses why biomarker testing rates are low among patients with metastatic colon cancer, as well as what changes can be made to improve care.

IN THE NEWS

Policies to Roll Back Abortion Rights Will Hit Incarcerated People Particularly Hard

By Carly Graf, Kaiser Health News

California Bill Would Eliminate Out-of-Pocket Costs for Vasectomies, Condoms

By Rachel Bluth, Kaiser Health News

Cognitive Deficits Correlate With Economic Burden of Multiple Sclerosis

By Samantha Matthews

Advertisement

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Three Insights From Trailblaze 2022: Member Experience Is About Humanization

By Icario Team

In this commentary, the Icario team shares advice on how to connect with members better, elevate their experience, and improve outcomes.

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SUBJECT: Morning Consult Health: FDA to Authorize Omicron Boosters AroundLabor Day, Report Says
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 24/08/2022 06:09

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 24, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The Food and Drug Administration is eyeing authorization of the reformulated Pfizer Inc.-BioNTech SE and Moderna Inc. COVID-19 shots targeting the BA.4 and BA.5 omicron subvariants around Labor Day, according to two people familiar with the discussions, as the Biden administration readies its fall booster campaign for adults and teenagers. One source said the FDA will move forward on authorizing the vaccines without holding a meeting of the Vaccines and Related Biological Products Advisory Committee, while Centers for Disease Control and Prevention Director Rochelle Walensky could clear the updated shots soon after the Advisory Committee on Immunization Practices' meeting on Sept. 1-2. (NBC News)

- Pfizer said the COVID-19 vaccine it developed with BioNTech was 73% effective in protecting babies and toddlers amid omicron's spread between March and June. Per the study, there were 21 positive cases among the 351 children younger than 5 who received dummy shots, compared with 13 cases among 794 kids in the same age bracket who received three vaccine doses. (The Associated Press)

[redacted]

- Bavarian Nordic A/S Chief Executive Paul Chaplin said demand for the Danish drugmaker's monkeypox vaccine is "exceeding our ability to deliver," prompting the company to consider the use of doses that have technically expired. (Reuters) An Oxford University team known for conducting trials on four effective COVID-19 treatments is turning its attention to monkeypox, with plans to test whether SIGA Technologies Inc.'s Tpoxx drug is effective against the disease. (Reuters)

- AstraZeneca PLC CEO Pascal Soriot said in an interview that he "can't be sure" whether the British drugmaker will stay in the COVID-19 vaccine business, after its shot — which still hasn't been authorized by U.S. regulators — was mired in production delays, questions about its shelf life and rare instances of serious side effects. Soriot said AstraZeneca is continuing to grow its slate of antibody therapies, covering COVID-19, RSV and other viruses. (Reuters)

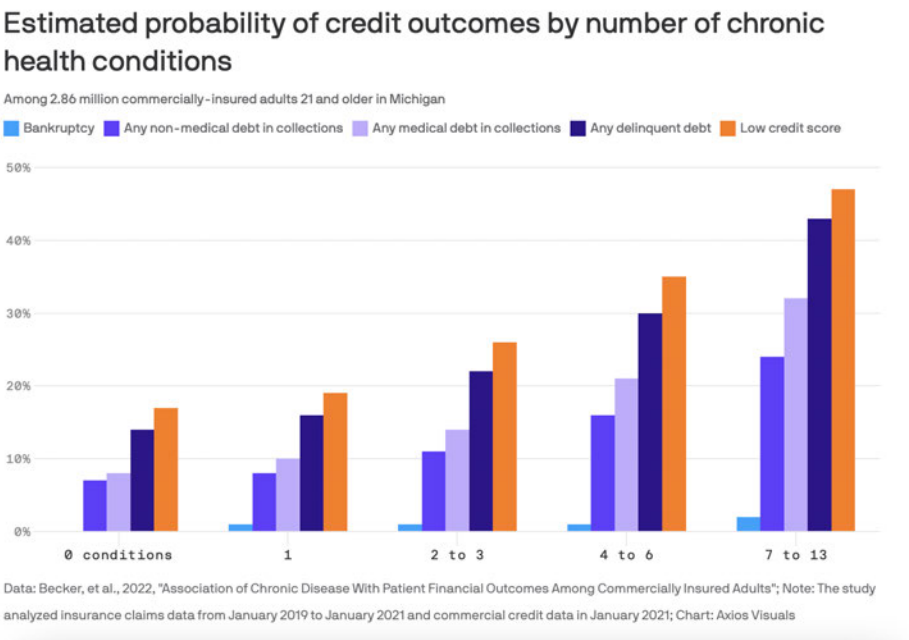
Worth watching today (all times local):

- **12 p.m.** Kaiser Family Foundation web event on health care inflation in the United States.

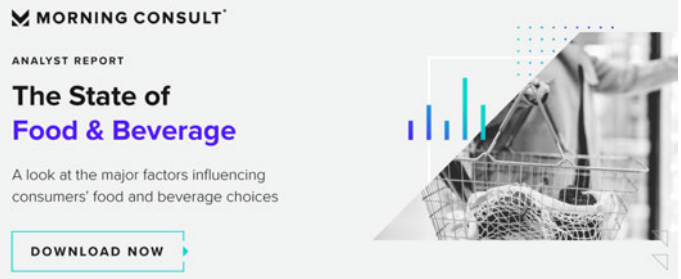
CHART REVIEW

Chronic conditions linked to financial hardships

Axios



A MESSAGE FROM MORNING CONSULT



The State of Food and Beverage

Cost pressures brought on by inflation are trickling into many consumers' decisions, from where to source groceries to when to cook meals at home.

Morning Consult's semiannual State of Food & Beverage report tracks evolving consumer behaviors in the food & beverage sector and what they mean for the future of the industry. Download the report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Dr. Fauci on eradicating COVID-19 and emerging viruses like monkeypox

Becky Kellogg, USA Today

In a wide-ranging interview with USA TODAY, President Joe Biden's chief medical advisor and director of the National Institute of Allergy and Infectious Disease says the world might be opening up again, but that doesn't mean the pandemic is behind us.

Anthony Fauci: COVID will be 'more of an endemic situation' when he retires in December

Nicholas Gordon, Fortune

COVID is "not going to be eradicated, and it's not going to be eliminated," Fauci said Tuesday on an interview with National Public Radio. Instead, the White House's chief medical advisor said COVID would become "something we can live with and doesn't disrupt us."

Should You Get a Covid-19 Vaccine Booster Shot? What to Know

Jared S. Hopkins and Felicia Schwartz, The Wall Street Journal

The Food and Drug Administration could clear modified booster shots from Pfizer Inc. and BioNTech SE and Moderna Inc. in the coming weeks.

GENERAL

U.S. to extend baby formula waivers for poor families through year-end

Alexandra Alper and Mrinalika Roy, Reuters

The Biden administration will extend through year end waivers that make it easier for low-income families to access baby formula through a government program, the U.S. Department of Agriculture (USDA) plans to announce.

White House strategy for monkeypox vaccines causing 'chaos out in the field'

Megan Messerly and Krista Mahr, Politico

The Biden administration's strategy for stretching scarce monkeypox shots is instead leading to fewer vaccinations and could worsen racial health disparities.

[redacted]

Advocates urge FDA action to ease policing fears in menthol ban

Lauren Clason, Roll Call

Experts and advocates are calling on the Biden administration to do more to avoid potential confrontations between police and racial minorities if the Food and Drug Administration finalizes a ban on menthol cigarettes.

Panel urges expanded free school meals ahead of hunger summit

Ellyn Ferguson, Roll Call

A high-powered task force is urging universal free meals for schoolchildren, removal of a ban on some felons receiving food stamps, and establishment of a "farmer corps" to provide internships to young farmers as part of a national effort to address hunger, nutrition and health.

Teens teach themselves sex-ed in the wake of Roe

Hannah Natanson, The Washington Post

Sweating in the sun, two dozen teenagers spread themselves across picnic blankets in a grassy park and prepared to discuss the facts of life they never learned in school. Behind them on a folding table, bouquets of pamphlets offered information teachers at school would never share — on the difference between medical and surgical abortions, and how to get them. Beside the pamphlets sat items adults at school would never give: pregnancy tests and six-packs of My Way Emergency Contraceptive.

Latest statins guidance keeps more conservative approach to preventing first stroke or heart attack

Jen Christensen, CNN

The US Preventive Services Task Force on Tuesday announced its latest guidelines on the use of statins to prevent a first heart attack or stroke. The recommendations are virtually unchanged from prior guidance but are now supported by additional research, the group said.

Yelp Will Issue Disclaimers on Crisis Pregnancy Centers

Ella Ceron, Bloomberg

Yelp's policy change means it now flags the centers, which often try to deter patients from getting abortions, as places that "provide limited medical services and may not have licensed medical professionals onsite." The rule will apply to religious and secular facilities in the US and Canada.

[redacted]

Abortion Funds Sue to Block Criminal Charges as Texas Ban Set to Take Effect

Laurel Brubaker Calkins, Bloomberg

Some providers of financial assistance to women seeking abortions sued Texas Attorney General Ken Paxton and local prosecutors to prevent them from filing criminal charges once the state's ban on the procedure goes into effect this week.

Why Experts Want to Rename Monkeypox

Andrew Jacobs, The New York Times

Public health researchers say the term evokes racist stereotypes, reinforces offensive tropes about Africa and abets stigmatization that can prevent people from seeking care.

Your Doppelgänger Is Out There and You Probably Share DNA With Them

Kate Golembiewski, The New York Times

That person who looks just like you is not your twin, but if scientists compared your genomes, they might find a lot in common.

Why some vaccinated people can still spread polio

Brenda Goodman, CNN

Unvaccinated and undervaccinated are at risk for severe disease, but the spread may not be obvious — in part because of a vaccine switch that happened more than two decades ago.

PAYERS

This is now the biggest driver of employers' health costs

Paige Minemyer, Fierce Healthcare

Cancer has overtaken musculoskeletal conditions as the biggest driver of employer health costs, according to a new survey.

Insured patients become top reason for bad debt at providers

Caroline Hudson, Modern Healthcare

Almost 58% of patient bad debt in 2021 came from self-pay accounts after insurance, compared with about 11% in 2018, according to a recent study from professional services firm Crowe. Self-pay accounts after insurance include the deductible and amount due after the insurance payment.

15M Medicaid enrollees risk coverage loss when COVID-19 health emergency ends, HHS reports

Susan Kelly, Healthcare Dive

About 17% of enrollees in Medicaid and the Children's Health Insurance Program, or 15 million people, could lose their coverage when states resume regular eligibility checks once the COVID-19 public health emergency ends, HHS projected in a report from the Office of the Assistant Secretary for Planning and Evaluation.

PROVIDERS

Doctors need 27 hours a day to provide recommended care: study

Heather Landi, Fierce Healthcare

Primary care clinicians need 26.7 hours per day to follow national recommended guidelines for preventive care, chronic disease care and acute care while seeing an average number of patients, according to a new simulation study

4 California healthcare organizations reach $71M False Claims settlement

Hailey Mensik, Healthcare Dive

A managed care company, an integrated health system and two nonprofit health systems in California have agreed to pay a combined $70.7 million to settle allegations of violating the federal False Claims Act, according to a Department of Justice release.

Providers score wins in new surprise billing rule, experts say

Robert King, Fierce Healthcare

Healthcare providers got most of what they wanted in a new final rule on how to handle disputes on out-of-network charges, but inconsistencies in how the rule is applied could be an issue, experts said.

Texas, Mississippi Support Abortion Law on Admitting Privileges

Mary Anne Pazanowski, Bloomberg Law

Texas and Mississippi are siding with Louisiana in a case urging the Fifth Circuit to revive a law that requires doctors who perform abortions to have admitting privileges at local hospitals in the state.

ChristianaCare-Crozer Health deal canceled

Lauren Berryman, Modern Healthcare

ChristianaCare Health System won't execute its planned acquisition of Crozer Health from Prospect Medical Holdings, the companies announced.

UPMC's operating income drops 86% during H1 2022

Dave Muoio, Fierce Healthcare

The Pennsylvania-based organization reported Tuesday nearly $12.5 billion in total operating revenues and over $12.4 billion in total operating expenses during the first half of 2022, yielding a net operating income of $82 million (0.7% operating margin).

Merger with SCL Health spurs Intermountain to $2.7B in net income

Rebecca Pifer, Healthcare Dive

Intermountain Healthcare reported net income of $2.7 billion in the first six months of the year, despite a heavy loss on investments and flagging operating income.

Advocate Aurora Health down $601M halfway through 2022

Dave Muoio, Fierce Healthcare

Following a tight first quarter, Advocate Aurora Health managed to grow its operating margin but still landed negative due to $400 million in investment losses during the quarter ended June 30, according to financial filings.

PHARMA, BIOTECH AND DEVICES

Fauci's Departure Opens Door for Next-Gen Biomedical Leaders

Jeannie Baumann, Bloomberg Law

Anthony S. Fauci's departure gives the Biden administration an opportunity to install the next generation of US leadership in biomedical research, but it must move swiftly with a Senate that's losing some key NIH allies.

Medtronic kicks off 2023 fiscal year with slipping revenues

Andrea Park, Fierce Biotech

For the first quarter of its fiscal 2023—which began April 30—Medtronic reported global revenues of just over $7.37 billion. That's about an 8% drop from the almost $8 billion it took in this time last year, and it's also 9% lower than the company's revenues in its last reported period, when it closed out the fourth quarter of fiscal 2022 with $8.1 billion.

Democrats' drug pricing law puts cancer drugs in the spotlight

Caitlin Owens and Victoria Knight, Axios

Democrats' new drug pricing law will likely deliver a financial blow to one of the fastest-growing and most lucrative segments of the pharmaceutical industry: cancer drugs.

Magic Mushrooms' Legal Status Is Leading a Psychedelics Boom

Kristen V Brown and Drake Bennett, Bloomberg Businessweek

The medical benefits of psychedelic drugs have gone from Age of Aquarius punchline to solid science, but the startups racing to market might still be getting ahead of themselves.

HEALTH TECHNOLOGY

Providers, HIT groups seek clarity on Oct. 6 data blocking regs

Dave Muoio, Fierce Healthcare

Twenty-eight health IT professional associations, provider organizations and other stakeholders are asking the Department of Health and Human Services (HHS) for more clarity and flexibility on how best to implement federal information blocking regulations set to go into effect Oct. 6.

NYC Health + Hospitals expands tele-behavioral health services

Susan Kreimer, Fierce Healthcare

NYC Health + Hospitals plans to launch and integrate a new tele-behavioral health service into its virtual urgent care platform focusing on the needs of vulnerable and homeless New York residents, a chronically underserved community.

Epic's Cosmos platform to gain clinical-trial matching tool

Jessica Kim Cohen, Modern Healthcare

Epic Systems is adding tools that connect patients to clinical trials and bring together doctors treating patients with similar rare conditions through its Cosmos life sciences research platform, executives said at a company event Tuesday.

OPINIONS, EDITORIALS AND PERSPECTIVES

Anthony Fauci's Retirement Marks the End of an Era

Gregg Gonsalves, The New York Times

AIDS. SARS. H1N1 influenza. Ebola. Covid-19. Monkeypox. Infectious disease outbreaks often come and go, though some

persist over the long haul, much like the man who has occupied the campus of the National Institutes of Health in Bethesda, Md., as director of the National Institute of Allergy and Infectious Diseases since 1984: Dr. Anthony Stephen Fauci.

I'm a doctor. Here's why my kids won't wear masks this school year.

Leana S. Wen, The Washington Post

For the first year of the coronavirus pandemic, my family and I were extremely cautious. I gave birth in April 2020, shortly after covid-19 hit. To protect the baby, my husband and I pulled our then-2-year-old son out of preschool. We socialized outdoors only, at a safe distance from others. I limited indoor activities to work and grocery shopping, and I was never without my N95.

RESEARCH REPORTS

Using Health Insurance Reform to Reduce Disparities Diabetes Care

Christine Monahan and Jalisa Clark, The Commonwealth Fund

Disparities in diabetes prevalence and outcomes between non-Hispanic white people and people of color in the United States are well established. Black and Hispanic patients have higher rates of hospitalizations and emergency department use related to complications from diabetes than do other populations.

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SUBJECT: BPC Health News: Views on the Opioid Crisis and Telehealth afterDobbs
FROM: "G. William Hoagland" <health@bipartisanpolicy.org>
TO: hborski@utah.gov
DATE: 24/08/2022 08:27

Bipartisan Policy Center

News from BPC's Health Program

In this edition: new blogs on the opioid crisis, mental health, and a post-Dobbs telehealth landscape. Also, a 2020 policy recommendation from the rural health task force is highlighted. For more information on BPC's Health Program, visit our website or contact us at health@bipartisanpolicy.org.

[redacted]

New Content

Blog: Dobbs and Telehealth: What's the Impact?
Health Policy Director **Oliver Kim** discusses the post-Dobbs health care landscape as it relates to BPC's work on telehealth and interstate licensing.

Guest Blog: The 988 Suicide and Crisis Lifeline Is Live: Now What?
Panelists from our June event on the 988-rollout come together for a guest blog to address some outstanding questions regarding 988's implementation.

Blog: Congress is Getting Serious About America's Mental Health Challenges
Senior Policy Analyst **Kendall Strong** highlights the importance of the recently signed Bipartisan Safer Communities Act (BSCA) (P.L. 117-159). BPC applauds Congress and the president for the gains this legislation will make in addressing the mental health crisis.

Blog: Views on the U.S. Opioid Crisis: A BPC-Morning Consult Poll
Senior Policy Analyst **Michele Gilbert** and intern Lydia Colvin break down the main takeaways from a BPC-Morning Consult Poll on the public's views of the misuse of opioids in the U.S.

Event: National Convening to Inform White House Conference on Hunger, Nutrition, and Health
BPC and Tufts University co-host the National Convening to Inform the White House Conference on Hunger, Nutrition, and Health, a discussion on the opportunities and challenges facing food and nutrition in the U.S.

To see all our content, click here.

In Case You Missed It

Podcast: BPC Weekly Episode 105
BPC's Health Policy Director **Oliver Kim** explained how insurance coverage, interstate travel, and the practice of medicine will be impacted by the Roe v. Wade ruling.

Event: COVID-19: State of the Pandemic
Experts discussed the current state of the COVID-19 pandemic and whether Americans are still taking advantage of vaccines, masks, and tests to help mitigate the health impacts of the virus. White House Coronavirus Response Coordinator **Ashish Jha, MD, MPH** provided opening remarks for this event.

Event: The Impact of COVID-19 on the Rural Health Care Landscape
BPC hosted an event to highlight recommendations in our recent report on the rural health care landscape.

Blog: Strengthening SNAP: Opportunities in the 2023 Farm Bill

Brief: Leveraging Digital Technology to Enable a More Equitable Distribution of the Health Care Workforce

---

BPC in the News

C-SPAN | Dr. Anand Parekh on the Federal Response to Health Challenges
Dr. Anand Parekh talked about how the federal government could best respond to current and future public health challenges.

Health Affairs | OpEd: Medicare Should Cover Marriage And Family Therapists, Mental Health Counselors
BPC's 2020 Rural Health Task Force recommendation to include Marriage and Family Therapists and mental health counselors as Medicare-eligible providers is highlighted.

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CC: "Laura Holtrop Kohl (DHHS)" <lholtrop@utah.gov>, "John Stuligross (DHHS)" <jstuligross@utah.gov>, "Linnea Fletcher (DHHS)" <linneafletcher@utah.gov>
DATE: 24/08/2022 09:16

FYI

Brett McIff, PhD, PAPHS
Physical Activity Coordinator
Healthy Environments Active Living (HEAL) Program
O: 801.538.6530
Bmciff@utah.gov
https://heal.health.utah.gov/

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DNPAO Daily Media Monitor

August 24, 2022

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Access to Healthy Food

- "Congressman Jim Costa announces nearly $1 million to tackle food insecurity in the San Joaquin Valley – Sixteen rural communities including Coarsegold, Goshen, Ivanhoe and Oakhurst to receive support," *Sierra Sun Times* 8/22/2022 (California)
- "The push for free school meals in Minnesota," *CBSNews* 8/22/2022 (St. Paul, MN)
- "State ups its investment to $1.5M in North Flint Food Market," *MLive* 8/23/2022 (Flint, MI)
- "LEAF bringing fresh food to Carterville at pop-up market," *WPSD Local 6* 8/23/2022 (Carterville, IL)

Physical Activity

- "New kinesiology program aims to boost middle school girls' love of physical activity, sports," *School of Education* 8/23/2022 (Madison, WI)

Obesity

- "From obesity to tooth decay, how these 4 beverages harm the children," *Samachar Central* 8/24/2022
- "Supporting healthy eating habits to fight childhood obesity," *My Fox 8* 8/23/2022 (High Point, NC)

Breastfeeding

- "Black and brown moms urge breastfeeding support," *Ms. Magazine* 8/22/2022
- "Pregnancy: 7 best superfoods for breastfeeding women," *NDTV* 8/23/2022

Access to Healthy Food

Congressman Jim Costa announces nearly $1 million to tackle food insecurity in the San Joaquin Valley – Sixteen rural communities including Coarsegold, Goshen, Ivanhoe and Oakhurst to receive support
8/22/2022 — California
Last week, Congressman Jim Costa (CA-16) and the U.S. Department of Agriculture (USDA) Under Secretary for Rural Development Xochitl Torres Small announced nearly $1 million in emergency rural health care grants for the Central California Food Bank to tackle food insecurity and support healthy outcomes in communities across the San Joaquin Valley. "The American Rescue Plan continues to deliver

[redacted]

bold solutions to tackling food insecurity in America," said Costa.
Read full article here.

The push for free school meals in Minnesota
8/22/2022 — St. Paul, MN
A new pilot program Minnesota is a part of is helping tens of thousands more students get free meals when they head back to school this year. Federal funding made it possible for all students to receive free meals during the COVID pandemic, but that ended in June. A school lunch on average costs $3.25. For a family of four that's $150 a month.
Read full article here.

State ups its investment to $1.5M in North Flint Food Market
8/23/2022 — Flint, MI
The state is adding to its investment in the North Flint Food Market, a grocery co-op that backers say is nearly 80 percent complete but which still needs additional cash to open its doors in 2023. The Michigan Strategic Fund Board voted Tuesday, Aug. 23, to amend a grant given more than a year ago to the North Flint Reinvestment Corporation for the project, increasing its contribution from $1.25 million to $1.5 million.
Read full article here.

LEAF bringing fresh food to Carterville at pop-up market
8/23/2022 — Carterville, IL
The Little Egypt Alliance of Farmers will hold a pop-up market in front of Farm Fresh following the loss of the local IGA grocery store. The market — a collaboration between LEAF and non-profit Food Works — will be held Thursdays during the fall of 2022. According to the release, it's just the first step in a joint-project to launch a Community Mobile Farmer Market.
Read full article here.

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SUBJECT: Starting Next Week! Two New Series on Adult Urology in Primary Care
FROM: ECHO Colorado <susan.stoveall@cuanschutz.edu>
TO: <hborski@utah.gov>
DATE: 24/08/2022 09:37

Obesity

From obesity to tooth decay, how these 4 beverages harm the children
8/24/2022
As a mother, you are always concerned about your child's health. From taking care of your little one to making sure they eat a nutritious diet, as a parent, you are always on the lookout for the well-being of your kid. Children often have the habit of indulging in junk food and beverages that can cause obesity and diabetes. Here is a list of 4 unhealthy drinks that are a strict no-no when it comes to children.
Read full article here.

Supporting healthy eating habits to fight childhood obesity
8/23/2022 — High Point, NC
Good nutrition is essential to helping children live healthy lives. The CDC says one in five children in the United States are struggling with obesity. Melissa Leonard, a dietitian with Cone Health, talks about how to support growing bodies.
Read full article here.

ADULT UROLOGY IN PRIMARY CARE

The Adult Urology in Primary Care ECHO series aim to give primary care physicians and providers the baseline knowledge and skills needed to assess and manage common, non-surgical, urologic conditions in adults. These two, new ECHO series serve as a virtual space where primary care providers and specialists can collaborate to increase access to care for patients with urologic conditions. Via ECHO participation, clinical teams and providers can improve communications between healthcare providers, maximizing patient evaluation and facilitating consultations and co-management among primary care providers and specialists.

Register for one or both series using the links below.

Breastfeeding

Black and brown moms urge breastfeeding support
8/22/2022

Nobody blinked when a Republican blocked U.S. Senate passage of the PUMP for Nursing Mothers Act in June. The bill would have guaranteed nursing moms working outside the home with time and private space to pump. The House passed the bill with bipartisan support, and the Senate HELP committee did so with unanimous consent. Then, in the middle of an unprecedented baby formula shortage that emptied grocery shelves and caused panic and hardship among new parents nationwide,
Read full article here.

Pregnancy: 7 best superfoods for breastfeeding women
8/23/2022

Pregnancy and aftercare can be mentally and physically straining. Breastfeeding has been proven extremely beneficial for both the mother and the baby. As breastmilk is the only source of food for the baby, it is integral to pay close attention to your diet as a mother. Superfoods achieve their name due to their nutritive value and exceptional benefits they provide to us. There are certain superfoods that may be especially beneficial to lactating women.
Read full article here.

If you have a community news story that you would like to see included in the report, please send the link to communityhealthmediamonitor@ihi360.org.

ADULT UROLOGY IN PRIMARY CARE LEARNING CASE CONFERENCE

Sessions will include a didactic presentation by an expert, opportunities for Q&A with the expert and case-based discussions. ***Participants are highly encouraged to bring de-identified patient cases for group discussion and expert consultation.*** See below for topics covered in each block. Resources and referral information will be shared throughout the series.

AUDIENCE

Colorado prescribing providers working in adult primary care

SCHEDULE

Sessions held virtually every first Friday of the month
12:00 - 1:00 PM MT
First session September 2

BLOCK 1
The Urinalysis and Urine Culture in Urology:
Common Questions and Pathologies

Sept. 2: The Urinalysis

Oct. 7: Evaluation of Microscopic Hematuria - Review of the Updated AUA Risk-Stratified Guidelines

Nov. 4: Bacteriuria in Non-Pregnant Adults: How do we define and manage asymptomatic bacteriuria vs UTI

Watch for information about Blocks 2 and 3.

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ADULT UROLOGY IN PRIMARY CARE OFFICE HOURS

This is a new, monthly, free, drop-in opportunity designed for Colorado-based primary care providers (MD, DO, NP, PA, APP) to discuss urology topics of their choice and receive feedback from a urology specialist. This ongoing series will allow participants to share de-identified cases, including de-identified patient imaging, and ask questions for peer-to-peer and specialist consultation to support one another in patient diagnosis and management.

Read more about Office Hours.

AUDIENCE

Colorado prescribing providers working in adult primary care

[redacted]

SCHEDULE

Sessions held virtually every second Friday of the month

12:00 - 1:00 PM MT

First session September 9

Registered participants can attend sessions at any time.

Series ends June 9, 2023. No Office Hours April 14, 2023.

SIGN UP FOR OFFICE HOURS

The new Urology in Primary Care ECHO series are offered through a partnership with:

University of Colorado School of Medicine Division of Urology

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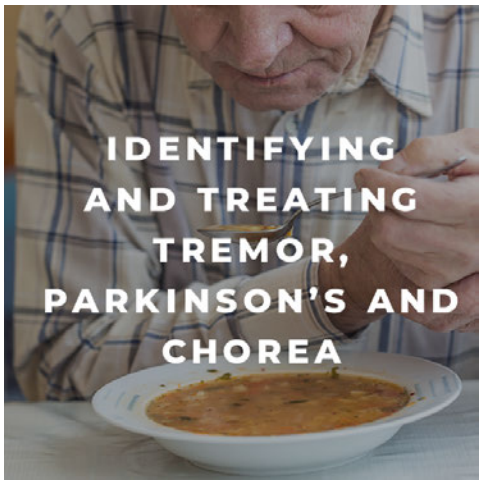
MORE UPCOMING ECHOS



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MANAGED CARE

THE LATEST

HHS, CMS Expand State Funding for Medicaid's Money Follows the Person Program

By Edan Stanley

Additional funding will enable five new states and territories to expand access to home and community-based services, improving care for millions of older adults and people with disabilities.

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POPHEALTH PERSPECTIVES

Improving Biomarker Testing Rates in Metastatic Colorectal Cancer

By Maria Asimopoulos

Pashtoon Kasi, MD, MS, oncologist, director of colon cancer and liquid biopsy research, Weill Cornell Medicine, discusses why biomarker testing rates are low among patients with metastatic colon cancer, as well as what changes can be made to improve care.

IN THE NEWS

[redacted]

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Policies to Roll Back Abortion Rights Will Hit Incarcerated People Particularly Hard

By Carly Graf, Kaiser Health News

Alopecia Areata Associated With High Cost Burden for Health Plans, Adolescents

By Maria Asimopoulos

California Bill Would Eliminate Out-of-Pocket Costs for Vasectomies, Condoms

By Rachel Bluth, Kaiser Health News

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MORE FROM FIRST REPORT MANAGED CARE

Three Insights From Trailblaze 2022: Member Experience Is About Humanization

By Icario Team

In this commentary, the Icario team shares advice on how to connect with members better, elevate their experience, and improve outcomes.

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FIRST REPORT
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THE LATEST

Social Determinants of Health Affect Ability to Control HIV

By Jolynn Tumolo

Researchers recommended additional measures be taken to ensure socioeconomically marginalized individuals can achieve optimal HIV outcomes.

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POPHEALTH PERSPECTIVES

Improving Biomarker Testing Rates in Metastatic Colorectal Cancer

By Maria Asimopoulos

Pashtoon Kasi, MD, MS, oncologist, director of colon cancer and liquid biopsy research, Weill Cornell Medicine, discusses why biomarker testing rates are low among patients with

[redacted]

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By Carly Graf, Kaiser Health News

Alopecia Areata Associated With High Cost Burden for Health Plans, Adolescents

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COMMENTARY

Three Insights From Trailblaze 2022: Member Experience Is About Humanization

By Icario Team

In this commentary, the Icario team shares advice on how to connect with members better, elevate their experience, and improve outcomes.

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Thursday, August 25, 2022

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TOP NEWS

Idaho Blocked From Enforcing Abortion Ban In Emergencies

An Idaho federal judge on late Wednesday blocked the enforcement of a new state law set to go into effect Thursday that criminalizes abortion care in medical emergencies, handing the Biden administration its first legal victory since the U.S. Supreme Court overturned the right to abortion.

Order attached | Read full article »

Texas Wins Halt Of HHS' Emergency Abortion Care Guidance

A Texas federal judge has barred for now the U.S. Department of Health and Human Services' guidance that mandated doctors to perform abortions deemed necessary in emergency situations in the state, saying the government overstepped its bounds.

Memorandum attached | Read full article »

Biden Reboots DACA Protections For 'Dreamers'

The Biden administration on Wednesday rebooted Obama-era protections for unauthorized migrants brought to the U.S. as children, passing a final rule that will allow hundreds of thousands of colloquially labeled Dreamers to temporarily remain in the country.

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Ex-DOI Boss Zinke Lied During Casino Project Probe, IG Says

The U.S. Department of the Interior's watchdog issued a report Wednesday that found the department's former

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secretary Ryan Zinke lied about his interactions with casino lobbyists and government officials and his reasons for stalling action on a bid by two Indian tribes to operate a $300 million casino project in Connecticut.

Report attached | Read full article »

Fla. Gov. Bars ESG Investments By State Pension

Florida Gov. Ron DeSantis has passed a resolution that would bar the managers of the state's pension fund from weighing environmental, social and governance factors when investing, claiming that such considerations could sacrifice investment returns to make way for an "ideological" agenda.

1 document attached | Read full article »

Sen. Graham, Gov. Kemp Fight Ga. Election Probe Subpoenas

U.S. Sen. Lindsey Graham on Wednesday doubled down on his bid to bar all questioning of him before a Georgia grand jury investigating alleged efforts to overturn the 2020 election results, while the prosecutor behind the investigation fights to enforce a subpoena of the state's governor.

3 documents attached | Read full article »

NY Associate Judge Cannataro Named Acting Chief

Associate Judge Anthony Cannataro was named acting chief judge of New York on Wednesday, resolving unprecedented discord on the high court over who will ascend when Chief Judge Janet DiFiore departs next week.

Read full article »

BANKING & SECURITIES

Ex-SEC Chair Clayton Agrees To Advise Another Crypto Firm

Electric Capital, a company that recently raised $1 billion to finance cryptocurrency and blockchain-based startups, announced on Wednesday that former U.S. Securities and Exchange Commission Chair Jay Clayton has joined the company as an adviser alongside a former Federal Reserve Board member and a Meta executive.

Read full article »

ENERGY & ENVIRONMENTAL

Timber Groups Say Obama-Era Logging Rules Correctly Axed

A group of logging interests told the D.C. Circuit that a lower court correctly axed Obama-era restrictions on logging in western Oregon, saying the government's series of conservation efforts violate established federal mandates governing Oregon and California timber production.

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HEALTH & LIFE SCIENCES

Texas Prosecutors Face Abortion Ban Enforcement Challenge

A group of Texas reproductive rights advocates have launched a class action challenging the authority of state prosecutors to go after businesses, organizations and individuals who help pregnant Texans obtain abortions in other states.

Complaint attached | Read full article »

MEDIA & ENTERTAINMENT

4th Circ. Stalls Use Of Political Speech Law Against NC AG

A split Fourth Circuit temporarily barred enforcement of a North Carolina law criminalizing derogatory political speech, granting on Tuesday a reprieve to state Attorney General Josh Stein's campaign amid a heated court battle rooted in a two-year-old television ad.

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Calif. Gov. Opposes High Court Review Of Trial Video Dispute

California Gov. Gavin Newsom and other state officials argued in a brief Wednesday that the U.S. Supreme Court should reject a petition challenging a divided Ninth Circuit ruling that allows the public release of a video recording of the historic 2010 federal court trial that overturned a state ballot initiative banning same-sex marriage.

Brief attached | Read full article »

COMPETITION

DOJ Wants To Argue In State-Led Facebook Case At DC Circ.

The U.S. Department of Justice is requesting time during oral arguments at the D.C. Circuit to support a contingent of state-level enforcers accusing Facebook's parent company, Meta Platforms Inc., of monopolizing personal social networking services through acquisitions and developer restrictions on its platform.

2 documents attached | Read full article »

DOJ Wants 'Raw' Google Data To Ensure No Cherry-Picking

The U.S. Department of Justice battled Google in a D.C. federal court hearing Wednesday over access to "raw" search data sought to ensure the technology giant did not selectively pick what its expert was looking at when analyzing how consumers use the service.

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AEROSPACE & DEFENSE

Sikh Marine Recruits Can't Start Training With Beards

Three Sikh Americans suing the U.S. Marine Corps over the ability to wear religious articles won't be allowed to start basic training with uncut hair and beards while their suit is pending after a D.C. federal judge said Wednesday that granting the request could threaten national security.

Opinion attached | Read full article »

INTERNATIONAL TRADE

DOD Wants China Disclosures, Bars Tantalum Imports

The U.S. Department of Defense on Wednesday issued new rules that will require potential defense contractors to disclose any related work in China, bar certain tantalum imports, and extend and tweak its mentor-protege program for small businesses.

3 documents attached | Read full article »

WHITE COLLAR

Trump Ally Rep. Perry Sues Feds To Return Cellphone Data

U.S. Representative Scott G. Perry, a supporter of former President Donald Trump, wants the U.S. Department of Justice to return the contents of his cellphone that were seized as part of a search warrant earlier this month, according to an emergency motion entered in D.C. federal court Tuesday.

3 documents attached | Read full article »

Ex-Trump Aide: Mar-A-Lago Probe Sign Jan. 6 Case Is Political

Former Trump White House trade adviser Peter Navarro says the criminal investigation into the ex-president's handling of classified material bolsters his efforts to compel the government to produce additional discovery to determine whether the charges he faces for defying a congressional subpoena are politically motivated.

1 document attached | Read full article »

Ariz. AG Brnovich Sued Over Law Blocking Police Recordings

The American Civil Liberties Union and a group of Arizona news organizations have sued the state's attorney general over a new law that criminalizes filming the police within eight feet after the officer has ordered the recorder to stop, claiming the law is a blatant violation of constitutional rights.

Complaint attached | Read full article »

'Park' Status Upends Guilty Plea In Chicago Bribery Case

Northern Mariana Islands Retirement Fund
Ohio Casualty Corp.
RELX PLC
Retrophin Inc.
Ripple Labs Inc.
Royal Caribbean Cruises Ltd.
Schneider National Inc.
Sikh Coalition
Surfside
T-Mobile US Inc.
Tesla Inc.
The Center for Reproductive Rights Inc.
TracFone Wireless Inc.
Travere Therapeutics Inc.
Twitter Inc.
U.S. Chamber of Commerce
USA Today International Corp.
Uber Technologies Inc.
Verizon Communications Inc.
Western Resources Legal Center

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Consumer Financial Protection Bureau
Delaware Court of Chancery
Dormitory Authority of the State of New York
European Union
Federal Acquisition Regulatory Council
Federal Bureau of Investigation
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Idaho Attorney General's Office
Internal Revenue Service

A dispute over whether a Chicago park was actually a park unexpectedly derailed an anticipated guilty plea Wednesday from a political operative accused of bribing public officials to help steer a $1 billion schools contract and rename the park.

Read full article »

NATIVE AMERICAN

All Tribes Risk Losing Out On Online Gambling, DC Circ. Told

A week after federal regulators urged the D.C. Circuit to revive a controversial gambling compact that would give the Seminole Tribe full control over Florida's online sports betting market, the tribe sought to cast the appellate case as a referendum on the future of the entire industry.

Brief attached | Read full article »

Smoking Ban Suit A No-Go In Tribal Court, 8th Circ. Told

An oil and gas company has asked the Eighth Circuit to reject a bid by the Three Affiliated Tribes to overturn a ruling that their courts can't hear a suit claiming the company's employees violated a contractual smoking ban on the tribe's reservation, saying the company isn't under the tribal court's jurisdiction.

Brief attached | Read full article »

TELECOMMUNICATIONS

Q&A

5 Questions For ACA Connects' Grant Spellmeyer

ACA Connects, a major advocacy arm for independent broadband and cable companies, has kicked off an era of change as newly minted CEO Grant Spellmeyer takes the reins.

Read full article »

CANNABIS

NY Pot Regulators Announce Caps On Retail Licenses

New York state cannabis regulators on Wednesday identified 150 as the number of conditional marijuana retail licenses that it will award in its first round of licensing, with limits placed on regions based on their population size.

1 document attached | Read full article »

PEOPLE

Biden Public Engagement Adviser Joins Barnes & Thornburg

The national director for African American engagement during President Joe Biden's 2020 campaign — who most recently served in the White House as senior adviser for public engagement — has left his post on Pennsylvania Avenue to join Barnes & Thornburg LLP, the firm confirmed to Law360 Pulse Wednesday.

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Mashantucket Pequot Tribal Nation
Mohegan Tribe
National Archives and Records Administration
National Telecommunications and Information Administration
New York Attorney General's Office
New York State Commission on Judicial Conduct
New York State Comptroller
Seminole Nation
Texas Attorney General's Office
Three Affiliated Tribes of the Fort Berthold Reservation
U.S. Attorney's Office
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Northern District of Illinois
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. District Court for the District of Columbia
U.S. District Court for the District of Idaho
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of New York

TracFone Wireless Senior Executive Joins Verrill Dana In DC

The former government affairs liaison for TracFone Wireless has left his role after more than eight years to join Verrill Dana LLP's telecommunications practice, the firm said Tuesday.

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K&L Gates Adds Food Regulatory Expert To SF Office

K&L Gates LLP has expanded its San Francisco office with the addition of a regulatory attorney from Keller and Heckman LLP to its food and beverage practice groups.

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What Proposed Contractor Rule May Mean For Wage Litigation

The Biden administration's proposed independent contractor rule could have major implications for wage and hour litigation, but comparing it to the Trump administration's rule could help employers prepare for the next phase of employee classification disputes, say Jessica Scott and Frederick Yarger at Wheeler Trigg.

Read full article »

Evidence Rule Changes Help Judges Police Expert Testimony

New amendments to Federal Rule of Evidence 702, concerning admissibility of expert witness testimony, make it clear that it is the judge's role — not the jury's — to keep faulty science out of the courtroom, say Michael Leard and Sara Lonks Wong at Nutter.

Read full article »

Consumer Financial Digital Marketing In CFPB's Crosshairs

U.S. District Court for the Western District of Texas
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Marine Corps
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
Wage and Hour Division

The Consumer Financial Protection Bureau's recent rule holding digital marketing providers liable for unfair, deceptive or abusive practices in advertising financial products signals a coordinated effort with the Federal Trade Commission to rein in practices in the sector, and will have far-reaching implications for firms not previously under the CFPB's purview, say attorneys at Venable.

1 document attached | Read full article »

Mich. Ruling Douses Cannabis Applicants' Due Process Suits

A Michigan state appeals court's recent decision in Cary Investments v. Mount Pleasant, holding that unsuccessful recreational cannabis applicants are not entitled to due process protection, should lead applicants to recalibrate their legal claims and rely on other theories to challenge municipalities' license denials, says Matthew Cross at Plunkett Cooney.

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The Cruciality Of Building Client Intimacy Ahead Of Recession

Attorneys are likely already feeling the pressure that a recession brings to control costs and at least hold the line on top-line growth — but strengthening client relationships through increased communication will ensure continued progress under such conditions, says Dave Southern, a business development and marketing professional.

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LEGAL INDUSTRY

COVID-19 Tort Cases Have Peaked, Report Says

The number of COVID-related tort suits filed in federal court peaked in the first quarter of 2021 about a year into the pandemic and has been ebbing steadily in each quarter since, according to a new report by Lex Machina.

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Analysis

What To Watch In Justice Ketanji Brown Jackson's First Term

Justice Ketanji Brown Jackson has spent nearly a decade on the federal bench, but only a short portion of that was as a member of an appellate court. With so many unknowns about her approach to the job, U.S. Supreme Court practitioners tell Law360 what they will be watching for in her debut term beginning in October.

Read full article »

[redacted]

Are There Too Many Attys? A 20-Year Income Dip Says Maybe

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[redacted]

[redacted]

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SUBJECT: Idaho Blocked From Enforcing Abortion Ban In Emergencies
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 25/08/2022 02:54

[redacted]

[redacted]

Thursday, August 25, 2022

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TOP NEWS

Idaho Blocked From Enforcing Abortion Ban In Emergencies

An Idaho federal judge on late Wednesday blocked the enforcement of a new state law set to go into effect Thursday that criminalizes abortion care in medical emergencies, handing the Biden administration its first legal victory since the U.S. Supreme Court overturned the right to abortion.

Order attached | Read full article »

Texas Wins Halt Of HHS' Emergency Abortion Care Guidance

A Texas federal judge has barred for now the U.S. Department of Health and Human Services' guidance that mandated doctors to perform abortions deemed necessary in emergency situations in the state, saying the government overstepped its bounds.

Memorandum attached | Read full article »

Texas Prosecutors Face Abortion Ban Enforcement Challenge

A group of Texas reproductive rights advocates have launched a class action challenging the authority of state prosecutors to go after businesses, organizations and individuals who help pregnant Texans obtain abortions in other states.

Complaint attached | Read full article »

Ex-Clinic Exec Asks Judge To Disqualify Counsel In FCA Suit

A whistleblower former executive at a Georgia orthopedic clinic says the law firm and an attorney representing two doctors who work for her former employer in a False Claims Act suit should be disqualified because the attorney previously represented the government on the opposing side of the case.

Memorandum attached | Read full article »

Clark Love Sued Over 'Scheme' To Settle Expired Mesh Suits

Houston-based plaintiffs' firms Clark Love & Hutson PLLC and the Lee Murphy Law Firm have been slapped with a lawsuit in Texas federal court by two women who say their lawyers mishandled their pelvic mesh injury claims against Boston Scientific Corp.

Complaint attached | Read full article »

COVID-19 Tort Cases Have Peaked, Report Says

COMPANIES IN TODAY'S NEWS

American Bar Association
BTI Consulting Group Inc.
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Carnival Corp. & PLC
Credit Suisse Group AG
Cynosure Inc.
Georgetown University
JPMorgan Chase & Co.
KQED Inc.
Lex Machina Inc.
LexisNexis Group Inc.
LinkedIn Corp.
MSP Recovery
Mitsubishi Chemical Holdings
National Collegiate Athletic Association
Northern Mariana Islands Retirement Fund
RELX PLC
Retrophin Inc.
Royal Caribbean Cruises Ltd.
SafePoint Insurance Co.
Scottsdale Insurance Co.
Surfside
Tesla Inc.
Texas Hospital Association
The Center for Reproductive Rights Inc.

[redacted]

The number of COVID-related tort suits filed in federal court peaked in the first quarter of 2021 about a year into the pandemic and has been ebbing steadily in each quarter since, according to a new report by Lex Machina.

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LITIGATION

Sleep Study Co. Can't Get Coverage For Negligent Death Suit

An insurer doesn't have to defend a sleep study company from a negligence suit filed by the family of a deceased patient, a Georgia federal judge ruled, finding that a professional services exclusion applies to all claims in the underlying action.

Opinion attached | Read full article »

Wis. Health Care Group Still On Hook For Bulk Of 401(k) Suit

A Wisconsin health care company won't escape most of a proposed class action brought by ex-employees alleging its mismanagement of their 401(k) plans cost participants over $1 million in fees and $3 million in lost assets, with a federal judge largely deeming the workers' evidence sufficient.

Order attached | Read full article »

Biz Groups Ask Texas Justices To Nix Insurers' Claims Edge

Several Texas industry groups asked the state's high court to end a legal precedent they said has put policyholders at a unique disadvantage for decades, arguing in an amicus brief that legislators' attempts to fix the issue have gone ignored by the courts.

Brief attached | Read full article »

Cynosure Rips Rival's Delay Bid In Poaching Suit

Medical aesthetic treatment company Cynosure argued Wednesday that a rival business it's suing for allegedly poaching sales staff doesn't need a delay in the litigation schedule, saying an amended complaint simply names the individual employees without changing the allegations.

1 document attached | Read full article »

UnitedHealth Kept Dud 401(k) Suite For Wells Fargo, Suit Says

A group of workers levied new accusations against UnitedHealth in their suit alleging the company mismanaged their 401(k) plan, claiming Wednesday that new evidence suggests the company refused to ax underperforming funds to preserve a business relationship with Wells Fargo.

Complaint attached | Read full article »

Zurich, SafePoint Latest To Be Hit With Laura Claims

Travere Therapeutics Inc.
Twitter Inc.
UnitedHealth Group Inc.
Wells Fargo & Co.
Zurich Insurance Group AG

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Akerman LLP
Akin Gump
Anderson & Kreiger
Arnold & Porter
Baker & Hostetler
Baker McKenzie
Ballard Spahr
Bartlett LLP
Bass Berry
Berger Singerman
Boyle Leonard
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Choate Hall
Clark Love
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Haddon Morgan
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Hawk Law Group
Heise Suarez
Holland & Knight
Jackson Walker LLP
Jomarron Lopez
Jones Day
K&L Gates
Katten Muchin
Keller & Heckman
Kendall Mandell
Kirkland & Ellis
Kozyak Tropin
Landis Rath

Zurich American Insurance Co. and SafePoint Insurance Co. were hit with Hurricane Laura damage lawsuits, joining several other insurers facing litigation related to the storm over the past week as Louisiana's deadline to file claims looms.

3 documents attached | Read full article »

BANKRUPTCY

Court Lets Carestream Tap $50M, Tells Exit Lenders To Wait

Medical imaging company Carestream Health Inc. got a Delaware federal court's permission Wednesday to tap $50 million of $80 million in bankruptcy financing, but lenders offering the company an additional $85 million in credit after it exits Chapter 11 were denied an immediate request to get their fees.

2 documents attached | Read full article »

Dallas Nursing Home Can Go Forward With Landlord Suit

A Texas bankruptcy judge has refused to dismiss a suit claiming the landlord of a bankrupt Dallas retirement community tried to drive it out of business with bad faith lease negotiations and the disclosure of confidential information.

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PEOPLE

K&L Gates Adds Food Regulatory Expert To SF Office

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Law Firm of Gary Williams Parenti
Watson & Gary
Lee Murphy Law Firm
Levenfeld Pearlstein
Levy Sibley
Lewis Brisbois
LippSmith LLP
Mayer Brown
Naylor & Hales
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O'Melveny & Myers
Pachulski Stang
Pita Weber
Podhurst Orseck
Polsinelli PC
Potter Anderson
Quinn Emanuel
Raizner Slania
Saltz Mongeluzzi
Sanford Heisler
Searcy Denney
Shearman & Sterling
Shepherd Prewett
Sidley Austin
Silva & Silva PA
Simpson Thacher
Skadden Arps
Thompson Coburn
Troutman Pepper
Valli Kane
Veron Bice
Vinson & Elkins
Wachtell Lipton
Walcheske & Luzi
Ward Maedgen Accident Attorneys
Williams & Connolly
WilmerHale
Wilson Elser
Wilson Sonsini

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Attorney General's Office
Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Congressional Budget Office
Delaware Court of Chancery
European Union
Federal Bureau of Investigation

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Sen. Graham, Gov. Kemp Fight Ga. Election Probe Subpoenas

U.S. Sen. Lindsey Graham on Wednesday doubled down on his bid to bar all questioning of him before a Georgia grand jury investigating alleged efforts to overturn the 2020 election results, while the prosecutor behind the investigation fights to enforce a subpoena of the state's governor.

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U.S. Bankruptcy Court for the District of Delaware
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the District of Columbia
U.S. District Court for the District of Idaho
U.S. District Court for the District of Massachusetts
U.S. District Court for the Middle District of Georgia
U.S. District Court for the Northern District of Georgia
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U.S. Senate
U.S. Supreme Court
United States District Court for the Eastern District of Wisconsin
United States District Court for the Southern District of Georgia

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Calif. Gov. Opposes High Court Review Of Trial Video Dispute

California Gov. Gavin Newsom and other state officials argued in a brief Wednesday that the U.S. Supreme Court should reject a petition challenging a divided Ninth Circuit ruling that allows the public release of a video recording of the historic 2010 federal court trial that overturned a state ballot initiative banning same-sex marriage.

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SUBJECT: Morning Consult Health: Amazon Care to Shut Down Dec. 31
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 25/08/2022 06:04

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 25, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- Amazon.com Inc. will sunset its Amazon Care telehealth and in-person medical services at the end of 2022, three years after the e-commerce giant launched the primary care service for its employees and a month after its $3.9 billion acquisition of concierge clinic operator One Medical. Amazon Health Services Senior Vice President Neil Lindsay said in an email to employees that Amazon Care, which provided telehealth services in all 50 states and in-person care in at least seven cities, ultimately wasn't "the right long-term solution for our enterprise customers." (Fierce Healthcare)

- Senior Trump administration officials leaned on Food and Drug Administration Commissioner Stephen Hahn and other agency leaders to sign off on unproven COVID-19 treatments such as hydroxychloroquine and convalescent plasma, according to a report from Democratic lawmakers on the House Select Subcommittee on the Coronavirus Crisis. The report also found

that the Trump White House tried to block FDA safety data collection efforts on COVID-19 vaccines, pushing for an expedited timeline on approvals ahead of the 2020 presidential election. (Politico)

- A Trump-appointed federal judge in Texas blocked Health and Human Services Department guidance that requires hospitals to perform abortions when the life of the mother is endangered, writing that the July 11 order exceeds the authority of the 1986 Emergency Medical Treatment and Labor Act. The judge's ruling places the HHS guidance on hold, and the Department of Justice is likely to file an appeal. (Roll Call)

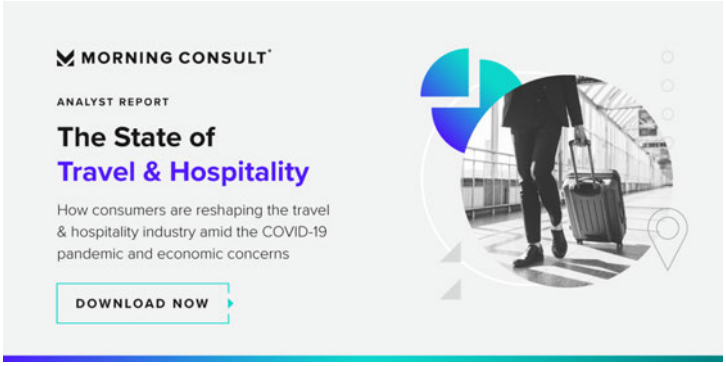
- A large Israeli study found that Pfizer Inc.'s COVID-19 treatment Paxlovid lowered hospitalization rates in 65-year-olds and older by about 75%, but people ages 40-64 who took the drug shortly after infection saw little to no benefit. Pfizer declined to comment on the results of the study, which was conducted via compiled data from a large health system in Israel rather than through a randomized study that enrolled patients and had a control group. (The Associated Press)

CHART REVIEW

Health industry leaders focus on digital, talent and growth plays
PwC

Where health industry executives are investing

A MESSAGE FROM MORNING CONSULT



[redacted]

The State of Travel & Hospitality

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WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Over 2 Million Americans Aren't Working Due to Long Covid

Sumathi Reddy, The Wall Street Journal

Between two million and four million Americans aren't working due to the long-term effects of Covid-19, according to a new Brookings Institution report released Wednesday.

What Fauci's exit tells us about the ongoing fight against Covid

Sarah Owermohle, Stat News

There was a time when Anthony Fauci thought he would retire when the Covid-19 pandemic was over. He told himself he'd spend a year as President Biden's top medical adviser and that Covid-19 would be settled by then.

WHO: COVID deaths down by 15%, cases fall nearly everywhere

The Associated Press

The number of coronavirus deaths reported worldwide fell by 15% in the past week while new infections dropped by 9%, the World Health Organization said Wednesday.

Monkeys could hold the key to a future vaccine for all COVID variants and the original SARS virus

Erin Prater, Fortune

A vaccine recently created for monkeys offered equal protection against most COVID-19 variants, including Omicron—in addition to the original SARS virus from the early 2000s.

Jill Biden tests positive for rebound case of Covid-19

Kate Bennett, CNN

[redacted]

Biden, who is currently in Rehoboth Beach, Delaware, tested positive again for Covid-19 with an antigen test on Wednesday. She tested negative during a routine test on Tuesday.

Wastewater Surveillance Has Become a Critical Covid Tracking Tool, but Funding Is Inconsistent

Lauren Sausser, Kaiser Health News

"For the wastewater data to be actionable, you have to observe it," said Mariana Matus, CEO and co-founder of Biobot Analytics, which has a $10 million contract with the federal Centers for Disease Control and Prevention to run wastewater surveillance at more than 300 sites across the U.S. "The more that you observe, the easier it is to catch early changes and take action."

GENERAL

Monkeypox Outbreak Latest: Senate Committee Plans Hearings With Health Officials

Madison Muller and Jeannie Baumann, Bloomberg

The Health, Education, Labor and Pensions Committee is planning the hearing on monkeypox for mid-September, according to the people, who asked not to be identified because the information isn't public.

'Magic mushroom' psychedelic may help heavy drinkers quit

Carla K. Johnson, The Associated Press

The compound in psychedelic mushrooms helped heavy drinkers cut back or quit entirely in the most rigorous test of psilocybin for alcoholism. More research is needed to see if the effect lasts and whether it works in a larger study. Many who took a dummy drug instead of psilocybin also succeeded in drinking less, likely because all study participants were highly motivated and received talk therapy.

Americans Are Starting to Skip Therapy to Save Money

Alex Janin, The Wall Street Journal

Nearly a third of American adults in therapy say they have had to cancel a session because they couldn't afford it and nearly half say they would have to quit if their out-of-pocket costs increased, according to a survey from the mental health resource website Verywell Mind. The survey was conducted in the spring, with respondents' median age of 36.

The FDA stands by as the vaping industry flouts its orders

Nicholas Florko and Elissa Welle, Stat News

The Food and Drug Administration has spent more than four years trying to decide whether retailers should be able to sell products like cotton candy-flavored liquids, vapes made to look like fidget spinners, and disposables filled with more nicotine than 200 cigarettes. And so far, the agency has explicitly ordered hundreds of them off the market. But a STAT investigation found that vape companies are regularly flouting the FDA's orders. They're making, stocking, and selling the illicit goods. And the agency is just letting it happen.

Increased alcohol use linked with higher risk of cancer in new study

Naomi Thomas, CNN

People who increased the amount of alcohol they drank also had an increased risk of cancer, according to the results of a large study in Korea published on Wednesday in JAMA Network Open.

Judge blocks Idaho's abortion ban after DOJ lawsuit

Nathaniel Weixel, The Hill

U.S. District Judge B. Lynn Winmill wrote that the state's near total ban on abortion violates the federal Emergency Medical Treatment and Labor Act, a law that requires providers to offer medically stabilizing treatment in an emergency, even if that care is an abortion.

Abortion access crumbles: 4 more states enact new restrictions this week

Megan Messerly and Alice Miranda Ollstein, Politico

As of Thursday, abortion is prohibited starting at conception, with limited exceptions, in a dozen states, and two more states forbid the procedure after the detection of fetal cardiac activity, around six weeks of pregnancy.

Minnesota Set to Become "Abortion Access Island" in the Midwest, but for Whom?

Jessica Lussenhop, ProPublica

Out-of-staters have long traveled to Minnesota for abortions, but as neighboring states restrict access to the procedure, data suggests patients of color may not make the trip.

A Risky Monkeypox Vaccine Is Looking Better All the Time

Katherine J. Wu, The Atlantic

The administration's newest vaccine Hail Mary may not be enough to fix the U.S.'s monkeypox immunization problems.

Biden loan cancellation just a drop in the bucket for medical students

Victoria Knight, Axios

President Biden's student loan forgiveness may help medical students chip away at the mountains of debt they accumulate, especially if they still owe from their undergraduate studies.

Congressman's wife died after taking white mulberry leaf, an herbal remedy

Samantha Young, Kaiser Health News

Lori McClintock, the wife of Rep. Tom McClintock, R-Calif., died from dehydration as a result of gastroenteritis caused by white mulberry leaf, according to a coroner's report.

Leisure activities lowers risk of cancer, heart disease and death

Sandee LaMotte, CNN

Want to live a longer, healthier life? Pick an activity you enjoy, and get moving. Choose just about anything — running, swimming laps, playing tennis, cycling, golf, racket sports or even walking for exercise.

PAYERS

Medicare Advantage lobby rebuts senator's inquiry into 'potentially deceptive' marketing tactics

Rebecca Pifer, Healthcare Dive

A major group representing Medicare Advantage plans is pushing back at Senate Finance Chair Ron Wyden, D-Ore., following the senator's request to more than a dozen states for data on the "potentially deceptive" marketing tactics of payers offering the lucrative and privately-run Medicare and Part D plans.

Health prices rising much faster in the private sector than Medicare

Caitlin Owens, Axios

Health care prices overall may be lagging inflation, but there's a widening divergence between what's being paid in Medicare and the private sector, according to a new Altarum analysis.

Mental health a top post-COVID concern for employers: survey

Paige Minemyer, Fierce Healthcare

Nearly half (44%) of employers surveyed by the Business Group on Health said they have seen this trend in their workforces, and another 44% expect to see worsening mental health in the future. Most (85%) said they anticipate enhanced mental health benefits launched under the pandemic to continue.

PROVIDERS

Hospitals bounce back but see a shaky financial future ahead

Arielle Dreher, Axios

Some of the biggest hospital chains are seeing business rebound to pre-pandemic levels, but the industry as a whole is pressing for more federal relief before year's end, citing inflation, labor and supply cost pressures.

A hospital system's sweeping campaign to confront racism sees early wins

Usha Lee McFarling, Stat News

When a routine cancer screening came back showing an elevated PSA reading, George Brickhouse knew he should take it seriously. His father had been treated for prostate cancer and his brother had dealt with a scare. But the urologist he went to see started ordering tests without fully explaining why. And when he couldn't get through to a live person to schedule an MRI, he gave up trying to find out whether he had cancer. "I wasn't comfortable with being pushed through," he said.

InterWell-Fresenius-Cricket kidney care merger closes

Caroline Hudson, Modern Healthcare

InterWell Health, a kidney care physician organization, has merged with Fresenius Health Partners and Cricket Health, the company announced Wednesday.

PHARMA, BIOTECH AND DEVICES

Pfizer Bidding War With J&J Preceded Global Blood Therapeutics Deal

Michelle F Davis, Bloomberg

Pfizer Inc. and Johnson & Johnson duked it out in a bidding war for Global Blood Therapeutics Inc. days before Pfizer won with a $5.4 billion offer this month, according to people familiar with the matter.

Baby Formula Shortage: A Deadly Bacteria and Abbott's Missteps

Susan Berfield and Anna Edney, Bloomberg Businessweek

Procedures got sloppy at the facility in Sturgis, Mich. Cronobacter bacteria proliferated. And when the FDA finally acted, America found itself in a desperate scarcity.

How a long-overlooked protein could remake neuroscience drug discovery

Jason Mast, Stat News

This neuronal debris has captivated researchers and executives for the past decade. Neuroscience has long suffered from the fact that there is no simple way to track what unfolds in the nervous system. Want to know if your molecule actually slows degeneration in dementia patients? You'll need to track thousands of patients' cognitive decline for years. It's no coincidence that neuroscience drug development, by some metrics, has the largest failure rate of any disease area.

AstraZeneca's Soriot warns new U.S. drug price law will hurt innovation

Aimee Donnellan and Natalie Grover, Reuters

AstraZeneca's (AZN.L) Chief Executive Pascal Soriot warned new U.S. legislation capping drug prices would reduce the ability of companies to recoup their investment on developing new drugs and hurt innovation.

Novartis to spin off generics business Sandoz next year

Natalie Grover and Silke Koltrowitz, Reuters

Novartis (NOVN.S) plans to spin off its generics unit Sandoz to sharpen its focus on its patented prescription medicines, the Swiss group said on Thursday, acknowledging it had not received any formal offers for the business to date.

AbbVie's Ibrutinib Approved for Some Pediatric Patients by FDA

Greg Chang, Bloomberg

The US FDA said AbbVie's Pharmacyclics was granted approval for Imbruvica (ibrutinib) for pediatric patients above 1 year old with chronic graft versus host disease after failure of one or more lines of systemic therapy.

HEALTH TECHNOLOGY

Hackers shifting focus to smaller hospitals, clinics and EHRs

Heather Landi, Fierce Healthcare

Among cyberattacks against providers in the first half of 2022, breaches associated with specialty clinics rose from 23% in 2021 to 31% this year, according to a report from cybersecurity firm Critical Insight.

Why rural providers should lead health tech innovation

Annie Burky, Fierce Healthcare

Rural health systems and hospitals are poised to be the next hubs of tech innovation, leveraging digital health and virtual care to serve patients across states and thousands of square miles.

OPINIONS, EDITORIALS AND PERSPECTIVES

The U.S. is at a crossroads for reducing tobacco-related harms

Michael B. Farber and Anand Shah, Stat News

Although cigarette smoking has steadily declined over the past several decades, thanks to a more educated and health-conscious society, new and existing combustible and noncombustible tobacco products continue to pose public health challenges.

Long Covid Sufferers Have Waited Too Long for Help

Zeynep Tufekci, The New York Times

It wasn't until the end of the first year of the pandemic that Congress provided $1.2 billion for the National Institutes of Health, which led to a long Covid research initiative called Recover, in February 2021. A year and a half later, there are few treatments and lengthy delays to get into the small number of long Covid clinics. Frontline medical workers don't have the clinical guidelines they need, and some are still dismissive about the condition.

RESEARCH REPORTS

Life Sciences Technology Vision 2022

Shalu Chadha and Tim Durst, Accenture

The life sciences industry is on the threshold of a new decade of digital transformation, and at a defining moment for all leaders. The Metaverse Continuum will transform how businesses interact with customers and how work is done. Our two surveys of biopharma and medical technology executives confirm this:

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SUBJECT: Reducing maternal mortality in the face of new challenges to reproductive health
FROM: NIHCM Foundation <nihcm@nihcm.org>
TO: <hborski@utah.gov>
DATE: 25/08/2022 08:54

Maternal Mortality may rise in the US under new, restrictive reproductive health care laws. Are there solutions?

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NIHCM FOUNDATION

UPCOMING WEBINAR

Maternal Mortality and New Risks to Women's Reproductive Health

DATE & TIME
Tuesday, September 20, 2022
1:00 - 2:00 PM ET

Register

[redacted]

SPEAKERS

Ndidiamaka Amutah-Onukagha, PhD, MPH
Tufts University &
Center for Black Maternal Health and Reproductive Justice

Sindhu K. Srinivas, MD, MSCE
Perelman School of Medicine
University of Pennsylvania
Adam Myers, MD
Blue Cross Blue Shield Association

The United States has the highest maternal mortality rate among industrialized nations, in 2020 it was 23.8 deaths per 100,000 live births, a 14% increase from just two years prior. For every person in the US who dies because of pregnancy or childbirth, it is estimated that up to 70 more people suffer dangerous or life-threatening complications, yet two-thirds of these deaths are preventable.
Many experts think the dramatic restrictions on reproductive health care emerging in many states will only increase maternal mortality rates and existing disparities. The rate for Black women is nearly three times higher than White women. This disparity can be attributed to limited access to quality health care, underlying chronic conditions, structural racism, implicit bias, and many of the social determinants of health.
This webinar will explore overall maternal mortality, the impact of changes to reproductive rights, and new approaches and possible solutions that may improve maternal health outcomes. Speakers will discuss:

- The state of the maternal mortality crisis, who is affected, and the possible impact of new laws limiting reproductive health care and new approaches to achieving health equity.

- Risks to maternal health, with a focus on high-risk pregnancies and new challenges facing physicians, midwives, and other care providers.

- Supporting equitable, high-quality reproductive health care in all communities.

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SUBJECT: The end of Amazon Care | Texas system won't hand over records onex-president | UPMC operating income falls 86% in 6 mos. | Mercy mourns 1stCEO | Trustees called to quit Calif. hospital board | UChicago Med namesCXO | EMTALA covers abortion in Idaho ERs
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 25/08/2022 09:22

August 25, 2022

BECKER'S
HOSPITAL REVIEW

Virtual Events • Webinars • Whitepapers • OnDemand Learning • Podcasts

1. Amazon to end Amazon Care services for employers **Full story**

2. UPMC's operating income sinks 86% in first half of year **Full story**
3. Texas health system fights request for records on president's abrupt exit **Full story**
4. Prevent burnout and retain your star employees. Find out how.
5. Sister Mary Roch Rocklage, first CEO of Mercy, dies at 87 **Full story**
6. EMTALA covers abortion in Idaho hospitals, judge rules **Full story**
7. Cyberattacks related to third party vendors are common in healthcare. Identify blindspots in vendor access management with tips from this discussion.
8. Trustees called to resign from California hospital's board over conflicts of interest **Full story**
9. Kentucky nurse accused of killing patient worked at another hospital until arrest **Full story**
10. UChicago Medicine names new chief experience officer **Full story**
11. Technology can be a bridge to greater equity — if leveraged the right way. Here's how to make sure new tools improve the health of all patients, not just some.
12. HCA Virginia hospital names CEO **Full story**
13. Pennsylvania hospital to end scheduled deliveries **Full story**
14. Misinterpreted guidance may fuel a COVID-19 uptick, Northwestern expert says **Full story**
15. Stats by state:

- **COVID-19 hospitalization rates**
- **COVID-19 test positivity rates**
- **Percentage of population fully vaccinated**
- **COVID-19 death rates**
- **ICU utilization**
- **Staffing shortages**
- **Booster rates**
- **COVID-19 vaccination rates up/down**
- **COVID-19 cases trend**

Becker's Learning Opportunities

1. Can AI close the gap between what's expected and what's achievable in rev cycle management? Health system execs say yes. Find out why.
2. 45% of patients plan to change their coverage level each year, leaving providers in danger of high denials and declining payments. Here's an easy-to-use solution.
3. Better medication management is a priority for health systems, but less than half rely on vendors. Learn why + what hospital execs are looking for in new vendors.

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Becker's Whitepaper

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SUBJECT: ASTHO Letter to White House on MPX Funding
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TO: hborski@utah.gov
DATE: 25/08/2022 09:28

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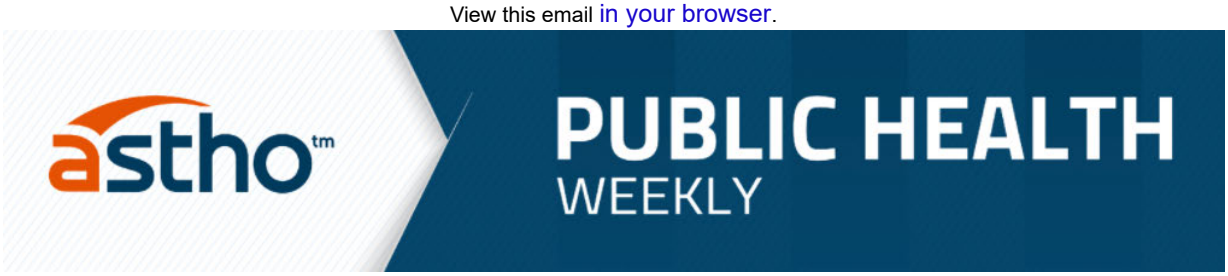

READ

Strategic Policies Protect Breastfeeding in Workplaces and Schools

The American Academy of Pediatrics recommends that infants exclusively breastfeed for the first six months of life and continue for one year while introducing solid foods.

Studies also show that Black, low income, and other systemically marginalized families are disproportionately impacted by work environments without lactation accommodation.

Learn how states are strengthening workplace and school protections for breastfeeding and lactation in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

New ASTHO Training on HIV | This interactive, self-paced microlearning will give participants a brief background on HIV and an introduction to the National HIV Strategy, the four pillars of *Ending the HIV Epidemic in the United States*, and federal programs in place to help lessen the burden of HIV. **Take advantage of this new resource now.**

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Louisiana Aims to Recharge Neighbors' Battery-Powered Life Support Equipment

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Blog

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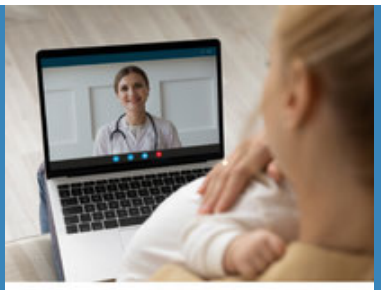

Report

Considerations for Maternal Child Health Policies During Public Health Emergencies

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **New Flu Vaccine Polling** | Gillian SteelFisher, Harvard T.H. Chan School of Public Health
- **New COVID-19 Guidelines** | Ian Williams, CDC
- **CDC Reforms** | Nirav Shah (SHO-ME), ASTHO President
- **Back to School Concerns** | Dylan George, CDC
- **The Secrets to Effective Communication** | Glen Nowak, UGA Grady College of Journalism and Mass Communication

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PUBLIC HEALTH REVIEW PODCAST

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PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

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Press Room | Careers | Events | Funding

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SUBJECT: nutrition resources
FROM: "Al Romeo (DHHS)" <alromeo@utah.gov>
TO: Al Romeo <alromeo@utah.gov>
BCC: hborski@utah.gov
DATE: 25/08/2022 09:40

Yesterday during the Seminar we had a question about resources for individuals that were pregnant and had a vegetarian diet. Lorrie sent a couple and Cristina provided an additional one.

Staying Healthy on a Vegitarian Diet During Pregnancy
https://onlinelibrary.wiley.com/doi/10.1111/jmwh.13105

Powered by Plants: Vegetarian and Vegan Diets in Pregnancy and Breastfeeding
https://mothertobaby.org/baby-blog/powered-by-plants-vegetarian-and-vegan-diets-in-pregnancy-and-breastfeeding/

USDA Nutrition.gov, Pregnancy
https://www.nutrition.gov/topics/nutrition-life-stage

Thanks.
Al

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

Utah Department of
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TO: hborski@utah.gov
DATE: 25/08/2022 10:28

FIRST REPORT
MANAGED CARE

THE LATEST

Type 2 Inflammation-Specific Agents Ease Asthma Exacerbations

By Jolynn Tumolo

An analysis showed agents that target interleukins are significantly associated with reduced rates of asthma exacerbation for patients with severe disease.

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POPHEALTH PERSPECTIVES

Addressing Inefficiencies in Drug Development With AI

By Maria Asimopoulos

Tanja Dowe, CEO, Debiopharm Innovation Fund SA, discusses the partnership between Debiopharm and VeriSIM Life and how advancements in technology can speed up the drug development process.

IN THE NEWS

Social Determinants of Health Affect Ability to Control HIV

By Jolynn Tumolo

Alopecia Areata Associated With High Cost Burden for Health Plans, Adolescents

By Maria Asimopoulos

Policies to Roll Back Abortion Rights Will Hit Incarcerated People Particularly Hard

By Carly Graf, Kaiser Health News

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POPHEALTH PERSPECTIVES

Improving Biomarker Testing Rates in Metastatic Colorectal Cancer

By Maria Asimopoulos

Pashtoon Kasi, MD, MS, oncologist, director of colon cancer and liquid biopsy research, Weill Cornell Medicine, discusses why biomarker testing rates are low among patients with metastatic colon cancer, as well as what changes can be made to improve care.

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FIRST REPORT
MANAGED CARE

THE LATEST

Long-term Outcomes Suboptimal for Children With Hypertrophic Cardiomyopathy

By Jolynn Tumolo

Researchers assessed long-term outcomes among children with hypertrophic cardiomyopathy (HCM) and secondary HCM.

[redacted]

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COMMENTARY

Three Insights From Trailblaze 2022: Member Experience Is About Humanization

By Icario Team

In this commentary, the Icario team shares advice on how to connect with members better, elevate their experience, and improve outcomes.

IN THE NEWS

Alopecia Areata Associated With High Cost Burden for Health Plans, Adolescents

By Maria Asimopoulos

Policies to Roll Back Abortion Rights Will Hit Incarcerated People Particularly Hard

By Carly Graf, Kaiser Health News

HHS, CMS Expand State Funding for Medicaid's Money Follows the Person Program

By Edan Stanley

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INTERVIEW

Partnership Implements Real-Time Benefit Check to Improve Transparency

By Maria Asimopoulos

Martin Burruano, vice president of pharmacy services, Independent Health, reviews key considerations for payers seeking to adopt real-time benefit check technologies for their provider networks.

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FROM: "Al Romeo (DHHS)" <alromeo@utah.gov>
TO: Al Romeo <alromeo@utah.gov>
BCC: hborski@utah.gov
DATE: 25/08/2022 16:55

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

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And more from Nancy.

https://www.acog.org/womens-health/faqs/nutrition-during-pregnancy

Thanks everyone.
Al

On Thu, Aug 25, 2022 at 9:40 AM Al Romeo (DHHS) <alromeo@utah.gov> wrote:

> Yesterday during the Seminar we had a question about resources for individuals that were pregnant and had a vegetarian diet. Lorrie sent a couple and Cristina provided an additional one.
>
> Staying Healthy on a Vegitarian Diet During Pregnancy
> https://onlinelibrary.wiley.com/doi/10.1111/jmwh.13105
>
> Powered by Plants: Vegetarian and Vegan Diets in Pregnancy and Breastfeeding
> https://mothertobaby.org/baby-blog/powered-by-plants-vegetarian-and-vegan-diets-in-pregnancy-and-breastfeeding/
>
> USDA Nutrition.gov, Pregnancy
> https://www.nutrition.gov/topics/nutrition-life-stage
>
> Thanks.
> Al

Alfred Romeo, RN PhD

[redacted]

[redacted]

Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
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SUBJECT: Mar-A-Lago Rhetoric Putting Judges At Risk, NYC Bar Says
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 26/08/2022 02:44

Friday, August 26, 2022

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TOP NEWS

Mar-A-Lago Rhetoric Putting Judges At Risk, NYC Bar Says

The New York City Bar Association is calling on attorneys to temper their statements and stop making false claims about the FBI search of former President Donald Trump's Florida residence, citing recent threats of violence against a judge and law enforcement.

Read full article »

Judge Orders Release Of Redacted Affidavit In Trump Search

A Florida federal judge on Thursday accepted the government's proposed redactions to the affidavit of probable cause that led to the search warrant for former President Donald Trump's Mar-a-Lago estate and ordered the release of the redacted affidavit by noon Friday.

2 documents attached | Read full article »

Calif. Sews Up Regs To End Gas Car Sales By 2035

California air regulators finalized an ambitious plan Thursday to phase out sales of new gasoline-powered vehicles by 2035, a linchpin of the Golden State's climate change policy that could be copied by a host of other states.

LAW FIRMS IN TODAY'S NEWS
Aidala Bertuna
Baker & Hostetler

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Maersk Drops $1B Container Biz Sale Amid DOJ Pressure

A.P. Moller-Maersk on Thursday abandoned the planned sale of its refrigerated container manufacturing business to China International Marine Containers Ltd., a deal worth around $1 billion, after U.S. enforcers flagged antitrust concerns about the move.

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Dominion To Depose Fox's Hannity, Carlson In Voting Suit

Dominion Voting Systems Inc. is set to depose Sean Hannity, Tucker Carlson and other big names at Fox News as it moves forward with its defamation suit accusing the network of spreading "outlandish" claims about the 2020 presidential election, according to a series of notices filed in Delaware court.

Read full article »

Senate Panel Sets Twitter Whistleblower Complaint Hearing

A Twitter security chief turned public whistleblower has been called to testify before Congress' Senate Judiciary Committee on Sept. 13, in the latest investigation to target the social media giant's security and the accuracy of its disclosures about bogus or "spam" traffic.

Read full article »

Conn. Judge Gives Biden Latest Judicial Vacancy

Chief Judge Stefan R. Underhill of the District of Connecticut will take senior status in November, giving President Joe Biden an additional vacancy to fill on the court.

Read full article »

VOTING RIGHTS & ELECTIONS

Ga. Gov. Pushes To End Election Probe Subpoena

The Georgia judge evaluating whether Gov. Brian Kemp can be forced to testify before a special grand jury investigating former President Donald Trump's alleged efforts to overturn the state's 2020 election results appeared skeptical of the governor's argument the investigation is civil and that he can thus assert sovereign immunity.

Read full article »

New Map Doesn't Violate Black Voters' Rights, Ala. Says

Alabama election officials fired back against several groups, including the state's NAACP chapter, that say its new congressional map is racially discriminatory, arguing that federal law does not require two of their seven electoral districts to be majority-Black.

Brief attached | Read full article »

BANKING & SECURITIES

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Paul Weiss
Pena & Soma
Perkins Coie
Potter Anderson
Prickett Jones
Quinn Connor
Quinn Emanuel
Reed Smith
Richards Layton
Shullman Fugate

SEC Finalizes Exec Comp Disclosure Rule After 12-Year Wait

The U.S. Securities and Exchange Commission has finally adopted the so-called pay-versus-performance rule requiring companies to justify executive pay to shareholders by comparing it to the company's financial performance, 12 years after Congress directed the agency to create such a rule.

2 documents attached | Read full article »

SEC Warns Municipal Advisers About Disclosures Failures

The U.S. Securities and Exchange Commission's examinations unit issued a risk alert highlighting the most common deficiencies observed among municipal advisers, including inaccurate disclosures and failures to disclose conflicts of interest.

1 document attached | Read full article »

Alliant Calls 'Dreamers' A Loan Risk In Bid To Nix Bias Suit

Alliant Credit Union has pressed a California federal court to toss a lawsuit seeking to open up car loans to undocumented immigrants with Obama-era deportation protections, arguing that the uncertain residency status of "Dreamers" presents too high a risk for the five-year loans.

Motion attached | Read full article »

ENERGY & ENVIRONMENTAL

9th Circ. Allows Farming Groups To Join Gray Wolf Appeal

A coalition of farming groups won the right from the Ninth Circuit to intervene in a case challenging a California federal judge's decision to revive protections for gray wolves after the government removed them from its list of protected species in 2020.

Order attached | Read full article »

Utah Sees 'Abuse' In Biden's Restoration Of Monuments' Land

Utah and two of its counties are hitting President Joe Biden with a suit in federal court claiming he far overstepped his limited authority under federal law when he restored the size of the Bears Ears and Grand Staircase-Escalante national monuments last year.

Complaint attached | Read full article »

Alaska Petrol Drilling Project Risks Climate Harm, Enviros Say

Skadden Arps
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NAACP Legal Defense and Educational Fund Inc.
NBCUniversal Media LLC
National Amusements Inc.
National Association for the Advancement of Colored People
National Association of Home Builders
National Cattlemen's Beef Association

Three environmental groups are fighting to stop the Peregrine exploratory drilling program in Alaska's Western Arctic, saying the Biden administration isn't thinking about the long-term consequences it could have on the climate, according to a lawsuit lodged Thursday in Alaska federal court.

Complaint attached | Read full article »

COMPETITION

DC AG Appealing Toss Of Amazon Antitrust Suit

The attorney general of Washington, D.C., gave notice Thursday that he will ask the district's appellate court to revive the only government antitrust enforcement action so far brought against Amazon.com, accusing the online retail giant of setting an artificial pricing floor through its merchant contracts.

Notice attached | Read full article »

CYBERSECURITY & PRIVACY

Couple Admits Selling Ashley Biden's Diary To Project Veritas

Two Florida residents pled guilty Thursday to stealing the diary and other belongings of President Joe Biden's daughter Ashley and selling them to conservative group Project Veritas two months before the 2020 election.

1 document attached | Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Pa. Supreme Court Abandons Med Mal Venue Restrictions

The Pennsylvania Supreme Court on Thursday ended a special venue rule for medical malpractice suits, which for 20 years had limited the filing of such lawsuits to the jurisdictions where the injuries occurred.

2 documents attached | Read full article »

Ariz. Justices Say 'Evil Mind' Needed For Punitive Damages

The Arizona Supreme Court has clarified the threshold for a plaintiff seeking punitive damages to get a defendant's financial information during discovery, saying in a suit over a fatal accident involving a Swift Transportation truck that in a negligence suit, it requires a showing that an "evil mind" guided "outrageous" conduct.

Opinion attached | Read full article »

AEROSPACE & DEFENSE

DOD Rule Allows Med Mal Claims From Active-Duty Troops

National Congress of American Indians
National District Attorneys Association
National Federation of Independent Business
National Rifle Association of America
Native American Rights Fund Inc.
New York City Bar Association
New York State Bar Association
North American Electric Reliability Corp.
Paramount Global
Sierra Club
State Bar of California
T-Mobile US Inc.
Tesla Inc.
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Arizona Supreme Court
Arkansas Department of Health
Arkansas Supreme Court
Bureau of Citizenship and Immigration Services
Bureau of Land Management
California Air Resources Board
Delaware Court of Chancery
Dormitory Authority of the State of New York
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Trade Commission
Fish and Wildlife Service
Hopi Tribe

The U.S. Department of Defense released a final rule on Thursday allowing service members to make claims for medical malpractice at military facilities, a congressionally mandated response to a long-standing judicial bar on lawsuits over injuries related to military service.

1 document attached | Read full article »

TAX

Justices Urged To Ax Harsher Foreign Account Tax Penalties

The U.S. Supreme Court should undo a decision that the IRS can assess penalties on each inadvertently undisclosed foreign account rather than taking the more lenient approach of assessing the penalty once annually, the U.S. Chamber of Commerce said Thursday.

3 documents attached | Read full article »

IMMIGRATION

USCIS, Investors Cut Deal Ending Suits Over EB-5 Reforms

U.S. Citizenship and Immigration Services has agreed to rescind recent reforms to the EB-5 visa program to resolve allegations by regional centers that the changes misinterpreted congressional intent, according to a proposed settlement filed in California federal court Thursday.

Settlement attached | Read full article »

NATIVE AMERICAN

Tribe Says Alaska Election Rules Disenfranchise Native Voters

An Alaskan tribe is among several parties pushing state election officials to let voters cure their defective mail-in ballots, claiming in a new lawsuit that thousands of people — including a disproportionate number of Native residents — were illegally disenfranchised in June because of easily fixed mistakes.

Complaint attached | Read full article »

TELECOMMUNICATIONS

Mobile Carriers Share Requested Data Practices With FCC

The Federal Communications Commission shared data retention and privacy information from 15 of the United States' top mobile carriers on Thursday after asking the providers in July to share more details on how they handle and protect sensitive consumer data.

3 documents attached | Read full article »

Local Gov'ts Say FCC Rule On Cable Fees Confusing

Local franchise authorities are urging the Federal Communications Commission to scrap or clarify rules

Internal Revenue Service
Judicial Conference of the United States
Minnesota Legislature
National Archives and Records Administration
Navajo Nation
Occupational Safety and Health Administration
Pennsylvania Supreme Court
Pueblo of Zuni
Small Business Administration
U.S. Attorney's Office
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Tenth Circuit
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U.S. Department of the Interior
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U.S. District Court for the District of Massachusetts
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Navy
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of Utah
Ute Indian Tribe
Ute Mountain Ute Tribe

affecting payment of cable and broadband franchise fees after the industry scored a pair of recent wins on the issue.

2 documents attached | Read full article »

CANNABIS

Mass. Pot Shop Atty Says 'Pay To Play' Was Just Lobbying

A Massachusetts attorney Thursday pushed to dismiss charges that he tried to bribe a police chief to influence the approval of a pot shop in which the lawyer had a financial stake, arguing his conduct was legally justifiable lobbying activity.

Motion attached | Read full article »

NY Pot Regulators Tout Retail Plan As Model For Other States

New York State cannabis regulators on Thursday kicked off the application window for the state's first recreational marijuana retailers, highlighting what they described as a novel initiative for social equity applicants that could serve as an example for other states.

Read full article »

Ark. Pot Group Says Ballot Measure Removal Unconstitutional

An advocacy group trying to get a question on the November ballot to legalize recreational cannabis in Arkansas is asking the state's highest court to undo the Board of Elections' decision not to certify the ballot question's title, saying the measure giving the board the power to reject the title goes against the state's constitution.

3 documents attached | Read full article »

PEOPLE

Former FERC Attorney Joins Bryan Cave's Energy Practice

Bryan Cave Leighton Paisner LLP has added a former Federal Energy Regulatory Commission enforcement attorney and utility company in-house counsel to its global energy, environment and infrastructure practice, the firm announced Thursday.

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EXPERT ANALYSIS

A Closer Look At SBA Proposal For Disabled Veteran Small Biz

A recently proposed Small Business Administration rule is a significant step toward reducing misrepresentation and fraud within the service-disabled veteran-owned small business set-aside program, but also has drawbacks that could inhibit progress toward full compliance, says Todd Overman at Bass Berry.

[redacted]

Proposed Rule attached | Read full article »

Employer Steps After Minn. Unwittingly Legalized THC Edibles

Inconsistencies in a recent amendment to Minnesota's statutes mean that state lawmakers inadvertently legalized edibles and beverages containing THC, raising questions about possible effects on workplace drug testing policies that employers must address as they await more clarity from legislators, says Katie Ervin Carlson at Dorsey & Whitney.

Read full article »

How 10th Circ. Trustee Fee Ruling Will Affect Ch. 11 Appeals

Developments leading up to the Tenth Circuit's recent decision that mandated refunds for overpayment of U.S. trustee fees — the first opinion on the issue since the U.S. Supreme Court's Siegel v. Fitzgerald ruling — highlight how other pending appeals considering the same matter might play out, says Shane Ramsey at Nelson Mullins.

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Adapting To High Court's Medicaid Recovery Ruling

The U.S. Supreme Court's recent decision in Gallardo v. Marstiller will likely encourage states to more aggressively seek recovery of future Medicaid expenses when plaintiffs settle with third parties, but certain limitations and strategies can help protect plaintiffs' payouts, says Aaron Frishman at Foster Garvey.

Opinion attached | Read full article »

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LEGAL INDUSTRY

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Investors Say Cleary Gottlieb Should Produce Redstone Email

CBS investors who want Cleary Gottlieb Steen & Hamilton LLP to turn over an email sent by media mogul Shari E. Redstone regarding the network's $30 billion merger with Viacom in 2019 have told the Delaware Chancery Court that the email was not a privileged communication and should be produced.

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New York DA Fighting 'Bad Guy' Prosecutor Image

Erie County District Attorney John F. Flynn was recently named president of the National District Attorneys Association. He talked with Law360 Pulse about the challenges prosecutors are facing nationwide.

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Musk Ordered To Give Twitter His Experts' User Analyses

Tech billionaire Elon Musk lost a bid Thursday to fully shield his data scientists' analysis of Twitter's full stream of user traffic in the latest pre-trial decisions from the Delaware Chancery Court on Musk's attempt to terminate a $44 billion deal to take the social media company private.

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New NYS Bar Task Force Aims To Improve Access To Justice

The New York State Bar Association launched a task force Thursday to suggest new laws and policies to improve the criminal justice system and tackle a variety of issues that emerged during the COVID-19 pandemic.

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EPA Can't Slip Mexican-American Atty's Race Bias Suit

The U.S. Environmental Protection Agency can't dodge discrimination claims levied against it by an attorney in its Chicago office claiming he was passed over for a promotion because he is Mexican-American, although an Illinois federal judge did toss the attorney's other retaliation claim against the agency.

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Friday, August 26, 2022

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TOP NEWS

8th Circ. Affirms Trans Youth's Sex Bias Health Care Win

The Eighth Circuit on Thursday affirmed a preliminary block on an Arkansas state law banning transgender health care procedures for minors, holding a lower court didn't err in finding those who sued to permanently stop enforcement were likely to prevail on claims of unconstitutional sex discrimination.

Opinion attached | Read full article »

8th Circ. Says Biomet Received A Fair Trial In Hip Implant Suit

The Eighth Circuit won't overturn a $3.5 million verdict against Biomet Inc. in favor of a patient who says her hip implant device shed metal debris, ruling that the company "was not denied a fair trial."

Opinion attached | Read full article »

Centene Strikes $33M Deal To End Wash. Medicaid Fraud Suit

Washington state and the federal government will receive $33 million from health care giant Centene Corp. to resolve a lawsuit alleging it overcharged the state's Medicaid program — a deal that amounts to the second-largest fraud recovery in the state's history.

COMPANIES IN TODAY'S NEWS

Amazon.com Inc.
American Civil Liberties Union
American Civil Liberties Union of Arkansas
American Property Casualty Insurance Association

[redacted]

Settlement attached | Read full article »

NJ Justices Toss Punitive Claims Over FDA Device Warning

The New Jersey Supreme Court on Thursday threw out punitive damages claims against Valley Health System and others for using a power morcellator during a patient's hysterectomy after the U.S. Food and Drug Administration warned about such devices, citing the "purely advisory nature" of the agency's communication.

Opinion attached | Read full article »

Wash. Justices Find Losses From Virus Orders Not Covered

The Washington Supreme Court unanimously decided in a closely watched case Thursday that a pediatric dental practice wasn't entitled to insurance coverage for its COVID-19-related losses.

Opinion attached | Read full article »

Hospital Co. To Pay $19.7M To End Wage Suit In Fla.

An Ascension Health hospital and its owners agreed to pay $19.7 million to thousands of workers, ending a suit in Florida federal court alleging the hospital and its owners improperly calculated overtime and underpaid employees when a ransomware attack took out its timekeeping system.

2 documents attached | Read full article »

POLICY & REGULATION

DOD Rule Allows Med Mal Claims From Active-Duty Troops

The U.S. Department of Defense released a final rule on Thursday allowing service members to make claims for medical malpractice at military facilities, a congressionally mandated response to a long-standing judicial bar on lawsuits over injuries related to military service.

1 document attached | Read full article »

LITIGATION

Gilead Fights High Court Bid Over 'Possession' Of Invention

Gilead's Kite Pharma Inc. says the U.S. Supreme Court shouldn't review a Federal Circuit decision that erased a Bristol-Myers Squibb unit's $1.1 billion victory in a cancer therapy case, saying the challenge is trying to fight more than half a century of precedent.

Brief attached | Read full article »

Benefit Plan Users Urge 5th Circ. To Affirm Class In ERISA Suit

American Tower Corp.
Ascension Health Inc.
Biomet Inc.
Bloomberg
Bristol-Myers Squibb Co.
CBS Corp.
CBS Interactive Inc.
CVC Capital Partners
CVS Health Corp.
Cable News Network Inc.
California Attorney Lending
Carlyle Group LP
Centene Corp.
Cincinnati Financial Corp.
Democratic National Committee
Fox News Network LLC
Freedom Mortgage Corp.
JPMorgan Chase & Co.
Judicial Watch Inc.
Juno Therapeutics Inc.
KKR Financial Holdings LLC
Kite Pharma Inc.
Major League Baseball Inc.
Monumental Sports & Entertainment LLC
Mutual of Enumclaw Insurance Co.
NBCUniversal Media LLC
National Amusements Inc.
National District Attorneys Association
New York City Bar Association
New York State Bar Association
New York State Nurses Association
Oi SA
Olympus Corp.
Option Care Health Inc.
Paramount Global
Pfizer Inc.
Sacred Heart Health System Inc.
Signify Health Inc.
State Bar of California
The E.W. Scripps Company
The New York Times Co.
The State University of New York
Twitter Inc.
UnitedHealth Group Inc.
University of Pittsburgh Medical Center
WNBA Enterprises LLC
Washington Capitals

Three benefit plan participants urged a Fifth Circuit panel Thursday to deny a bid by a group of benefits providers to overturn class certification in their suit alleging excessive fees, arguing that over 200,000 proposed class members were subjected to the same predatory policies.

Brief attached | Read full article »

Judge Won't Rethink Additional $22M Granted To Pension Plan

A Manhattan federal judge won't reconsider his earlier decision that would grant $22 million in prejudgment interest to a nurses union's pension plan, the judge said on Thursday.

Order attached | Read full article »

Pa. Supreme Court Abandons Med Mal Venue Restrictions

The Pennsylvania Supreme Court on Thursday ended a special venue rule for medical malpractice suits, which for 20 years had limited the filing of such lawsuits to the jurisdictions where the injuries occurred.

2 documents attached | Read full article »

Telehealth Cos., Hospital Keep Win In Fatal Stroke Suit

Two telehealth companies and a hospital escaped a suit alleging they failed to timely administer a stroke treatment to a patient who later died of a brain hemorrhage, after a Georgia appeals panel on Thursday said the patient's widower did not establish that the alleged negligence caused the patient's death.

Opinion attached | Read full article »

Care Home Must Face Suit Over Resident's Fall In Auto Door

A Georgia appeals court has revived claims alleging that a personal care home's negligence led to an automatic door hitting and knocking over a 91-year-old man, saying the jury should decide whether the home was more familiar with the door's hazards and whether the man was careful of his own safety.

Opinion attached | Read full article »

Health Care Co. Says Nurses Can't Prove Forced Labor Claims

A company accused of forcing foreign employees to work for substandard wages for years or else pay tens of thousands of dollars in liquidated damages urged a New York federal court Thursday not to grant a pre-trial victory on claims that its practices amounted to forced labor.

Motion attached | Read full article »

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DEALS

Deals Rumor Mill: Amazon, Washington Nationals, CVC Capital

More potential suitors for Signify Health have emerged, the owner of three Washington, D.C., professional sports franchises has his eye on a fourth, and private equity firm CVC may sell its stake in an Indonesian snack producer. Here, Law360 breaks down these and other deal rumors from the past week that you need to be aware of.

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EXPERT ANALYSIS

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Sidley Austin
Skadden Arps
Sullivan & Cromwell
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U.S. Court of Appeals for the Fifth Circuit
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U.S. Department of Justice
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U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York

[redacted]

Judge Orders Release Of Redacted Affidavit In Trump Search

A Florida federal judge on Thursday accepted the government's proposed redactions to the affidavit of probable cause that led to the search warrant for former President Donald Trump's Mar-a-Lago estate and ordered the release of the redacted affidavit by noon Friday.

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Mar-A-Lago Rhetoric Putting Judges At Risk, NYC Bar Says

The New York City Bar Association is calling on attorneys to temper their statements and stop making false claims about the FBI search of former President Donald Trump's Florida residence, citing recent threats of violence against a judge and law enforcement.

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U.S. Navy
U.S. Supreme Court
Washington Attorney General's Office

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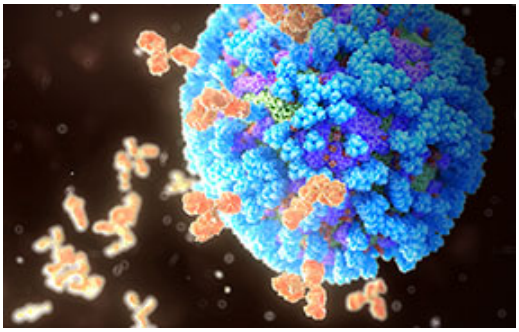
FEATURES



Influenza
Annual seasonal influenza epidemics of variable severity caused by influenza A and B virus infections result in a substantial disease burden worldwide.
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Department of Error

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Open Access

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A 1000-year-old case of Klinefelter's syndrome diagnosed by integrating morphology, osteology, and genetics

[redacted]

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Influenza

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SUBJECT: Morning Consult Health: Mutations of Omicron During Spring SurgeLessened Vaccine Efficacy, CDC Data Shows
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 26/08/2022 05:56

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 26, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- Nearly 40% of Americans hospitalized with COVID-19 from the end of March through May — when the BA.2 and BA.2.12.1 subvariants were the dominant strains — had been vaccinated and boosted against the disease, according to new findings from Centers for Disease Control and Prevention scientists, underlining the need for reformulated shots to keep up with omicron's mutations. Unvaccinated adults were still at least three times as likely to be hospitalized during this period, per the data, and the vaccines and boosters were still effective against the delta variant and moderately less so against BA.1. (Bloomberg)

- Pfizer Inc. said its vaccine to protect older adults against the respiratory syncytial virus, or RSV, was effective in reducing severe cases of the illness by nearly 86%. The drugmaker, which views the RSVpreF vaccine as a critical offering in its lineup of experimental medicines, also said the shot lowered the risk of milder RSV cases in adults 60 and older by almost 67%. (Stat News)

[redacted]

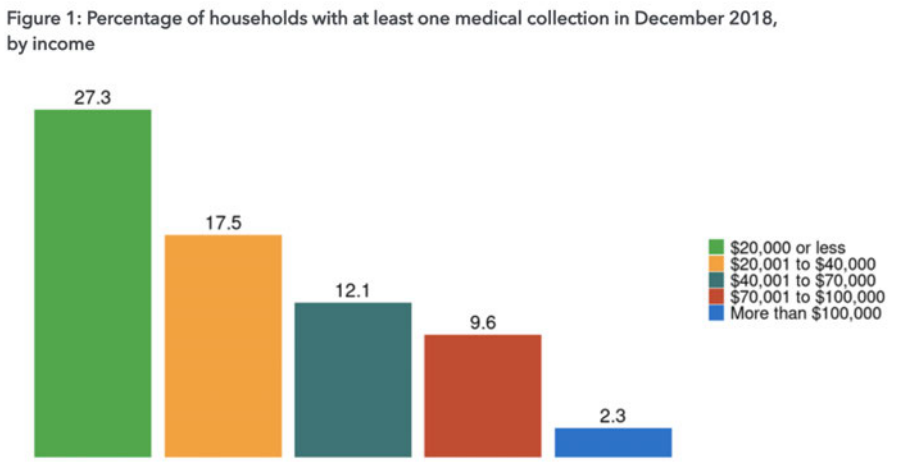
- Alphabet Inc.'s Google said in a letter to Sen. Mark Warner (D-Va.) and Rep. Elissa Slotkin (D-Mich.) that it will clearly label U.S. medical facilities that provide abortions in its search results, in a move to differentiate those facilities from crisis pregnancy centers and other anti-abortion organizations. (Reuters)

- Office of Management and Budget Director Shalanda Young issued a directive calling on federal agencies that lend hundreds of millions of dollars annually to ignore medical debt when assessing loan eligibility for people and small businesses. OMB's move, which calls on those agencies to provide plans for how they will make the change, comes months after a survey found that 1 in 2 insured Americans owe medical debt, with Black adults disproportionately affected. (Bloomberg Law)

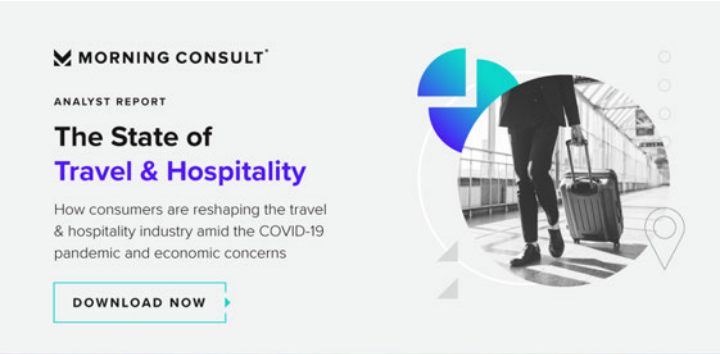
CHART REVIEW

Exploring the connection between financial assistance for medical care and medical collections

Consumer Financial Protection Bureau



A MESSAGE FROM MORNING CONSULT



The State of Travel & Hospitality

Morning Consult's semi-annual report, The State of Travel & Hospitality, tracks evolving consumer trends in the travel and hospitality sector and what they mean for the future of the industry. Download today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Dr. Anthony Fauci Expected Covid to Be 'Behind Us' a Year Into Biden's Term

Jeannie Baumann and John Tozzi, Bloomberg

White House Chief Medical Adviser Anthony Fauci expected the US would have moved past the Covid-19 pandemic after the first year of the Biden administration, but the disruption from the virus has lingered longer than the infectious disease expert anticipated.

America's Fall Booster Plan Has a Fatal Paradox

Katherine J. Wu, The Atlantic

New boosters that target Omicron may be our most important COVID vaccines since 2020—but the U.S. may be setting up the new shots to fail.

COVID vaccination in kids under 5 remain low as US hospital admissions steadily rise

Adrianna Rodriguez, USA Today

Vaccinations for babies, toddlers and preschoolers opened in June after months of delay. But only about 3.4% of children under 2 and 5.7% of children ages 2 to 4 have gotten at least one dose of the

vaccine, according to the Centers for Disease Control and Prevention.

Covid Test Expired? You May Still Have Time to Use It

Martine Paris, Bloomberg

People who bought Covid tests during the omicron surge or got them free from the federal government earlier this year may now be finding that those products are close to expiration. But don't throw them away just yet. The Food and Drug Administration has extended the shelf lives on many brands.

Unraveling the Interplay of Omicron, Reinfections, and Long Covid

Liz Szabo, Kaiser Health News

Although omicron infections are proving milder overall than those caused by last summer's delta variant, omicron has also proved capable of triggering long-term symptoms and organ damage. But whether omicron causes long covid symptoms as often — and as severe — as previous variants is a matter of heated study.

Twitter labeled factual information about covid-19 as misinformation

Taylor Lorenz, The Washington Post

Over the past week, Twitter has flagged dozens of tweets with factual information about covid-19 as misinformation and in some cases has suspended the accounts of doctors, scientists, and patient advocates in response to their posts warning people about the illness's dangers.

GENERAL

National Abortion Federation imposes new abortion restrictions

Caroline Kitchener, The Washington Post

New restrictions from one of the country's largest abortion funding organizations could add new obstacles for many patients in antiabortion states seeking the procedure elsewhere.

Fauci compares monkeypox outbreak to HIV epidemic, advises against making the same assumptions

Joseph Choi, The Hill

Fauci and H. Clifford Lane, deputy director for clinical research and special projects at the National Institute of Allergy and Infectious Diseases (NIAID), published a piece in the New England Journal of Medicine on Thursday in which they reflected on the similarities

between the monkeypox outbreak and the HIV/AIDS epidemic, which both men spent much of their careers studying.

White House directs agencies to make federally funded studies free

Sarah Owermohle, Stat News

The White House on Thursday directed health and science agencies to make federally funded studies immediately available to the public after publication, a move that open-access advocates have long pressed for but one that threatens to upend the business models of scientific journals.

Student vaccinations is down. Can schools catch them up?

Donna St. George, The Washington Post

The toll of the pandemic is hard to dispute. In Virginia, statewide rates for school-required vaccinations among kindergartners and adolescents fell by 10 percentage points from fall 2019 to fall 2021 — to around 86 percent, state data shows. Officials attributed the drop to fewer well-child visits, months of virtual learning, fluctuations in kindergarten enrollment and other factors.

Clashing Abortion Rulings Crimp Biden's Response to High Court

Courtney Rozen and Allie Reed, Bloomberg Law

Conflicting decisions in Texas and Idaho on President Joe Biden's efforts to overpower restrictive state laws and ensure access to abortions in medical emergencies highlight the president's already limited options to respond to the overturning of Roe v. Wade in states without friendly judges.

Trigger laws tighten abortion bans in three states

Katie Shepherd, The Washington Post

Trigger laws tightened abortion restrictions in Tennessee, Idaho and Texas on Thursday, banning abortion from conception in Tennessee and Idaho and raising the penalty for abortion providers in Texas. Nearly 36 percent of U.S. women live in a state that bans most abortions, though some of those laws have been temporarily blocked by the courts, and more restrictions are on the horizon.

Scientists use stem cells to create synthetic mouse embryos

Laura Ungar, The Associated Press

In the near term, researchers hope to use these so-called embryoids to better understand early stages of development and study mechanisms behind disease without the need for as many lab

animals. The feat could also lay the foundation for creating synthetic human embryos for research in the future.

Monkeypox Antiviral Originated as Post-9/11 Bioterrorism Defense

Joseph Walker, The Wall Street Journal

In the aftermath of 9/11, SIGA Technologies Inc. started work on a drug it hoped would never be used. Now, Tpoxx is playing a surprising role as one of the few available treatments thought to be effective against monkeypox.

Monkeypox is rare in children, but K-12 schools are preparing for possible cases

Jacqueline Howard, CNN

An elementary student in Georgia has tested positive for monkeypox, raising questions about how concerned schools should be about the small risk of the virus spreading among children as they head back to class.

WHO: Monkeypox cases dropped 21% over last week

Ivana Saric, Axios

Worldwide cases of monkeypox have dropped 21% over the past week, the World Health Organization said in a report released Thursday.

Wendy's E. coli outbreak: 84 people sickened in four states

John Bonifield, CNN

Wendy's restaurants have been associated with an E. coli outbreak reported in four states, with 84 people infected and 38 hospitalized, the US Centers for Disease Control and Prevention said Thursday.

Democrats tout their health care bonafides in midterm stretch run

Victoria Knight, Axios

With the midterms looming, vulnerable congressional Democrats are wagering that health care provisions in the just-passed $740 billion reconciliation bill will give them an edge and possibly preserve their razor-thin majorities.

PAYERS

DOJ joins Cigna Medicare Advantage fraud case

Alex Kacik, Modern Healthcare

The Justice Department has intervened on a False Claims Act lawsuit against Cigna Corp. that alleges the insurer exaggerated the illnesses of its Medicare members to obtain higher payments from the federal government.

Centene agrees to pay $33 million to resolve another state probe into its pharmacy benefits business

Ed Silverman, Stat News

Centene, one of the largest health insurers in the U.S., agreed to pay $33 million to settle allegations that its pharmacy benefits subsidiary overcharged the Washington state Medicaid program, the latest in a string of such settlements.

California Medicaid contracts with Molina, Centene, Elevance

Nona Tepper, Modern Healthcare

California regulators intend to award coveted five-year Medicaid managed care contracts to Molina Healthcare, Centene subsidiary Health Net and Elevance Health's Anthem Blue Cross Partnership Plan, the state Department of Health Care Services announced Thursday.

Insulin cap for Medicare patients signals hope for others

Farnoush Amiri, The Associated Press

Years before he came to the Senate, Raphael Warnock spent time bedside with Georgia residents suffering from the long-term effects of diabetes, a condition made worse by limited access to life-saving drugs like insulin.

Study: Costs to add substance abuse coverage to Medicare nominal

Robert King, Fierce Healthcare

Adding more coverage of substance abuse disorders to Medicare will only slightly raise federal spending, according to a new study.

California's health care coverage expansion benefits undocumented young adults

Pamela Subizar, Noticias Telemundo

California will extend health coverage through next year for about 40,000 low-income, undocumented young adults who are at risk of losing coverage under the state's Medicaid program.

CMS indefinitely delays controversial radiation oncology model

Robert King, Fierce Healthcare

The Centers for Medicare and Medicaid Services issued a final rule on Thursday surrounding the payment model that intended to

reimburse oncology practices and outpatient sites for a total episode of care. It would also develop site-neutral payments for certain radiation therapies.

Medicare's Cancer Treatment Payment Model Pushed Back Once Again

Tony Pugh, Bloomberg Law

The Biden administration has finalized a rule to postpone the January 2023 start date and performance period of a Medicare payment model for cancer care.

PROVIDERS

When Private Equity Takes Over a Nursing Home

Yasmin Rafiei, The New Yorker

After an investment firm bought St. Joseph's Home for the Aged, in Richmond, Virginia, the company reduced staff, removed amenities, and set the stage for a deadly outbreak of COVID-19.

Hospitals Cut Jobs and Services as Rising Costs Strain Budgets

Katheryn Houghton, Kaiser Health News

The pandemic has intensified a long-running health care worker shortage that has hit especially hard in large, rural states like Montana, which have few candidates to replace workers who depart. Expensive stopgaps — including traveling nurses — caused hospitals' costs to rise. Staffing shortages have also left patients with longer waits for treatment or fewer providers to care for them.

New rural hospital model draws interest - and questions

Alex Kacik and Maya Goldman, Modern Healthcare

Dozens of small community hospitals with low inpatient volumes will likely be good candidates to convert to the rural emergency hospital model.

Healthcare so far shielded from 2022's rapid inflation

Dave Muoio, Fierce Healthcare

Healthcare's upward price movement has so far been led by hospitals and nursing homes as opposed to other medical care spend, per an analysis of Bureau of Labor Statistics data released Wednesday.

PHARMA, BIOTECH AND DEVICES

Drug Negotiations Will Drive Biosimilars as Patent Tactics Shift

Jeannie Baumann, Bloomberg Law

Medicare's drug price negotiations will push out more low-cost biosimilars if the landmark climate and health-care law changes incentives for makers of brand-name biologics, some drug pricing scholars said.

Merck's Talks to Acquire Seagen Hit Snag, Threatening Mega Pharma Deal

Michelle F Davis, Bloomberg

Merck & Co.'s talks to buy cancer-drug maker Seagen Inc. have stalled for now, threatening what would be the pharmaceutical giant's biggest deal in more than a decade, according to people familiar with the matter.

HEALTH TECHNOLOGY

Why Amazon and others are in a bidding war for home health tech

Casey Ross and Katie Palmer, Stat News

The bidding war over Signify Health — a health technology business that could fetch multibillion-dollar offers from Amazon, CVS, and UnitedHealth Group — is not about its dazzling software or a blockbuster AI algorithm.

Autism Therapy Startup Blames 'Unfortunate Bug' For Misleading Reviews On Its Website

Katie Jennings, Forbes

SoftBank-backed Elemy, valued at $1.15 billion last year, was using the same three parent testimonials - the same quotes and same names with the location changed - across 24 different cities, according to a Forbes review of the Miami-based startup's website. On Tuesday, after Forbes inquired about the reviews and possible violations of Federal Trade Commission rules that prohibit false, deceptive and misleading testimonials, Elemy removed the references to locations.

OPINIONS, EDITORIALS AND PERSPECTIVES

Don't spoil the unique chemistry between America's universities and pharmaceutical companies

Howard Dean, Fortune

In their commendable desire to make prescription drugs more affordable, some of my friends in Congress are pushing a proposal that would harm tens of millions of patients and weaken our economy.

RESEARCH REPORTS

Falling Prices: Biosimilar competition has saved billions of dollars, but policy changes can incentivize billions more

Wayne Winegarden, Pacific Research Institute Center for Medical Economics and Innovation

The competition created by biosimilars can generate significant systemic savings in the same manner that competition in the tech space engenders broad-based systemic savings.

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CC: "John Stuligross (DHHS)" <jstuligross@utah.gov>, "Linnea Fletcher (DHHS)" <linneafletcher@utah.gov>, "Braden Ainsworth (DHHS)" <bainsworth@utah.gov>, "Laura Holtrop Kohl (DHHS)" <lholtrop@utah.gov>
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Brett McIff, PhD, PAPHS
Physical Activity Coordinator
Healthy Environments Active Living (HEAL) Program
O: 801.538.6530
Bmciff@utah.gov
https://heal.health.utah.gov/

Utah Department of Health & Human Services
Population Health

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DNPAO Daily Media Monitor

August 26, 2022

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- "Why a workout is good for your gut bacteria," *BBC* 8/25/2022

Obesity

- "New research demonstrates how maternal fat metabolism very early in pregnancy and fetal abdominal growth influence child weight and adiposity by 2 years of age. *EurekAlert!* 8/25/2022

Tobacco

- "NDDoH rolls out new Tobacco Prevention and Control Dashboard," *KX News* 8/24/2022 (North Dakota)

[redacted]

- "Which teens are more likely to vape? Research shows surprising patterns across race and sexuality groups," *Science Daily* 8/24/2022

Breastfeeding

- "How does breastfeeding actually work? Experts explain," *Yahoo!* 8/23/2022

Access to Healthy Food

Food preservation is more than a TikTok trend
8/25/2022 — Orange Co., CA
If you visited the Orange County Fair in Costa Mesa during the past month, you might have seen the Master Food Preservers of Orange County in their rustic farmhouse-themed kitchen located in the OC Promenade exhibit hall. If the decor did not catch your eye, the colorful rows of glass jars lined along the walls certainly would have. For an entire month, three volunteers conducted live canning demonstrations from 11 a.m. to 8 p.m. five days a week. They are with the UC Master Food Preserver Program, a public service and outreach program under UC Agriculture and Natural Resources.
Read full article here.

Physical Activity

Regular exercise linked to fewer cancer cases
8/25/2022
Only five hours a week of moderate exercise could help ward off a cancer diagnosis. A study published by Medicine and Science in Sports and Exercise, the journal of the American College of Sports Medicine, found strong evidence correlating physical activity to lower rates of cancer and other chronic conditions like heart disease, stroke and dementia.
Read full article here.

Why a workout is good for your gut bacteria
8/25/2022
Our guts are bursting with life. Living on and in us are trillions of microorganisms, the vast majority of which are bacteria. Collectively, they're known as the gut microbiota and are about 100 trillion bacteria, viruses, fungi, and other single-celled organisms such as archaea and protozoa. Their roles vary from helping to ferment dietary fiber from our meals, to synthesizing vitamins and regulating our fat metabolism. They also help to protect us from unwanted invaders, interacting with our immune system and influencing the extent of inflammation in our guts and elsewhere in our bodies.
Read full article here.

Obesity

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adult health.
Read full article here.

IN CASE YOU MISSED IT

Tobacco

NDDoH rolls out new Tobacco Prevention and Control Dashboard
8/24/2022 — North Dakota
The North Dakota Department of Health has released the North Dakota Tobacco Prevention and Control Dashboard, a new web-based dashboard designed as a tobacco information resource for the public. According to the news release, the dashboard contains information about tobacco use in North Dakota and features data for adults and youth.
Read full article here.

Which teens are more likely to vape? Research shows surprising patterns across race and sexuality groups
8/24/2022
Researchers estimate that half of all high school students in the United States have tried vaping at least once. One third of these students vape regularly. Since e-cigarettes were introduced to the U.S. in 2013, they've become more and more popular, especially among teens. From 2019-2020, the popularity of disposable e-cigarette use among U.S. high school students who currently vaped went up by 1,000%, from 2.4% to 26.5%, according to the CDC.
Read full article here.

Breastfeeding

How does breastfeeding actually work? Experts explain
8/21/2022
While there are several ways to feed an infant, from pumping and bottle feeding to formula feeding, breastfeeding is the most common method. In fact, most babies — 4 out of 5 — s breastfed, according to the Centers for Disease Control and Prevention. But how breastfeeding works exactly can be a bit of a mystery. Where does milk actually come from? What is colostrum and why is it so important?
Read full article here.

TOP STORIES

Report: A Unified Vision for Transforming Mental Health and Substance Use Care

The CEO Alliance for Mental Health, a leadership collective of the 15 leading organizations dedicated to improving the lives of people with mental health and substance use challenges, released a new report outlining a unified vision to improve lives through transforming care. The Alliance outlines seven elements which are critical to address in order to meet this goal: early identification and prevention, emergency and crisis response, equity, integration, parity, standards of care, and workforce. Intended to serve as a guide, the report illustrates common goals and pathways for success across the field.

munity news story that you would like to see included in the report, please send the link to commhealthmediamonitor@fhi360.org.

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CCBHC Notice of Funding Opportunity Expectations

HHS will be releasing the Certified Community Behavioral Health Clinic (CCBHC) planning grant Notice of Funding Opportunity in October 2022, with a planned 60-day application period and announcement of awards in March 2023. States will need to complete these planning grants in order to participate in the 2024 expansion of the Medicaid Demonstration authorized in the Bipartisan Safer Communities Act. Existing CCBHC demonstration states will be able to add additional CCBHC sites in this application. More information about the process will be released in the coming months. If states have specific concerns they would like HHS to consider, reach out directly to the agency at CCBHC@samhsa.hhs.gov.

Funding for Youth Substance Use Prevention Groups

Last week, the White House Office of National Drug Control Policy (ONDCP) announced nearly $12.4 million in grants as part of the Biden-Harris Administration's strategy to combat the nation's overdose epidemic. The grants will be made available to 99 new coalitions across the country as part of the Drug Free Communities (DFC) Support Program. Community coalitions receiving funds will raise awareness about the dangers of

prescription drugs, marijuana, tobacco, and alcohol, as well as working to educate communities about illicit fentanyl and counterfeit pills. To learn more, click here.

Webinar on Preventing Suicide in Children and Adolescents
On September 6, from 2-3pm ET the National Council for Mental Wellbeing, along with RELIAS, will host a webinar on current considerations for preventing suicide in children and adolescents. The webinar will discuss the problem of suicidality in children and adolescents, including who is at highest risk, cultural and COVID related considerations for providing care to children and adolescents; explore the role of parents, guardians, and other caregivers in suicide prevention; and talk through next steps and tools to effectively screen for suicide in this population. To register for the webinar, click here.

Become a NatCon23 Speaker!
Save the date for NatCon23 from May 1-3 in Los Angeles, California! Want to become a NatCon23 speaker? Our "call for presentations" is now open! Don't miss your chance to inspire thousands of people at the largest conference in mental health and substance use treatment – apply by Friday, September 23 (11:59 p.m. PT/2:59 a.m. ET). Questions? Contact us.

ADVOCACY CORNER

Advocacy Tip of the Week. Check out our Advocacy Handbook! The Handbook has tips and tricks for virtual meetings with legislators, as well as templates for scheduling meetings and sending follow-up emails. Please share with your colleagues and let us know if you have any questions. Also, never miss an alert from the National Council by signing up for our Advocacy Alerts!

HAPPENINGS ON THE HILL

Proposed Rule Amends State Reporting Requirements of Quality Measures. CMS recently proposed a new rule to implement mandatory state reporting on the quality of mental health and substance use disorder services in Medicaid and the Children's Health Insurance Program (CHIP). The proposed rule would require states to report annually all mental health and substance use measures established in the Core Set of Adult Health Care Quality Measures for all beneficiaries starting in 2024. For dually eligible beneficiaries, receiving both Medicare and Medicaid coverage, states would be required to report at least 12 of the 13 quality measures.

[redacted]

NATIONAL COUNCIL for Mental Wellbeing
1400 K Street NW, Suite 400
Washington, DC 20005

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THE LATEST

Impact of QoL Questionnaires Among Patients With Nonradiographic Axial Spondyloarthritis

By Samantha Matthews

Researchers determined questionnaires were reliable for assessing quality of life concerns among patients with nonradiographic axial spondyloarthritis.

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POPHEALTH PERSPECTIVES

Inflation, Mobile Health's Impact on the Health Care Industry

By Samantha Matthews

Keith Algozzine, founder and chief executive officer of UCM Digital Health, discusses how inflation is impacting the health care industry, areas of top concern, and how mobile health plays into the future of health care.

IN THE NEWS

Long-term Outcomes Suboptimal for Children With Hypertrophic Cardiomyopathy

[redacted]

[redacted]

By Jolynn Tumolo

Alopecia Areata Associated With High Cost Burden for Health Plans, Adolescents

By Maria Asimopoulos

Policies to Roll Back Abortion Rights Will Hit Incarcerated People Particularly Hard

By Carly Graf, Kaiser Health News

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MORE FROM FIRST REPORT MANAGED CARE

Three Insights From Trailblaze 2022: Member Experience Is About Humanization

By Icario Team

In this commentary, the Icario Team shares advice on how to connect with members better, elevate their experience, and improve outcomes.

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HMP Global

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SUBJECT: AI Drug Development; High Cost Burden
FROM: First Report Managed Care <newsletter@firstreportnow.com>

[redacted]

[redacted]

TO: hborski@utah.gov
DATE: 26/08/2022 17:08

FIRST REPORT
MANAGED CARE

THE LATEST

Correlation Between Atopic Dermatitis, Neuropsychiatric Comorbidities in Pediatric Populations

By Edan Stanley

Researchers explored the connection between pediatric atopic dermatitis and neuropsychiatric comorbidities such as depression, anxiety, and attention-deficit/hyperactivity disorder and determine more research is needed.

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POPHEALTH PERSPECTIVES

Addressing Inefficiencies in Drug Development With AI

By Maria Asimopoulos

Tanja Dowe, CEO, Debiopharm Innovation Fund SA, discusses the partnership between Debiopharm and VeriSIM Life and how advancements in technology can speed up the drug development process.

IN THE NEWS

Impact of QoL Questionnaires Among Patients With Nonradiographic Axial Spondyloarthritis

By Samantha Matthews

Alopecia Areata Associated With High Cost Burden for Health Plans, Adolescents

By Maria Asimopoulos

Policies to Roll Back Abortion Rights Will Hit Incarcerated People Particularly Hard

By Carly Graf, Kaiser Health News

[redacted]

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INTERVIEW

Partnership Implements Real-Time Benefit Check to Improve Transparency

By Maria Asimopoulos

Martin Burruano, vice president of pharmacy services, Independent Health, reviews key considerations for payers seeking to adopt real-time benefit check technologies for their provider networks.

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SUBJECT: HHS Expands Medicaid Funding; OOP Costs for Birth Control
FROM: First Report Managed Care <newsletter@firstreportnow.com>
TO: hborski@utah.gov
DATE: 27/08/2022 10:34

FIRST REPORT
MANAGED CARE

THE LATEST

Asymptomatic COVID-19 Rate Much Lower for Patients With Cancer vs General Population

By Jolynn Tumolo

“Active screening delayed oncologic care marginally, but the institution of such measures and other precautions...have ensured safe and prompt cancer care delivery during the pandemic,” researchers said.

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POPHEALTH PERSPECTIVES

Inflation, Mobile Health's Impact on the Health Care Industry

By Samantha Matthews

Keith Algozzine, founder and chief executive officer of UCM Digital Health, discusses how inflation is impacting the health care industry, areas of top concern, and how mobile health plays into the future of health care.

IN THE NEWS

HHS, CMS Expand State Funding for Medicaid’s Money Follows the Person Program

By Edan Stanley

Cognitive Deficits Contribute to Economic Burden of Multiple Sclerosis

By Samantha Matthews

California Bill Would Eliminate Out-of-Pocket Costs for Vasectomies, Condoms

By Rachel Bluth, Kaiser Health News

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COMMENTARY

Three Insights From Trailblaze 2022: Member Experience Is About Humanization

[redacted]

By Icario Team

In this commentary, the Icario team shares advice on how to connect with members better, elevate their experience, and improve outcomes.

HMP Global

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SUBJECT: Morning Consult Health: What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 28/08/2022 07:32

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 28, 2022

BY MATT BRACKEN

Twitter Email

Good morning to you, health readers. The past week was the official beginning of the end for Dr. Anthony Fauci, who said he will leave the federal government in December, ending a nearly four-decade tenure that saw him serve as the public face of the country's responses to COVID-19, AIDS, Ebola, Zika and other infections.

[redacted]

Republicans responded to the news by channeling Lee Corso, telling the 81-year-old to prepare for some trips back to Capitol Hill in what will surely be another series of dispassionate and fruitful exchanges.

With Fauci staying on the job for a few more months, we've got a timely quiz question for the week: Which of the following evaluations are voters most likely to give Fauci for his handling of the coronavirus?

A: Excellent
B: Good
C: Just fair
D: Poor

You can find the answer at the bottom of the newsletter.

WHAT'S AHEAD

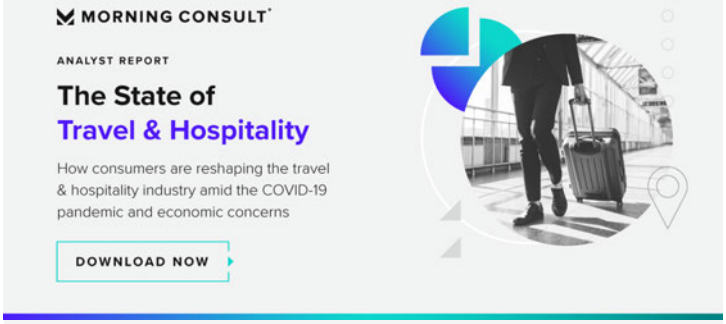
The Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices is meeting Thursday and Friday in Atlanta. On the docket will be discussion of the reformulated Pfizer Inc.-BioNTech SE and Moderna Inc. COVID-19 vaccines targeting the BA.4 and BA.5 omicron subvariants, ahead of the Biden administration's planned fall booster campaign for adults and teenagers. A source told NBC News that CDC Director Rochelle Walensky could clear the updated shots soon after ACIP's meeting. The Food and Drug Administration, meanwhile, is reportedly eyeing authorization of the shots around Labor Day.

Walensky will join the Center for Strategic and International Studies for a fireside chat on Tuesday at 4 p.m. As part of the think tank's Commission on Strengthening America's Health Security, Walensky will discuss her recently announced plans to overhaul the agency, including details on how the CDC can restore public trust in the wake of its COVID-19 performance. Tom Inglesby, director of the Johns Hopkins Center for Health Security, and Julie Gerberding, chief executive of the Foundation for the National Institutes of Health, will also appear at the event.

The Medicare Payment Advisory Commission is holding a virtual public meeting Thursday and Friday. The topics on MedPAC's

agenda include: providing Congress with updates on Medicare's payment policy and financial situation; the standardization of Medicare Advantage plans (and cost-sharing for Part A and Part B services); the accuracy and thoroughness of MA encounter data; reforming Medicare's wage index systems; and addressing high costs of drugs covered by Medicare Part B.

A MESSAGE FROM MORNING CONSULT



The State of Travel & Hospitality

Morning Consult's semi-annual report, The State of Travel & Hospitality, tracks evolving consumer trends in the travel and hospitality sector and what they mean for the future of the industry. Download today.

WEEK IN REVIEW

COVID-19 vaccines: Moderna filed a lawsuit against Pfizer and BioNTech, alleging that the drugmakers copied its mRNA technology to make their COVID-19 vaccine. In a statement, Moderna said 2010 and 2016 patents covering its mRNA technology were infringed upon by Pfizer and BioNTech.

Nearly 40% of Americans hospitalized with COVID-19 from the end of March through May — when the BA.2 and BA.2.12.1 subvariants were the dominant strains — had been vaccinated and boosted against the

disease, according to new findings from CDC scientists, underlining the need for reformulated shots to keep up with omicron's mutations.

The CDC cleared Novavax Inc.'s protein-based COVID-19 vaccine for use in children ages 12 to 17, following FDA authorization of the shot the previous week.

Pfizer said the COVID-19 vaccine it developed with BioNTech was 73% effective in protecting babies and toddlers amid omicron's spread between March and June. Per the study, there were 21 positive cases among the 351 children younger than 5 who received dummy shots, compared with 13 cases among 794 kids in the same age bracket who received three vaccine doses.

AstraZeneca PLC CEO Pascal Soriot said in an interview that he "can't be sure" whether the British drugmaker will stay in the COVID-19 vaccine business, after its shot — which still hasn't been authorized by U.S. regulators — was mired in production delays, questions about its shelf life and rare instances of serious side effects.

Industry moves: Amazon.com Inc. announced plans to sunset its Amazon Care telehealth and in-person medical services at the end of 2022, three years after the e-commerce giant launched the primary care service for its employees and a month after its $3.9 billion acquisition of concierge clinic operator One Medical. Amazon Health Services Senior Vice President Neil Lindsay said in an email to employees that Amazon Care, which provided telehealth services in all 50 states and in-person care in at least seven cities, ultimately wasn't "the right long-term solution for our enterprise customers."

Signify Health Inc. is considering bids from Amazon, CVS Health Corp., Option Care Health Inc. and UnitedHealth Group Inc., according to people with knowledge of the matter. At more than $30 per share, UnitedHealth has submitted the highest bid, though Amazon's offer isn't far behind, the people said.

Agencies in the news: Following the enactment of the Inflation Reduction Act, Centers for Medicare and Medicaid Services Administrator Chiquita Brooks-LaSure said she will create a team within the agency's Medicare arm that will be charged with negotiating drug prices, with hiring for at least 100 positions starting in the fall.

Senior Trump administration officials leaned on FDA Commissioner Stephen Hahn and other agency leaders to sign off on unproven COVID-19 treatments such as hydroxychloroquine and convalescent plasma, according to a report from Democratic lawmakers on the House Select Subcommittee on the Coronavirus Crisis. The report also found that the Trump White House tried to block FDA safety data collection efforts on COVID-19 vaccines, pushing for an expedited timeline on approvals ahead of the 2020 presidential election.

A Trump-appointed federal judge in Texas blocked Health and Human Services Department guidance that requires hospitals to perform abortions when the life of the mother is endangered, writing that the July 11 order exceeds the authority of the 1986 Emergency Medical Treatment and Labor Act. The judge's ruling places the HHS guidance on hold, and the Department of Justice is likely to file an appeal. Meanwhile, the DOJ notched a victory when a federal judge blocked Idaho's near-total abortion ban, ruling that the procedure must be allowed in certain emergency situations.

STAT OF THE WEEK

77.0 years

The average life expectancy in the country in 2020, down 1.8 years from 2019, per CDC data released last week. Mostly because of the onset of the COVID-19 pandemic, life expectancy dropped in all 50 states and Washington D.C. over that time period.

THE MOST READ STORIES THIS WEEK

1) Biden admin releases final surprise billing rule that updates dispute resolution process after legal setbacks
Heather Landi, Fierce Healthcare

2) How Differences in Medicaid, Medicare, and Commercial Health Insurance Payment Rates Impact Access, Health Equity, and Cost
Cindy Mann and Adam Striar, The Commonwealth Fund / Manatt Health

3) Amazon Care is shutting down at the end of 2022. Here's why

Heather Landi, Fierce Healthcare

4) Hiring and data: how the U.S. will set up new Medicare drug price talks
Ahmed Aboulenein, Reuters

5) Your first brush with coronavirus could affect how a fall booster works
Carolyn Y. Johnson, The Washington Post

6) UnitedHealth, Amazon Are Among Bidders for Signify
Kiel Porter and Michelle F Davis, Bloomberg

7) States with the toughest abortion laws have the weakest maternal supports, data shows
Rachel Treisman, NPR News

8) This is now the biggest driver of employers' healthcare costs, survey shows
Paige Minemyer, Fierce Healthcare

9) America's Fall Booster Plan Has a Fatal Paradox
Katherine J. Wu, The Atlantic

10) Congressman's wife died after taking herbal remedy marketed for weight loss and diabetes
Samantha Young, Kaiser Health News

OTHER HEALTH NEWS

- Google to clearly label U.S. medical facilities that provide abortion (Reuters)
- New restrictions from major abortion funder could further limit access (The Washington Post)
- Centene agrees to pay $33 million to resolve another state probe into its pharmacy benefits business (Stat News)
- DOJ joins Cigna Medicare Advantage fraud case (Modern Healthcare)
- White House directs health, science agencies to make federally funded studies free to access (Stat News)

- US Plans to Stop Weighing Medical Debt in Federal Loan Approvals (Bloomberg Law)
- Pfizer's experimental RSV vaccine protects older adults in study (Stat News)
- Study: Pfizer COVID pill showed no benefit in younger adults (The Associated Press)
- Over 2 Million Americans Aren't Working Due to Long Covid (The Wall Street Journal)
- Senate Committee Plans Hearings on Response to Monkeypox Outbreak (Bloomberg)
- 'Magic mushroom' psychedelic may help heavy drinkers quit (The Associated Press)
- Pfizer Bidding War With J&J Preceded Global Blood Therapeutics Deal (Bloomberg)
- Covid Incubation Gets Shorter With Each New Variant, Study Shows (Bloomberg)
- Bavarian Nordic vows to boost monkeypox vaccine supply to combat shortfall (Reuters)
- British scientists behind key COVID trial launch study to test monkeypox treatment (Reuters)

The answer to this week's quiz question is **D:** 34% of voters rate Fauci's performance on COVID-19 as poor, a figure fueled by 63% of Republicans. Meanwhile, 22% of voters overall say Fauci is excellent on the coronavirus, an equal share say he's been good and 14% say his handling of COVID-19 is fair. You can dig deeper into the

[redacted]

electorate's feelings on Fauci's job performance in the latest Morning Consult/Politico crosstabs.

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SUBJECT: 3 Takeaways From Mar-A-Lago Search Warrant Affidavit & 5th Circ. ToScope SEC Agenda In Nasdaq Diversity Rule Fight
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 29/08/2022 02:42

Monday, August 29, 2022

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TOP NEWS

Analysis

3 Takeaways From Mar-A-Lago Search Warrant Affidavit

The heavily redacted probable cause affidavit unsealed Friday did not provide many new details about the investigation into former President Donald Trump's alleged mishandling of classified documents at his Mar-a-Lago estate, but it did give hints about what kinds of documents federal authorities found on the Florida property and how they got that information.

Read full article »

Judge Inclined To Appoint Special Master In Mar-A-Lago Case

A Florida federal judge said Saturday that she is inclined to grant former President Donald Trump's request to appoint a

[redacted]

third-party special master to oversee the FBI's review of documents seized from Mar-a-Lago.

Order attached | Read full article »

Redacted Affidavit For Mar-A-Lago Warrant Made Public

Prosecutors had reason to believe sensitive documents were being improperly kept at former President Donald Trump's Mar-a-Lago estate after finding "a lot of classified records" intermixed with other documents in a batch handed over by Trump in December, according to an affidavit of probable cause for the Mar-a-Lago search warrant partially unsealed in Florida federal court Friday.

1 document attached | Read full article »

5th Circ. To Scope SEC Agenda In Nasdaq Diversity Rule Fight

The U.S. Securities and Exchange Commission will go before the Fifth Circuit Monday to defend a rule encouraging Nasdaq-listed companies to diversify their boards, in a case that could determine just how far the agency is permitted to wade into social and environmental issues, legal experts told Law360.

Read full article »

US, China Complete Audit Deal, But 'True Test' Lies Ahead

The U.S. announced a deal Friday that could resolve a decade-old spat with China by allowing American regulators to fully audit Chinese companies listed on U.S. exchanges, but officials warned that the "proof will be in the pudding" when it comes to Beijing holding up its part of the bargain.

Read full article »

DC Circ. Won't Force OSHA To Issue COVID Health Safety Rule

The D.C. Circuit on Friday denied a petition by a group of nurses unions to order the U.S. Department of Labor to make permanent the agency's emergency temporary standard, or ETS, which laid out protections for health care workers during the COVID-19 pandemic.

Opinion attached | Read full article »

Analysis

Ford's $1.7B Trial Loss Puts Spotlight On Hush Deals, Ga. Law

A Georgia jury's $1.7 billion punitive damages verdict against Ford Motor Co. over a fatal rollover collision shines a light on an alleged defect that previously has resulted in confidential settlements. But the award may not stick, attorneys told Law360, especially if a Georgia law prompts a post-trial settlement.

Read full article »

Q&A

LAW FIRMS IN TODAY'S NEWS

Akin Gump
Allen & Overy
BDB Pitmans LLP
Baker & Hostetler
Ballard Spahr
Beasley Allen
Boies Schiller
Boyden Gray & Associates
Bush Ross
CMS Cameron McKenna Nabarro Olswang
Cadwalader Wickersham
Cassidy Levy
Chiesa Shahinian
Clyde & Co
Cohen Milstein
Covington & Burling
DLA Piper
DWF LLP
Day Pitney
Diaz Anselmo
Edwin Coe
Eversheds Sutherland
FeganScott
Fenwick Elliot
Gibson Dunn
Goodwin Procter
Gordon & Rees
Greenberg Traurig
Grunfeld Desiderio
Gunderson Palmer
Gupta Wessler
Hamilton Lincoln Law Institute
Hamlins LLP
Harris Wiltshire
Homer Bonner
Ifrah Law
Irwin Mitchell
Johnson Anselmo
Jomarron Lopez
Jones Day
Joseph Hage Aaronson
Katten Muchin

'Career Suicide': Advocate's Long Road To End Pot Prohibition

Paul Armentano has spent the last 20 years working to change marijuana policy in the U.S., a period that has seen seismic shifts in the landscape of cannabis law. But he says the fight to end federal prohibition is far from over.

Read full article »

ELECTION PROBE & VOTING RIGHTS

Powell, Meadows Ordered To Testify In Ga. Election Probe

A Georgia state judge has ordered attorney Sidney Powell and former Trump White House chief of staff Mark Meadows to testify as part of a grand jury probe in Atlanta into possible interference in the 2020 presidential election.

6 documents attached | Read full article »

Judge Needs Answers in SD County Voting Rights Suit

A federal judge told a South Dakota county and a Native American tribe they have until Monday to come back with answers to six questions he has in an ongoing suit alleging Lyman County's electoral map violates the federal Voting Rights Act.

2 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

EPA Proposes Treating 2 PFAS Chemicals As Hazardous

The U.S. Environmental Protection Agency on Friday proposed to treat two widely used PFAS chemicals as hazardous substances, which could open the industry up to Superfund liability for releases and cleanups.

Proposed Rule attached | Read full article »

DC Circ. Punts Houston, Dallas Smog Regs Fight To 5th Circ.

The D.C. Circuit on Friday transferred to the Fifth Circuit green groups' lawsuit alleging the U.S. Environmental Protection Agency unlawfully weakened smog protections for Houston and Dallas, saying the agency's decision was not nationally applicable and the case belongs to its sister circuit.

Opinion attached | Read full article »

Utah Locals Say Monuments Threaten Their Businesses

A nonprofit group, rancher, miner and Ute Mountain Ute Tribe member have followed up Utah's bid to block President Joe Biden's monument designations in the state with a suit of their own, claiming the monument designations pose the risk of "destroying their livelihoods" if allowed to stand.

Kennedys Law LLP
Keoghs LLP
King & Spalding
Kirkland & Ellis
Law Office of Bryan L. Sells
Law Office of Lawrence J. Joseph
Law Offices of Charles Eiss
Law Offices of Omar Figueroa
Macfarlanes LLP
Manatt Phelps
Marcus & Shapira
Markowitz & Richman
Martin LLP
Mayer Brown
McElroy Deutsch
Monserrate Simonet
Morgan Lewis
Morris Manning
Morrison Foerster
Murphy & Prachthauser
O'Melveny & Myers
Oberti Sullivan
Payne Mitchell
Penningtons Manches
Perkins Coie
Quinn Emanuel
Serafini Law Office
Shakespeare Martineau
Shearman & Sterling
Shook Hardy
Shumaker Loop
Silverman Thompson
Simmons & Simmons
Skadden Arps
Smith Appellate Law Firm
Steptoe & Johnson LLP
The Ammons Law Firm
Thomson Rhodes
Troutman Pepper
Tyler & Wilson
Vinson & Elkins
Weil Gotshal
White & Case
Wiggin LLP
Wiley Rein
Willkie Farr
WilmerHale
Wilson Sonsini
Wimberly Lawson Steckel
Schneider & Stine
Winston & Strawn

COMPANIES IN TODAY'S NEWS

[redacted]

Complaint attached | Read full article »

Groups Say Coal Ash Rule Pitfalls Hurts Low-Income People

The Sierra Club and others sued the U.S. Environmental Protection Agency, saying its failure to regulate inactive landfills containing ash created by coal-fired power plants is putting low-income communities at serious risk of skin and liver cancer and contaminating groundwater.

Complaint attached | Read full article »

EMPLOYMENT & BENEFITS

More Than 60 Legal Vets Support Suspended Fla. Prosecutor

More than 60 current and former prosecutors, attorneys general, judges, U.S. attorneys and federal officials on Friday urged a Florida federal court to rescind Florida Gov. Ron DeSantis' removal of a state attorney after he pledged not to use his resources to enforce abortion bans or laws targeting transgender people.

2 documents attached | Read full article »

11th Circ. Narrows But Keeps Contractor Vax Mandate Block

A split Eleventh Circuit on Friday shrank but did not dissolve a bar on the Biden administration's COVID-19 vaccine mandate for federal contractors, saying a nationwide injunction was too broad but that states challenging the mandate were ultimately likely to succeed.

Opinion attached | Read full article »

COMPETITION

Lawmaker Says FTC 'Flouting' Law With Consultant Use

The House Judiciary Committee's ranking member has accused the head of the Federal Trade Commission of "flouting federal law" by using unpaid consultants to perform core agency functions in an effort to promote her agenda.

2 documents attached | Read full article »

CONSUMER PROTECTION

DC Circ. Rejects Challenge To Public Housing Smoking Ban

The D.C. Circuit on Friday upheld a ruling that smoking can be banned in public housing units, citing the government's right to maintain health standards, avoid fire risks and reduce maintenance costs on its property.

Opinion attached | Read full article »

Court Won't Sanction Anti-Mask Shoppers In Discovery Fight

3M Co.
A.P. Moller-Maersk
AXA SA
Alphabet Inc.
Amazon.com Inc.
American Cast Iron Pipe Co.
American Federation of Labor & Congress of Industrial Organizations
American Federation of State County & Municipal Employees
American Federation of Teachers
American National Standards Institute Inc.
Apple Inc.
BNP Paribas SA
Binance Holdings Ltd.
BlackRock Inc.
Bloomberg
C.R. Bard Inc.
CVS Health Corp.
California NORML
Colony Capital Inc.
Credit Suisse Group AG
DISH Network Corp.
Danske Bank AS
Deutsche Bank AG
DuPont de Nemours Inc.
Earthjustice
Entain PLC
Environmental Integrity Project
Ernst & Young LLP
EuroChem Group SE
FCA US LLC
Ford Motor Co.
Fordham University
Giant Eagle Inc.
Google LLC
HSBC Holdings PLC
Hilton Worldwide Holdings Inc.
Home Box Office Inc.
ING Groep NV
Investments Ltd.
Johnson Controls International PLC
Kyocera Corporation
Ladbrokes PLC
LinkedIn Corp.
Los Angeles Times
MasterCard Inc.
Meta Platforms Inc.
Microsoft Corp.

[redacted]

Pittsburgh-based grocery chain Giant Eagle can't sanction shoppers suing over its pandemic mask policy because the grocer's lawyers failed to meet their counterparts to try to resolve their discovery disputes before seeking to toss the complaints or make the shoppers pay legal bills, a federal judge ruled Friday.

Opinion attached | Read full article »

HOSPITALITY

Calif. Motel Lodging Homeless Guests Sues Anaheim

The owners of a California motel have slapped a $20 million civil rights suit against the city of Anaheim, saying it is discriminating against them and forcing down the value of their business because they offer extended stays to homeless guests.

Complaint attached | Read full article »

SPORTS & BETTING

NJ Aims To Pause 'Erroneous' $13M Casino Payment Order

New Jersey pushed a state judge Friday to pause his ruling directing it to provide more money to Atlantic County out of annual payments made by Atlantic City casinos, while the county cried foul over how the state's underfunding has hurt local programs.

Read full article »

INTERNATIONAL TRADE

Analysis

Attys Hail Beginning Of End To Commerce's Remote Reviews

The U.S. Department of Commerce is easing back into overseas on-site verification visits in import investigations after more than two years of paper-based reviews, a move attorneys hope will put an end to experimental remote proceedings.

Read full article »

Fed. Circ. Says Turkish Steel Co. Doesn't Owe Dumping Duties

The Federal Circuit on Friday let a Turkish steel pipe producer off the hook in a years-long anti-dumping duties dispute, affirming a lower court's finding that the U.S. Department of Commerce shouldn't have adjusted for distortion in the importer's home market when it first calculated the tariffs.

Read full article »

WHITE COLLAR

Feds Say Ex-Rep.'s Arrest Tripped Up Trump Ally's Scheme

Prosecutors told a New York federal judge Thursday that the United Arab Emirates' effort to leverage its relationship with

NASDAQ Inc.
NBCUniversal Media LLC
National Nurses United
National Organization for the Reform of Marijuana Laws
National Parks Conservation Association
Native American Rights Fund Inc.
New Civil Liberties Alliance
New York State Nurses Association
New York University
News Corp.
Nordea Bank
PJM Interconnection LLC
Park Lane I LLC
Pfizer Inc.
Public Co. Accounting Oversight Board
Scania
Schroders PLC
Sierra Club
Smithfield Foods Inc.
Societe Generale
Southwestern Law School
Space Exploration Technologies Corp.
Spotify Technology SA
Stratton Mortgage LLC
Svenska Handelsbanken
Tesla Inc.
Texas Oil & Gas Association Inc.
The Chemours Co.
The Coca-Cola Co.
The National Cannabis Industry Association
The New York Times Co.
Toro Co.
Trividia Health Inc.
Trump Organization Inc.
Twitter Inc.
U.S. Chamber of Commerce
UBS Group AG
University of Virginia
Viasat Inc.
Walgreens Co.
Walmart Inc.
Walt Disney Parks & Resorts Worldwide Inc.
easyJet plc

GOVERNMENT AGENCIES IN TODAY'S NEWS

former Trump adviser Thomas Barrack to get former Rep. Stephen Stockman appointed as U.S. ambassador to the UAE failed after the congressman was arrested on unrelated charity fraud charges.

2 documents attached | Read full article »

Puerto Rico Super PAC Prez Gets Prison For Dark Money Con

The president and treasurer of a Puerto Rican super PAC was sentenced to 14 months in prison Friday after pleading guilty to lying about the source of donations.

Read full article »

NATIVE AMERICAN

Commerce Awards $144M For Western Tribal Land Broadband

The U.S. Department of Commerce's National Telecommunications and Information Administration said it will award $143.6 million of broadband funds from the federal Consolidated Appropriations Act of 2021 to Native American tribes in two states.

Read full article »

TELECOMMUNICATIONS

9th Circ. Says FCC Regs Preempt Apple IPhone Radiation Suit

The Ninth Circuit backed a district court's decision to toss a proposed class action claiming that Apple iPhones expose users to dangerous radiation, saying Friday that federal regulations setting radiation levels preempted the state law used to bring the case against the tech giant.

Opinion attached | Read full article »

DC Circ. Supports FCC Approval Of SpaceX Satellite Changes

The D.C. Circuit delivered a win for SpaceX's Starlink broadband satellite system on Friday, allowing the spacecraft company to continue flying satellites in a lower orbit after finding that there were no significant inference or environmental risks, despite complaints from competitors.

Opinion attached | Read full article »

GOP Lawmakers Blast Commerce's Broadband Project Rules

More than a dozen Senate Republicans are calling for changes to how a U.S. Department of Commerce agency is distributing billions of dollars in federal funds for broadband projects, claiming a host of spending policies contradict what lawmakers intended.

Letter attached | Read full article »

EXPERT ANALYSIS

California Department of Food and Agriculture
California Department of Public Health
Centers for Disease Control and Prevention
Commodity Futures Trading Commission
Companies House
Delaware Court of Chancery
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Election Commission
Federal Energy Regulatory Commission
Federal Trade Commission
Florida Attorney General's Office
Florida Supreme Court
Food and Drug Administration
Georgia Attorney General's Office
Hopi Tribe
Mississippi Band of Choctaw Indians
National Archives and Records Administration
National Highway Traffic Safety Administration
National Telecommunications and Information Administration
Navajo Nation
Occupational Safety and Health Administration
Pueblo of Zuni
Sault Ste. Marie Tribe of Chippewa Indians
Spokane Tribe of Indians
Tennessee Valley Authority
Texas Attorney General's Office
Texas Commission on Environmental Quality
Texas Legislature
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Southern District of Florida

Assessing The Criminal Implications Of State Abortion Bans

As state abortion bans proliferate in the wake of the U.S. Supreme Court's overturning of Roe v. Wade, people and entities providing services or benefits related to abortion must carefully assess the risk of criminal liability, as well as potential legal defenses, before taking action that could implicate these laws, say Tracy Cole and Rachel Hooper at BakerHostetler.

Read full article »

Pending Bill Could Lead FERC To Issue More Trader Bans

The Energy Consumer Protection Act, currently pending in Congress, would give the Federal Energy Regulatory Commission better means for enforcing existing laws against manipulation of natural gas and electric power markets — and could make outright bans on trading a more commonly used enforcement tool, say Levi McAllister and Pamela Wu at Morgan Lewis.

Read full article »

5th Circ. Ruling May Shake Up Employment Bias Litigation

In Hamilton v. Dallas County, a Fifth Circuit panel recently said the case is an ideal vehicle to reexamine Title VII precedent, which means lawyers representing employee and management interests may have to retool how they think about and litigate discrimination actions, says Ed Sullivan at Oberti Sullivan.

Read full article »

Calif.'s Organic Cannabis Program: Issues And Opportunities

As consumers drive demand for clean cannabis, California is ramping up its program to certify certain cannabis goods with a comparable-to-organic seal, offering companies an opportunity to compete in a crowded marketplace and with purveyors of federally legal products like hemp, say attorneys at the Law Offices of Omar Figueroa.

Read full article »

Law Of The Case Is More Nuanced Than You May Think

The recent Seventh Circuit decision in Flynn v. FCA highlights how frequent misconceptions about the law of the case doctrine are, and suggests that litigants should take a hard look at the key qualifications — and quirks — of this narrow and discretionary doctrine before relying on it as a silver bullet, says Michael Soyfer at Quinn Emanuel.

Opinion attached | Read full article »

U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Education
U.S. Department of Health and Human Services
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U.S. Department of Labor
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U.S. Environmental Protection Agency
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
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United States District Court for the District of South Dakota
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LEGAL INDUSTRY

Exclusive

David Boies Faces Grievance Complaint Over Epstein Case

A victim of Jeffrey Epstein's sex trafficking ring has filed a grievance against her former lawyer David Boies, alleging he "mistreated" her while representing her in a civil case against Epstein, Ghislaine Maxwell and three of their alleged co-conspirators.

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Eversheds Sutherland Taps Wales Leader As New Chair

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In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

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Podcast

Law360's Pro Say: The Legal Story Behind 'We Own This City'

On this special episode of the Pro Say podcast, we go behind the scenes of HBO's hit miniseries "We Own This City" with one of the stars of the show and the prosecutor he portrayed.

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SUBJECT: DC Circ. Won't Force OSHA To Issue COVID Health Safety Rule
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 29/08/2022 03:09

Monday, August 29, 2022

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DC Circ. Won't Force OSHA To Issue COVID Health Safety Rule

The D.C. Circuit on Friday denied a petition by a group of nurses unions to order the U.S. Department of Labor to make permanent the agency's emergency temporary standard, or ETS, which laid out protections for health care workers during the COVID-19 pandemic.

Opinion attached | Read full article »

Analysis

3 Questions As Moderna Wages COVID Patent Attack On Pfizer

Moderna's suits accusing Pfizer of infringing patents related to mRNA vaccine technology on Friday set the stage for courts to review the role of no-sue pledges such as the one Moderna made in October 2020 as well as whether the suing company should have patents in the first place.

Read full article »

Moderna Lobs COVID Vaccine IP Suit At Pfizer, BioNTech

Moderna filed a lawsuit Friday against Pfizer Inc. and BioNTech, alleging that its rivals "followed the trail Moderna

COMPANIES IN TODAY'S NEWS

A.P. Moller-Maersk

AXA SA

[redacted]

blazed" years ago in developing the technology behind the mRNA platform at the heart of the COVID-19 vaccines the companies produced.

Complaint attached | Read full article »

11th Circ. Backs Siblings' Fraud Convictions In Opioid Case

The Eleventh Circuit refused to undo the convictions of an Alabama doctor and his sister, a nurse, who worked at a clinic run by the doctor, known for giving large amounts of opioid medication to people who didn't need it.

Opinion attached | Read full article »

Highmark Win Preserved In 'Whistleblower' Firing Case

In a precedential ruling Friday, the Third Circuit upheld the dismissal of a former Highmark employee's lawsuit over his alleged retaliatory firing for whistleblowing, holding that his reporting of purported fraud at the company did not protect him from being terminated for harassment.

Opinion attached | Read full article »

Sterigenics Could Have Cut Toxic Emissions Earlier, Jury Told

The former CEO of industrial sterilization company Sterigenics testified Friday that he knew ethylene oxide was a dangerous chemical when he became the company's top executive in 2011, but he issued no directive to tighten up inconsistent emissions controls across the firm's facilities.

Read full article »

Analysis

Attys Say Wash. Justices Opened Door For Virus Coverage

Despite a unanimous ruling by the Washington Supreme Court against a pediatric dental practice seeking insurance coverage for COVID-19-related losses, attorneys for policyholders said the justices left them a glimmer of hope by creating a potential pathway for some virus coverage cases to succeed.

Read full article »

ENFORCEMENT & COMPLIANCE

Ex-Nets Player Pleads Out In NBA Health Care Fraud Dragnet

Former NBA player Terrence Williams on Friday admitted his role in a $4 million scheme with other former pro basketball players to defraud the league's health care benefits plan by submitting claims for non-existent medical and dental treatments.

Read full article »

Convicted Seller Of Racehorse PEDs Asks For No Prison

Aerie Pharmaceuticals Inc.
Align Technology Inc.
Alnylam Pharmaceuticals, Inc.
American Federation of Labor & Congress of Industrial Organizations
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American Property Casualty Insurance Association
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Arbutus Biopharma Corp.
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Ivari Canada ULC
Jefferies Financial Group Inc.
Kate Spade & Co.
Kinderhook Industries LLC
Kyocera Corporation
Ladbrokes PLC
LinkedIn Corp.
Massachusetts Institute of Technology
MasterCard Inc.
Meta Platforms Inc.
Microsoft Corp.
Mobile Mini, Inc.
Morgan Stanley

A former veterinarian's assistant convicted for her role in a widespread doping scheme that rocked the sport of horse racing asked a Manhattan federal judge to sentence her to probation, saying that unlike her co-conspirators she did not know what she was doing was wrong.

1 document attached | Read full article »

LITIGATION

DC Circ. Rejects Challenge To Public Housing Smoking Ban

The D.C. Circuit on Friday upheld a ruling that smoking can be banned in public housing units, citing the government's right to maintain health standards, avoid fire risks and reduce maintenance costs on its property.

Opinion attached | Read full article »

Pa. Medical Center Gets Ex-Workers' Vax-Or-Test Suit Tossed

A Pennsylvania federal judge on Friday tossed a proposed class action by former employees against a regional health care provider accusing it of unlawfully firing them after they refused to either get a COVID-19 vaccine or submit to regular testing, unconvinced by their "anti-vaccine hocus-pocus" evidence.

Order attached | Read full article »

ThedaCare Must Face Pared-Down Retirement Plan Fee Suit

A Wisconsin federal judge has trimmed a proposed class action accusing a health care network of letting workers who keep money in its $612 million employee retirement plan pay too much in fees, tossing an allegation that the network didn't give workers enough information about the fees.

Order attached | Read full article »

Invisalign Can't Drag SmileDirect Into Consumer Suit

A California federal judge refused Friday to let Align Technology Inc. add SmileDirectClub as a fellow defendant to a proposed consumer class action accusing the maker of Invisalign of both monopolizing the market for invisible plastic teeth aligners and carving that market up with SmileDirect.

Order attached | Read full article »

Prior Ruling Ends Ill. Dental Practices' Virus Coverage Dispute

An Illinois federal judge tossed a COVID-19 pandemic insurance suit from four Chicago-area dental practices, finding their arguments strongly echoed those rejected last year by the Seventh Circuit in a landmark decision.

Mutual of Enumclaw Insurance Co.
NBCUniversal Media LLC
National Basketball Association Inc.
National Nurses United
New Civil Liberties Alliance
New York State Nurses Association
New York University
News Corp.
Nordea Bank
Park Lane I LLC
Pfizer Inc.
Sacramento Kings
Scania
Schroders PLC
Sime Darby Bhd.
SmileDirectClub LLC
Smithfield Foods Inc.
Societe Generale
Spectrum Management Holding Co.
Spotify Technology SA
Stratton Mortgage LLC
Svenska Handelsbanken
Tapestry Inc.
Tesla Inc.
The New York Times Co.
Toro Co.
Trividia Health Inc.
Trump Organization Inc.
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Decision attached | Read full article »

DEALS

KKR-Led Group Pulls $15B Bid For Ramsay Health Care

Ramsay Health Care is not interested in discussing an "inferior" takeover proposal valued at about AU$84.93 ($58.53) per share put forth this week by a consortium led by private equity firm KKR, although the Australian hospital operator said Friday it remains open to discussions if the group is willing to make an improved bid.

Read full article »

Don't Miss It: Skadden, Kirkland Guide Week's Hot Deals

A lot can happen in the world of mergers and acquisitions over the course of a week, and it's difficult to keep up with all the deals, including transactions helmed by Skadden Arps Slate Meagher & Flom LLP and Kirkland & Ellis LLP. Here, Law360 recaps the ones you may have missed.

Read full article »

GOVERNMENT CONTRACTS

GAO Denies Medical Staffer's Protest Over $2.6B ICE Contract

The U.S. Government Accountability Office denied a health care staffing company's protest over a $2.62 billion U.S. Immigration and Customs Enforcement contract, saying the agency had reason to exclude the company from its consideration for medical staffing support services.

Report attached | Read full article »

BANKRUPTCY

Carestream Gets Approval For $85M Ch. 11 Exit Loan Deal

Bankrupt medical imaging technology company Carestream Health Inc. received approval Friday from a Delaware bankruptcy court to enter into a commitment with lenders slated to provide $85 million in exit financing when the company emerges from bankruptcy.

Read full article »

EXPERT ANALYSIS

Assessing The Criminal Implications Of State Abortion Bans

As state abortion bans proliferate in the wake of the U.S. Supreme Court’s overturning of Roe v. Wade, people and entities providing services or benefits related to abortion must carefully assess the risk of criminal liability, as well as potential legal defenses, before taking action that could implicate these laws, say Tracy Cole and Rachel Hooper at BakerHostetler.

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Law Of The Case Is More Nuanced Than You May Think

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Clifford Law Offices PC
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Crowell & Moring
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DWF LLP
Davis Wright
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Edwin Coe
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Fasulo Braverman
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Fried Frank
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Greenberg Traurig
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Homer Bonner
Ifrah Law
Irwin Mitchell
Johnson Anselmo
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Landis Rath
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Mayer Brown

The recent Seventh Circuit decision in Flynn v. FCA highlights how frequent misconceptions about the law of the case doctrine are, and suggests that litigants should take a hard look at the key qualifications — and quirks — of this narrow and discretionary doctrine before relying on it as a silver bullet, says Michael Soyfer at Quinn Emanuel.

Opinion attached | Read full article »

LEGAL INDUSTRY

Exclusive

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Judge Inclined To Appoint Special Master In Mar-A-Lago Case

A Florida federal judge said Saturday that she is inclined to grant former President Donald Trump's request to appoint a third-party special master to oversee the FBI's review of documents seized from Mar-a-Lago.

Read full article »

Redacted Affidavit For Mar-A-Lago Warrant Made Public

Prosecutors had reason to believe sensitive documents were being improperly kept at former President Donald Trump's Mar-a-Lago estate after finding "a lot of classified records" intermixed with other documents in a batch handed over by Trump in December, according to an affidavit of

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Morrison Foerster
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National Archives and Records Administration

probable cause for the Mar-a-Lago search warrant partially unsealed in Florida federal court Friday.

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Analysis

3 Takeaways From Mar-A-Lago Search Warrant Affidavit

The heavily redacted probable cause affidavit unsealed Friday did not provide many new details about the investigation into former President Donald Trump's alleged mishandling of classified documents at his Mar-a-Lago estate, but it did give hints about what kinds of documents federal authorities found on the Florida property and how they got that information.

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Analysis

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President Joe Biden's move to cancel billions of dollars in college debt held by the federal government could spur legal challenges in the courts, setting up a potential showdown over executive power. But there's just one problem for challengers: Who can sue?

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The brother-in-law of slain Mayer Brown LLP partner Stephen Shapiro has been sentenced to 23 years in prison after pleading guilty to first-degree murder, Illinois state court records show.

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Powell, Meadows Ordered To Testify In Ga. Election Probe

A Georgia state judge has ordered attorney Sidney Powell and former Trump White House chief of staff Mark Meadows to testify as part of a grand jury probe in Atlanta into possible interference in the 2020 presidential election.

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More Than 60 Legal Vets Support Suspended Fla. Prosecutor

More than 60 current and former prosecutors, attorneys general, judges, U.S. attorneys and federal officials on Friday urged a Florida federal court to rescind Florida Gov. Ron DeSantis' removal of a state attorney after he pledged not to use his resources to enforce abortion bans or laws targeting transgender people.

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New Book Explores Tall Task Of Freeing Wrongly Convicted

Northeastern Law professor and former public defender Daniel Medwed spoke with Law360 about his new book called "Barred: Why the Innocent Can't Get out of Prison," including reforms to aid post-conviction legal work and what practitioners can do when defending innocent clients.

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SUBJECT: Morning Consult Health: Federal Government's Free Home COVID-19Testing Initiative to End Friday
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 29/08/2022 05:45

MORNING CONSULT

Health

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AUGUST 29, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The federal government's free at-home COVID-19 testing program, which launched in January amid the omicron surge, will be suspended Friday due to a lack of fresh funding for the

[redacted]

program and a decision to sustain supply before an expected fall uptick in cases. A White House official blamed "congressional inaction" for forcing the Biden administration to "make impossible choices about which tools and programs to invest in," though the resumption of the free testing program could occur if new funding is allocated. (CNN)

- The Centers for Medicare and Medicaid Services announced a $98.9 million investment in grant funding to 59 returning organizations that help customers select Affordable Care Act exchange plans, the largest contribution the federal government has made to its Navigator program. CMS provided $80 million to Navigators for the previous coverage year after the Trump administration had cut investment to $10 million, and the program now boasts 1,500 returning guides that will be ready to help enrollees at the onset of the ACA's Nov. 1 open enrollment period. (Fierce Healthcare)

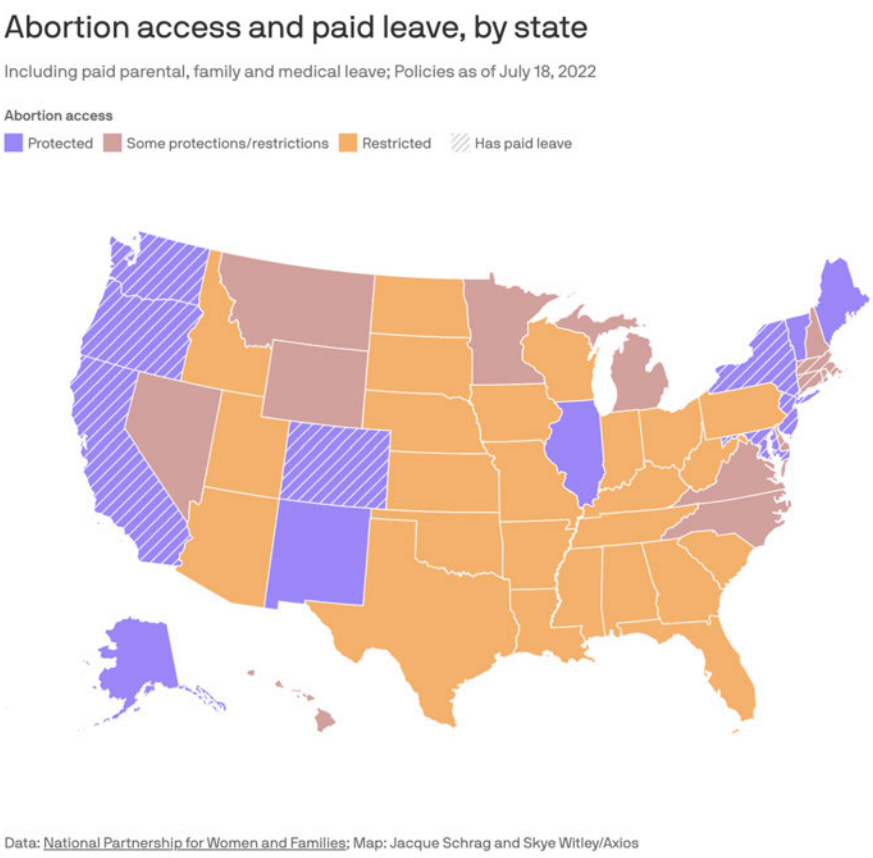
- In a letter to U.S. governors, Health and Human Services Secretary Xavier Becerra said the agency would "not hesitate" to call on the Justice Department to pursue legal action against states that bar health systems from providing abortion care in certain situations, citing the Emergency Medical Treatment and Labor Act. Becerra's letter also urged states to engage with HHS on ways to expand abortion access, pushing governors to utilize federal funding to safeguard access for Medicaid enrollees and for pregnant people traveling from states that restrict abortion care. (Healthcare Dive)

- A study published in the Journal of the American Medical Association found that the mRNA COVID-19 booster vaccines from Moderna Inc. and Pfizer Inc.-BioNTech SE are approximately 87% effective in preventing severe disease and death, and protection lasts for at least six months. (Bloomberg)

CHART REVIEW

Pregnant people face "systemic" barriers in states with abortion restrictions

Axios



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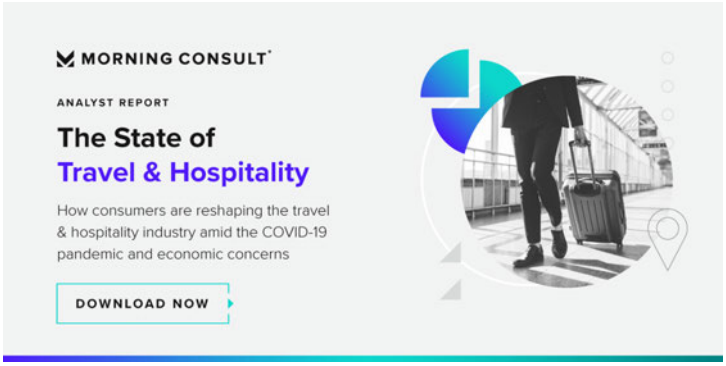

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WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

A Simple Rule for Planning Your Fall Booster Shot

Rachel Gutman-Wei, The Atlantic

In less than two weeks, you could walk out of a pharmacy with a next-generation COVID booster in your arm. Just a few days ago, the Biden administration indicated that the first updated COVID-19 vaccines would be available shortly after Labor Day to Americans 12 and older who have already had their primary series.

Moderna Patent Strike on Pfizer Sets Up Post-Covid Vaccine Feuds

Ian Lopez, Bloomberg Law

Moderna Inc.'s Covid-19 vaccine lawsuit against Pfizer Inc. tees up an intellectual property fight that could secure the biotech company's place as a major player in medical innovations—but also carries risk.

The world is moving on from the pandemic. Not these covid long-haulers.

Grace Moon et al., The Washington Post

Data collected in June by the U.S. Census Bureau and analyzed by the National Center for Health Statistics showed that nearly one in five Americans who developed covid-19 still have long covid symptoms.

Fall Vaccination Campaign Will Bring New Shots, Worse Access

Benjamin Mueller, The New York Times

Updated Covid vaccines, expected soon after Labor Day, were designed to thwart Omicron variants. But money to distribute them has dried up.

Latest Covid Boosters Are Set to Roll Out Before Human Testing Is Completed

Liz Essley Whyte, The Wall Street Journal

The Food and Drug Administration is expected to authorize new Covid-19 booster shots this week without a staple of its normal decision-making process: data from a study showing whether the shots were safe and worked in humans.

U.S. donating COVID-19 vaccines to Mexico as domestic demand drops

Manuel Bojorquez, CBS News

Not far from the U.S. border, hundreds of men, women and children waited in an hours-long line in Nuevo Laredo, Mexico, for a chance to get a COVID-19 vaccine.

Black Covid long-haulers say doctors dismissed their symptoms, so now they're relying on one another for support

Claretta Bellamy and Char Adams, NBC News

These Black-led groups have popped up across the country as more and more Black people have reported prolonged Covid symptoms — and difficulty getting treatment.

They were grieving the loss of a parent to Covid. Then the bullies came.

Erika Edwards, NBC News

Instead of condolences, some people who post about the deaths of loved ones receive hateful and mocking comments.

Unraveling the Interplay of Omicron, Reinfections, and Long Covid

Liz Szabo, Kaiser Health News

Although omicron infections are proving milder overall than those caused by last summer's delta variant, omicron has also proved capable of triggering long-term symptoms and organ damage. But whether omicron causes long covid symptoms as often — and as severe — as previous variants is a matter of heated study.

GENERAL

Falling monkeypox cases have health officials 'cautiously optimistic'

Dan Diamond, The Washington Post

After three months of surging monkeypox cases, the worldwide outbreak may have peaked, amid evidence that gay men who are disproportionately affected are curbing risky sexual behaviors and more people are getting vaccinated against a virus that spreads by close contact.

US data reveals racial gaps in monkeypox vaccinations

Mike Stobbe et al., The Associated Press

About 10% of monkeypox vaccine doses have been given to Black people, even though they account for one-third of U.S. cases, according to the Centers for Disease Control and Prevention. The new numbers come from 17 states and two cities, and represent the

most comprehensive details yet on who has been getting the two-dose vaccines. Similar disparities had been reported previously by a few states and cities.

White House to host health summit on Sept 28 in bid to end U.S. hunger, boost nutrition

Katanga Johnson, Reuters

The White House said it will hold a summit aimed to address issues around U.S. hunger, nutrition and health on Sept. 28 in Washington, D.C.

Abbott to restart production of Similac baby formula at its Michigan plant

Dennis Romero, NBC News

Abbott Laboratories said it expects to begin shipping the formula in six weeks. The Sturgis, Michigan, facility has already restarted production on EleCare and other specialty formulas.

Georgia Abortion Restrictions Spark New Debate Over Claims to Fetal Personhood

Laura Kusisto and Cameron McWhirter, The Wall Street Journal

In the wake of the Supreme Court's decision overturning Roe v. Wade, Georgia is emerging as the lead testing ground for an idea some abortion opponents have touted for decades: that fetuses deserve the same types of legal protections as people after birth.

3M combat earplug lawsuits to proceed, judge rules, despite bankruptcy case

Reuters

3M Co must face more than 230,000 lawsuits accusing it of selling defective earplugs to the U.S. military, after a U.S. judge on Friday ruled that the bankruptcy of a subsidiary did not stop lawsuits against the non-bankrupt parent company.

EPA proposes hazardous designation for two 'forever chemicals'

David Jordan, Roll Call

The proposal released Friday would designate the two most widely used per- and polyfluoroalkyl substances — perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) — under the Comprehensive Environmental, Compensation and Liability Act. If finalized, it would require releases of one pound or more within a 24-hour period to be reported, which the agency said would provide it with better data as well as the option to require cleanups and recover costs.

This Teen Was Prescribed 10 Psychiatric Drugs. She's Not Alone.

Matt Richtel, The New York Times

Increasingly, anxious and depressed teens are using multiple, powerful psychiatric drugs, many of them untested in adolescents or for use in tandem.

PAYERS

California Churches Cleared for Exemption From Abortion Coverage

Mary Anne Pazanowski, Bloomberg Law

California's insurance regulator must entertain church employers' requests to drop abortion coverage from their insurance plans because its refusal to do so violates the churches' free exercise rights, a federal court in the state said.

PROVIDERS

Fed up with costly recertification, doctors are turning to an alternative board

Tara Bannow, Stat News

The same doctors are cheering the rise of an alternative recertification option called the National Board of Physicians and Surgeons. It doesn't require testing and costs less money than the competition. The California-based not-for-profit board has been on the scene since 2015, but took a giant leap forward in July, when the Joint Commission determined it can verify credentials.

MGMA report tracks status of value-based care at practices

Anastassia Gliadkovskaya, Fierce Healthcare

Despite a predicted continual move away from fee-for-service, value-based care still accounts for a small portion of medical revenue in most specialties, a new report has revealed.

Patients Seek to Halt Meta's Alleged Medical Data Collection

Annelise Gilbert, Bloomberg Law

Patients who claim their health-care providers' use of a Meta Platforms Inc. tracking tool led to the illegal interception of their medical information asked a California federal court to prohibit Meta from collecting and disseminating that data.

Hospitals Cut Jobs and Services as Rising Costs Strain Budgets

Katheryn Houghton, Kaiser Health News

Workers left the health care industry in droves during the pandemic, citing low pay and burnout. Nationwide, hospitals competed for contract workers to fill the void, which drove up prices. That left hospitals with an awkward balancing act: keep existing employees and fill essential roles while cutting costs.

PHARMA, BIOTECH AND DEVICES

Combination 'polypill' cuts heart disease deaths, study finds

Erika Edwards, NBC News

A single pill that combines three heart medications significantly drove down cardiac-related deaths and other heart problems in people who previously had heart attacks, according to new research published Friday in the New England Journal of Medicine.

Medical device companies look to snap up extra Medicare dollars

Bob Herman, Stat News

Medical device executives, lobbyists, and physicians made pitches to Medicare officials and independent experts last week during a meeting held by what's known as Medicare's Advisory Panel on Hospital Outpatient Payment. They were hoping to persuade the federal agency to dole out higher payments for several types of devices and services, ranging from drugs that get inserted into the eye to hernia repairs.

For biotech's 'godfather,' saving Biogen is the final act of a singular career

Damian Garde, Stat News

Stelios Papadopoulos, 74, has spent the past four decades becoming the living embodiment of biotech's institutional memory. Starting out when biotech was more of a backwater than a banner industry, he was the rare Ph.D. scientist on Wall Street, an investment banker who understood base pairs and basis points in equal detail. Over the years he built a reputation as a creative dealmaker, wise adviser, and enthusiastic raconteur. His was the calm, raspy voice of reason in the ear of every headline name in the business, the Godfather of biotech sought for problems big and small.

Adderall hard to find at pharmacies after labor shortage at U.S. supplier

Elizabeth Chuck, NBC News

The labor shortage, which Teva Pharmaceuticals says is resolved, came amid high demand for ADHD medication.

AstraZeneca Sees Greater Potential for Top Heart Drug

Dong Lyu, Bloomberg

One of AstraZeneca Plc's top-selling drugs Farxiga, a diabetes treatment, is beneficial to a wider pool of patients than previously indicated, a study shows, bolstering the product's blockbuster potential.

HEALTH TECHNOLOGY

Hackers have laid siege to U.S. health care and a tiny HHS office is buckling under the pressure

Ben Leonard, Politico

Due to its shoestring budget, the Office for Civil Rights has fewer investigators than many local police departments, and its investigators have to deal with more than a hundred cases at a time. The office had a budget of $38 million in 2022 — the cost of about 20 MRI machines that can cost $1 million to $3 million a pop.

First Databank, electronic health record partnership enhances eRx platform

Annie Burky, Fierce Healthcare

First Databank has partnered with Parker Health to expand the country's second e-prescribing network, FDB Vela, while improving the sharing capabilities of critical prescription information and up-to-date patient records.

Bicycle Health expands network with Cigna Evernorth partnership

Anastassia Gliadkovskaya, Fierce Healthcare

The startup's services will now be available to all Evernorth and Cigna health plan customers in the 24 states where Bicycle Health operates. The potential reach is millions of patients, the company told Fierce Healthcare without disclosing additional details.

OPINIONS, EDITORIALS AND PERSPECTIVES

Where Amazon is heading in health after the Amazon Care failure

Eric Rosenbaum, CNBC

When Amazon announced plants to acquire One Medical earlier in the summer, it seemed likely that something had to give: either the One Medical brand or Amazon Care.

Congress finally eliminates Part D vaccine cost sharing: Medicare coverage is still broken

Richard Hughes, Healthcare Dive

In its passage of the Inflation Reduction Act of 2022, Congress has taken the long overdue step of eliminating out of pocket, or OOP, costs for vaccines under Medicare Part D. The OOP prohibition aligns with policies under Medicare Part B and the Affordable Care Act and removes a pharmacy counter barrier that will undoubtedly lead more seniors to be vaccinated against shingles. However, it leaves intact a peculiar split in Medicare vaccine coverage that discourages physicians from offering certain vaccines.

US hospitals face unprecedented challenges

Stacey Hughes, Fierce Healthcare

When has inflation ever been so high in recent decades, cost increases so steep for drugs, supplies and equipment and workforce challenges so widespread, all amid a global health emergency? Never, which is why hospitals and health systems on the front lines are now facing unprecedented challenges and pressures.

RESEARCH REPORTS

Report on the State Of Pharmaceutical Quality: Fiscal Year 2021

Food and Drug Administration's Center for Drug Evaluation and Research Office of Pharmaceutical Quality

The Office of Pharmaceutical Quality (OPQ) in the U.S. Food and Drug Administration's (FDA's or the Agency's) Center for Drug Evaluation and Research (CDER) is responsible for ensuring that drugs legally marketed in the U.S. are safe, effective, and meet quality standards. For FY2021, the fourth annual Report on the State of Pharmaceutical Quality presents key data used to characterize drug and site quality for consumers and patients in the U.S. This report covers FDA-registered drug manufacturers and drugs, including biological products, regulated by CDER to inform stakeholders about the quality of the U.S. drug supply.

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AHIP IN THE NEWS

AHIP board outlines commitment to mental health

AHIP's board outlined eight priorities intended to ensure equitable, affordable and effective access to mental health care for all Americans. Priorities include establishing innovative programs to boost the number of mental health care professionals, leveraging telehealth and other tools, and integrating mental and physical health care. "With these commitments and roadmap, health insurance providers will advocate for solutions that are working to expand access, promote quality and value, promote parity, advance equity, and improve the experience for patients and their families," said AHIP President and CEO Matt Eyles. **Full Story:** Forbes (tiered subscription model) (8/23)

A meaningful digital experience

A hospital or medical practice's digital presence is often its first interaction with a new patient and can be a significant factor in how patients choose a healthcare provider. **Download the White Paper** to learn best practices for creating a meaningful digital experience for patients.

[redacted]

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AHIP SOLUTIONS

NCQA releases new, revised HEDIS quality measures

The National Committee for Quality Assurance said it has rolled out new and updated quality measures for the 2023 Healthcare Effectiveness Data and Information Set in line with its commitment to advance health equity. Major updates include the addition of race and ethnicity stratifications to several HEDIS measures, revision of pregnancy- or childbirth-related measures to make them more inclusive of pregnant people who do not identify as women, and creation of several new measures to address health issues such as diabetic care, pediatric dental care and social need screening and intervention. **Full Story:** Health Payer Intelligence (8/1)

House passes sweeping bill with major health provisions
Kaiser Health News (8/12)

Rule revises No Surprises Act dispute resolution process
Healthcare Finance (8/19)

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AHIP ON THE ISSUES

New motion graphic: Mental health access

AHIP recently released a motion graphic video focused on how health insurance providers are working to boost mental health access and affordability. The video reaffirms health insurance providers' commitment to working together to improve access to mental health support for every patient who needs it. Watch the video.

Highmark Talks to Docs, Kids, & Parents About HPV Vaccine

5 Questions with Paul Markovich President & CEO, Blue Shield of California

[redacted]

Peer-Reviewed JAPhA Article Highlights Results Fast PATH Initiative to Improve Prior Authorization

3 Ways Telehealth Is Meeting People Where and When They Need It

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AHIP WELLNESS

How to support workers going through menopause

The number of older women in the workplace has grown significantly over the past 20 years, and employers are urged to provide resources for women going through menopause, writes Maven Clinic CEO Kate Ryder. Steps employers can take include having employee resource groups, investing in manager training, and making hormone replacement therapy and other treatments available and affordable through company health insurance policies.

Full Story: Fortune (tiered subscription model) (8/16)

Health care options when retiring before 65

Kiplinger (8/7)

Retirees spend most on housing, health care

BenefitsPRO (free registration) (8/12)

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AHIP AGENTS AND BROKERS

Administration to cancel $10,000 in student loan debt per borrower

[redacted]

(Stefani Reynolds/Getty Images)

The Biden administration said it will cancel $10,000 in student loan debt for borrowers with incomes less than $125,000 per year and extend the COVID-19-related pause on debt payments until the end of the year. The plan also would allow borrowers to cap payments on student loans at 5% of their monthly income, according to The New York Times.

Full Story: The New York Times (8/24)

Bill's health insurance subsidies to benefit older adults
MarketWatch (tiered subscription model) (8/16)

CMS seeks public input to improve MA program
Becker's Payer Issues (7/29)

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AHIP ACO

How health insurers are addressing SDOH
Health Payer Intelligence (8/19)

Many health systems exploring hospital-at-home models
FierceHealthcare (8/18)

Aetna's growth strategy focuses on VBC, partnerships
Healthcare Finance (8/4)

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AHIP HEALTH IT

Survey reveals top goals, challenges of health insurance leaders
Healthcare Finance (8/18)

AI still faces barriers to adoption in health care
Politico (8/15)

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UPCOMING CONFERENCES

C-suite leaders on advancing consumer-focused health care

At AHIP's Consumer Experience & Digital Health Forum, Paul Markovich (Blue Shield of California) and Christopher Palmieri (Commonwealth Care Alliance) will share new thinking on care outcomes. Don't miss their keynote: Leadership Call-to-Action: Putting Consumer Experience at the Center of Health Care. Will we see you Sept. 12 through 14 in Nashville? There's still time to register.

Grassroots topics. National relevance. Register now.

What's next for supplemental coverage? What does it mean for the communities you serve? How will the Nov. 8 elections impact your state's health care system? During AHIP's State Issues Retreat, experience fresh thinking and urgent insights relevant to the work you do. In real time, we'll take on the topics that matter most. Learn more and register.

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Health

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AUGUST 30, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The Food and Drug Administration is expected to authorize the reformulated COVID-19 shots from Moderna Inc. and Pfizer Inc.-BioNTech SE as soon as tomorrow, according to three people with knowledge of the matter, putting the Biden administration on track for its post-Labor Day booster campaign. The timing for FDA sign-off on the shots targeting the BA.4 and BA.5 omicron subvariants could change, the people said, while the Centers for Disease Control and Prevention's independent vaccine advisory panel is scheduled to meet Thursday and Friday. (Politico)

- The Health and Human Services Department's Biomedical Advanced Research and Development Authority will pay $11 million to Grand River Aseptic Manufacturing Inc. for the Michigan-based company to buy equipment and hire workers to finish the production of 2.5 million monkeypox vaccine vials, per details of

[redacted]

the deal seen by Bloomberg. Domestic production of the Jynneos vaccine from Danish drugmaker Bavarian Nordic A/S will accelerate availability of the vaccine, bolster security of the U.S. supply chain and boost preparedness for smallpox bioterrorism, according to Dawn O'Connell, who leads HHS' strategic preparedness and response office. (Bloomberg)

- The Federal Trade Commission filed a lawsuit against Kochava Inc., alleging that the Idaho-based company's selling of geolocation information could reveal to tens of millions of smartphone users the visits that people make to abortion clinics and other sensitive places. The FTC said that data could also be used to track the locations of health care professionals who provide abortions, while Kochava, which filed a pre-emptive suit against the agency earlier this month, said in a statement that it is compliant with all laws and that its tracking information comes from users who consented to the data collection. (The New York Times)

- In a letter, Sens. Jim Inhofe (R-Okla.) and Richard Burr (R-N.C.) pushed President Joe Biden to launch Operation Warp Speed 2.0 to address continued COVID-19 fallout, following the Trump administration's 2020 template for a more coordinated pandemic response that engages the private sector and more easily cuts through regulatory red tape. (Bloomberg Law)

Worth watching today (all times local):

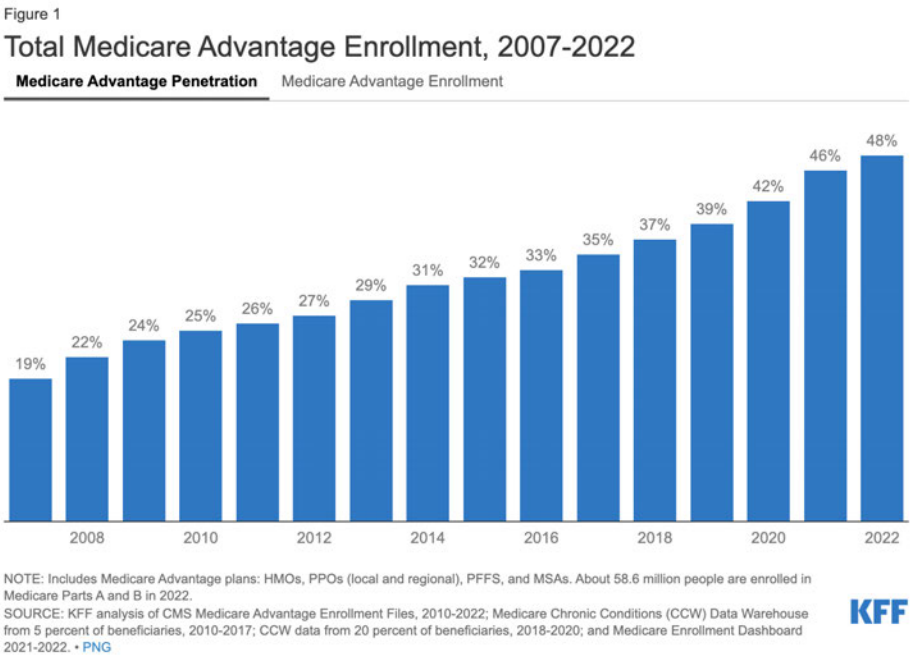
- HHS will hold a planning session with drugmakers, pharmacies and state health departments as the Biden administration looks to shift costs on COVID-19 vaccines and treatments from the government to insurers and patients.

- CDC Director Rochelle Walensky joins the Center for Strategic and International Studies for a fireside chat at 4 p.m.

CHART REVIEW

Medicare Advantage in 2022: Enrollment Update and Key Trends

Kaiser Family Foundation



A MESSAGE FROM MORNING CONSULT

The State of Travel & Hospitality

Morning Consult's semi-annual report, The State of Travel & Hospitality, tracks evolving consumer trends in the travel and hospitality sector and what they mean for the future of the industry. Download today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Why Some Americans Are Still Isolating From Covid-19

Julie Wernau, The Wall Street Journal

Covid-19 cases and hospitalizations are in decline. People are traveling, socializing and returning to workplaces in greater numbers. But a group of people are still keeping mostly to themselves and taking other measures to minimize infection risks. Compromised immune systems and the risks of long Covid are among reasons they say they are maintaining caution.

Court Narrows Hold on COVID Vaccine Mandate for Contractors

David A. Lieb, The Associated Press

More than 1 million construction workers across the U.S. won't have to comply with a federal COVID-19 vaccination requirement, but an appeals court cleared the way for President Joe Biden's administration to potentially enforce the mandate on some federal contractors.

The growing evidence that Covid-19 is making us all sicker

Sarah Neville, Financial Times

The potential impact on heart and brain disease poses challenges to healthcare systems globally.

California COVID misinformation bill targets doctors spreading false information

Rebecca Falconer, Axios

A California bill designed to combat disinformation and misinformation 0n COVID-19 by medical professionals passed in the state Senate on Monday evening.

Covid Cases Jump by a Third as College Students Return to Classes, Study Finds

Sri Taylor, Bloomberg

College campus re-openings in the US led to local increases in Covid-19 cases of more than a third, according to a study that highlights the importance of vaccination as fall classes approach.

Sotomayor denies NYPD detective's plea to block vax mandate

The Associated Press

U.S. Supreme Court Justice Sonia Sotomayor on Monday denied an appeal from a New York Police Department detective who asked for an emergency injunction to keep the city from firing him over its

mandate that municipal employees be vaccinated against the coronavirus.

Moderna's COVID vaccine lawsuit looks ahead to future markets

Adriel Bettelheim, Axios

Moderna's unexpected patent infringement lawsuit against Pfizer and BioNTech over COVID vaccine technology says more about the future market for mRNA shots than the current state of the pandemic.

Jill Biden tests negative for Covid-19 and will return to Washington on Tuesday

Donald Judd, CNN

First lady Jill Biden has tested negative for Covid-19 after a rebound case and will return to the Washington, DC, area on Tuesday, communications director Elizabeth Alexander said in a statement Monday.

GENERAL

Is America Simply Sicker Now?

Tim Requarth, The Atlantic

The most haunting memory of the pandemic for Laura, a doctor who practices internal medicine in New York, is a patient who never got COVID at all. A middle-aged man diagnosed with Stage 3 colon cancer in 2019, he underwent surgery and a round of successful chemotherapy and was due for regular checkups to make sure the tumor wasn't growing. Then the pandemic hit, and he decided that going to the hospital wasn't worth the risk of getting COVID. So he put it off … and put it off. "The next time I saw him, in early 2022, he required hospice care," Laura told me. He died shortly after. With proper care, Laura said, "he could have stayed alive indefinitely."

Monkeypox outbreak can be eliminated in Europe - WHO officials

Reuters

It is possible to eliminate the monkeypox outbreak in Europe, World Health Organization officials said on Tuesday, highlighting evidence that case counts are slowing in a handful of countries.

Legalizing recreational cannabis increases use, research finds

Megan Marples, CNN

People in US states that legalized recreational cannabis use it 20% more frequently than those in states that didn't legalize it, a study published Thursday in the journal Addiction has suggested.

Button batteries are sending more kids to the ER than in past decades

Linda Carroll, NBC News

A new study found that ER visits due to battery-related injuries in kids have doubled within the past decade compared to the previous two decades.

Pregnant people exposed to cancer-linked chemicals in household items, dyes: study

Sharon Udasin, The Hill

Pregnant people are being exposed through various household products to toxic compounds that can increase the risk of cancer and harm child development, a new study has found.

US Lacks Power to Kill Fraud Suit, Whistleblower Tells Justices

Daniel Seiden, Bloomberg Law

A whistleblower's False Claims Act suit alleging that Executive Health Resources Inc. defrauded Medicare should be revived because the government failed to properly intervene in the case before it moved for dismissal, according to a brief filed with the US Supreme Court.

Mental-health content creators are defining their own ethics

Tatum Hunter, The Washington Post

Faced with explosive demand and few safeguards, creators of mental health content are defining their own ethics

Tea drinkers enjoy possible health benefits, study suggests

Carla K. Johnson, The Associated Press

Higher tea intake — two or more cups daily — was linked to a modest benefit: a 9% to 13% lower risk of death from any cause vs. non-tea drinkers. Tea temperature, or adding milk or sugar, didn't change the results.

PAYERS

Cigna expanding ACA footprint to 3 new states in 2023

Rebecca Pifer, Healthcare Dive

Cigna health plans will be available on the individual exchanges in three new states — Texas, Indiana and South Carolina — and 50 new counties in the existing markets of Georgia, Mississippi and North Carolina in 2023, the payer said Monday.

RAND: Quality and premium rates not always linked for MA plans

Robert King, Fierce Healthcare

Seniors choosing a higher-cost Medicare Advantage (MA) plan may not necessarily get better healthcare quality, a new study from the RAND Corporation finds.

No Surprises Act arbitrations leading to confusion

Maya Goldman and Nona Tepper, Modern Healthcare

Insurers are accusing providers of submitting every possible claim, even when they know some cases are not eligible for mediation. Providers allege insurers are holding up the federal dispute process by delaying submissions of clear and complete information. The recently published final rule on the process from the Health and Human Services, Labor and Treasury departments likely will not resolve all these problems.

States to boost access for low-income cancer patients

Kara Hartnett, Modern Healthcare

New laws advancing in New York and California will require insurance companies that administer Medicaid and exchange plans to enter into payment negotiations with National Cancer Institute-designated Comprehensive Cancer Centers, which often are left out of networks because of cost.

California probes Kaiser over enrollee access to mental health appointments

Susan Kelly, Healthcare Dive

The California Department of Managed Health Care has launched a targeted enforcement investigation into whether Kaiser Permanente health plans are providing patients with timely access to appointments, as required by law, during a strike by mental health clinicians at the system's facilities, a DMHC spokeswoman confirmed in an email to Healthcare Dive on Sunday.

PROVIDERS

Nursing Homes Win Fresh Reprieve From Training Requirement

Tony Pugh, Bloomberg Law

The Biden administration plans to provide extra breathing room for nursing homes that can't get their uncertified nursing aides to complete mandatory federal training requirements by the Oct. 7 deadline.

July 2022's hospital margins among worst of the pandemic, report says

Dave Muoio, Fierce Healthcare

Months of inching performance gains were upended in July as the nation's hospitals logged "some of the worst margins since the beginning of the COVID-19 pandemic," Kaufman Hall wrote in its latest industry report.

Court blocks bid to reinstate OSHA pandemic standard for health workers

Hailey Mensik, Healthcare Dive

Unions pushed heavily for the Occupational Safety and Health Administration to implement a federal emergency temporary standard for medical facilities amid shifting guidance from national and local agencies through the first year of the pandemic.

Half of health care facilities around the world lack basic hygiene, WHO finds

Oriana Gonzalez, Axios

Half of the health care facilities around the world lack basic hygiene services like water and soap, the World Health Organization and UNICEF said in a new report out Tuesday.

California Cities Adopt $25 Minimum Wage for Health-Care Workers

Emmanuel Elone, Bloomberg Law

Monterey Park and Long Beach, California, passed identical ordinances establishing a $25 hourly minimum wage for health-care workers.

PHARMA, BIOTECH AND DEVICES

Bayer: New data shows positive effect of kidney disease treatment drug

Reuters

Bayer (BAYGn.DE) said that new data presented on Monday highlighted the potential of finerenone, compared with a placebo, to reduce the incidence of sudden cardiac death in a broad range of patients, including early and late stages of chronic kidney disease associated with type 2 diabetes.

Novartis' Entresto Drug Is Target of Universities' Patent Suit

Christopher Yasiejko, Bloomberg Law

Novartis AG was hit with a federal lawsuit Monday alleging that Entresto, its blockbuster heart failure treatment, infringes a patent jointly held by the University of Michigan and the University of South Florida related to engineering crystals for the design of new drug compounds.

HEALTH TECHNOLOGY

An ambitious stroke prevention study tests the Apple Watch's promise in health

Mario Aguilar, Stat News

Currently, millions of people with an irregular heartbeat are told to take expensive blood thinners, which prevent strokes, but also increase the risk of dangerous bleeding. A new study will investigate whether Apple Watches can be used as part of a strategy to minimize use of those medications when they're not needed.

Health tech startups partner to make medical costs transparent

Annie Burky, Fierce Healthcare

Ribbon Health, an API data platform, clears the smokescreen of the cost of treatment by collecting data on everything from quality of care to the price of chemotherapy. In June, Ribbon Health partnered with Turquoise Health to improve the accuracy of its information by integrating Turquoise Health's 1 billion records of pricing data from 4,500 hospitals.

General Catalyst, WellSpan Health partnering on digital health

Jessica Kim Cohen, Modern Healthcare

General Catalyst and York, Pennsylvania-based WellSpan Health will tackle challenges identified by the health system. Projects could involve designing care models that tie in behavioral health and social determinants of health, as well as simplifying patient experience with technology for care navigation, said Roxanna Gapstur, WellSpan's president and CEO.

OPINIONS, EDITORIALS AND PERSPECTIVES

Can You Trust That At-Home Covid Test Result? What Five Tests in 24 Hours Taught Me

Sumathi Reddy, The Wall Street Journal

After dodging Covid-19 for nearly two and a half years, I knew my time would come. A few weeks ago it did: I tested positive on a rapid antigen test. But I also tested negative on two other rapid tests, and also negative on a PCR. And again positive on another rapid test, all in one 24-hour span. The mixed results stumped me, and highlight the frustration many people are feeling when they suspect Covid symptoms but aren't sure they can trust test results.

Ensuring the next wave of cell and gene therapies reach patients

Lung-I Cheng, Stat News

Propelled by significant research and development investments and scientific advances, the cell and gene therapy market has since experienced tremendous growth. Regulatory agencies around the world have approved a number of cell and gene therapy products — including eight new therapies in the United States — that target diseases with high unmet needs, ranging from cancer to retinal diseases.

Amazon and One Medical: Minding the data gaps

Alexander Chaitoff et al., Stat News

When Amazon announced its intention to acquire One Medical, a primary care organization that leverages its digital health platform and brick-and-mortar clinics to offer on-demand health care services, it declared "health care is high on the list of experiences that need reinvention" as a reason for the acquisition.

RESEARCH REPORTS

Healthcare workers' presenteeism causing an outbreak of respiratory infections in a facility for patients with severe motor and intellectual disabilities

Naoki Takayama et al., American Journal of Infection Control

This study aimed to identify the source of infection and medical costs for a respiratory infection outbreak in a facility for patients with severe motor and intellectual disabilities (SMID). Presenteeism refers to a situation wherein a person continues going to work despite being ill.

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Webinar

Providing Services Outside the Scope of Your Grant: How to Ensure Compliance

Tuesday, September 27 at 3 PM ET

NEW WEBINAR FOR HEALTH CENTERS

The recent *Dobbs* decision has led many health centers to question how they, as federal grant-funded organizations, can provide services that are out of scope. As health centers explore separate business lines, they need to consider a number of factors to ensure they stay in compliance with their federal funding agreements.

In this webinar on **Tuesday, September 27 at 3 PM ET**, FTLF attorneys **Carrie Riley** and **Ted Waters** will use elective abortions as an example to address:

- Creating boundaries between business lines and funding streams
- Compliance with cost allocation principles and other grant-related rules
- Key areas of risk and common pitfalls
- Additional legal and practical considerations health centers face when deciding to establish an "other line of business"

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340B Compliance Implications of Recent Developments
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SUBJECT: How VB&P and Audi put each other on the map
FROM: "4A's SmartBrief" <aaaa@smartbrief.com>
TO: hborski@utah.gov
DATE: 30/08/2022 08:42

Created for **hborski@utah.gov** | Web Version

[redacted]

August 30, 2022

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TOP STORY

RPA shows Honda is "Forever Determined"

(Honda/YouTube)

RPA created a 60-second "Forever Determined" spot for Honda that's voiced by John Cena and showcases the brand's legacy and future ambitions, shot from the driver's seat. The ad, in English, Spanish and Mandarin, is the second in Honda's "Origin of Determination" campaign and is running across TV, social and streaming with an activation inside the Hondaverse on Twitch. **Full Story:** The Drum (free registration) (8/29), MediaPost Communications (free registration) (8/29), Ad Age (tiered subscription model) (8/29)

The future of streaming is consumer-defined

73% of consumers feel the ads they see while streaming are repetitive. In this Ipsos report, we explore how advertising-based streaming can evolve by becoming more relevant, personalized, and interactive. Gain insights and garner attention. **Get the report.**

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INFILLION

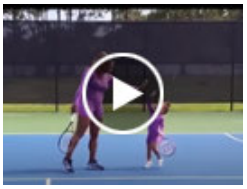
CREATIVE

Martin Agency touts the good that DoorDash does

(DoorDash/YouTube)

The Martin Agency created "A Neighborhood of Good in Every Order" campaign for DoorDash that shows the positive economic impact the brand has on communities, focusing on how each order bolsters local businesses or provides extra income for its delivery "Dashers." The push includes a series of 15-second spots and is running across TV, social, digital and out of home. **Full Story:** MediaPost Communications (free registration) (8/29), The Drum (free registration) (8/29), Ad Age (tiered subscription model) (8/29)

TBWA\Chiat\Day, Gatorade, Beyonce honor Serena Williams



(Gatorade/YouTube)

TBWA\Chiat\Day created a 60-second "Love Means Everything" spot for Gatorade that is voiced by Beyonce and pays tribute to the career of Serena Williams. The spot, which debuted during the 2022 MTV Video Music Awards, begins with Beyonce saying, "When the world writes her down in history, we'll begin where she started -- at love." **Full Story:** Muse by Clio (8/29), The Drum (free registration) (8/29)

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AGENCY INSIDER

Red & Co.'s Mira Kaddoura talks favorite work

Mira Kaddoura, founder and executive creative director of Red & Co., talks about creative inspirations and favorite work. Kaddoura explains why some of her favorite projects have included "I Feel Pretty" for Nike, "Made with Code" for Google and "Make Room" for Netflix. **Full Story:** Muse by Clio (8/29)

How VB&P and Audi put each other on the map

Executives at Venables Bell and Partners talk about the agency's 15-year relationship with Audi, which ended earlier this year, explaining how a strong partnership led to a new creative strategy for the automaker. "We said, 'We're going to put you on the map and you're going to put us on the map,' " chairman and founder Paul Venables explains, noting, "That's exactly what happened." **Full Story:** Adweek (8/30)

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AGENCY NEWS

Fig, Ocean Media win creative, media for Viator

Fig and Ocean Media have been named creative and media agency of record, respectively, for Tripadvisor's experiences marketplace Viator. "With Ocean and Fig as our very talented partners, we're excited to show travelers there's a better way," says Viator's Laurel Greatrix. **Full Story:** Adweek (8/30)

[redacted]

MEDIA & TECHNOLOGY TRENDS

FTC sues Kochava over data practices

The Federal Trade Commission is suing Kochava, alleging the mobile ad measurement and analytics firm acquired consumer location data that could reveal whether an individual went to an abortion clinic or other sensitive location information and sold the data for advertising efforts. Kochava's Brian Cox says the firm is in compliance with privacy laws, and an anonymous agency executive says the move is a "shot across the bow" and indicative of increasing privacy oversight. **Full Story:** MediaPost Communications (free registration) (8/29), Ad Age (tiered subscription model) (8/29)

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(4A's)

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SUBJECT: Cleveland Clinic reports $1B loss | Monkeypox death suspected atTexas hospital | 15 CEO resignations | Epic eyes 'nationwide health ITinfrastructure' | Centene, Tenet spar over contract | Ascension settleswage suit for $19.7M | 15 women on the move
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 30/08/2022 10:40

[redacted]

August 30, 2022

BECKER'S

HOSPITAL REVIEW

Virtual Events • Webinars • Whitepapers • OnDemand Learning • Podcasts

1. Cleveland Clinic reports $1B loss in first half of this year **Full story**
2. Texas health officials investigate US' 1st possible monkeypox death: 4 updates **Full story**
3. 15 recent hospital, health system CEO resignations **Full story**
4. Momentum builds for integrated specialty pharmacies as they deliver proven results. Read more here.
5. Hospitals experiencing some of the worst margins since beginning of pandemic **Full story**
6. Ascension to pay $19.7M to settle wage suit **Full story**
7. Judy Faulkner: Epic building a 'nationwide health IT infrastructure' **Full story**
8. Beaumont-Spectrum system names chief people officer Full story
9. Intake sets the stage for easing patient burden and reducing claim denials. Learn the right way to do it.
10. The safety issues that put Novant hospital's Medicare contract at risk Full story
11. 5 states with most, fewest primary care providers per capita Full story
12. Centene threatens to terminate contract with Tenet, potentially impacting 3 million patients Full story
13. Cyberattacks related to third party vendors are common in healthcare. Identify blindspots in vendor access management with tips from this discussion.
14. 15 women on the move in healthcare Full story
15. Stats by state:

- **COVID-19 hospitalization rates**
- **COVID-19 test positivity rates**
- **Percentage of population fully vaccinated**
- **COVID-19 death rates**
- **ICU utilization**
- **Staffing shortages**
- **Booster rates**
- **COVID-19 vaccination rates up/down**

Becker's Whitepaper

- COVID-19 cases trend

Becker's Learning Opportunities

1. ERP built by accountants, for accountants: Read how James River Home Healthcare's first CFO improved reporting speed and consistency by implementing a new ERP.
2. Unsecured remote access leaves organizations vulnerable to attacks. Learn how to avoid becoming a target.
3. An estimated $300B in healthcare fraud happens every year. Here's how modern payer Chief Risk Officers are getting proactive about fraud protection.

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Becker's Hospital Review, A Becker's Healthcare Publication

SUBJECT: CDC HAN 473: Variant Influenza Virus Infections: Recommendations for Identification, Treatment, and Prevention for Summer and Fall 2022
FROM: "Health Alert Network (CDC)" <healthalert@CDC.GOV>
TO: <CDC-HAN-PRIORITY-LIST@LISTSERV.CDC.GOV>
DATE: 30/08/2022 13:32

[redacted]

View this CDC HAN Health Advisory as a PDF

This is an official
CDC HEALTH ADVISORY

Distributed via the CDC Health Alert Network
August 30, 2022, 3:00 PM ET
CDCHAN-00473

Variant Influenza Virus Infections: Recommendations for Identification, Treatment, and Prevention for Summer and Fall 2022

Summary
The Centers for Disease Control and Prevention (CDC) is issuing this Health Alert Network (HAN) Health Advisory to provide updates o recent variant[1] influenza virus infections and summarize CDC's recommendations for identification, treatment, and prevention of variant influenza virus infection for the summer and fall of 2022.

Background
Five cases of human infection with influenza viruses that usually spread only in pigs, also known as variant influenza virus infections, we reported to CDC in August 2022. These cases include three infections with influenza A(H3N2) variant (A(H3N2)v) virus and two infectio with influenza A(H1N2)v virus. These cases were identified in West Virginia (3), Oregon (1), and Ohio (1). Four of the five cases reporte exposure to pigs or attendance at an agricultural fair prior to illness, and one reported no contact with pigs or attendance at an agricultu fair prior to illness. Clinical characteristics of these cases have been similar to those of seasonal influenza infections and have included fever, cough, pharyngitis, myalgia, and headache. No hospitalizations or deaths have occurred among these five cases, and all patients are recovering or have recovered from their illnesses. To date, no person-to-person spread associated with the five recent variant influe virus infections has been identified.

Early identification and investigation of variant influenza virus infections are important to determine whether the virus is spreading efficie among people. Rapid detection and characterization of novel influenza A viruses and efforts to reduce transmission to other people rem important components of national efforts to prevent the emergence of new viruses that could have pandemic potential. To accomplish th testing for influenza viruses and monitoring for novel influenza A virus infections, including variant influenza virus infection, should conti year-round. Individuals, especially those at increased risk of influenza complications, can take public health measures to limit their risk o infection (e.g., limiting exposure to infected animals). Clinicians are encouraged to consider variant influenza virus infection as a possibl diagnosis when evaluating patients with acute respiratory illnesses and exposure to pigs or agricultural fairs prior to illness.

Since 2005, 504 variant influenza virus infections (of different influenza A virus subtypes) have been identified in the United States; mos these infections have been associated with exposure to pigs or attendance at an agricultural fair prior to illness onset. Agricultural fairs occur across the United States each year, primarily during the summer and early fall. Many fairs have swine barns, where pigs from different geographic locations come in close contact with each other and with people. These venues may allow influenza viruses to spre among pigs and between pigs and people. Infected pigs may spread influenza viruses even if they are not symptomatic (e.g., coughing sneezing).

CDC anticipates that state health departments may identify more cases of infection with variant influenza viruses in 2022 as the agricult fair season continues. Testing for variant influenza viruses should focus primarily on persons with exposures known to be associated wit variant influenza virus infection (e.g., agricultural fair attendance or workers in the swine industry). Novel influenza A virus infections, wh include those caused by variant influenza viruses, are notifiable conditions in the United States, and all confirmed cases should be repo to CDC within 24 hours.

Recommendations for Clinicians

- Outside of the traditional influenza season, ask patients with suspected influenza if they have any recent exposure to swine.
- Clinicians who suspect influenza in persons with recent exposure to swine should:
  - Obtain a nasopharyngeal swab or aspirate from the patient,
  - Place the swab or aspirate in a viral transport medium, and
  - Contact their state or local health department to arrange transport and request a timely diagnosis at a state public health laborato
- Recommend antiviral treatment in patients with suspected or confirmed variant influenza virus infection who are hospitalized, have severe illness, or are in a group considered at increased risk for complications from influenza[2]. Antiviral treatment can also be considered for those not at increased risk based on clinical judgement and if treatment can be initiated within 48 hours of illness ons

Recommendations for Public Health Departments and Laboratorians

- Enhance surveillance for respiratory illness during agricultural fair season to facilitate timely detection and investigation of variant influenza virus cases.

- Respiratory specimens from persons suspected to have variant influenza A virus infection should be collected and sent for subtype-specific real-time polymerase chain reaction (RT-PCR) testing at a state public health laboratory. While commercially available rapid influenza diagnostic tests (RIDTs) and molecular assays for influenza can reliably detect variant influenza A viruses, they cannot differentiate variant influenza A viruses from human influenza A viruses.
- Public health laboratories should immediately send influenza A virus specimens that cannot be subtyped or are presumptive variant influenza positive (using methods as outlined in the assay's Instructions for Use) to CDC and submit all specimens that are otherwise unusual as soon as possible after identification. Please email flusupport@cdc.gov to alert CDC that you have a specimen to submit.

Recommendations for the Public

- Persons who are at higher risk for influenza complications[2] should avoid exposure to pigs and swine barns at fairs this year. If you cannot avoid exposure to pigs, you should wear a well-fitting mask that covers the nose and mouth and should perform hand hygien frequently.

  All persons should take precautions when engaging in activities that may involve swine contact. Precautions include hand hygien before and after exposure to animals, avoiding eating or drinking in animal areas, and avoiding close contact with animals that loo or act ill.

- Patients with influenza-like illness who are at higher risk for influenza complications[2] should see their healthcare provider as soon as possible after symptom onset to determine if treatment with antiviral medications is warranted.

  Patients who experience influenza-like symptoms following direct or close contact with pigs and who seek medical care should inform their health care provider about the exposure.

For More Information

- Influenza A (H3N2) Variant Virus
- Interim Information for Clinicians about Human Infections with H3N2v Virus for State and Local Health Departments
- Prevention Strategies for Seasonal and Influenza A(H3N2)v in Health Care Settings
- Interim Guidance on Specimen Collection, Processing, and Testing for Patients with Suspected Influenza A (H3N2)v Virus Infection f Public Health Professionals
- Testing, Reporting, and Control Strategies
- People at Higher Risk of Flu Complications

[1]Influenza viruses that circulate in swine are called swine influenza viruses when isolated from swine but are called variant viruses when isolated from humans.

[2]This includes persons with certain underlying chronic medical conditions such as asthma, diabetes, heart disease, or neurological conditions, pregnant people, and pers 5 years and younger and 65 years and older, or who have weakened immune systems.

The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases ar injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through stro partnerships with local, national, and international organizations.

Categories of Health Alert Network messages

Requires immediate action or attention. Conveys the highest level of importance about a public health event.
Requires immediate action. Provides important information about a public health event.
May require immediate action. Provides updated information about a public health event.
HAN Info Service Does not require immediate action. Provides general information about a public health event.

##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors public information officers, HAN coordinators, and clinician organizations##

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SUBJECT: Morning Consult Health: Americans Will Pick Up Tab on COVID-19Shots, Treatments in 2023
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 31/08/2022 06:19

[redacted]

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Health

Essential health care industry news & intel to start your day.

AUGUST 31, 2022

BY MATT BRACKEN

Twitter Email

New Data: Voter Backing Slips for CDC's COVID-19 Performance
The Centers for Disease Control and Prevention's handling of the coronavirus has always been viewed much more favorably by voters than the pandemic performances of Congress, President Joe Biden, Vice President Kamala Harris and the United Nations. But those positive feelings have shown signs of dipping over the past month, just as CDC Director Rochelle Walensky announced that the agency "did not reliably meet expectations" on COVID-19 and would undergo an overhaul.

Per Morning Consult's newly updated "Return to Normal" tracker, the CDC's net approval on the pandemic is 17 percentage points above water, with 55% of voters approving and 38% disapproving of the agency's COVID-19 performance. That's down 7 points from last month and the lowest level recorded for the CDC since February.

Check out additional data on institutional responses to COVID-19, public attitudes on vaccine mandates and other related topics here: How the Public's Views on COVID-19 Have Shifted Since the Pandemic Began.

TODAY'S TOP NEWS

- As soon as January, the U.S. public will have to pay for COVID-19 vaccines out of pocket or get the shots covered through their insurers, while the federal government will continue providing treatments such as Pfizer Inc.'s Paxlovid until the middle of 2023 when U.S. supply runs out, according to Dawn O'Connell, who leads the Department of Health and Human Services'

Administration for Strategic Preparedness and Response. The shift from government coverage of COVID-19 vaccines and treatments to the commercial market was discussed yesterday in a meeting of more than 100 representatives from pharmaceutical companies, providers, payers and state and local health departments, with O'Connell noting that "the timeline to make the transition has accelerated over the past six months without additional funds from Congress to support this work." (Bloomberg)

- Provisional estimates from the Centers for Disease Control and Prevention's National Center for Health Statistics show that the country from 2019 to 2021 experienced its worst two-year decrease in life expectancy since 1923, with a decline of 2.7 years to 76.1 over that time period. Deaths from COVID-19 were largely responsible for the sinking life expectancy figures: 74% of the decline from 2019 to 2020 was attributable to the coronavirus, as was 50% of the drop between 2020 and 2021. (CBS News)

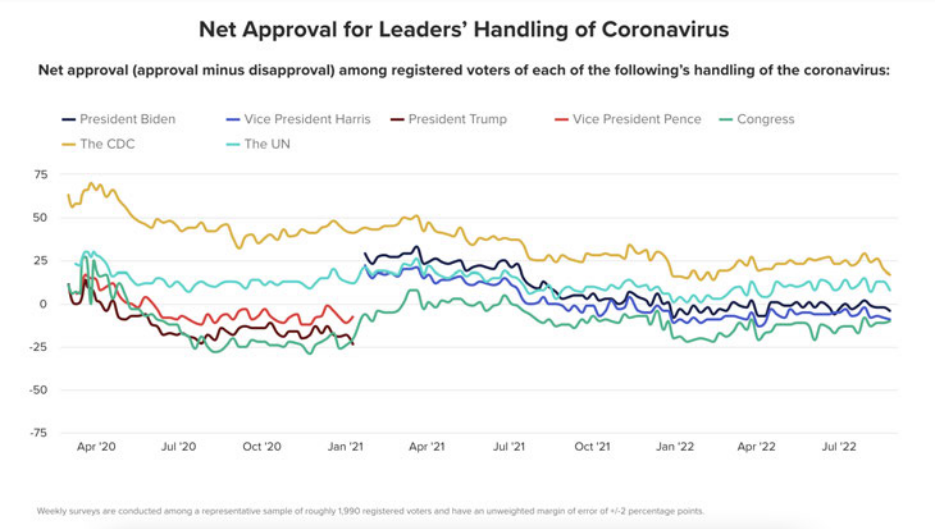
- Accountable Care Organizations generated $1.66 billion in overall Medicare savings last year and 99% of all ACOs that were part of the Medicare Shared Savings Program achieved quality standards, according to the Centers for Medicare and Medicaid Services. CMS said in a release that "the type of ACOs that saw more net savings tended to be low-revenue, meaning they were mainly made up of physicians, included a small hospital, or served rural areas." (Fierce Healthcare)

- The HIV+Hepatitis Policy Institute, the Diabetes Leadership Council and the Diabetes Patient Advocacy Coalition are suing HHS and CMS over a Trump-era rule that the advocacy groups say allows insurers to prevent patients from receiving copay assistance on various drugs. The lawsuit argues that the rule, enacted in 2020, disproportionately affects people with diabetes, HIV and other chronic conditions that require sustained use of costly drugs, while payers argue that copay assistance programs steer patients toward higher-cost, brand-name medicines. (Roll Call)

CHART REVIEW

How the Public's Views on COVID-19 Have Shifted Since the Pandemic Began

Morning Consult



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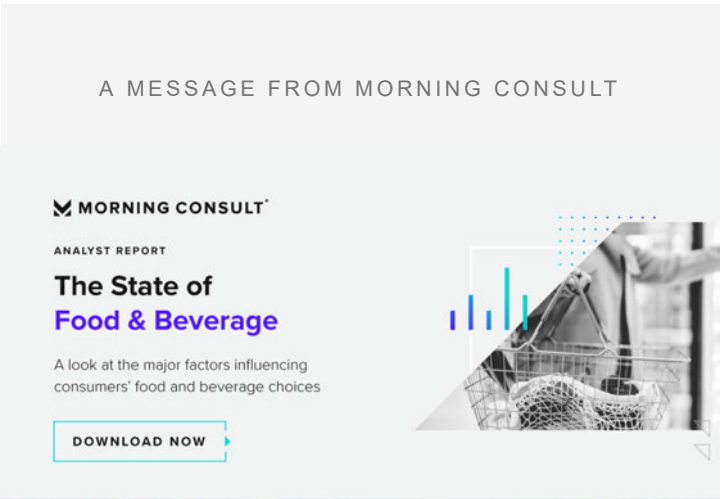

The State of Food and Beverage

Morning Consult's semiannual State of Food & Beverage report tracks evolving consumer behaviors in the food & beverage sector and what they mean for the future of the industry. Download the report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Trump officials' own memoirs reveal covid chaos

Dan Diamond, The Washington Post

But across more than 4,000 pages of memoirs reviewed by The Washington Post — from tell-alls by senior health leaders to lesser-known books, such as an October 2021 memoir by former national security official Keith Kellogg — the picture that emerges is of an administration uniquely unsuited to meet the demands of a pandemic.

Struggling with long Covid? Experts say diet and nutrition could help

Goh Chiew Tong, CNBC

There's still much left to learn about long Covid. While eating the right foods is not a cure for long Covid, diet and nutrition could play a key role in helping those suffering from it to cope, experts tell CNBC Make It.

FDA to authorize new Covid boosters without trials in people

Berkeley Lovelace Jr., NBC News

The updated Covid vaccine boosters, a reformulated version targeting the BA.5 omicron subvariant, could be available around Labor Day. They'll be the first Covid shots distributed without results from human trials. Does that matter?

Contractors in 'Uncharted Water' With Narrowed Vaccine Mandate

Khorri Atkinson, Bloomberg Law

An Eleventh Circuit order allowing President Joe Biden to enforce his Covid-19 vaccination mandate for federal contractors in some states is likely to sow further confusion among businesses with government pacts.

COVAX to send Mexico 10 mln COVID shots by Sept. 30, says official

Reuters

The United Nations-backed COVAX vaccine program will send 10 million doses of Pfizer (PFE.N)/BioNTech (22UAy.DE) COVID-19 shots for children to Mexico by the end of September, a senior Mexican official announced Tuesday.

GENERAL

Texas reports what may be the first U.S. death from monkeypox

Spencer Kimball, CNBC

The patient was an adult with a severely compromised immune system who lived in the Houston area, health officials said. The case is under investigation to determine what role monkeypox played in the individual's death, officials said.

U.S. Will Set Aside Monkeypox Vaccines in New Equity Program

Noah Weiland, The New York Times

The program, called an "equity intervention pilot," will offer 10,000 vials of vaccine, or as many as 50,000 doses, that can be distributed by local officials to five different venues. Officials said the doses were meant for people who might struggle to find appointments or worry about the stigma of attending public vaccination events.

FDA chief says long-awaited opioid review still in the works

Matthew Perrone, The Associated Press

Dr. Robert Califf wrote in a blog entry that the FDA is still studying "what revisions are needed to support appropriate use" of opioid painkillers and "lessons learned" by the agency. The update comes as part of a broader outline of the FDA's ideas and initiatives for combating drug misuse and addiction.

Social-Media Firms Would Have to Consider Children's Health Under Bill Passed by California Legislature

Talal Ansari and Charley Grant, The Wall Street Journal

California's Legislature passed a bill Tuesday that would for the first time in the U.S. require the makers of social-media apps such as Facebook, Instagram and TikTok to consider the physical and mental health of minors when designing their products.

Experimental brain surgery quelled cravings in 2 people with binge eating disorder

Erika Edwards, NBC News

The first two patients to undergo an experimental brain surgery for binge eating disorder say that one year later, they feel more in control of what they eat and have fewer cravings.

More people are now smoking marijuana than cigarettes

Ayana Archie, NPR News

Cigarette use has been trending downward during the past decades, with only 11% of Americans saying they smoke them in a poll conducted July 5 to 26, compared to 45% in the mid-1950s.

Abortion misinformation surges in Latino communities

Shawna Chen, Axios

Latinos are facing an onslaught of Spanish-language misinformation about abortion in the aftermath of the Supreme Court decision overturning Roe v. Wade, health experts and reproductive rights advocates say.

This Mexican clinic offers discreet abortions to Americans

Lilly Quiroz, NPR News

In the months since Roe v. Wade was overturned, Luisa García has noticed a sharp and striking trend: More Americans are seeking her clinic's services in Tijuana, Mexico.

Nearly one-third of low-income Asian women now live in states with limited abortion access

Sakshi Venkatraman, NBC News

According to new data from the National Partnership for Women & Families and an NBC News analysis, 31% of lower-income Asian women of reproductive age live in states that have banned or are set to ban abortions. With reproductive care becoming harder to access each day, experts say the most vulnerable groups will be the most crippled — and face the starkest consequences.

Republican candidates are changing how they handle abortion after Roe v. Wade

Shefali Luthra, The 19th

At least three candidates have edited their campaign websites to remove references to strict abortion bans — a reflection of growing voter backlash to the overturning of Roe v. Wade.

WHO director in Asia accused of racism, abuse put on leave

Maria Cheng, The Associated Press

The World Health Organization's top director in the Western Pacific, Dr. Takeshi Kasai, has been indefinitely removed from his post, according to internal correspondence obtained by The Associated Press.

Pain, Fear, Stigma: What People Who Survived Monkeypox Want You to Know

Liam Stack, The New York Times

Seven patients share their stories of devastating symptoms, frustration over finding care and their efforts to help each other when doctors and officials have failed.

Transgender Care Ruling Provides Legal Tool to Fight Abortion

Kaustuv Basu, Bloomberg Law

An appeals court ruling that the federal government can't force Christian health-care professionals to perform transgender-related care may give conservatives an opening to challenge abortion access in states where the procedure is still legal.

PAYERS

Bush appointee tapped as Cigna's first chief health officer

Hailey Mensik, Healthcare Dive

David Brailer will assume his new role in early September, and will be Cigna's first chief health officer. In his role, he will focus on bringing together Cigna products, technologies and services in new ways in an attempt to drive more value and help improve overall health, according to the release.

Highmark Health reports $174M net loss in first half of 2022

Heather Landi, Fierce Healthcare

Healthcare giant Highmark Health saw its revenue grow 24% in the first half of the year to reach $12.9 billion and reported an operating gain of $387 million.

PROVIDERS

Pandemic's infection control struggles hit smaller community hospitals hardest, study finds

Dave Muoio, Fierce Healthcare

The pandemic-era spike in healthcare-associated infections was significantly more severe among smaller community hospitals than their larger academic medical center counterparts, according to a new study of hospitals across six southeastern states.

Cleveland Clinic sees -5.9% operating margin, $787M loss in Q2 2022

Dave Muoio, Fierce Healthcare

Cleveland Clinic Health System's operations lost $183.5 million during the quarter ended June 30 thanks to a 15.1% increase in the nonprofit's operating expenses, according to financial statements published Monday.

Planned Parenthood announces lawsuit to challenge Indiana's abortion ban

Oriana Gonzalez, Axios

Planned Parenthood and other health care providers on Tuesday said they had filed a lawsuit challenging an abortion ban in Indiana that is set to take effect in approximately two weeks.

Behavioral health provider shortage strains systems

Alex Kacik, Modern Healthcare

Geisinger ramped up its telehealth behavioral services over the past year, reducing its backlog of patients from 18,000 to 3,000.

PHARMA, BIOTECH AND DEVICES

FDA takes N95 respirators off medical device shortage list

Ricky Zipp, Healthcare Dive

The Food and Drug Administration has taken N95 respirators off of the medical device shortage list as increased manufacturing has helped build a sufficient supply of the devices.

Many patients stop taking statins because of muscle pain, but statins aren't causing it, new study says

Naomi Thomas, CNN

Statins are an important tool to prevent major cardiovascular problems, but many patients stop taking them because of side effects, including muscle pain. However, for more than 90% of patients on statins who experience muscle pain, the statin is not the cause of the pain, according to a study published Monday in The Lancet and presented at the European Society of Cardiology Congress in Spain.

NewAge, seller of health and wellness products, files for Chapter 11 bankruptcy

Reuters

NewAge Inc (NBEV.O), which describes itself as a direct-to-consumer seller of health and wellness products, filed for bankruptcy on Tuesday, three weeks after receiving a default notice on a loan agreement.

HEALTH TECHNOLOGY

One Medical founder Tom Lee on the Amazon deal

Mohana Ravindranath, Stat News

Virtual care companies face increasing churn as telehealth visits sink below their pandemic-era peak, forcing them to cut back on staff and services or enter into bold new business agreements expanding their geographic reach. For some companies, a trend toward consolidation has led to stumbles, while others are finding new ways to sell existing services to more patients by combining customer bases.

Oscar Health loses big customer

Nona Tepper, Modern Healthcare

Health First represented the first customer to completely and publicly buy in to Oscar Health's technology services. The insurtech had aimed to ink two such technology deals each year.

OPINIONS, EDITORIALS AND PERSPECTIVES

To Fight Monkeypox and Other Viruses, Look Harder in the Sewers

Lisa Jarvis, Bloomberg

Evidence is growing that monkeypox, like Covid, can be reliably detected in wastewater. Yet the US has moved far too slowly to include the virus in its regular scans of sewage for coronavirus. By the time the Centers for Disease Control and Prevention launches a program in the next month or two to look for monkeypox, the worst of the outbreak is likely to have passed.

Why Many Americans Turned on Anthony Fauci

Ari Schulman, The New York Times

In 2019, Anthony Fauci was seen as a charming but no-nonsense doctor who had served the public for five decades. He'd been cited as a hero by the first President Bush and awarded the nation's highest civilian honor by the second. So how by 2022 did Dr. Fauci become, to so many, a villain?

As hospital charges climb, workers and businesses pay the price

Elizabeth Mitchell and Mike Thompson, Stat News

Despite a recent taxpayer-subsidized boon, the hospital industry spent the last several months lobbying for additional federal dollars amid warnings about the continued spread of Covid-19 and inflation's impact on the nation's health care system. Those efforts bore fruit: Medicare recently granted hospitals the largest price increase since 1998.

The No Surprises Act: A Band-Aid protecting business as usual

Marc Rodwin and Alan Sager, Stat News

The No Surprises Act has been hailed as a major bipartisan reform aiming to eliminate most surprise out-of-network bills. For years, Americans had expected their insurance to shield them from high medical costs and cap their out-of-pocket payments at modest levels. Yet many received unexpected bills for medical services at unregulated prices when they accidentally chose out-of-network caregivers or lacked safe in-network options.

The Decline in American Life Expectancy Is Not Inevitable

Dave A. Chokshi, The New York Times

Life expectancy in the United States continued to decline in 2021, according to data released by the federal government. Is there a more fundamental barometer of the health of our nation? The stagnation in life expectancy reflects deep societal challenges — not just in our health system but also in our economic and political systems.

RESEARCH REPORTS

Association of Medicare Advantage Premiums With Measures of Quality and Patient Experience

Amelia M. Haviland et al., JAMA Health Forum

This retrospective cross-sectional study found statistically significant but small-to-medium sized (1-3 points of 100) improvements for most clinical and patient experience quality measures with higher premiums. There was a negative association for 1 measure; in contrast, at each premium level, there was substantial variation (≥5 points) in the quality of care among Medicare Advantage plans.

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TOP STORIES

Texas confirms death of patient with monkeypox

Texas health officials confirmed the death of an adult patient with a severely compromised system who was infected with monkeypox, the first publicly reported death of the current outbreak in the US, and officials are investigating to determine the role of monkeypox in the patient's death. The US has recorded more than 18,000 monkeypox cases since the outbreak started, according to the CDC. **Full Story:** CBS News (8/30), CNBC (8/30)

COVID-19 vaccines, treatments headed to commercial market

[redacted]

The Biden administration expects to run out of federal funds for purchasing or distributing COVID-19 vaccines and treatments sooner than expected in the absence of additional funding from Congress, according to HHS Assistant Secretary for Preparedness and Response Dawn O'Connell. The administration could move away from procurement and distribution of some COVID-19 vaccines and therapeutics as soon as January, O'Connell said.
Full Story: The Hill (8/30), Reuters (8/30)

A virtual first approach to primary care

Health plan leaders from across the industry participated in a recent roundtable to discuss the opportunities and challenges of virtual care including the role virtual primary care plays to address whole-person needs. **Read the article**

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HHS releases $20M to improve maternal, infant health

HHS' Health Resources and Services Administration will distribute over $20 million to support organizations working to address disparities in maternal and infant health. The grants will fund efforts to reduce infant mortality, increase access to community-based doulas, improve care for pregnant individuals and create task forces for maternal health. **Full Story:** Healthcare Finance (8/30)

White Paper: Engage your Medicaid members

When health plans prioritize member engagement, outcomes improve. **Read our white paper** and learn how to break down barriers to develop trust while taking a "whole-person" approach to care, leading to better quality scores and lower churn.

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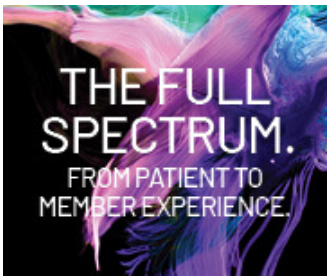
MEDICAL UPDATE

CDC: US life expectancy down for 2nd straight year

US life expectancy at birth dropped by almost one year to 76.1 years between 2020 and 2021, the lowest it's been since 1996 and the second consecutive year of decline, largely due to the COVID-19 pandemic, according to provisional data from the CDC's National Center for Health Statistics. Life expectancy declined by one year to 73.2 years for US men and fell by 10 months to 79.1 years for US women. **Full Story:** CNN (8/30), The Associated Press (8/30)

Smoking linked to almost 30% of cancer deaths in the US

Nearly 30% of all US cancer deaths in 2019, equivalent to 122,951 deaths, were associated with cigarette smoking, according to findings published in the International Journal of Cancer. The total is equivalent to over 2 million person-years of lost lives and annual lost earnings worth nearly $21 billion. **Full Story:** Medscape (free registration)/WebMD (8/29)



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Lessons from a virtual-first early adopter

Even before the pandemic, Michigan's Priority Health was building out a model for virtual-first care. As remote work took hold, employers, too, saw a need for a digital-first plan that would align with their new workplaces. Megan Schmidt explains why Priority was an early adopter, what their approach to virtual care looks like and what's most important for virtual-first models moving forward. **Listen now.**

EMERGING TRENDS

Survey: Patient nutrition counseling low among physicians

A Medscape survey of 1,005 physicians found that respondents believed only about 55% of their patients would benefit from nutrition counseling, with time constraints and lack of nutrition knowledge preventing physicians from discussing the topic with their patients. Yet only about 16% referred patients out to diet and nutrition specialists, according to survey results, with Dr. Sylvia Bollie commenting that there should be "a baseline of standard nutrition counseling or nutrition assessment for all patients." **Full Story:** Medscape (free registration) (8/28)

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CareQuest Institute for Oral Health: New Tool Launches to Assess Extensiveness of Medicaid Adult Dental Coverage

CDPHP: ConnectRx Pharmacy Opens in Capital Region Health Park

Dr. David Brailer, M.D., Ph.D. Joins Cigna as Executive Vice President and Chief Health Officer

Highmark Health reports $12.9 billion in revenue and $387 million operating gains for first half of 2022

Independence Blue Cross launches BlueBench Program to help address isolation and loneliness among seniors in Philadelphia

Providence Health Plan Names Michael Mathias as New Chief Information Officer

Live Post-Acute Data Improves Care & Costs

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Hello Heart Announces a Groundbreaking Feature for Managing Cholesterol, Becoming the First and Only Digital Therapeutic to Tackle Whole-Heart Health

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Strengthening the Foundation of Healthcare Interoperability, Surescripts Exchanges Patient Records for Nearly 20% of Americans

Meredith Ryan-Reid Named CEO of Versant Health, a MetLife Company

Chase's New Normal with Finger Prosthesis

"It is important to learn new skills after hand trauma," he explains. "After a loss is the best time to explore something new because there is no benchmark of success to meet. You have to find your new normal in the little things."

Read his full story here.

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PHARMA NEWS

FDA poised to decide on updated COVID-19 vaccine boosters

Updated Moderna and Pfizer/BioNTech COVID-19 vaccine boosters that target the Omicron BA.4 and BA.5 subvariants and the original virus could receive FDA authorization as soon as today, according to sources with knowledge of the plan. The CDC's Advisory Committee on Immunization Practices is set to meet Thursday and Friday to vote on whether to recommend the updated boosters. **Full Story:** Reuters (8/30), Politico (8/29)

Study: No difference in morning, night dosing of BP meds

People who took antihypertensive medications only at night did not see greater benefits than those who took them in the morning, according to results of the TIME trial presented at the European Society of Cardiology Congress. The two groups experienced similar rates of stroke, myocardial infarction or vascular death over a period of five years, and there also was no difference between the two groups in terms of individual outcomes of stroke, myocardial infarction, all-cause mortality, CV death, or heart failure-related hospitalization or death.

Full Story: MedPage Today (free registration) (8/26)

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POLICY WATCH

CMS suspends prior authorization for certain DMEPOS

(Pixabay)

The CMS has suspended prior authorization requirements for some durable medical equipment, prostheses, orthoses and supplies in circumstances when a PA review would delay care and risk the patient's health or life. **Full Story:** HealthLeaders Media (8/29)

AHIP NEWS

Webinar: Eliminate forms, improve interactions - register today.

Join us on Wednesday, Sept. 7 from 1 to 2 p.m. ET for "How to Eliminate Health Care Forms and Radically Transform Data Collection" as Smart Communications shows how health insurers are moving away from traditional paper-based and fillable form processes and are creating secure, personal, and sustainable interactions with their members, providers, and partners.

Improving mental health care access

Health insurance providers are improving access to mental health care by bringing more high-quality providers into their networks, training and supporting primary care physicians to care for patients with mild to moderate behavioral health conditions, and helping patients find available appointments, according to findings from a new AHIP survey.

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Brett McIff, PhD, PAPHS
Physical Activity Coordinator
Healthy Environments Active Living (HEAL) Program

[redacted]
O: 801.538.6530
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DNPAO Daily Media Monitor

August 31, 2022

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[redacted]

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- "Nearly half of all cancer deaths around the world could be prevented," *Everyday Health* 8/30/2022

Access to Healthy Food

Newark will empower 14 local groups with $2M to combat hunger
8/30/2022 — Newark, NJ
The City of Newark will distribute $2 million in funding, which will help community groups to combat hunger and food insecurity. Mayor Ras Baraka has announced the 14 recipient organizations that will receive funding from the Nourishing Newark Community Grants Program. The City of Newark is investing $2 million to support community-based organizations to combat hunger and food insecurity resulting from, and worsened by the adverse economic impacts related to COVID-19.
Read full article here.

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North Lafayette grocery store food desert
8/30/2022 — Lafayette, LA
"The north side of Lafayette is in a food desert." For years northside residents have continuously lost grocery stores in the area. The last was the Shopper's Value on University Avenue. Community leader Ravis Martinez says a lack of places to get food is a big problem in underserved communities. "As a resident, it's really hard and discouraging when you see food deserts literally have a food desert, and you have so many people living with food insecurities."
Read full article here.

North Flint food market just months away from finishing construction; opening next year
8/30/2022 — Flint, MI
After nearly a decade of planning, the North Flint Food Market is just months away from opening their doors for the first time becoming one of the few grocery stores inside the City of Flint. The market just received additional funding from the state to finished off the project that has taken 8 years to complete. Now, the Project Manager of the store says they are about three months away from finishing outside construction.
Read full article here.

August 31, 2022

Spartanburg farmer to open a Pauline community grocery store this fall
8/30/2022 — South Carolina
Jacob Towe, owner of Jubilee Farms of Pauline, established his pasture-raised livestock farm in 2018. During his first few years as a farmer, Towe, a regular at Hub City Farmers Market, quickly discovered that getting his products in front of consumers is difficult and time-consuming. "One of the biggest barriers for farmers is actually getting the product to market, especially for small farms, and being able to make a profit while selling their products at a fair price in a way that doesn't take up all of their time," Towe said.
Read full article here.

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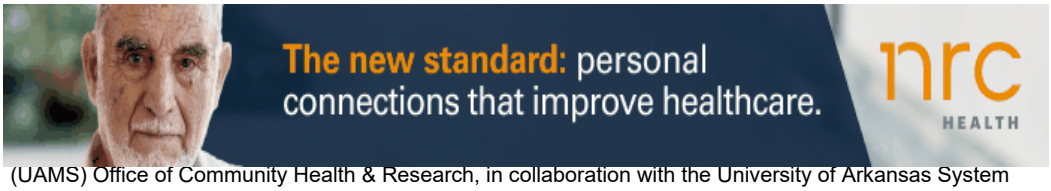

(UAMS) Office of Community Health & Research, in collaboration with the University of Arkansas System Division of Agriculture Cooperative Extension Service.
Read full article here.

1. 17 hospitals scaling back care **Full story**
2. 3 other Billings Clinic leaders resign amid CEO departure **Full story**
3. FDA authorizes Pfizer, Moderna's omicron boosters **Full story**

4. A strong relationship with community primary care providers (PCPs) and on-site surgeons allows ICUs to flourish. Read this guide on maximizing your ICU's reputation among these two key groups.

5. 1st U.S. monkeypox death confirmed as cases top 18K: 5 latest updates Full story

6. 14 recent hospital, health system CEO moves Full story

7. What does 'quiet quitting' look like at hospitals? Full story

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13. Becker's Healthcare is eager to gain insights from healthcare professionals' experiences with technology and their relationship to burnout. In this brief survey, we'd like to learn more about your organization's challenges and opportunities in these key areas.

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15. Stats by state:

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3. Better medication management is a priority for health systems, but less than half rely on vendors. Learn why + what hospital execs are looking for in new vendors.

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Obesity

Health check kids: Childhood obesity rates are up in Rhode Island
8/30/2022 — Rhode Island
The rate of childhood obesity and the rate of children being overweight are on the rise in Rhode Island, according to a Tuesday report from the Rhode Island Kids Count. The report is the first to show updated data from 2020, the first year of the COVID-19 pandemic. The rates were on a decline before the pandemic began. "We were seeing overall a decrease in Rhode Island and in the core cities from 2016 to 2019 for overweight and obesity for children," said Kaitlyn Rabb, policy analyst with Rhode Island Kids Count.
Read full article here.

Tobacco

Franklin County volunteers clean up 47,737 cigarette butts during Butt Litter Clean Up Month
8/30/2022 — Saint Albans, VT
Another successful Butt Litter Clean Up Month has ended in the Franklin Grand Isle region. The purpose of this disgusting effort is to raise awareness of the impact of these commonly littered items and to connect folks to quit resources, such as 802Quits.org or virtual Quit Workshops. The Franklin Grand Isle Tobacco Prevention Coalition with help from Downtown Board member and Med Associates executive, Valdemar Garibay, organized eight different Butt Litter Clean Up events in July and August.
Read full article here.

Breastfeeding

How lactation consultants in El Paso support breastfeeding moms
8/29/2022 — El Paso, TX
Azul looked peaceful on an August afternoon in Sunland Park. The baby girl, less than a year old, nestled against her mother Bella Luna's bosom. Luna had gathered with other families at The Border Latch, an annual event that supports breastfeeding in the Paso del Norte region. The El Paso mother gave birth via C-section to her first child in early 2022. After three miscarriages and a high-risk pregnancy, Luna thought the hard part was finally behind her.
Read full article here.

For National Breastfeeding Month, learn about NAU's lactation rooms
8/29/2022 — Arizona
August is National Breastfeeding Month.
The fact is breast milk gives newborns a healthy start in life. NAU supports breastfeeding parents by providing dedicated lactation rooms across the mountain campus. NAU's Equity and Access Office (EAO) manages the university's lactation rooms. The rooms are private, comfortable spaces equipped with a refrigerator, sink, furniture and storage. Located in 14 different areas on the Flagstaff Mountain Campus, the rooms have restricted, keyed access to ensure privacy for the breastfeeding parent.
Read full article here.

Other

Nearly half of all cancer deaths around the world could be prevented
8/30/2022
A new, first-of-its-kind global study found that nearly 1 in 2 cancer deaths — an estimated 4.45 million a year — can be attributed to preventable risk factors, with smoking, high body mass index (BMI), and drinking too much alcohol topping the list. Although cancer is the second leading cause of death worldwide (after heart disease) this is the first study to look at a multitude of factors on a global level,

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August 31, 2022

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CLOCC News

Introducing the First Round of CLOCC's 20 Under 20 Honorees

In 2022, CLOCC is excited to celebrate 20 years of obesity-prevention progress in Chicago. To mark this special occasion, we are honoring the vision of CLOCC founder and Lurie Children's Hospital pediatrician **Kathy Kaufer Christoffel, MD**, with an award series focused on the young, emerging leaders who are the future of childhood obesity prevention in Chicago and beyond.

Today, we are proud to introduce this first group of five recipients of the 20 Under 20 Award. Nominated by mentors and peers from across the Consortium, these young Chicagoans were selected for their efforts to lead future generations to better health. Through participation in school and/or community programs, or through their own individual initiatives, they are inspiring and supporting those around them to adopt healthier habits and strengthen the environments that support health in Chicago's schools, neighborhoods, and communities. Please join us in congratulating these individuals, and stay tuned for future announcements of CLOCC's 20 Under 20.

Markisha Ford

Nominating Organization: ***Girls in the Game***

As a part of Girls in the Game's Teen Squad, Markisha trained to coach numerous workshops for younger girls at local parks, schools, and community events. In a four-year span, she taught younger girls about healthy eating, emphasized teamwork, and led volleyball, kickboxing, and yoga workshops. She coached over 140 girls in 3rd-8th grade sports, primarily on the West and South Sides of Chicago. Markisha's passion and enthusiasm has empowered younger girls to try new sports and facilitated conversations on nutrition and healthy habits. She also

contributed to Girls in the Game's clean-up efforts at Union Park, improving her neighborhood's conditions for safe, active play. Her development into a young leader has supported Girls in the Game's nonprofit work to provide and promote sports and fitness opportunities, nutrition and health education, and leadership development to enhance the overall health and well-being of girls.

Ernest Willingham

Nominating Organization: ***Chicago Youth Programs***

As the youngest of eleven children, Ernest grew up in North Lawndale after his home in Cabrini Green was torn down. He graduated from Crane Medical Prep High School in 2020, becoming the first male in his family to graduate from high school. As one of 13 international recipients of the prestigious Torch Scholarship, Ernest is now a Northeastern University (Mass.) student, studying Emergency Medicine/Critical Care & Preventative Healthcare. He is researching health disparities in underrepresented communities while working on an initiative involving inmates and emphasizing the significance of health literacy and education. This past summer, Ernest served as a medical assistant in Bronzeville, performing health intake duties, vaccine and immunization administration and other functions to improve community health. Over the course of his life, Ernest has seen his brother, father, cousin, and best friend become victims of gun violence and, earlier this year, he testified to a United States Senate Committee on "Protecting America's Children From Gun Violence." Ernest recounted how the trauma youth experience growing up in Chicago impedes their ability to lead healthy lives. Through his advocacy on reducing firearm violence, Ernest is helping to create safer physical environments for youth so they can safely play, walk, and exercise in their communities.

Northeastern University photo

Ana Perez-Acuna, Jai Li Hernandez and Angie Martinez

Nominating Organization: ***Namaste Charter School***

Junior high school students Ana, Jai Li and Angie were nominated as standout members of the Namaste Charter School's Wellness Committee. These three students combined to help steer the committee's programs, activities and policies. These students also identified an external partner to facilitate work on a school garden grant. This group assisted the school's 8th grade class with hosting a healthy-food fundraiser by selling fruit cups as opposed to chocolates or gourmet popcorn. They also took the initiative to participate in the state legislative process by completing and promoting witness slip opportunities in support of Illinois schools being able to have more choices in food vendors for school lunches. Jai Li has also worked to promote physical fitness by taking part in a filming opportunity with the CATCH Global Foundation, demonstrating various fitness

exercises. The Namaste School is grateful for their leadership and civic roles and hopeful they will continue this leadership in high school to support their communities.

September is National Childhood Obesity Awareness Month, an opportunity for CLOCC partners to reaffirm the importance of children's access to healthy foods and physical activity opportunities, and to identify and address the upstream factors which contribute to the health disparities in our communities. Below, find resources from the Centers for Disease Control and Prevention (CDC) and the United States Department of Agriculture, designed to inform and guide your obesity-prevention work this month and year-round.

- **Division of Nutrition, Physical Activity, and Obesity (DNPAO) resources**
- **Dietary Guidelines for Americans**
- **Preventing Childhood Obesity: 5 Things You Can Do at Home**
- **How much physical activity do children need?**
- **Good Nutrition Starts Early**
- **Benefits of Healthy Eating**
- **DNPAO Health Equity Resources**

Upcoming Events

The Importance of Child Nutrition Programs

Hosted by the Greater Chicago Food Depository

Kick off Hunger Action Month with the Greater Chicago Food Depository to learn about the prevalence and impact of child hunger, and the different upcoming policy opportunities to better connect Illinois children with the nutrition they need to thrive. Topics include the current state of child hunger in Illinois, an overview of child nutrition programs, key priorities for upcoming legislative opportunities, and what advocates can do to ensure that child nutrition programs get the support necessary to succeed.

GREATER CHICAGO FOOD DEPOSITORY

Date: September 14th
Time: Noon-1:00 PM CT

Register Here

Racism and Food Access and Nutrition Culture: Discussion Series

Hosted by the Illinois Public Health Institute

The Illinois Public Health Institute is excited to present a two-part, virtual discussion series to explore how racism, oppression, and colonialism have shaped American food access and nutrition culture and what providers can do to challenge these systems. **View the speaker bios here**.

PART 1
One Bad Apple: How the Lack of Knowledge about Black and Indigenous Food Histories Informs our Nutrition Work
Date: September 15th
Time: 10-11:00 AM CT

PART 2
Eating with Our Neighbors: How to Identify Injustices and Create Change in Food and Nutrition Programs
Date: September 27th
Time: 10-11:30 AM CT

Register Here

Exploring the Power of Youth Leadership in Creating Conditions for Health and Equity

Join the National Academies of Sciences, Engineering, and Medicine Roundtable on Population Health Improvement as it explores how young people are engaging in and leading efforts to improve the social, economic, and environmental factors that influence the health and equity of communities and the nation.

Date: September 19th
Time: 11:00 AM to 6:30 PM CT

This event will include presentations and discussions that highlight case examples from select domains in which young people engage (e.g., education, climate justice, community safety); consider the types of civic infrastructure and resources that support youth participation and leadership of change efforts; and explore the available evidence on how young people themselves (and society at large) benefit from being involved in this kind of work.

Visit our Website

Career Opportunities

Research Scientist 4 (Epidemiology, Obesity Surveillance)
Department of Health, State of New York

The Research Scientist 4 will engage in research and data analysis activities supporting New York State Department of Health (NYSDOH) chronic disease prevention and control

initiatives. The incumbent will be responsible for overseeing the Student Weight Status Category Reporting System, a surveillance system for measuring obesity in school age children and adolescents. The incumbent will oversee and coordinate between the Behavioral Risk Factor Surveillance System, Electronic Health Record surveillance projects as well as cannabis, tobacco, alcohol surveillance systems/programs and other behavioral risk factor surveillance as needed. The Research Scientist IV will be expected to analyze data from NYSDOH, state, and federal data sources and to conduct surveillance in support of chronic disease prevention and control initiatives. The incumbent will contribute to the evidence base in chronic disease prevention and control, summarizing the findings from data analysis projects to members of the DOH project team, internal, and external stakeholders, and disseminating findings through presentations, reports and manuscripts.

This role requires a bachelor's degree in epidemiology, public health, biology, infection control, statistics/biostatistics, biomedical science, environmental health, environmental science, or a related field and five years of professional scientific research experience in an appropriate field; or a Master's degree in one of the above fields and four years of such experience; or a Doctorate in one of the above fields and two years of such experience. **Learn more or apply here**.

Medical Assistant - Mobile Health

Lurie Children's Hospital

Ann & Robert H. Lurie Children's Hospital of Chicago® Healthy Communities

The Patrick M. Magoon Institute for Healthy Communities, housed at Ann & Robert H. Lurie Children's Hospital of Chicago, is hiring for a Medical Assistant - Mobile Health. This individual is responsible for daily clinical work in the outpatient/primary care setting, and assists Physicians and other staff under the direction of a Registered Nurse. **Learn more or apply.**

Forty Acres Fresh Market - Multiple Positions

FORTY ACRES FRESH MARKET

Forty Acres Fresh Market, in the Austin neighborhood, is hiring the following positions right away. Please note, all positions require a driver's license.

- **Austin Town Hall City Market Manager** ($20/hr) - 25 hours/week
- **Austin Town Hall City Market Assistant Manager** ($15.50-$16.50/hr) - 15 hours/week
- **Business Operations Associate** ($15.50-$16.50/hr) - 20-40 hours/week

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Submit Job Openings and Future Events to be Listed on CLOCC.net and in the CLOCC Newsletter

Connect with CLOCC's network of nearly 3,000 childhood obesity prevention advocates by listing your organization's upcoming events or current job openings on the Consortium's website. Upon submission, postings will be approved by CLOCC staff; events and careers applicable to the CLOCC network may also be featured in this newsletter. If you have questions or are not able to access the webpage, contact **info@clocc.net**. CLOCC will not publish for-profit services or events, or products for sale.

Click here, or the image above, to view the latest job opportunities in obesity prevention and public health. Are you looking to fill an opening? Submit your listing using the button below.

Submit an Opening

Click here, or the image above, to view upcoming events targeted for child health and obesity prevention, as well events hosted by local partners. Submit your own event using the button below.

Submit an Event

Focus Upstream

CLOCC focuses upstream to identify the fundamental root causes of obesity, and to broaden the scope of our obesity prevention strategies. This work draws from local and national attention to health equity and social influencers of health, such as immigration, education, poverty and racism, all of which have an impact on people's ability to eat healthy and be active where they live, work, learn, and play. If you have comments or questions about this focus, we invite you to reach out to info@clocc.net.

UPSTREAM NEWS:

- **Healthy School Meals for All Advances Racial Equity** - *FRAC Blog*
- **U.S. Medical Schools Are Struggling to Overcome Centuries of Racism in Health Care** - *Time Magazine*
- **As Inflation Soars, Access to Indigenous Foods Declines** - *Chicago Tribune*
- **How Red States Use Regressive Grocery Taxes to Feed the Rich** - *New Republic*
- **Child Poverty Estimates Point to a Record Low in 2021 – Here's How It Could Have Been Even Lowe**r - *The Conversation*
- **Why Food Insecurity Among Generation Z Is so Much Higher Than for Other Age Groups** - *The Philadelphia Inquirer*
- **It's Not Just Health. Turns out Soda Taxes Improve Equity, Too** - *Next City*
- **School Is Where Health Care Happens for Kids. Changes in Medicaid Can Help** - *The 74 Million*
- **School Lunch Programs Brace for Higher Costs, Supply Issues, Less Funding, Staff Shortages** - *ABC News*
- **Only Two States Have Passed 'Right to Garden' Laws. Will Others Follow?** - *Civil Eats*

Childhood Obesity in the Media

- **Biden's Goal to End Hunger by 2030 and His New Food Conference, Explained** - *NPR*
- **Children and Teens More Physically Active, but Inequalities Remain** - *MedicalXpress*
- **Reversing the Impact of the Pandemic on Childhood Obesity** - *Health Podcast Network*
- **Teens Who Got Less Than 8 Hours of Sleep Are More Likely to Have Obesity, High Blood Pressure** - *Healthline*
- **Two Surprising Reasons Behind the Obesity Epidemic: Too Much Salt, Not Enough Water** - *The Conversation*
- **Black Women Facing the Uphill Battle to Breastfeed** - *Washington Informer*
- **New Research Demonstrates How Maternal Fat Metabolism Very Early in Pregnancy and Fetal Abdominal Growth Influence Child Weight and Adiposity by 2 Years of Age** - *Eurekalert*
- **Black and Brown Moms Urge Breastfeeding Support** - *Ms. Magazine*
- **How the Nutri-Score Label Helps Us Make Healthier Dietary Choices** - *Medical News Today*

Funding and Recognition Opportunities

- The **Chicago Metropolitan Agency for Planning (CMAP)** is seeking community-based organizations to apply to the new Community Alliance for Regional Equity program — an initiative to improve CMAP's investment processes to better serve people traditionally excluded from transportation planning. CMAP will recruit up to 12 community-based organizations and pay $10,000 for one year of their time and expertise. You can find more information on the Community Alliance for Regional Equity webpage and **access the application here**.
    - Program highlights include:
        - Ability to influence decision-making that impacts your community, including how federal transportation dollars reach your community
        - Networking and relationship-building opportunities
        - $10,000 unrestricted honorarium, half paid upfront
        - Potential for a multi-year commitment
    - If you have questions about the program, please contact CMAP at **CommunityAlliance@cmap.illinois.gov** or call 312-454-0400.
- **Laureus USA** is pleased to announce a $4,000,000 funding opportunity for sports-based youth development organizations operating in the state of Illinois. This program is funded by the American Recue Plan Act through Illinois Criminal Justice Information Authority's (ICJIA). Laureus USA funds non-profit sport-based youth development organizations that intentionally address a particular and relevant social issue facing youth, while increasing physical activity and enhancing social-emotional development. **View the application**

here. ***The application deadline is September 19th***. This grant opportunity will focus on organizations creating impact in the following two ways:

- Organizations working on violence prevention and intervention services/ focused on creating access to safe spaces, building protective factors for youth through positive relationships, and developing transferrable life skills/competencies
- Organizations with expertise in providing training and technical assistance (TA) on sports-based youth development program quality, healing-centered coaching/programming, and/or restorative justice practices and implementation

- **NIH's Office of Nutrition Research (ONR**) has issued the notice of special interest (NOSI) **Stimulating Research to Understand and Address Hunger, Food and Nutrition Insecurity**. The purpose of this NOSI is to encourage research on the efficacy of interventions that address nutrition security and the mechanisms of food insecurity on a variety of health outcomes. It also calls for the development of new measures for nutrition security and assessment of food insecurity that are broadly applicable. It was developed by the ONR Implementation Working Group on **Nutrition and Health Disparities** in collaboration with NIH Institutes and Centers (ICs) and Offices in support of the goals and objectives of the **Strategic Plan for NIH Nutrition Research**. ***Deadline, October 5th.***

- Healthy Eating Research, a national program of the Robert Wood Johnson Foundation, is funding research focused on how pandemic-driven social and economic programs and policies related to poverty reduction impact child obesity, diet quality, and food and nutrition security. **Applications are open now here**. ***Deadline, October 12th.***

CLOCC.NET RESOURCES

- LATEST NEWS
- JOB OPENINGS
- EVENTS
- RESOURCE LIBRARY
- *5-4-3-2-1 Go!*
- *five*SMART

CONTACT US

CONSORTIUM TO LOWER OBESITY IN CHICAGO CHILDREN (CLOCC) | 225 E. Chicago Ave., Box #157, Chicago, IL 60611

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[redacted]

SUBJECT: New indication for OPZELURA™ (ruxolitinib) cream1.5%
FROM: Managed Care News <managedcare_news@newsletter1.docwirenews.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 31/08/2022 15:01

Incyte Corporation (Incyte) is pleased to announce that on July 18, 2022, OPZELURA™ (ruxolitinib) cream was approved by the US Food and Drug Administration (FDA) for the topical treatment of nonsegmental vitiligo in adult and pediatric patients 12 years of age and older.

INDICATIONS

OPZELURA is indicated for the topical short-term and non-continuous chronic treatment of mild to moderate atopic dermatitis in non-immunocompromised adult and pediatric patients 12 years of age and older whose disease is not adequately controlled with topical prescription therapies or when those therapies are not advisable.

OPZELURA is indicated for the topical treatment of nonsegmental vitiligo in adult and pediatric patients 12 years of age and older.

Limitations of Use: Use of OPZELURA in combination with therapeutic biologics, other JAK inhibitors, or potent immunosuppressants such as azathioprine or cyclosporine is not recommended.

OPZELURA™ is a topical Janus kinase (JAK) inhibitor. OPZELURA™ is available by prescription only.

OPZELURA™ Product Highlights For Nonsegmental Vitiligo

NDC	10-digit NDC: 50881-007-05 11-digit NDC: 50881-0007-05
WAC	$1950 per 60-g tube

[redacted]

Distribution	Full-line Wholesaler
How Supplied/ Package Size	White to off-white cream containing 1.5% ruxolitinib supplied in 60-g tubes
Dosing	Apply a thin layer of cream twice daily to affected areas, not to exceed 10% of body surface area. Do not use more than one 60 gram tube per week. For topical use only. Not for intraocular, oral, or intravaginal use.

NDC, National Drug Code; WAC, wholesale acquisition cost.

IMPORTANT SAFETY INFORMATION

SERIOUS INFECTIONS

Patients treated with oral Janus kinase inhibitors for inflammatory conditions are at risk for developing serious infections that may lead to hospitalization or death. Reported infections include:

- **Active tuberculosis, which may present with pulmonary or extrapulmonary disease.**
- **Invasive fungal infections, including cryptococcosis and pneumocystosis.**
- **Bacterial, viral, including herpes zoster, and other infections due to opportunistic pathogens.**

Avoid use of OPZELURA in patients with an active, serious infection, including localized infections. If a serious infection develops, interrupt OPZELURA until the infection is controlled. Carefully consider the benefits and risks of treatment prior to initiating OPZELURA in patients with chronic or recurrent infection. Closely monitor patients for the development of signs and symptoms of infection during and after treatment with OPZELURA.

Serious lower respiratory tract infections were reported in the clinical development program with topical ruxolitinib.

No cases of active tuberculosis (TB) were reported in clinical trials with OPZELURA. Cases of active TB were reported in clinical trials of oral Janus kinase inhibitors used to treat inflammatory conditions. Consider evaluating patients for latent and active TB infection prior to administration of OPZELURA. During OPZELURA use, monitor patients for the development of signs and symptoms of TB.

Viral reactivation, including cases of herpes virus reactivation (e.g., herpes zoster), were reported in clinical trials with Janus kinase inhibitors used to treat inflammatory conditions including OPZELURA. If a patient develops herpes zoster, consider interrupting OPZELURA treatment until the episode resolves.

Hepatitis B viral load (HBV-DNA titer) increases, with or without associated elevations in alanine aminotransferase and aspartate aminotransferase, have been reported in patients with chronic HBV infections taking oral ruxolitinib. OPZELURA initiation is not recommended in patients with active hepatitis B or hepatitis C.

MORTALITY

In a large, randomized, postmarketing safety study in rheumatoid arthritis (RA) patients 50 years of age and older with at least one cardiovascular risk factor comparing an oral JAK inhibitor to tumor necrosis factor (TNF) blocker treatment, a higher rate of all-cause mortality, including sudden cardiovascular death, was observed with the JAK inhibitor.

Consider the benefits and risks for the individual patient prior to initiating or continuing therapy with OPZELURA.

MALIGNANCIES

Malignancies were reported in patients treated with OPZELURA. Lymphoma and other malignancies have been observed in patients receiving JAK inhibitors used to treat inflammatory conditions. In RA patients treated with an oral JAK inhibitor, a higher rate of malignancies (excluding non-melanoma skin cancer (NMSC)) was observed when compared with TNF blockers. Patients who are current or past smokers are at additional increased risk.

Consider the benefits and risks for the individual patient prior to initiating or continuing therapy with OPZELURA, particularly in patients with a known malignancy (other than successfully treated non-melanoma skin cancers), patients who develop a malignancy when on treatment, and patients who are current or past smokers.

Non-melanoma skin cancers, including basal cell and squamous cell carcinoma, have occurred in patients treated with OPZELURA. Perform periodic skin examinations during OPZELURA treatment and following treatment as appropriate. Exposure to sunlight and UV light should be limited by wearing protective clothing and using broad-spectrum sunscreen.

MAJOR ADVERSE CARDIOVASCULAR EVENTS (MACE)

In RA patients 50 years of age and older with at least one cardiovascular risk factor treated with an oral JAK inhibitor, a higher rate of major adverse cardiovascular events (MACE) (defined as cardiovascular death, myocardial infarction, and stroke), was observed when compared with TNF blockers. Patients who are current or past smokers are at additional increased risk. Discontinue OPZELURA in patients who have experienced a myocardial infarction or stroke.

Consider the benefits and risks for the individual patient prior to initiating or continuing therapy with OPZELURA, particularly in patients who are current or past smokers and patients with other cardiovascular risk factors. Patients should be informed about the symptoms of serious cardiovascular events and the steps to take if they occur. Discontinue OPZELURA in patients that have experienced a myocardial infarction or stroke.

THROMBOSIS

Thromboembolic events were observed in trials with OPZELURA. Thrombosis, including pulmonary embolism (PE), deep venous thrombosis (DVT), and arterial thrombosis have been reported in patients receiving JAK inhibitors used to treat inflammatory conditions. Many of these adverse reactions were serious and some resulted in death. In RA patients 50 years of age and older with at least one cardiovascular risk factor treated with an oral JAK inhibitor, a higher rate of thrombosis was observed when compared with TNF blockers. Avoid OPZELURA in patients at risk. If symptoms of thrombosis occur, discontinue OPZELURA and treat appropriately.

Thrombocytopenia, Anemia, and Neutropenia

Thrombocytopenia, anemia, and neutropenia were reported in the clinical trials with OPZELURA. Consider the benefits and risks for individual patients who have a known history of these events prior to initiating therapy with OPZELURA. Perform CBC monitoring as clinically indicated. If signs and/or symptoms of clinically significant thrombocytopenia, anemia, and neutropenia occur, patients should discontinue OPZELURA.

Lipid Elevations

Treatment with oral ruxolitinib has been associated with increases in lipid parameters including total cholesterol, low-density lipoprotein (LDL) cholesterol, and triglycerides.

Adverse Reactions

In atopic dermatitis, the most common adverse reactions (≥1%) are nasopharyngitis (3%), diarrhea (1%), bronchitis (1%), ear infection (1%), eosinophil count increased (1%), urticaria (1%), folliculitis (1%), tonsillitis (1%), and rhinorrhea (1%).

In nonsegmental vitiligo, the most common adverse reactions (incidence ≥1%) are application site acne (6%), application site pruritus (5%), nasopharyngitis (4%), headache (4%), urinary tract infection (2%), application site erythema (2%), and pyrexia (1%).

Pregnancy

[redacted]

There is a pregnancy registry that monitors pregnancy outcomes in pregnant persons exposed to OPZELURA during pregnancy. Pregnant persons exposed to OPZELURA and healthcare providers should report OPZELURA exposure by calling 1-855-463-3463.

Lactation

Advise women not to breastfeed during treatment with OPZELURA and for approximately four weeks after the last dose (approximately 5-6 elimination half-lives).

Please see the Full Prescribing Information, including Boxed Warning, and Medication Guide for OPZELURA.

Review data from the clinical trials

Reference: OPZELURA™ (ruxolitinib cream). Prescribing Information. Incyte Corporation.

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SUBJECT: Delay Tactic May Be Outcome Of DC Circ.'s FCA Liability Rule
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 01/09/2022 02:07

Thursday, September 1, 2022

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TOP NEWS

Analysis

Delay Tactic May Be Outcome Of DC Circ.'s FCA Liability Rule

A new D.C. Circuit ruling allowing Honeywell to offset potential damages owed for allegedly faulty body armor against other defendants' settlements may encourage defendants in similar False Claims Act lawsuits to stall litigation and minimize their share of liabilities.

Read full article »

Ex-Yale Prof Who Tweeted On Trump, Dershowitz Loses Suit

A Connecticut federal judge has dismissed a lawsuit against Yale University by a former professor alleging she was fired for a tweet about former President Donald Trump and lawyer Alan Dershowitz, saying there was no employment contract between them.

Order attached | Read full article »

3rd. Circ. Nixes Sanctions Over Lab's 'Aggressive' Actions

The Third Circuit has thrown out sanctions ordered for aggressive discovery tactics used by a now-defunct cancer-screening lab that sued a cybersecurity firm for alleged extortion, reasoning in a sprawling precedential opinion that a federal judge doled out the penalties with too heavy a hand.

Decision attached | Read full article »

Calif. Stem Cell Clinic Isn't Subject To FDA Rules, Judge Says

A California federal judge issued a bench trial decision rejecting the federal government's bid to stop a clinic and its owners from offering experimental stem cell treatments, finding the procedures are not "drugs" subject to Food, Drug and Cosmetic Act regulations.

1 document attached | Read full article »

COMPANIES IN TODAY'S NEWS

A.P. Moller-Maersk
Aerojet Rocketdyne Holdings Inc.
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American Bar Association
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Blackbaud Inc.
Blackhawk Network Holdings Inc.
Booz Allen Hamilton Holding Corp.
Boston Celtics
Cargotec Oyj
Change Healthcare Inc.
Chicago Bulls
China International Marine Containers Ltd.
Cigna Corp.
Cornell University

[redacted]

Scholars Slam Fla. Gov's Suspension Of Tampa Prosecutor

More than a hundred law professors and scholars from across the country have condemned Florida Gov. Ron DeSantis' suspension of state attorney Andrew Warren for vowing not to enforce abortion bans or laws targeting transgender Floridians, calling the move a "disturbing attack on democracy."

Read full article »

Fla. Sues FDA Over FOIA Request Related To Drug Program

Florida and a state health care agency have sued the U.S. Food and Drug Administration in federal court over a public records request, accusing the agency of unlawfully withholding documents after pending state legislation designed to reduce prescription drug prices became locked up in regulatory limbo.

Complaint attached | Read full article »

FDA Clears The Way For Moderna, Pfizer Omicron Boosters

Moderna and Pfizer received the green light Wednesday from authorities at the U.S. Food and Drug Administration for COVID-19 boosters that can fight the newer omicron variants, the federal government has announced.

Read full article »

ENFORCEMENT & COMPLIANCE

Novo Nordisk Strikes $6.3M Deal To End Feds' FCA Claims

Novo Nordisk Inc. has agreed to pay the United States $6.3 million to resolve allegations the global pharmaceutical firm sold needles under U.S. Department of Veterans Affairs supply contracts that were made in countries not compliant with the Trade Agreements Act.

Settlement attached | Read full article »

Philips To Pay $4M Over Claims It Skirted Military Testing Rule

Philips North America LLC will pay $4.2 million to settle claims it swapped out key components of a mobile patient monitoring device that it sold to the U.S. military without recertifying the device for airworthiness, allegedly putting top government officials, first responders and the military at risk.

Settlement attached | Read full article »

NBA Health Fraud Prosecutors Add Charges As Pleas Mount

Manhattan federal prosecutors brought additional conspiracy charges against remaining defendants in the $5 million NBA

Credit Suisse Group AG
Dow Corning Corp.
Fordham University
Google LLC
Hackensack Meridian Health
HealthSouth Corp.
Highland Capital Management LP
Honeywell International Inc.
Illumina Inc.
Instagram Inc.
JUUL Labs Inc.
Johnson & Johnson
Koch Foods
Konecranes ABP
LinkedIn Corp.
Lockheed Martin Corp.
New York State Bar Association
Novavax Inc.
Novo Nordisk A S
Penguin Random House LLC
Pfizer Inc.
Pharmaceutical Research and Manufacturers of America
Philadelphia 76ers
Pilgrim's Pride Corp.
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Eichhorn & Eichhorn
Ellenoff Grossman
Fish & Richardson

health plan fraud case on Wednesday, less than a week after the scheme's alleged ringleader copped a guilty plea.

1 document attached | Read full article »

LITIGATION

11th Circ. Agrees FCA Doesn't Cover General Fraud Claims

The Eleventh Circuit on Wednesday affirmed a lower court's summary judgment against a Florida doctor who sued her former employer for retaliation after she accused it of making fraudulent diagnoses, ruling that the False Claims Act doesn't cover general allegations.

Opinion attached | Read full article »

3rd Circ. Partially Reverses NJ Hospital's Win In FMLA Row

The Third Circuit has partially revived a lawsuit brought by a New Jersey hospital employee who alleged that the hospital interfered with his attempted exercise of Family and Medical Leave Act rights by firing him after he was injured on the job, but before he requested FMLA leave.

Opinion attached | Read full article »

8th Circ. Says Right To Vote Doesn't Apply To Initiatives

The Eighth Circuit on Wednesday rebuffed a Nebraska medical cannabis legalization campaign when it held that the fundamental right to vote guaranteed by the U.S. Constitution does not apply to the signature-gathering process for putting initiatives on the ballot in the Cornhusker State.

Opinion attached | Read full article »

Fed. Circ. Urged To Ax Cigna Win In Payment IP Suit

Patent owner Alexsam has urged the Federal Circuit to undo a lower court's decision to boot its infringement suit against insurer Cigna over payment technology, arguing that the ruling was based on flawed claim construction.

Brief attached | Read full article »

Ex-Union Agent Loses Civil Case Over Bribery, IPad Theft

A Teamsters local and its health insurance fund prevailed on their allegations that a former union business agent violated benefits law and labor law by soliciting bribes from an insurance claim processor and refusing to return union property after his discharge, a New York federal judge ruled.

Decision attached | Read full article »

Blackbaud Beats Health Provider's Ransomware Suit For Now

Foley & Lardner
Freeman Mathis
Goodwin Procter
GrayRobinson
Greenberg Traurig
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Sher Tremonte
Silverman Thompson
Spengler Nathanson
Stone & Magnanini
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Walsh Pizzi

An Indiana federal court has tossed claims brought by Trinity Health and its insurer against Blackbaud Inc. in the wake of the software company's 2020 ransomware attack, finding that the health provider failed to clearly explain how the breach led to it paying for remediation efforts.

Opinion attached | Read full article »

Panel Trims Texas Tech Worker's Age Discrimination Suit

A Texas state appeals court concluded that Texas Tech University Health Sciences Center El Paso held immunity to claims that it retaliated against an older worker for complaining about age discrimination in the workplace, but said the worker can still pursue her age bias claims against the institution.

Opinion attached | Read full article »

Estate Of Artist Chuck Close Says Cigna Underpaid Benefits

The estate of Chuck Close filed an Employee Retirement Income Security Act lawsuit against Cigna on Wednesday, claiming the insurer improperly denied the famous American artist medically necessary at-home skilled nursing care that was covered under the terms of his Pace Gallery employee benefit plan.

Complaint attached | Read full article »

Canadian Pot Co. Investors Win Class Cert. In Acquisition Suit

A Manhattan federal judge has certified for the second time a class of investors in Canadian cannabis company Aphria Inc. in a suit alleging company insiders orchestrated a CA$193 million ($147 million) acquisition deal "for the purpose of stealing money" from the company.

Memorandum attached | Read full article »

PEOPLE

Akerman Expands With 2 New Partners In NY, Calif.

Akerman LLP has expanded bi-coastally by adding health care regulatory and transactional partner Jordan T. Cohen in New York and corporate partner Peter Hurm in Los Angeles.

Read full article »

EXPERT ANALYSIS

Inflation Reduction Act Paves Way For Drug Pricing Reform

Among the newly passed Inflation Reduction Act's most significant provisions are its drug pricing reforms, which may lower drug prices for some of Medicare's top-spending drugs with additional downstream implications for the supply chain,

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GOVERNMENT AGENCIES IN TODAY'S NEWS

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U.S. Attorney's Office
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U.S. Attorney's Office for the District of New Jersey
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Third Circuit

non-Medicare markets and patients, say attorneys at Ropes & Gray.

Read full article »

5th Circ. Ruling Highlights Split On Ch. 11 Exculpation

The Fifth Circuit's recent decision in the Highland Capital case — imposing strict limitations on bankruptcy courts' authority to exculpate third parties — underscores a federal appellate court split over bankruptcy courts' powers to exculpate nondebtors and raises questions about protections like gatekeeping that may apply to such parties, say attorneys at Orrick.

Opinion attached | Read full article »

Opinion

ABA Stance On Role Of Nonlawyers Is Too Black And White

The American Bar Association's recent resolution affirming its long-standing opposition to nonlawyers owning law practices or receiving shares of legal fees overstates the ethical, professional and regulatory challenges — and ignores the potential benefits — of allowing nonlawyers greater participation in the legal industry, say Peter Jarvis and Trisha Rich at Holland & Knight.

Read full article »

LEGAL INDUSTRY

Analysis

Trump Attys In Hot Seat After New Revelations In DOJ Filing

Former President Donald Trump's attorneys are in the spotlight after a filing by the government revealed new details about efforts to recover classified documents held at Trump's Mar-a-Lago estate, including statements that experts say could put the attorneys themselves in the government's crosshairs and at odds with their client.

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Trump Slams DOJ Opposition To Oversight Following Raid

Former President Donald Trump says the U.S. Department of Justice is twisting his request for the appointment of a special master to review the seizure of documents from his Mar-a-Lago home into "an all-encompassing challenge to any judicial consideration" of any aspect of the government's raid.

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U.S. District Court for the Central District of California
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U.S. District Court for the District of Connecticut
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of New Jersey
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of Indiana
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. House of Representatives
U.S. Navy
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Northern District of Ohio

[redacted]

DC Judge Questions Ex-Trump Aide Navarro's Discovery Bid

A D.C. federal judge on Wednesday repeatedly told former Trump White House trade adviser Peter Navarro he wasn't sure how additional discovery would aid in defending against contempt charges for defying a congressional subpoena related to the Jan. 6 attack on the U.S. Capitol.

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Honigman Launches Israeli Subsidiary With 5 US Lawyers

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Enforcers' Antitrust Overhaul Just Getting Started

Despite stinging losses in key criminal prosecutions, Biden administration antitrust enforcers are proceeding full-steam ahead with merger challenges and other actions as they try to rewrite the competition law playbook. Here, Law360 takes a look at some of the major antitrust developments so far this year.

Read full article »

'Truck Law' Atty Wants Ohio To Let Him Advertise Specialty

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SUBJECT: Calif. Judge Imposes New Rules For Migrant Youth Placement
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 01/09/2022 02:22

Thursday, September 1, 2022

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TOP NEWS

Calif. Judge Imposes New Rules For Migrant Youth Placement

The U.S. Department of Health and Human Services' Office of Refugee Resettlement must notify young detained migrants and their counsel when it decides against releasing them to their parents or relatives and provide reasons for withholding release, a California federal judge has ordered.

Order attached | Read full article »

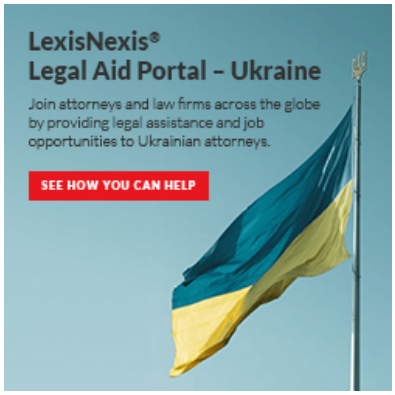
FDA Clears The Way For Moderna, Pfizer Omicron Boosters

Moderna and Pfizer received the green light Wednesday from authorities at the U.S. Food and Drug Administration for COVID-19 boosters that can fight the newer omicron variants, the federal government has announced.

Read full article »

New York Beats Challenge To Conceal Carry Law At 11th Hour

A New York federal court on Wednesday threw out — for now — a lawsuit questioning the constitutionality of the Empire State's recently enacted gun control laws, ruling that the gun owner and gun rights advocacy group that filed suit don't have standing to challenge the law.



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Analysis

Local Biz Interests Welcome Gun-Free Times Square Zone

Streets around Times Square border a newly designated "sensitive location" prohibiting concealed firearms starting Thursday, a development local business interests welcome as a reassurance to New Yorkers and tourists alike.

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1 document attached | Read full article »

GOP Reps. Press Archives For Info On Trump Docs Probe

Republican members of the House oversight committee are pressing the acting head of the National Archives and Records Administration for records related to the investigation and seizure of documents that were held at former President Donald Trump's Florida estate.

3 documents attached | Read full article »

DC Judge Questions Ex-Trump Aide Navarro's Discovery Bid

A D.C. federal judge on Wednesday repeatedly told former Trump White House trade adviser Peter Navarro he wasn't

Cooley LLP
Davis Polk
Ellenoff Grossman
Foley & Lardner
Freeman Mathis
Gerben Law Firm
Goodwin Procter
GrayRobinson
Gupta Wessler
Halunen Law
Hogan Lovells
Holland & Knight
Honigman LLP
Husch Blackwell
Ifrah Law
Jenner & Block
Jomarron Lopez
K&L Gates
Latham & Watkins
Mark S. Zaid PC
Morgan Lewis
Nilan Johnson
Norton Rose
Pillsbury Winthrop
Polsinelli PC
Pryor Cashman
Roberts & Holland
Ropes & Gray
Rose Kallor
Rosenberg & Estis
Rubin & Pomerleau
Silverman Thompson
Spengler Nathanson
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Stamboulieh Law
Stinson LLP
Tillotson Johnson
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White & Case
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sure how additional discovery would aid in defending against contempt charges for defying a congressional subpoena related to the Jan. 6 attack on the U.S. Capitol.

1 document attached | Read full article »

BANKING & SECURITIES

DOJ Says FDIC Chair Can't Block Agency's Board Majority

The chair of the Federal Deposit Insurance Corp. cannot stop a majority of the agency's Board of Directors from presenting items for a vote and decision, the U.S. Department of Justice has found, rebuking a former Trump-appointed FDIC chair who attempted to override a board vote in a fight over the agency's bank merger policy.

1 document attached | Read full article »

Rep. Presses Fed Agencies, Crypto Cos. On Fraud Prevention

The chair of the House Subcommittee on Economic and Consumer Policy has sent letters to four federal agencies and five digital asset exchanges requesting information about the steps they are taking to combat cryptocurrency-related fraud and scams.

2 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

Analysis

Circuit Split Clouds Grid Project Construction Fights

The Fifth Circuit says a Texas law giving incumbent transmission companies the first chance to build new power lines is unconstitutional, throwing into question similar policies in other states that have emerged as flashpoints in fights over grid expansion.

Opinion attached | Read full article »

HEALTH & LIFE SCIENCES

Fla. Sues FDA Over FOIA Request Related To Drug Program

Florida and a state health care agency have sued the U.S. Food and Drug Administration in federal court over a public records request, accusing the agency of unlawfully withholding documents after pending state legislation designed to reduce prescription drug prices became locked up in regulatory limbo.

Complaint attached | Read full article »

IP & TECHNOLOGY

Full Fed. Circ. Won't Weigh In On 'Trump Too Small' TM Fight

The full Federal Circuit rejected efforts Wednesday by the U.S. Patent and Trademark Office to overturn a

American Federation of Labor & Congress of Industrial Organizations
Binance.US
Booz Allen Hamilton Holding Corp.
Boston University
Cargotec Oyj
Center for Human Rights & Constitutional Law
Change Healthcare Inc.
Chicago Cubs Baseball Club LLC
China International Marine Containers Ltd.
Coinbase Global Inc.
Culligan International Co.
Early Warning Services LLC
Fordham University
GXO Logistics Inc.
Google LLC
Hackensack Meridian Health
Hitachi Ltd.
Illumina Inc.
Inmarsat PLC
Instagram Inc.
JUUL Labs Inc.
Johnson & Johnson
KPMG International
KYB Corp.
Koch Foods
Konecranes ABP
Lockheed Martin Corp.
Meggitt PLC
Meta Platforms Inc.
Miami Air International Inc.
Midcontinent Independent System Operator Inc.
National Association of Broadcasters
New York State Bar Association
NextEra Energy Inc.
NortonLifeLock Inc.
Novavax Inc.
Parker-Hannifin Corp.
Penguin Random House LLC
Pfizer Inc.
Pharmaceutical Research and Manufacturers of America
Pilgrim's Pride Corp.
Qantas Airways
Raytheon Technologies Corp.
Rogers Communications Inc.

controversial decision that prevented the office from flatly rejecting a trademark lawyer's efforts to register the phrase "Trump Too Small" — signing off on a new precedent at the court on the relationship between trademark law and free speech.

3 documents attached | Read full article »

MEDIA & ENTERTAINMENT

Broadcasters, Performers Debate Radio Royalty Caps

Debate is ramping up in Congress over whether local radio stations should pay royalties to the performers of music that stations air.

1 document attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

Texas Sets Transportation Priorities In $85B, 10-Year Plan

Texas has finalized and adopted an $85 billion roadway construction plan detailing ongoing and future projects intended to improve road safety, mitigate congestion, connect rural communities and maintain existing roadways, Gov. Greg Abbott has announced.

1 document attached | Read full article »

REAL ESTATE

Chicago Cubs Must Face Suit Over Wrigley's Accessible Seats

An Illinois federal judge refused to grant the Chicago Cubs summary judgment on a fan's claims that the baseball club failed to provide enough wheelchair-accessible seats at Wrigley Field as required under the Americans with Disabilities Act, after the Cubs' own filings show the stadium is more than 20 seats short.

Order attached | Read full article »

9th Circuit Urged To Look Again At LA Trash Disposal Case

A group of hotel and apartment operators asked the Ninth Circuit on Tuesday to revisit its rejection of their challenge to a Los Angeles waste disposal ordinance, disputing the court's ruling that they lack standing to sue.

Petition attached | Read full article »

EMPLOYMENT & BENEFITS

Ex-Yale Prof Who Tweeted On Trump, Dershowitz Loses Suit

A Connecticut federal judge has dismissed a lawsuit against Yale University by a former professor alleging she was fired for a tweet about former President Donald Trump and lawyer

Shaw Communications Inc.
SiFive Inc.
Sika AG
Simon & Schuster Inc.
Standard General LP
T-Mobile US Inc.
Tegna Inc.
The New York Times Co.
Toyota Motor Corp.
Ultra Electronics Holdings PLC
UnitedHealth Group Inc.
Viasat Inc.
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Yale University

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Federal Acquisition Regulatory Council
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Trade Commission
Florida Agency for Health Care Administration
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
Massachusetts Cannabis Control Commission
National Archives and Records Administration

Alan Dershowitz, saying there was no employment contract between them.

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USDA Settles Deaf Bias Suit, Centralizes Interpreting Services

The U.S. Department of Agriculture has agreed to recentralize its sign language interpreting system for deaf and hard-of-hearing employees, settling allegations before the U.S. Equal Employment Opportunity Commission that changes to the system in 2014 discouraged managers from hiring or retaining deaf employees.

Settlement attached | Read full article »

Firefighters Claim Chicago Ditched Hiring Plan Over Politics

Two Chicago firefighters claim the city unlawfully threw out a hiring plan laying out how fire department promotions would be handled because the next firefighter in line for a lieutenant position is a city alderman who has criticized Mayor Lori Lightfoot, according to a suit filed Tuesday in Illinois state court.

Complaint attached | Read full article »

COMPETITION

Monthly Merger Review Snapshot

The U.S. Department of Justice tried two simultaneous merger challenges in the same D.C. federal courthouse, Maersk called off a $1 billion sale under DOJ pressure, and a Federal Trade Commission challenge of a Meta virtual reality app merger moved forward.

Read full article »

Calif. Wants Japanese Auto Co. To Pay For Antitrust Damage

California is pursing compensation from a Japanese automotive company accused of running a decadelong conspiracy to suppress competition of wire harness products used in cars, claiming in a Michigan federal court suit that although the company had reached a $17.7 million settlement with the federal government, California has suffered "extensive" market damage.

Complaint attached | Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Miami Air To Face Trimmed Guantanamo Flight Injury Claims

A Florida federal judge said Wednesday that a Miami Air charter flight from Guantanamo Bay to Naval Air Station Jacksonville was an international flight governed by the Montreal Convention, a decision clarifying the scope of

National Park Service
National Security Agency
National Telecommunications and Information Administration
New York Attorney General's Office
New York City Council
New York City Police Department
New York State Assembly
New York State Police
Occupational Safety and Health Administration
Office of the U.S. Trade Representative
Ohio Supreme Court
Pascua Yaqui Tribe
San Carlos Apache Nation
Small Business Administration
Texas Department of Transportation
Texas State Senate
U.S. Attorney's Office
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Arizona
U.S. District Court for the District of Columbia
U.S. District Court for the District of Connecticut

damages that passengers may pursue in litigation over a May 2019 runway crash.

Order attached | Read full article »

INTERNATIONAL TRADE

GOP Sens. Cite China's Influence In Opposing New WTO Body

Three Republican senators have called on U.S. Trade Representative Katherine Tai to oppose efforts to restore the World Trade Organization's Appellate Body for international trade disputes, which has been frozen since 2019 due to a lack of judges, arguing the body would be unduly influenced by the Chinese government.

Letter attached | Read full article »

TAX

Analysis

Tax Pros Hope Energy Tax Payments Can Avoid Past Flaws

Democrats' recently passed tax and climate law provides new ways for clean energy project owners to monetize new or expanded tax credits, and practitioners hope the methods can avoid the pitfalls of an expired renewable energy grant program.

Read full article »

IMMIGRATION

1st Circ. Calls Removal Statute 'Hard-Hearted' In Affirming BIA

The First Circuit was bound Wednesday to stand by an immigration appeals board decision that ordered a Guatemalan man removed from the country despite the hardship it would cause his children, saying the call was in line with the "hard-hearted" and "stringent statutory requirement."

Opinion attached | Read full article »

NATIVE AMERICAN

Tribes Need Full List Of Economic Aid Programs, GAO Says

Federal researchers say the U.S. Department of Commerce should publish and maintain a list of government-backed initiatives meant to advance Native tribes' economies, one of several recommendations from a new study that found such aid is fragmented across several agencies.

Report attached | Read full article »

TELECOMMUNICATIONS

NTIA Awards $105M In Ariz. Tribal Grants

Five Arizona tribal entities will receive a combined $105 million in federal broadband funds, the U.S. Department of

U.S. District Court for the Eastern District of Kentucky
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U.S. District Court for the Eastern District of Missouri
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Northern District of New York
U.S. District Court for the Southern District of Florida
U.S. District Court for the Western District of Louisiana
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Northern District of Ohio
United States District Court for the Southern District of Georgia
White Mountain Apache Tribe
World Trade Organization

Commerce's National Telecommunications and Information Administration announced this week.

Read full article »

FCC Beefs Up Wireless Alerts Through Partnerships

The Federal Communications Commission will assess the geographic accuracy of Wireless Emergency Alerts for the first time during local tests across the country on Sept. 12 and 13, Chairwoman Jessica Rosenworcel announced this week.

4 documents attached | Read full article »

CANNABIS

Mass. Taps Former Treasurer As New Top Pot Regulator

A former state treasurer of Massachusetts and onetime Democratic candidate for governor has been tapped as chair of the state's marijuana regulatory agency, the state Treasury announced Tuesday.

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EXPERT ANALYSIS

Inflation Reduction Act Paves Way For Drug Pricing Reform

Among the newly passed Inflation Reduction Act's most significant provisions are its drug pricing reforms, which may lower drug prices for some of Medicare's top-spending drugs with additional downstream implications for the supply chain, non-Medicare markets and patients, say attorneys at Ropes & Gray.

Read full article »

Narrower Vax Mandate Block Muddles Contractor Compliance

The Eleventh Circuit's recent decision in Georgia v. President of the United States, narrowing a nationwide injunction that prevented enforcement of the federal contractor COVID-19 vaccine mandate, leaves behind six different injunctions, and an uncertain compliance landscape for contractors, say attorneys at Jenner & Block.

Opinion attached | Read full article »

Ports And Vessel Owners, Prep For New Calif. Emissions Regs

The California Air Resources Board's amended regulation on commercial harbor craft, intended to reduce emissions at California's ports, will apply to a broad range of vessel types, so ports and vessel owners must be ready to meet the updated rule's more stringent requirements, say Robert Smith and Christina Elles at K&L Gates.

Read full article »

Opinion

ABA Stance On Role Of Nonlawyers Is Too Black And White

The American Bar Association's recent resolution affirming its long-standing opposition to nonlawyers owning law practices or receiving shares of legal fees overstates the ethical, professional and regulatory challenges — and ignores the potential benefits — of allowing nonlawyers greater participation in the legal industry, say Peter Jarvis and Trisha Rich at Holland & Knight.

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LEGAL INDUSTRY

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Scholars Slam Fla. Gov's Suspension Of Tampa Prosecutor

More than a hundred law professors and scholars from across the country have condemned Florida Gov. Ron DeSantis' suspension of state attorney Andrew Warren for vowing not to enforce abortion bans or laws targeting transgender Floridians, calling the move a "disturbing attack on democracy."

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SUBJECT: Morning Consult Health: FDA Authorizes Updated COVID-19 BoosterShots
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 01/09/2022 06:05

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Health

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SEPTEMBER 1, 2022

BY MATT BRACKEN

Twitter Email

In observance of the Labor Day holiday, Morning Consult Health will be off for the rest of the week and on Monday. We'll be back in your inbox on Tuesday.

TODAY'S TOP NEWS

- The Food and Drug Administration authorized the reformulated COVID-19 vaccines from Moderna Inc. and Pfizer Inc.-BioNTech SE that target the BA.4 and BA.5 omicron subvariants, bringing

[redacted]

the updated shots one hurdle away from the White House's planned fall booster campaign. Starting today, the Centers for Disease Control and Prevention's vaccine advisory panel will begin its review of the shots, and if cleared, CDC Director Rochelle Walensky could provide final signoff before Labor Day. (The Washington Post)

- The Centers for Medicare and Medicaid Services proposed a rule that would ease the enrollment and renewal processes for Medicaid and Children's Health Insurance Program benefits, a move that CMS Administrator Chiquita Brooks-LaSure said would also "help more people pay their Medicare premiums by making it easier for them to enroll in the Medicare Savings Programs." The proposed rule would limit renewals to every 12 months, require states to make clear how beneficiaries navigate those renewals and ensure that enrollees' returned mail doesn't result in lapsed coverage or rejections. (Fierce Healthcare)

- Top Biden administration health officials are considering a plan to save some of the Jynneos vaccine doses that the government purchased to fight monkeypox for a possible smallpox outbreak, sources said. If the White House believes that the monkeypox outbreak is under control, the shots from the Danish drugmaker Bavarian Nordic A/S could be stored to guard against smallpox, which was eradicated globally in 1980 but could be used in a bioterrorist attack. (Politico)

- Walgreens Boots Alliance Inc. completed its $330 million investment into CareCentrix, officially securing a 55% ownership stake in the at-home care technology platform, with the option to acquire the remaining equity at a later date. The move expands Walgreens' footprint in the primary care, specialty pharmacy, post-acute and home care sectors, the retail pharmacy giant said. (Healthcare Dive)

Worth watching today (all times local):

- The CDC's Advisory Committee on Immunization Practices begins its two-day meeting at 10 a.m. in Atlanta, with COVID-19 booster discussion leading the agenda.

- The Medicare Payment Advisory Commission begins its two-day September public meeting today at 11:45 a.m.

CHART REVIEW

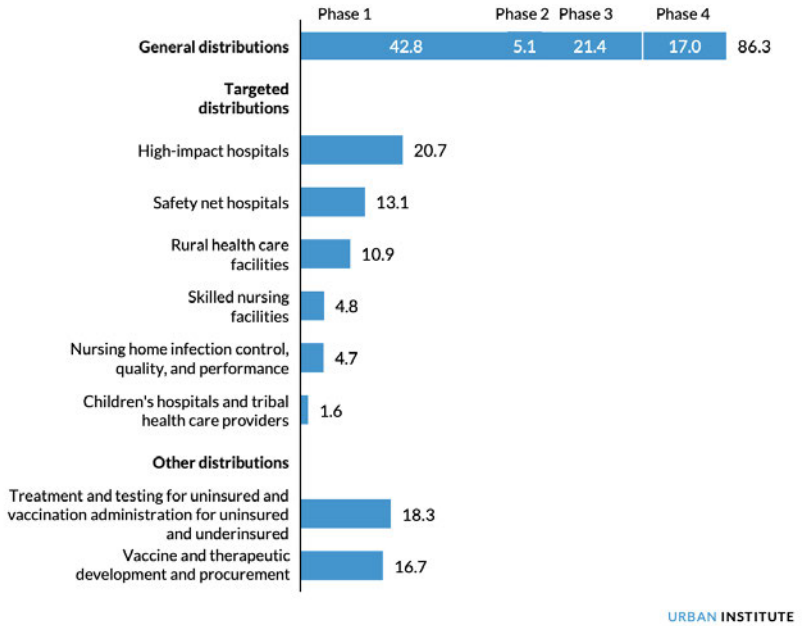
The COVID-19 Provider Relief Fund: Following How the US Department of Health and Human Services Distributed $178 Billion

Urban Institute

FIGURE 3

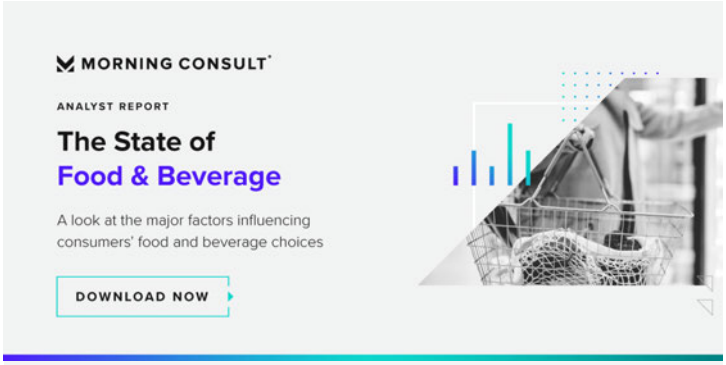
Allocations of the Provider Relief Fund, February 2022

In billions of dollars



Source: GAO, *Current and Future Federal Preparedness Requires Fixes to Improve Health Data and Address Improper Payments* (Washington, DC: US Government Accountability Office, 2022).
Note: Provider Relief Fund grants total $178 billion. Fund administrative costs of $0.9 billion are not included in figure.

A MESSAGE FROM MORNING CONSULT



The State of Food and Beverage

Morning Consult's semiannual State of Food & Beverage report tracks evolving consumer behaviors in the food & beverage sector and what they mean for the future of the industry. Download the report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

White House to encourage COVID boosters, flu shot this fall

Amanda Seitz, The Associated Press

The Biden administration hopes to make getting a COVID-19 booster as routine as going in for the yearly flu shot. That's at the heart of its campaign to sell the newly authorized shot to an American public that has widely rejected COVID-19 boosters since they first became available last fall.

Covid vaccine drive for youngest kids off to underwhelming start, data shows

Tucker Doherty, Politico

Ten weeks after the FDA and CDC opened the door for children under 5 years old to receive Covid-19 vaccines, the national drive to get the youngest children protected is off to an underwhelming and uneven start.

COVID vaccine pill maker posts positive Phase 2 results

Tina Reed, Axios

San Francisco-based biotech Vaxart, an underdog in the COVID response that's developing a vaccine that would be delivered in a

pill, is reporting promising Phase 2 clinical trial data today, the company told Axios exclusively.

WHO: New COVID cases, deaths keep falling nearly everywhere

The Associated Press

The U.N. health agency said there were 4.5 million new COVID-19 cases reported last week, a 16% drop from the previous week. Deaths were also down by 13%, with about 13,500 fatalities. WHO said COVID-19 infections dropped everywhere in the world while deaths decreased everywhere except for Southeast Asia, where they climbed by 15% and in the Western Pacific, where they rose by 3%.

A Q&A with Maria Van Kerkhove on Covid — and pandemic fatigue

Helen Branswell, Stat News

Maria Van Kerkhove gets it. Truly, she knows you're over Covid. The World Health Organization's technical lead for Covid-19, Van Kerkhove understands that the world is struggling with a lot right now. Devastating flooding in Pakistan, famine in the Horn of Africa, war in Ukraine, monkeypox around the globe — there are too many demands for our attention and concern, for philanthropic and government funding. Plus, everyone just wants Covid to be in the rear-view mirror.

White House pause on free at-home covid tests brings access challenges

Andrea Salcedo, The Washington Post

Public health experts who spoke to The Post said the administration's decision to halt the program will make it harder for people to access coronavirus tests — especially for those who are uninsured, live in remote areas far from distribution centers or face mobility issues. The timing of the decision is also concerning as the new school year begins and colder weather leads to more indoor gatherings, raising the risk of infections, and the ever-looming threat of more transmissible virus variants.

How the Pandemic Shortened Life Expectancy in Indigenous Communities

Simon Romero et al., The New York Times

In 2020 and 2021, as the coronavirus swept across the United States, life expectancy for Native Americans and Alaska Natives fell by six and a half years — a decline that left the researchers aghast.

California won't expand teen vaccines without parental OK

Don Thompson, The Associated Press

California won't allow teens age 15 and up to be vaccinated against the coronavirus without their parents' consent. State Sen. Scott Wiener, the bill's author, announced Wednesday he won't put the measure up for a vote in the state Assembly because it doesn't have enough support to pass.

GENERAL

Fauci Warns of a Bad Flu Season Brewing as He Nears Office Exit

Riley Griffin and Jeannie Baumann, Bloomberg

President Joe Biden's medical adviser Anthony Fauci warned that the US should be prepared for "pretty bad flu season" coupled with continued Covid-19 cases this winter when he'll be stepping down from his post as the nation's top infectious disease official.

Monkeypox Spread Can Still Be Prevented, WHO Chief Says

Dong Lyu, Bloomberg

The world failed to stop the spread of Covid-19, but it might still be possible to prevent the proliferation of monkeypox with the right public health interventions, according to the World Health Organization.

HHS Announces Awards of $79 Million for Overdose Prevention

Bloomberg Law

The Department of Health and Human Services is awarding $79.1 million in overdose prevention grants, the agencies said Wednesday.

Michigan board blocks certification of abortion rights ballot measure, throwing it to the courts

Alice Miranda Ollstein, Politico

The Michigan Board of State Canvassers on Wednesday deadlocked 2-2 along partisan lines on whether a sweeping abortion-rights amendment can be included on the November ballot, blocking certification of the measure.

California To Commit Millions for Out-of-Staters' Abortions

Joyce E. Cutler, Bloomberg Law

California lawmakers on Wednesday authorized spending millions of dollars to support people who travel from other states because abortion is illegal or severely restricted where they live.

Ultraprocessed foods linked to cancer and early death, studies find

Sandee LaMotte, CNN

Eating a lot of ultraprocessed foods significantly increases men's risk of colorectal cancer and can lead to heart disease and early death in both men and women, according to two new, large-scale studies of people in the United States and Italy published Wednesday in British medical journal The BMJ.

Hypertension, preeclampsia higher in Millennials, Gen Z pregnancies

Saleen Martin, USA Today

While older people were more likely to develop hypertensive disorders like preeclampsia during pregnancy, millennials and Gen Zers were more than twice as likely to develop the disorders as those born in the 1950s, a recent study has found.

Too much blue light can accelerate aging … at least for flies

Sarah Sloat, NBC News

Although there's great interest in discussing the potential downsides of blue light, the explosion of the number of personal screens is still outpacing what's known about its effect on human health.

Black heart health: Religion linked to better measures

Jack Guy, CNN

African American adults who participate in frequent religious activities, or hold deeper spiritual beliefs, are more likely to score higher in indicators linked to good heart health than those who don't, according to new research.

DEA warns of brightly colored fentanyl 'used to target young Americans'

Ben Tinker and Katherine Dillinger, CNN

The US Drug Enforcement Administration issued a warning Tuesday about "brightly-colored fentanyl used to target young Americans." The agency said it and its partners in law enforcement seized colored fentanyl and fentanyl pills in 18 states this month.

Local and state judges play a significant role in post-Roe abortion access

Shefali Luthra, The 19th

As abortion bans with narrow restrictions go into effect across the country, local and state judges — who typically lack medical training and are predominantly White men — are playing an increasingly significant role in determining whether someone is able to access an abortion.

Court Partially Lifts Injunction Against Kentucky Abortion Ban

Jennifer Kay, Bloomberg Law

A federal court has partially lifted a preliminary injunction blocking Kentucky's ban on abortions after 15 weeks of pregnancy.

FDA Drug Center Faces Layoff Notices If There's No User Fee Deal

Celine Castronuovo, Bloomberg Law

FDA drug center staff will be the first to receive layoff warnings this month if the agency doesn't quickly hear that congressional leaders are nearing an agreement to reauthorize the fees that help fund the agency, current and former officials warn.

PAYERS

Celebrity Medicare Sales Pitches Are Toned Down After Scrutiny

Leslie Scism, The Wall Street Journal

If it's football season, you can count on seeing Joe Namath on television, along with William Shatner and Jimmie "J J" Walker. They are the most prominent pitchmen for what has become an annual fall selling frenzy for Medicare Advantage policies.

DOJ accuses lab owner of $53 million genetic testing fraud

Alex Kacik, Modern Healthcare

The Justice Department charged a lab's former owner with paying kickbacks and bribes for unnecessary genetic cancer screening referrals, allegedly bilking Medicare out of $53 million.

PROVIDERS

Nurse practitioner says CVS fired her over abortion stance

Matthew Barakat, The Associated Press

A nurse practitioner from northern Virginia sued CVS Health on Wednesday, saying she was fired for refusing to provide abortion-inducing drugs at its MinuteClinic medical facilities.

Indiana abortion clinics sue to block ban set to take effect

Tom Davies and Arleigh Rodgers, The Associated Press

Indiana abortion clinic operators filed a lawsuit Tuesday seeking to block the state's ban on abortions before it takes effect in about two weeks.

PHARMA, BIOTECH AND DEVICES

DeSantis sues Biden administration over Canadian drug importation program

Arek Sarkissian, Politico

GOP Gov. Ron DeSantis on Wednesday announced the state is suing the U.S. Food and Drug Administration, claiming that the agency has delayed Florida's attempts to import cheaper prescription drugs from Canada.

Novartis taps Merck executive Marshall to replace Bradner as research head

Reuters

Novartis (NOVN.S) said on Thursday it appointed Merck executive Fiona Marshall as president of the Novartis Institutes for Biomedical Research to replace Jay Bradner, who is stepping down after seven years as research head at the Swiss drugmaker.

Merck's (MRK) Stalled Seagen Deal Shows Valuing Cancer Drugs Is Tough

Angelica Peebles and Robert Langreth, Bloomberg

Merck & Co.'s inability to consummate the biggest pharmaceutical deal in two years shows just how hard it is to put a price tag on a promising cancer technology — even when it's one that's been envisioned for a century.

Novo Nordisk Settles DOJ Claims for $6.3M

Dean Seal, Dow Jones

Novo Nordisk AS will pay $6.3 million to settle claims that it sold medical-grade needles to the U.S. government that weren't manufactured in countries properly designated under the Trade Agreements Act, according to the U.S. Department of Justice.

3M's Bankruptcy Setback Deepens Earplug Litigation Troubles

Jonathan Randles and Bob Tita, The Wall Street Journal

3M Co. had good reason to bet that it could use U.S. bankruptcy laws to shield itself from a mountain of personal-injury lawsuits filed over its allegedly defective military earplugs.

HEALTH TECHNOLOGY

Increased telehealth use during pandemic linked to reduced overdose risk: study

Joseph Choi, The Hill

Researchers from multiple federal agencies, including the Centers for Disease Control and Prevention, the National Institutes of Health, and the Centers for Medicare & Medicaid Services (CMS) looked at data from more than 170,000 Medicare beneficiaries.

New Apple Watch to study wearables, stroke prevention

Heather Landi, Fierce Healthcare

The National Heart, Lung, and Blood Institute, a National Institutes of Health division, awarded a $37 million grant for researchers to test whether Apple Watches can be used as part of a strategy to cut down the use of expensive blood thinners used to prevent strokes from atrial fibrillation.

AWS announces finalists in its 2022 health equity accelerator

Anastassia Gliadkovskaya, Fierce Healthcare

Amazon Web Services tapped 10 startups as finalists to participate in its 2022 healthcare accelerator focused on health equity, it announced Wednesday.

Calm's head of science departs amid a shakeup at meditation app maker

Mario Aguilar, Stat News

The disruption at Calm Science follows a shakeup at the company, which laid off about 20% of its staff in August, less than a month after Calm's founders stepped back and a new CEO was named.

OPINIONS, EDITORIALS AND PERSPECTIVES

Public health needs to be transformed. Health IT can help

Leigh Burchell, Stat News

Covid-19 pummeled public health agencies and organizations. Future crises, whether from infectious disease, extreme weather, or other sources, are likely to do the same unless they change their approach to public health reporting, data management, and information exchange.

RESEARCH REPORTS

State-Level Trends in Employer-Sponsored Health Insurance, 2019-2021

Robert Hest et al., University of Minnesota's State Health Access Data Assistance Center

The COVID-19 pandemic has altered long-standing patterns of life and work in the United States and internationally. The pandemic, along with the associated policy response, led to (at least temporary) changes in Americans' primary source of health insurance coverage, with more Americans enrolled in public coverage and fewer in private. Despite these shifts, employer-sponsored health insurance (ESI) remains the largest single source of coverage for most Americans, with 62.2 million private-sector workers enrolled in ESI in 2021.

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SUBJECT: MSLN Newsletter: September 2022
FROM: "Kate McEvoy" <info@milbank.org>
TO: "Heather Borski" <hborski@utah.gov>
DATE: 01/09/2022 07:58

September 1, 2022

Milbank Memorial Fund
STATE LEADERSHIP NETWORK

Dear Colleagues:

I hope that you are well. The dog days of summer are past, and a new season of policy initiatives, state budgeting, and legislative sessions beckons.

One of the most challenging tasks of state service for me was rapidly translating complex federal legislation for the people who are carrying out the work on a day-to-day basis. To support you in that task, this newsletter offers a shorthand of which health provisions were enacted by the Inflation Reduction Act of 2022 (IRA, Public Law 117-169) and which Build Back Better provisions were not included.

Please don't hesitate to be in touch if we can support you with more information on any of this. Happy almost fall!

I wish you all well.

In partnership,

Kate McEvoy
Program Officer
Milbank Memorial Fund

What's In and What's Not

The IRA includes a number of significant health provisions that will have direct and indirect impact on people at the state level. That said, it is also important to note many of the proposals that were originally embedded in the draft Build Back Better legislation were negotiated out of the IRA. See below for an overview.

What's In:

Expanded subsidies for health insurance coverage purchased through the ACA exchange

The IRA extends the expanded subsidies that were enacted by the American Rescue Plan Act (ARPA), which would otherwise have sunset at the end of 2022, for an additional three years. See below for a helpful chart from the Kaiser Family Foundation that synopsizes this assistance. These subsidies have improved the affordability of exchange-based plans and demonstrably reduced the national rate of uninsured individuals.

Table 1: Percent of Income Paid for Marketplace Benchmark Silver Premium, by Income		
Income (% of poverty)	Affordable Care Act (before legislative change)	COVID-19 Relief (current law 2021-2022)
Under 100%	Not eligible for subsidies*	Not eligible for subsidies**
100% – 138%	2.07%	0.0%
138% – 150%	3.10% – 4.14%	0.0%
150% – 200%	4.14% – 6.52%	0.0% – 2.0%
200% – 250%	6.52% – 8.33%	2.0% – 4.0%
250% – 300%	8.33% – 9.83%	4.0% – 6.0%
300% – 400%	9.83%	6.0% – 8.5%
Over 400%	Not eligible for subsidies	8.5%

NOTES: *Lawfully present immigrants whose household incomes are below 100% FPL and are not otherwise eligible for Medicaid are eligible for tax subsidies through the Marketplace if they meet all other eligibility requirements.
**In the COVID-19 relief law, lawfully present immigrants in states that have not expanded Medicaid would continue to be eligible for marketplace subsidies. In addition, people receiving Unemployment Insurance (UI) are treated as though their income is no more than 133% of poverty for the purposes of the premium tax credit. This could extend premium tax credits to some individuals with incomes below poverty.
SOURCE: KFF

Enhanced Medicare prescription drug coverage

The IRA expands eligibility for the Medicare Part D Low-Income Subsidy (LIS) Program. Depending on an individual's financial situation, LIS covers:

- all or some of the monthly prescription drug premium, up to an annual "benchmark" amount (in 2022, $33.37);
- all or some of the annual deductible (in 2022, $480); and
- all or some of the co-payments for which beneficiaries are responsible.

Pre-IRA	Post-IRA
Medicare beneficiaries qualified for either full or partial LIS benefits depending on their income and assets. • People with income less than or equal to 135% of the federal poverty level (FPL) and assets within specified limits qualified for full LIS benefits. • People with income that is less than or equal to 150% of FPL and assets within specified limits qualified for partial LIS benefits.	Medicare beneficiaries qualify for full LIS benefits if they have income of less than or equal to 150% FPL and assets within specified limits. There is no longer a partial LIS benefit.

Want more information on LIS eligibility? While it has not yet been updated to reflect IRA changes, this chart produced by the National Council on Aging is a great resource.

Efforts to control the overall rate of cost growth in Medicare-purchased drugs

The IRA includes two provisions that endeavor to address the high rate of cost growth for Medicare-purchased drugs.
The first permits the federal government to negotiate the cost of a small number of drugs on which Medicare spends the most, as follows:

- 10 Part D drugs in 2026
- 15 Part D drugs in 2027
- 15 Part D and Part B drugs in 2028

- 20 Part D and Part B drugs in 2029 and subsequent years.

The second requires drug manufacturers to make rebates if the cost of their drugs increases at a rate greater than inflation.

Lower Medicare Part D cost-sharing

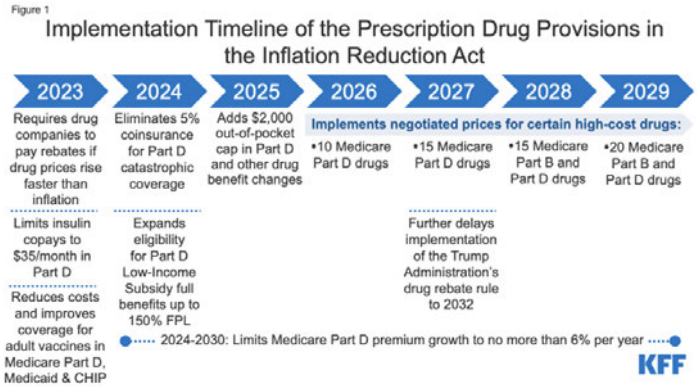
The IRA significantly defrays the out-of-pocket (OOP) spending that Medicare beneficiaries must make on prescription drugs. This includes:

- reduced cost sharing, in the form of:
  - elimination of the required 5% coinsurance in the catastrophic period, effective in 2024;
  - establishment of an overall $2,000 OOP spending cap in 2025; and
  - limitations on annual increases in the cost of Part D premiums, over the period from 2024–2030;
- a cap of $35 on cost sharing for insulin products; and
- elimination of cost-sharing for adult vaccines.

Medicaid coverage of vaccines

The IRA mandates coverage of and eliminates cost sharing for adult vaccines covered by Medicaid and the Children's Health Insurance Program (CHIP).

Here is a helpful Kaiser Family Foundation implementation timeline of the prescription drug provisions:



What's Not In:

The IRA does not include these Build Back Better proposals:

Permanent funding for CHIP

This elimination of this proposal leaves CHIP subject to periodic Congressional renewal. CHIP was last reauthorized in 2018 by the Bipartisan Budget Act (P.L. 115–123) for four years through the end of FY 2027 (September 30, 2027).

Eligibility provisions designed to maximize coverage:

- **Medicaid "fallback"/look-alike program:** This proposal would have created an alternative vehicle through which individuals could qualify for Medicaid-equivalent coverage in states that have not pursued ACA Medicaid expansion.
- **Annual Medicaid and CHIP enrollment periods for children:** This proposal for 12 continuous months of coverage aimed to minimize migration of children on and off Medicaid and CHIP.
- **Extension of pregnancy coverage from 60 days post-partum to one year:** Effective April 1, 2022 through March 31, 2027, Sections 9812 and 9822 of the ARPA enabled states to extend Medicaid and CHIP postpartum coverage from 60 days postpartum to one year postpartum. This proposal would have made the option obligatory and permanent.

Permanency for increased resources for Medicaid home- and community-based long-term services and supports

This proposal sought to build on the durationally limited enhanced federal medical assistance percentage (FMAP) for home- and community-based services (HCBS) that was authorized under ARPA. It provides states with planning grants, six additional points of FMAP for implementation of HCBS improvements, and 80% FMAP for the administrative costs of implementing those initiatives.

Our Mission

The Milbank Memorial Fund is an endowed operating foundation that works to improve the health of populations by connecting leaders and decision makers with the best available evidence and experience

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[redacted]

SUBJECT: Ramping Up Monkeypox Vaccinations
FROM: "Public Health Weekly" <pr@astho.org>
TO: hborski@utah.gov
DATE: 01/09/2022 08:37

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PUBLIC HEALTH WEEKLY

PUBLIC HEALTH REVIEW

[redacted]

[redacted]

preparing for the potential of more widespread transmission.

With a demand for the monkeypox vaccine outpacing supply, public health leaders are using several legal tools to scale up the vaccination efforts. Learn more about the legal framework supporting the monkeypox response in this week's Health Policy Update.

LISTEN

READ

THIS WEEK'S HIGHLIGHTS

ASTHO and CDC Co-Author Journal Article in *Public Health Reports* | Throughout the COVID-19 pandemic, public health agencies adopted a variety of novel digital tools and systems to scale up their case investigation and contact tracing efforts. ASTHO staff take a deeper look at the decisions these agencies made as they considered repurposing existing tools and adopting new ones. **Read the article now**.

Letters to FDA from the Campaign for Tobacco-Free Kids | Over 100 organizations, including ASTHO, have co-signed letters to FDA from the Campaign for Tobacco-Free Kids advocating for the ban of menthol and other flavored tobacco products, which have long been marketed to youth and marginalized communities. **Learn more here**.

New Public Health Data Systems Task Force | ASTHO's Jamie Pina, PhD, MSPH, vice president of public health data modernization, has joined a new taskforce from the Office of the National Coordinator for Health Information focused on improving public health data systems and supporting CDC's greater Data Modernization Initiative efforts. **Learn more about the task force and their goals**.

BE IN THE KNOW

Thank you for being a long-time subscriber to ***Public Health Weekly***—we greatly appreciate your support! But did you know that we have more great newsletters to keep you up-to-date on the latest and greatest from ASTHO?

Subscribe to our ***Events*** list and be the first to hear about our webinars, trainings, summits, and more—there's always something new coming your way.

Want to learn more about public health policy? Our ***Legislative Alerts*** provide you with exclusive analysis of emerging health legislation at the federal and state levels.

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Improving Youth Behavioral Health Through School-Based Strategies

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Blog

Building a Culture of Care: Leadership in Public Health Agencies

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Public Health and Housing Partnerships: Lessons from New York and Rhode Island

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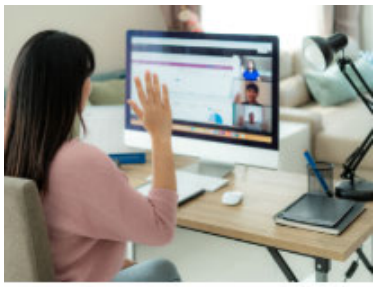

Brief

Environmental Health Innovations During the COVID-19 Pandemic

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How Strong Partnerships Improved Colorado's Suicide And Overdose Prevention Strategy

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State/Territorial Policy Considerations for Preventing Adverse Childhood Experiences

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Addressing Monkeypox Inequities** | Susan Kansagra (SHO-NC)
- **Breastfeeding Policies** | Deborah Backman, ASTHO
- **Offering Flu and COVID-19 Vaccines Together** | Gillian SteelFisher, Harvard T.H. Chan School of Public Health
- **AI Project Tackles Online Misinformation** | Connie Moon Sehat, Hacks/Hackers
- **ASTHO Seeks More Monkeypox Funding** | Carolyn Mullen, ASTHO

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PUBLIC HEALTH REVIEW PODCAST

[redacted]

• **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
• **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
• **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
• **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC

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Don't forget to share this with any friends or colleagues who would love to hear more about the latest and greatest in public health!

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higher logic

SUBJECT: Abortion access is under attack. Take action today!
FROM: "Don Hoppert, Director of Government Relations" <apha@apha.org>
TO: hborski@utah.gov
DATE: 01/09/2022 11:21

[redacted]

Speak for Health

Hi Heather,

Evidence tells us that access to safe abortion is a key factor in preventing death and disability among pregnant people. With the Supreme Court overturning Roe v. Wade and constant state-level attacks against abortion access, it's time for Congress to take action to protect abortion at the federal level. Use your voice to Speak for Health and join us in urging Congress to protect reproductive rights.

Use APHA's Speak for Health resources to:

- Send a message to your members of Congress urging their support for the Women's Health Protection Act.
- Schedule a meeting with your member of Congress to discuss the importance of protecting abortion access. Boost the effectiveness of your meeting by sharing materials like state fact sheets.
- Attend a town hall and ask your elected official key questions about their commitment to passing legislation to federally codify the right to abortion. You can contact their office to ask when the next town hall is scheduled.
- Tweet your elected officials to ask how they plan to protect abortion access using the hashtag #SpeakForHealth.
- Write an op-ed on abortion and public health using our op-ed writing tips.
- Check how your members have voted on abortion access before using the APHA Congressional Vote Record.
- Learn more about how abortion access is important for public health by visiting APHA's Reproductive and Sexual Health page which includes press releases, policy statements and more.
- Review APHA's Speak for Health advocacy presentation to learn how to be an effective public health advocate.

Let us know how you took action during the Speak for Health campaign by filling out the Speak for Health Challenge 2022 form.

Don Hoppert

[redacted]

APHA Government Relations

Thank you for all you are doing to address the ongoing pandemics of COVID-19 and racism. Please share our COVID-19 guidance in English or Spanish and our statement on racism as you join in the chorus for justice. Our Advancing Racial Equity and COVID-19 Conversations webinar series and COVID-19 and racism pages are also great resources for you and the public.

We see glimmers of hope, so please keep up your good work.

American Public Health Association
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SUBJECT: September 2022 UPHA Newsletter
FROM: UPHA <upha@memberclicks-mail.net>
TO: hborski@utah.gov
DATE: 01/09/2022 22:17

Utah Public Health Association

SEPTEMBER 2022 NEWSLETTER

PRESIDENT'S MESSAGE

Jessica Strong
UPHA President

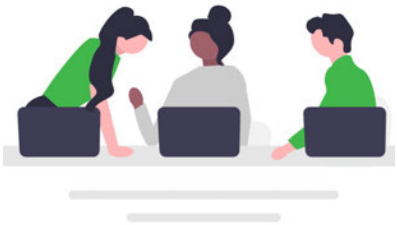
[redacted]

I have the honor of serving as UPHA President right now. For members who have not had the opportunity to serve on the board, you may wonder what the board does. Some people may think of UPHA as simply a convener of an annual conference. While this is a very visible event we conduct, the board works year-round for public health.

The mission of UPHA is to address Utah's public health challenges by empowering public health professionals, educating the community, and advocating for effective public health policies. We strive to be the voice of public health professionals. Our advocacy unit tracks relevant legislation, speaks up for best practices, and serves as a resource to policymakers. The communications unit shares important information for professionals and the general public about public health. The fiscal unit monitors and ensures financial stability and gives grants to community organizations implementing public health programming. The membership unit is thinking about you, our members, and how we can continue to offer relevant and supportive services to our members. Our board and each of these units are run by volunteers who are already working in other professional capacities. Serving on a board is both a privilege and responsibility.

Each of our units are hard at work on behalf of you and public health. We are excited to be rolling out some new member benefits soon. I encourage you to make sure your membership is current. Tell your colleagues to join as well! We strive to serve you well. If you have any thoughts or questions, I invite you to send them to me at president@UPHA.org.

EVENTS & ANNOUNCEMENTS



JOIN THE CONFERENCE PLANNING COMMITTEE!

Autumn is right around the corner, which means it's time to start planning the UPHA 2023 Public Health Conference! We are looking for people who are interested in planning the first in-person conference since the start of COVID-19. All backgrounds and levels of experience are welcomed, and committee positions are available to any member of UPHA.

If you are interested in joining the Conference Planning Committee or have any questions, contact Skyler Crouch (skyler@upha.org) by **September 15th.**

Join now

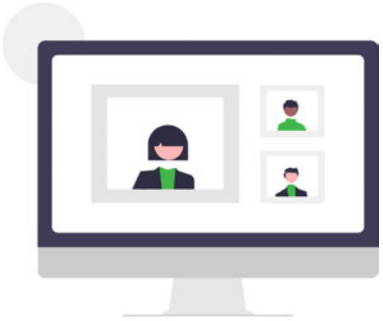
[redacted]

NEW JOB BOARD COMING SOON! 📣

UPHA is excited to announce that we will be launching an exclusive online **job board** for UPHA members.

Stay tuned to learn more about this exclusive benefit!

[redacted]



DID YOU ATTENDED THE PUBLIC HEALTH CONFERENCE FOR UTAH - ADAPTING TO A NEW PUBLIC HEALTH?

Even though the meeting is over, the learning doesn't have to stop! All the videos from each session are up on the meeting app. You can navigate to the session you'd like to watch and the video will be embedded in the page.

Watch now

[redacted]

[redacted]

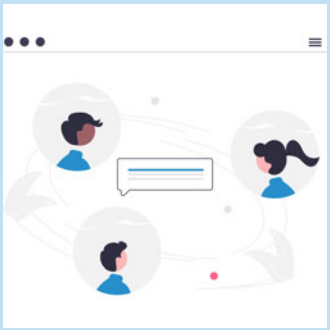
UTAH COMMUNITY HEALTH WORKERS ASSOCIATION LAUNCH PARTY

Friday, October 7, 2022 | 12:00pm–2:00pm

Save the date for this event!
Theme: Remembering our losses. Celebrating success. Focusing on the future.
Venue: Kimpton Monaco 15 W 200 S, Salt Lake City, UT 84101
More details: Oreta Tupola - om2pola@gmail.com

RSVP

CONTINUE EDUCATION (CE) OPPORTUNITIES



SUICIDE PREVENTION 101 WEBINAR - FOUNDATIONAL SUICIDE PREVENTION TRAINING

Friday, September 9, 2022
1pm ET

Register here

CHES® credits are available.

[redacted]

[redacted]

PURSUING EQUITY IN PREGNANCY & INFANT HEALTH

Wednesday, September 14, 2022
10:00am - 11:00am CST

Register here

CHES® credits are available.

CELEBRATING SUCCESS IN PUBLIC HEALTH- USOPHE CONFERENCE 2022

Wednesday, November 2, 2022 | 8:30pm–4:00pm

Register here

CHES® /MCHES® and CPH credits will be available.

UPHA COMMUNICATIONS AND ADVOCACY UNIT INTERNSHIP

[redacted]

[redacted]

UPHA is looking for a communication intern!

The internship is anticipated to follow the academic calendar, between August and December.

- Most work will be done remotely with the exception of an occasional in person meeting.
- Intern will be expected to attend monthly communications meetings, and monthly board meetings when possible
- Will be expected to work with the advocacy unit in developing and distributing policy survey to the membership in preparation for the legislative session
- Between 5-10 hours per week

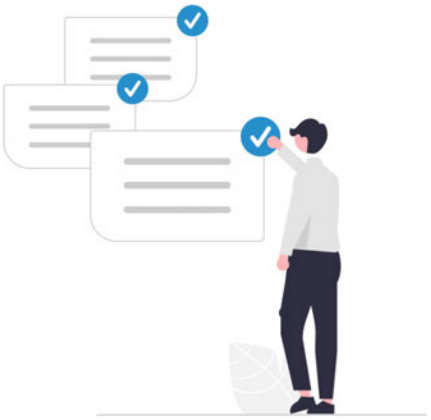
If interested, please send a resume and cover letter to director@upha.org

In addition, please answer the following questions:
Full Name:
Email Address:
Phone Number:
School where you currently attend:
Major:
Year in School (e.g., junior, senior, graduate student):
Please tell us more about yourself and the skills you bring (e.g., work experience, school projects, areas of study, personal interests):
What are your objectives for completing an internship with UPHA?
Please provide two references (name, relationship to you, phone number, email address):

Apply here

[redacted]

[redacted]



LOOKING FOR THE NEXT STEP IN YOUR PUBLIC HEALTH CAREER? BROWSE FROM A RANGE OF JOBS, INTERNSHIPS AND OTHER ROLES

Other opportunities coming exclusively to UPHA job board.

Job opening: Bilingual Community Outreach & Program Coordinator - Mountain Mediation Center. Contact Gretchen Lee at (801) 597-5690 or gretchenl@mountainmediation.center

Apply here

Job opening: Refugee Health Promotion Coordinator - The Office of Communicable Diseases DHHS. Contact Bryan Fewell at bfewell@utah.gov

Apply here

Job opening: Community Health Worker (Spanish Preferred) - Salt Lake County Health Department

Apply here

Job opening: Senior Operations Project Manager - University Health Patient Education Program

Apply here

Internship opening: UPHA is looking for a communication intern! Please contact Carrie Butler for more information carrie@upha.org

Apply here

Job opening: Epi Program Manager - Southwest Utah Public Health Department. Contact

[redacted]

Gary Edwards at gedwards@swuhealth.org

Apply here

BOARD MEMBER SPOTLIGHT

Neil Sarin

- **Role on UPHA Board:**
  Treasurer
- **Tell us about your talents/skills/superhero powers:**
  Good listener, dry sense of humor, detail oriented, nice smile.
- **Favorite hobbies**:
  Bird watching, gardening and reading mysteries and true crime.
- **Lesson you've learned in your career:**
  Don't let failure define you and success spoil you. Just keep swimming!
- **Why you enjoy working in public health**:
  Observing the impact that our efforts in promoting public health has on our community and the world.
- **What book has influenced your career, or you wish everyone in public health would read and why?**
  Dale Carnegie, How to Win Friends and Influence People. A timeless classic that I keep coming back to appreciating the simplicity and the wisdom. Two easy ways to make people like you are to smile and be a good listener.

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upha.org

This email was sent to hborski@utah.gov by communications@upha.org

[redacted]

Utah Public Health Association · PO Box 9387, Millcreek, Utah 84109, United States · (801) 849-1708

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SUBJECT: J&J Reaches $40.5M Opioid Deal With NH, Avoiding Trial
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 02/09/2022 03:19

Friday, September 2, 2022

Follow

TOP NEWS

J&J Reaches $40.5M Opioid Deal With NH, Avoiding Trial

Johnson & Johnson and its subsidiary Janssen announced Thursday that they have reached a $40.5 million settlement with the state of New Hampshire to end claims that the company's opioid marketing minimized the risks of addiction, avoiding a trial set to start next week.

Read full article »

FTC Judge Rejects Challenge To Illumina's $8B Grail Deal

A Federal Trade Commission in-house judge has rejected the agency's challenge to Illumina's $8 billion reacquisition of cancer testing outfit Grail, Illumina said Thursday, ending an important chapter in the fight over the already-completed transaction.

Read full article »

9th, 3rd Circs. Split On Pandemic Preemption, Justices Told

A California-based nursing facility wants the U.S. Supreme Court to review a Ninth Circuit ruling that a suit over the COVID-19 death of a resident had to play out in state court, arguing that there is a circuit split about the reach of a federal health emergency law invoked during the coronavirus pandemic.

Petition attached | Read full article »

Holmes Acquittal Bid Denied As Attys Hint At New Info

A California federal judge issued a preliminary ruling from the bench Thursday denying ex-Theranos CEO Elizabeth Holmes' request for a post-trial acquittal on charges she defrauded investors with bogus blood-testing technology, while her attorneys told the judge they plan to file a new trial motion based on "newly discovered" information.

Read full article »

COMPANIES IN TODAY'S NEWS

APA Corp.
American Bar Association
American Civil Liberties Union
C.R. Bard Inc.
California Attorney Lending
Computer & Communications Industry Association
Counsel Financial Services LLC
Crestwood Equity Partners LP
Eli Lilly & Co.
Esquire Deposition Solutions LLC
Ethereum GmbH
Florida Cancer Specialists & Research Institute

[redacted]

CDC Signs Off On Omicron-Specific COVID Booster Shots

The Centers for Disease Control and Prevention on Thursday gave its blessing to Moderna's and Pfizer's COVID-19 boosters designed to take on the newer omicron variants of the virus, the final step before the shots can be distributed.

Read full article »

Analysis

6 Texas Cases To Watch This Fall

Texas federal courts will review blockbuster free speech cases tackling the state's social media and government contracting laws this fall, while state courts take on weighty energy royalty and settlement credit questions.

Read full article »

ENFORCEMENT & COMPLIANCE

Philips Unit To Pay $24M To End Med. Supply Kickback Case

A Koninklijke Philips NV unit has agreed to pay more than $24 million to settle False Claims Act allegations that it defrauded government health programs by providing an illegal "kickback" to suppliers that purchased its respiratory devices, federal prosecutors announced on Thursday.

Settlement attached | Read full article »

Harvard Professor Can't Undo Conviction In China-Ties Case

A renowned Harvard University chemistry professor failed to reverse his conviction for lying about his ties to a Chinese research program while cashing in on U.S. grant money, with a federal judge ruling Thursday that there was enough evidence to sustain the jury's verdict.

Order attached | Read full article »

LITIGATION

9th Circ. Questions Denial Of Medicaid Funds For Wash. Tribe

A Ninth Circuit panel on Thursday questioned whether the federal government can deny Medicaid funding for dental services to the Swinomish Indian Tribal Community in Washington because a state law bars nontribal Medicaid patients from accessing the tribal clinic.

2 documents attached | Read full article »

States Urge 5th Circ. To Back Title 42 Injunction

Twenty-three states urged the Fifth Circuit to reject the "half-hearted" effort by the Biden administration to end the Trump-era rapid deportation policy implemented during COVID-19, arguing that the government failed to give good cause as to why it shouldn't have solicited public comment before pursuing Title 42's demise.

GRAIL Inc.
Google LLC
HMS Holdings Corp.
Harvard University
Illumina Inc.
Instagram Inc.
Johnson & Johnson
Keystone Strategy LLC
Massachusetts Institute of Technology
Mazars LLP
Memphis Area Legal Services Inc.
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Planet Depos LLC
Public Citizen Inc.
RELX PLC
Royal Philips NV
SMART Union
The Linde Group
TikTok Inc.
Trump Organization Inc.
Twitter Inc.
Union Pacific Corp.
Vimeo Inc.
Walgreens Co.
YouTube Inc.
iFinex Inc.

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Dunn Harrington
Foley & Lardner
Girardi & Keese

Brief attached | Read full article »

Bard Can't Escape $3.3M Vein Filter Verdict

A Wisconsin federal judge on Wednesday upheld a $3.3 million verdict in favor of a woman who alleged that a vein filter made by C.R. Bard broke and a part became embedded in her heart, saying that the jury's verdict was backed by evidence shown at trial.

Opinion attached | Read full article »

Texas Patient's Death Can't Stop Daughter's Med Mal Suit

A Texas appellate panel has reinstated a medical malpractice suit that accused a nursing home of negligently caring for a patient, which caused injuries, saying the fact that the patient died prior to her daughter filing the complaint did not warrant dismissal.

Opinion attached | Read full article »

Gov't Spars With Oncology Exec On Antitrust Jury Directions

The U.S. Department of Justice and the founder of an oncology group accused of splitting the cancer treatment market in Southwest Florida have clashed over proposed jury instructions that outline antitrust law for a trial slated to start next week.

2 documents attached | Read full article »

Eli Lilly Wants New Trial Over Medicaid Rebate Calculations

Eli Lilly and Co. has asked an Illinois federal judge to unwind a jury's $61 million verdict in a whistleblower's suit claiming the drug company intentionally shorted Medicaid on drug rebates, arguing the whistleblower can't prove the company knowingly violated the law.

Memorandum attached | Read full article »

Chicago Workers Want Redo On Genetic Bias Damages Ruling

Two Chicago employees alleging a city wellness initiative violated federal genetic discrimination law asked an Illinois federal court to reconsider its July decision tossing their request for monetary damages, saying the bias did not have to be intentional in order to obtain relief under the law.

Motion attached | Read full article »

Union Pacific Accused Of Stiffing Rehired Workers

A transportation workers union accused Union Pacific Railroad of not complying with arbitration rulings that ordered the company to reimburse three reinstated workers for health insurance coverage they paid after being

Greenspoon Marder
Ifrah Law
Jones Day
Kenneth N. Flaxman PC
King & Spalding
Kirkland & Ellis
Laner Muchin
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Law Offices of Scott Glovsky
Lewis Brisbois
Littler Mendelson
Lynn Pinker
Markus Moss
Martin Baughman
McDowell Knight
Motley Rice
Mukasey Frenchman
Nelson Mullins
Orrick Herrington
Robbins Russell
Roche Freedman
Schneider Wallace
Selendy & Gay
Silverman Thompson
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Stein Sperling
Vinson & Elkins
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Williams & Connolly
Wilson Elser
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Yetter Coleman
Ziegler Gardner

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
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Federal Election Commission
Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
National Archives and Records Administration
National Institutes of Health

terminated, asking an Illinois federal judge to enforce the directives.

Complaint attached | Read full article »

PerkinElmer Says Lab Owes $6M For COVID Test Gear

A diagnostic lab ignored dozens of invoices and failed to pay PerkinElmer Health Sciences Inc. for more than $6 million worth of COVID-19 testing gear, according to a suit filed Thursday in Massachusetts federal court.

Complaint attached | Read full article »

EXPERT ANALYSIS

Envisioning Metaverse-Based Litigation In The Real World

Attorneys should entertain the possibility of the metaverse becoming a matter of interest in real-world courts by considering what could cause actions outside the virtual world and digital forensics hurdles to be cleared in demonstrating the offense, identifying the culpable parties and collecting damages, say consultants at Keystone Strategy.

Read full article »

PRACTICAL GUIDANCE

Compliance Considerations For Telehealth Abortion Services

Health care providers wishing to offer medication abortion services using telemedicine must be extremely cognizant of changing legal requirements in states where they operate, including old state laws given new life by the U.S. Supreme Court's decision in Dobbs v. Jackson Women's Health Organization, says Claire Marblestone at Foley & Lardner.

Read full article »

LEGAL INDUSTRY

Litigation Funders Helped Girardi 'Loot' Client Funds: Trustee

New York litigation lenders owned by a convicted felon drove thousands of cases to Thomas V. Girardi and helped him "loot" more than $23 million from his clients' trust accounts for years before his firm Girardi Keese fell into insolvency, according to an explosive new adversary complaint filed in Los Angeles bankruptcy court.

Read full article »

Fla. Judge Seems Inclined To OK Trump's Special Master Bid

Office of the Director of National Intelligence
Swinomish Indian Tribal Community
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the District of Massachusetts
U.S. Attorney's Office for the Eastern District of Virginia
U.S. Attorney's Office for the Northern District of California
U.S. Attorney's Office for the Southern District of Florida
U.S. Bankruptcy Court for the Western District of Tennessee
U.S. Coast Guard
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of South Carolina
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. General Services Administration
U.S. Office of Government Ethics

A Florida federal judge appeared inclined Thursday to appoint a special master to screen the documents seized by the FBI from former President Donald Trump's Mar-a-Lago estate for privilege and indicated she would carve out a national security risk assessment currently being conducted by the Office of the Director of National Intelligence.

Read full article »

Trump To Turn Over Financial Docs To House Panel

Former President Donald Trump has agreed to hand over financial documents to the House Oversight and Reform Committee and end his court case seeking to block their release, the panel's chair said Thursday.

Read full article »

Sen. Graham Must Testify In Election Probe, Ga. Judge Says

U.S. Sen. Lindsey Graham must testify in a Georgia investigation of possible attempts to criminally interfere in the state's 2020 presidential election, a federal judge in Atlanta ruled on Thursday before sending her order to the Eleventh Circuit for further consideration.

Read full article »

Oath Keepers Atty Charged For Role In Capitol Siege

A top attorney for the Oath Keepers was arrested Thursday in Texas on allegations she planned and attended the Jan. 6, 2021 siege on the U.S. Capitol, and withheld and destroyed evidence relevant to the ongoing criminal investigation into the riot.

Read full article »

15 Attorneys Hit With Complaints Over 'Big Lie' Suits

A legal watchdog group has filed bar complaints against 15 attorneys from six different states for their role in filing "bogus" lawsuits that sought to overturn the results of the 2020 presidential election.

Read full article »

Mill Workers Want $13M After Littler Misdeeds Spark Default

Alabama steel mill workers say they're due more than $13 million from a wage and hour suit after a judge issued a default judgment triggered by misconduct by defense lawyers at Littler Mendelson PC, according to a Wednesday filing.

Read full article »

Tether Wants Roche Freedman Cut Over 'Secret Pact' Report

The company behind the stablecoin tether and cryptocurrency exchange Bitfinex wants law firm Roche Freedman LLP terminated as plaintiffs' counsel in a market manipulation class action it's facing, after an anonymous report alleged the firm's founding partner Kyle Roche formed

U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Southern District of Alabama
United States District Court for the Western District of Wisconsin
Washington Attorney General's Office
Washington State Health Care Authority

a "secret pact" with a blockchain platform to sue crypto competitors.

Read full article »

6th Circ. Judge Bernice Donald To Receive NJC's Top Award

Sixth Circuit Judge Bernice B. Donald, who was the first African American woman to serve on that court, will be awarded the National Judicial College's Sandra Day O'Connor Award, the college's president and Judge Donald confirmed to Law360 on Thursday.

Read full article »

Rival Court Reporting Cos. Settle Fight Over Sales Execs

Competing court reporting companies settled a case over the employment of two executives Thursday, telling a Georgia state trial court they came to an agreement on the eve of a hearing for a temporary restraining order.

Read full article »

SEC Seeks Early Win In FOIA Fight Over Crypto Conflict Docs

The Securities and Exchange Commission asked a Virginia federal judge on Wednesday to give it an early win in its records dispute with a watchdog group over documents that might reveal former high-ranking SEC officials' conflicts of interest associated with their oversight of cryptocurrency.

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[redacted]

SUBJECT: News release: First human case of West Nile virus identified in Utah
FROM: Utah Department of Health and Human Services <chaley@utah.gov>
TO: <hborski@utah.gov>
DATE: 02/09/2022 08:44

View this email in your browser

Utah Department of Health & Human Services

IN PARTNERSHIP WITH UTAH'S PUBLIC HEALTH DEPARTMENTS

FOR IMMEDIATE RELEASE:
Friday, September 2, 2022
Media contact:
Charla Haley
Public Information Officer
Phone (801.230.5927)

First human case of West Nile virus confirmed in Utah for 2022

Continue to take precautions against mosquito bites

Salt Lake City—Public health officials confirmed the first positive human case of West Nile virus (WNV) in Weber Morgan Health District about a month after WNV was found in mosquitoes in Utah, with two additional suspect human cases currently under investigation in Weber and Uintah counties. The person is a male resident of the Weber-Morgan Health district, between the ages of 65 and 84. He is hospitalized with neuroinvasive West Nile virus. In 2021, there were 28 reported human cases of West Nile virus in Utah, including 3 deaths.

In addition to the confirmed human case, as of September 1, 2022, 73 positive mosquito pools have been identified across the state in Davis, Salt Lake, Tooele, and Uintah counties, as well as two positive horses in Uintah County.

Hannah Rettler, vector-borne/zoonotic epidemiologist with the Utah Department of Health and Human Services says, "Mosquito season isn't over and Utahns should continue to protect themselves from mosquito bites." Rettler continues, "Many more Utahns could become ill with West Nile virus if they don't take precautions to protect themselves from mosquito bites."

To protect yourself:

- Use insect repellent when you go outdoors. Repellents containing 20% to 30% DEET are recommended and safe to use during pregnancy. For more information about insect

[redacted]

repellents, visit the EPA information page. Always follow label directions.

- Limit outdoor activities from dusk to dawn, when mosquitoes are most active.
- Wear long pants, long-sleeved shirts, and socks in areas where mosquitoes are active. Spray clothes with insect repellent for extra protection.

To reduce mosquitoes around your home:

- Mosquitoes lay their eggs in standing water so eliminate pools of water as much as possible. Empty water from pet dishes, flower pots, wading pools, backyard ponds, buckets, tarps, tires, and puddles at least once a week.
- Report bodies of stagnant water to your local mosquito abatement district (MAD). Visit http://www.umaa.org/ for a list of MADs.
- Keep doors, windows, and screens in good condition and make sure they fit tightly.

Rettler says most people infected with West Nile virus don't have symptoms. About 20% of infected people will have flu-like symptoms, while fewer than 1% develop a serious, potentially deadly illness. People who are aged 60 years and older and those with certain medical conditions are at greater risk of serious illness. See a healthcare provider if you develop symptoms of West Nile virus including high fever, severe headache and stiff neck, disorientation, and confusion.

Since surveillance began in 2003, an average of 25 human cases of West Nile virus have been confirmed In Utah each year, with a wide range between 1 and 158 cases.

For more information about West Nile Virus, call your local health department or visit https://epi.health.utah.gov/west-nile-virus/.
To read this news release in Spanish, click here.

###

Utah Department of Health & Human Services

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SUBJECT: MMWR Early Release Preview for Friday, September 2, 2022
FROM: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
TO: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
DATE: 02/09/2022 09:11

[redacted]

All information in this email is embargoed. Please do not distribute or share this information through email, print, the Internet, or social media until after 1 pm (ET), Friday, September 2, 2022. Information and dates are subject to change.

MMWR
Morbidity and Mortality Weekly Report

This MMWR is embargoed until 1 PM ET Friday, September 2, 2022

***Orthopoxvirus* Testing Challenges for Persons in Populations at Low Risk or Without Known Epidemiologic Link to Monkeypox — United States, 2022**
Link when live: https://www.cdc.gov/mmwr/volumes/71/wr/mm7136e1.htm?s_cid=mm7136e1_w

***MMWR* Weekly COVID-19 Briefing Podcast: Week of August 15**
The latest *MMWR* Weekly COVID-19 Briefing is live. This episode covers three reports, including reports highlighting paralytic polio in an unvaccinated person in New York, object and surface contamination in a household of people with monkeypox and more. Listen and subscribe on: Apple Podcasts, Stitcher, Spotify, and Google Play.

For questions, please contact MMWRCommunications@cdc.gov.
To subscribe to MMWR: Click here

[redacted]

SUBJECT: 988 Celebration, Last Chance to Submit PFS Comments
FROM: National Council for Mental Wellbeing<Communications@TheNationalCouncil.org>
TO: hborski@utah.gov
DATE: 02/09/2022 10:01

To view this email as a web page, click here

TheNationalCouncil.org

NATIONAL COUNCIL for Mental Wellbeing

CAPITOL CONNECTOR

POLICY INTO PRACTICE

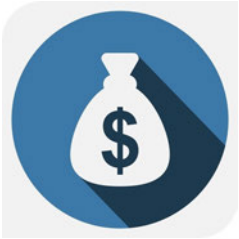
JOIN US!

Join us on Monday, September 12, at 3 p.m. ET as we celebrate the launch of 988 – the new easy-to-remember number to reach the National Suicide & Crisis Lifeline! We will reflect on the monumental accomplishment of the July launch, as well as other 988 successes from the past year. We will be joined by key leaders in the field to discuss the efforts of the National Council for Mental Wellbeing, Vibrant Emotional Health and the Substance Abuse and Mental Health Services Administration (SAMHSA) to support the launch, lessons learned and the vision for 988 moving forward. Register today!

TOP STORIES

Last Chance to Submit Medicare Physician Fee Schedule Comments
The Centers for Medicare and Medicaid Services (CMS) recently proposed its updates to the Medicare Physician Fee Schedule (PFS) for calendar year 2023 (summary). The proposed rule would: extend certain Medicare telehealth flexibilities adopted during the public health emergency (PHE) for 151 days after its expiration; expand access to substance use disorder (SUD) treatment by allowing Medicare to continue covering several opioid use disorder (OUD) telehealth services furnished by opioid treatment programs (OTPs) and cover services provided by OTP mobile units; permit licensed professional counselors (LPCs) and licensed marriage and family therapists (LMFTs) to perform behavioral health services "incident to" a physician or non-physician practitioner (NPP); and allow behavioral health providers to practice under general supervision (rather than the more restrictive direct supervision) when such services are provided "incident to" the services of a physician or NPP. Comments are due September 6 by 5:00PM EDT.

[redacted]



HHS Announces $79.1 Million in Overdose Prevention Grants
This week, the Department of Health and Human Services (HHS) announced that $79.1 million in grant funds will be awarded to overdose prevention programs. The announcement comes in coordination with the Biden-Harris Administration's National Drug Control Strategy, Unity Agenda, and HHS's Overdose Prevention Strategy. The funding will go to various programs, including: Medication-Assisted Treatment – Prescription Drug and Opioid Addiction (MAT-PDOA) ($32.7 million), First Responders-Comprehensive Addiction and Recovery Support Services Act ($14.5 million), Services Grant Program for Residential Treatment for Pregnant and Postpartum Women (PPW)($12.1 million), Targeted Capacity Expansion: Special Projects ($8.2 million), among others.

FDA to Prioritize Policies that Expand SUD Treatments
Commissioner Robert Califf of the Food and Drug Administration (FDA) recently published an article outlining the agency's priorities, including policies on how to address the overdose crisis. Addressing the rise in overdoses is a priority for the FDA, which will require the agency, according to the Commissioner, to double its efforts to expand access to naloxone, enhance prescriber education efforts, and support the development of new substance use disorder therapies. Commissioner Califf also reinforced the clinical community's role in addressing the overdose crisis, adding that substance use disorders will be considered in its assessments of public health risks for opioids and other substances.

Webinar on Treatment for Opioid Use Disorders in Rural Areas
Join the Providers Clinical Support System (PCSS) on September 8 at 3:00PM EDT for a webinar discussing the treatment of OUD in rural areas. In particular, this webinar will explore why rural areas have been severely impacted by the overdose epidemic and discuss unique challenges, as well as opportunities to make demonstrable improvements in engaging rural patients with OUD in treatment. Participants will learn about barriers to delivering evidence-based prevention and treatment services for individuals with OUD in rural areas and discuss how the COVID-19 pandemic has exacerbated overdose deaths & created new opportunities for service delivery in rural areas. Register today!

ADVOCACY CORNER

Sign-up for Advocacy Alerts! Are you interested in advocating for policies that expand access to mental health and substance use disorder services? Sign up for National Council advocacy alerts and become part of an engaged network of advocates advancing policy on the federal and state levels. Learn more about our current advocacy efforts here and follow us on Twitter at @NationalCouncil.

HAPPENINGS ON THE HILL

Observing International Overdose Awareness Week. On August 31, (SAMHSA) observed International Overdose Awareness Day. In 2021 alone, over 100,000 lives were tragically lost to drug overdose, the leading cause of death for people aged 18 to 45 in America today. SAMHSA emphasized its ongoing commitment to overdose awareness, recognizing that support for public education and engagement efforts is key to increasing overdose awareness and prevention. Additionally, President Biden declared August 28 to September 3, 2022 as Overdose Awareness Week.

NATIONAL COUNCIL for Mental Wellbeing
1400 K Street NW, Suite 400
Washington, DC 20005

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SUBJECT: Law360 MVP Awards Go To 188 Attys From 78 Firms
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 06/09/2022 02:06

Tuesday, September 6, 2022

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TOP NEWS

Law360 MVP Awards Go To 188 Attys From 78 Firms

The attorneys chosen as Law360's 2022 MVPs have distinguished themselves from their peers by securing hard-earned successes in high-stakes litigation, complex global matters and record-breaking deals.

Read full article »

Analysis

The Hottest Topics For Health Attys In 2022's Homestretch

A torrid 2022 for health care litigation is entering a red-hot homestretch featuring fallout from the U.S. Supreme Court's explosive repudiation of abortion rights, the potential for three False Claims Act clashes at the high court, and the increasingly likely prospect of a funding fiasco for the U.S. Food and Drug Administration.

Read full article »

After Dobbs: State Abortion Ban Fights, Enforcement Heat Up

Federal judges have continued to hand down mixed rulings on whether state abortion bans can take effect and if federal guidance on emergency abortion access can be implemented, while trigger laws kicked into gear in three more states that will further restrict abortion access.

Letter attached | Read full article »

Bayer Strikes $40M Deal, Ending 17-Year FCA Saga

The U.S. Department of Justice on Friday announced that it had reached a $40 million settlement with Bayer AG to end allegations that the company violated the False Claims Act over three of its drugs, ending years of litigation in two whistleblower suits.

Settlement attached | Read full article »

Jury Convicts Arrayit Exec Of Fraud For COVID Test Lies

A California federal jury has found the president of health care company Arrayit guilty of fraud and conspiracy for duping insurers, patients and investors out of millions of dollars with bogus COVID-19 tests and allergy finger-stick blood tests while orchestrating a yearslong Medicare scam, prosecutors said Friday.

Read full article »

DOJ Lining Up 1st 'No Poach' Win With Staffing Co. Plea

The government looks set to secure its first successful criminal prosecution of a labor-side antitrust violation, after a health care staffing company said it plans to plead guilty to charges over an alleged scheme to suppress the wages of nurses working in Las Vegas schools.

Notice attached | Read full article »

JUDICIAL NOMINATIONS

Biden Nominates Montana Law Professor For 9th Circ.

President Joe Biden is nominating a Montana law professor and former state solicitor to a vacancy on the Ninth Circuit and also tapping eight new district court nominees in six states, the White House announced Friday.

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ENFORCEMENT & COMPLIANCE

NY Disabilities Org. Settles Medicaid Fraud Claims

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Institute for Policy Integrity
JPMorgan Chase & Co.
Johnson & Johnson
Lex Machina Inc.
LinkedIn Corp.
Major Lindsey & Africa LLC
Massachusetts Bar Association

A New York nonprofit serving people with disabilities has agreed to pay $850,000 to federal and state law enforcement offices for admittedly using fraudulent expense reports to secure millions of dollars in Medicaid funds over nearly a decade.

2 documents attached | Read full article »

Gov't Wants Max Sentence For Convicted Horse PED Seller

The government has asked a New York federal judge to hand down the maximum sentence of 60 months in prison to Lisa Giannelli, who was convicted of administering performance-enhancing drugs to racehorses.

Letter attached | Read full article »

LITIGATION

3rd Circ. Preview: J&J Unit, Pipeline Fights On Sept. Docket

As the Third Circuit heads back to school this month, panels will be studying cancer patients' attempts to dismiss a J&J talc liability unit's bankruptcy as a bad-faith maneuver and fights by an order of nuns and a utility infrastructure company over natural gas pipelines.

Read full article »

FTC Appealing Judge's Ruling On Illumina's $8B Grail Deal

The Federal Trade Commission said Friday it is appealing an administrative law judge's rejection of its challenge to Illumina's $8 billion reacquisition of cancer testing outfit Grail Inc.

1 document attached | Read full article »

Judge Says Philips Health Monitor Patent Invalid In Fitbit Row

A Massachusetts federal judge has found that a Philips health monitoring patent was invalid in a dispute with Fitbit, finding the patent-at-issue was too abstract to warrant patent protection.

Memorandum attached | Read full article »

Texas Justices Won't Review Doctor's Age Bias Suit

The Texas Supreme Court declined Friday to revive a former University of Texas hospital anesthesiologist's age discrimination claims almost a year after an appellate court ruled the hospital was immune from the claims as a government entity and had an explanation for his firing.

Read full article »

Ambulance Crash Not A Med Mal Case, Texas Court Holds

Massachusetts Institute of Technology
Mediterranean Shipping Co. SA
Meta Platforms Inc.
NASDAQ Inc.
New York City Bar Association
New York Law School
New York University
NewAge Inc.
North Carolina State Bar
Orange SA
Owens-Illinois Inc.
PG&E Corp.
Pfizer Inc.
Planned Parenthood Federation
Princeton University
Revlon Inc.
Service Employees International Union
Skanska AB
Spotify Technology SA
Supervalu Inc.
Sutter Health
Temple University
The American Law Institute
The Raben Group
Twitter Inc.
United Airlines Holdings Inc.
United States Soccer Federation Inc.
Volkswagen AG
Walgreens Co.
Walmart Inc.
Wells Fargo & Co.

LAW FIRMS IN TODAY'S NEWS

Akin Gump
Altshuler Berzon
Arnold & Porter
Baker & Hostetler
Baker Botts
Ballard Spahr
Bernstein Litowitz
Bevan Brittan
Bird & Bird
Black Srebnick
Bossier & Associates
Bradley Arant
Brown Rudnick
Buckley LLP
Burns & Levinson
Butler Snow LLP

A divided Texas appellate court panel has found that a motorist who was involved in a collision with an ambulance does not need an expert report for claims against an EMT and medical transport firm American Medical Response Inc. because the claims don't fall under health care liability.

Opinion attached | Read full article »

MassHealth Eavesdropping Violates Union Rules, Court Finds

The Massachusetts Appeals Court on Friday upheld a state employment commission's findings that said managers at the state's Medicaid program ran afoul of union rules when they began secretly listening in on employees' calls with the public.

Read full article »

J&J And Ethicon Fight Attempt At New Pelvic Mesh Trial

Johnson & Johnson has told a judge that an Ohio woman who alleged she incurred injuries from pelvic mesh was mistaken when she said the company did not properly disclose its intent to use a report at her trial and gave insufficient reasons why she should get another shot at a favorable verdict.

Memorandum attached | Read full article »

Ohio Clinics Shift Gears In Abortion Ban Challenge

Abortion clinics seeking to block an Ohio law effectively banning the procedure after six weeks filed their claims in state court Friday, saying a pressing issue means they can no longer wait for the Ohio Supreme Court to decide whether to take up the matter.

2 documents attached | Read full article »

BANKRUPTCY

Week In Bankruptcy

Sears, Boy Scouts Each Move Closer To Ch. 11 Resolutions

The yearslong dispute between Sears and its former CEO ended with a deal, the Boy Scouts of America took a giant leap toward confirmation, and crypto investment platform Celsius wants to release $56 million of digital assets. This is the week in bankruptcy.

Read full article »

Ch. 11 Cheat Sheet: Packable Holdings LLC

E-commerce venture Packable Holdings LLC commenced a Chapter 11 case in Delaware on Aug. 28, after a failed merger left it short of cash and holding $272 million of debt.

Read full article »

PEOPLE

Wilson Elser Grows In NY With Med Mal, Health Care Partners

CMS Cameron McKenna Nabarro Olswang
Cahill Gordon
Carella Byrne
Clyde & Co
Cohen Ziffer
Constangy Brooks
Constantine Cannon
Cooley LLP
Covington & Burling
Cravath Swaine
Crowell & Moring
DAC Beachcroft
DLA Piper
Davis Polk
Davis Wright
DeCorato Sheehan
Dechert LLP
Dentons
Desmarais LLP
DiCello Levitt
Duane Morris LLP
Durie Tangri
Engstrom Lipscomb
Eversheds Sutherland
Fasulo Braverman
Fenwick & West
Foley & Lardner
Forsters LLP
Fox Rothschild
Gibson Dunn
Girardi & Keese
GrayRobinson
Greenberg Gross
Greenberg Traurig
Hamlins LLP
Hangley Aronchick
Haynes & Boone
Herbert Smith Freehills
Hinckley Allen
Hogan Lovells
Holland & Knight
Hooper Lundy
Howard Kennedy LLP
Hueston Hennigan
Hunton Andrews
Ifrah Law
JMW Solicitors LLP
Jenner & Block
Jones Day
KaiserDillon
Keller Postman

Wilson Elser Moskowitz Edelman & Dicker LLP has hired two lateral partners for its medical malpractice and health care practice in New York.

Read full article »

EXPERT ANALYSIS

The Ethical Risks For Lawyers Accepting Payments In Crypto

Ohio recently became the fifth jurisdiction to provide attorneys guidance on accepting cryptocurrency as payment or holding cryptocurrency in escrow, but lawyers should beware the ethics rules such payments may implicate, and consider three practical steps to minimize the risks, say Hilary Gerzhoy and Jared Marx at HWG.

Read full article »

LEGAL INDUSTRY

After Steady Growth, Legal Sector Shed 9K Jobs In August

The U.S. legal services sector saw an 8,900-job loss in August, a sharp decline after five months of consecutive growth, according to preliminary data released Friday by the U.S. Department of Labor.

Read full article »

Erika Girardi Received Money From Fla. Plaintiffs Firm

A well-known Florida plaintiffs attorney has given at least $750,000 to reality television star Erika Girardi as her husband's law firm, Girardi Keese, went bankrupt amid allegations that it stiffed lenders and stole from its clients, according to court records reviewed by Law360.

Read full article »

Analysis

Senate Dems Expected To Move Judges After Summer Break

Senate Democrats are returning from their summer break with dozens of judicial nominees pending and a two-month sprint to the midterm elections that will decide which party will control confirmation of judicial picks during the next two years of the Biden administration.

Read full article »

Biden To Tap Ex-NYU Law Dean For Regs Review Agency

President Joe Biden on Friday said he plans to nominate Richard Revesz, an environmental lawyer and former dean of New York University's School of Law, to head the White House office that handles information collection, privacy and

Kessler Topaz
King & Spalding
Kirkland & Ellis
Kuit Steinart
Labaton Sucharow
Latham & Watkins
Law Office of Heidi A. Wendel
Law Offices of Philip R. Sheldon
Leigh Day
Lieff Cabraser
Londrigan Potter
Martin Baughman
Martin Clearwater
Mayer Brown
McAdoo Gordon & Associates
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Morgan Lewis
Morrison Foerster
Morrison Mahoney
Motley Rice
Munger Tolles
Nichols Liu LLP
Nixon Peabody
O'Melveny & Myers
Parlatore Law Group
Paul Weiss
Potter Anderson
Pyle Rome
Quarles & Brady
Quinn Emanuel
Reed Smith
Reynolds Porter
Richards Layton
Robbins Geller
Robins Kaplan
Robinson Bradshaw
Ropes & Gray
Schell Cooley
Schreiber Knockaert
Sidley Austin
Silverman Thompson
Simpson Thacher
Skadden Arps
Spertus Landes
Squire Patton
Stephan Zouras
Steptoe & Johnson LLP
Stokoe Partnership Solicitors
Sullivan & Cromwell
Susman Godfrey
Tanenbaum Keale
Troutman Pepper

executive branch regulations — including certain tax proposals.

Read full article »

Analysis

WDTX Patent Cases Fall After New Rules, But Don't Disappear

One month after the establishment of new Western District of Texas rules that mean patent cases filed in Waco are no longer automatically assigned to Judge Alan Albright, the number of new patent suits in the district has dropped noticeably, but hasn't dried up altogether.

Read full article »

VW, DOJ Rip Bid To Rush Jones Day Emission Docs FOIA Row

The U.S. Department of Justice and Volkswagen AG have said that a Loyola Marymount University professor cannot shortcut California federal court proceedings to force the release of a confidential Jones Day report on the German automaker's internal investigation into the 2015 emissions-cheating scandal.

Read full article »

Analysis

Trump's Special Master Bid May Put Heat On DOJ Practices

Former President Donald Trump's push for a special master to review files taken from his Mar-a-Lago estate is shining a light on a prosecution practice white collar criminal defense attorneys have long argued is unfair and puts their clients at considerable risk.

Read full article »

Judge OKs Mar-a-Lago Special Master, Pauses DOJ Review

A Florida federal judge said Monday she will appoint a special master to screen the documents seized by the FBI from former President Donald Trump's Mar-a-Lago estate for attorney-client and executive privilege, and she paused prosecutors' review of the documents for criminal investigative purposes.

Read full article »

DC Judge Tosses Ex-Trump Aide's FBI Surveillance Suit

A D.C. federal judge has tossed former Trump 2016 campaign adviser Carter Page's lawsuit against the U.S. Department of Justice, FBI and former top officials in relation to the FBI's surveillance of him as part of its Russian election interference probe, finding the agencies and officials can't be held liable for erroneous search warrant applications.

Read full article »

Musk Ally's Twitter Subpoena Protest Flushed In Del.

Tucker Ellis
Tyler & Wilson
Vicente Sederberg
Wachtell Lipton
Ward Hadaway
Weil Gotshal
Weiss Tom
White & Case
Wilkes & Associates
Williams & Connolly
WilmerHale
Wilson Elser
Wilson Sonsini
Winston & Strawn
Wolf Greenfield
Zuckerman Spaeder
deRubertis Law

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Labor Statistics
California Air Resources Board
Centers for Disease Control and Prevention
Central Intelligence Agency
Defense Logistics Agency
Delaware Court of Chancery
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Energy Regulatory Commission
Federal Trade Commission
Food and Drug Administration
National Archives and Records Administration
National Labor Relations Board
New York Attorney General's Office
Occupational Safety and Health Administration
Office of the Director of National Intelligence
Ohio Supreme Court
Serious Fraud Office
Solicitors Regulation Authority
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the District of Nevada
U.S. Attorney's Office for the Northern District of California

A Delaware Chancery Court chancellor rejected on Friday Elon Musk ally David Sacks' bid to quash Twitter's cross-country subpoena for details on Sacks' potential investment in Musk's $44 billion offer to buy the social media giant, noting in part his "unusual" responses to an earlier subpoena in California.

Read full article »

Discovery Ordered To Decide How To Split $1.8M Atty Fee

A magistrate judge ordered a Pennsylvania law firm to turn over records of its contributions to an underlying $5 million wage suit settlement to its former co-counsel so the firms could assess how to split the spoils of victory.

Read full article »

Morrison Mahoney Partner Takes Over As Mass. Bar Prez

Morrison Mahoney LLP partner Grace V.B. Garcia, the new president of the Massachusetts Bar Association, started her term Sept. 1 with a plan to focus on lawyer wellness and diversity within the bar.

Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

California lawmakers didn't pass an effort to ramp up the climate-related disclosures of large corporations, and House Speaker Nancy Pelosi said more work is needed to prevent federal privacy legislation from overriding California's more stringent protections. These are some of the stories in corporate legal news you may have missed in the past week.

Read full article »

UK Litigation Roundup: Here's What You Missed In London

The past week in London has seen blockchain fintech Blackfridge launch an intellectual property claim against rival crypto company Tether, Thames Valley Eggs crack open a competition claim against its former director, and Dechert's former head of white-collar crime face fresh legal action after he lied about leaking clients' confidential information. Here, Law360 looks at these and other new claims in the U.K.

Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Read full article »

Podcast

Pro Say: A Legal Explainer Of The Mar-A-Lago Search

U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the District of Delaware
U.S. Bankruptcy Court for the Southern District of New York
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of Minnesota
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Middle District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Sentencing Commission
U.S. Supreme Court
United States District Court for the District of Nevada
United States District Court for the Northern District of Ohio

[redacted]

Earlier last month, the FBI executed a search warrant on former President Donald Trump's Mar-a-Lago estate in Florida and found more than 100 highly sensitive and classified records. On this week's episode of Law360's Pro Say, we cut through the noise of the political pundits and focus on what you need to know to understand the fallout from the search.

Read full article »

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SUBJECT: Law360 MVP Awards Go To 188 Attys From 78 Firms
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 06/09/2022 03:07

Tuesday, September 6, 2022

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TOP NEWS

Law360 MVP Awards Go To 188 Attys From 78 Firms

The attorneys chosen as Law360's 2022 MVPs have distinguished themselves from their peers by securing hard-earned successes in high-stakes litigation, complex global matters and record-breaking deals.

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[redacted]

Judge OKs Mar-a-Lago Special Master, Pauses DOJ Review

A Florida federal judge said Monday she will appoint a special master to screen the documents seized by the FBI from former President Donald Trump's Mar-a-Lago estate for attorney-client and executive privilege, and she paused prosecutors' review of the documents for criminal investigative purposes.

Order attached | Read full article »

Analysis

Trump's Special Master Bid May Put Heat On DOJ Practices

Former President Donald Trump's push for a special master to review files taken from his Mar-a-Lago estate is shining a light on a prosecution practice white collar criminal defense attorneys have long argued is unfair and puts their clients at considerable risk.

Read full article »

FBI Agents Found 48 Empty 'Classified' Folders At Mar-A-Lago

FBI agents seized 48 empty folders with "classified" banners from former President Donald Trump's Mar-a-Lago estate, along with thousands of other presidential records, according to a detailed inventory of items made public Friday.

2 documents attached | Read full article »

Analysis

The Hottest Topics For Health Attys In 2022's Homestretch

A torrid 2022 for health care litigation is entering a red-hot homestretch featuring fallout from the U.S. Supreme Court's explosive repudiation of abortion rights, the potential for three False Claims Act clashes at the high court, and the increasingly likely prospect of a funding fiasco for the U.S. Food and Drug Administration.

Read full article »

Analysis

Senate Dems Expected To Move Judges After Summer Break

Senate Democrats are returning from their summer break with dozens of judicial nominees pending and a two-month sprint to the midterm elections that will decide which party will control confirmation of judicial picks during the next two years of the Biden administration.

Read full article »

Treasury Dept. Issues Update To Cybersecurity Regulations

The U.S. Treasury Department announced Friday that its Office of Foreign Assets Control has finalized sanctions for

LAW FIRMS IN TODAY'S NEWS

Akin Gump
Altshuler Berzon
Arnold & Porter
Askman Law Firm
Baker & Hostetler
Baker Botts
Ballard Spahr
Bass Berry
Bernstein Litowitz
Bevan Brittan
Bird & Bird
Black Srebnick
Braaten Law Firm
Bradley Arant
Brown Rudnick
Buckley LLP
Burns & Levinson
CMS Cameron McKenna Nabarro Olswang
Cahill Gordon
Clyde & Co
Cohen Ziffer
Constangy Brooks
Constantine Cannon
Cooley LLP
Covington & Burling
Cravath Swaine
Crowell & Moring
DAC Beachcroft
DLA Piper

foreign cybercriminals, laying out the penalties that will be issued against entities deemed by the White House to be a security threat to the U.S.

Notice attached | Read full article »

DOJ Lining Up 1st 'No Poach' Win With Staffing Co. Plea

The government looks set to secure its first successful criminal prosecution of a labor-side antitrust violation, after a health care staffing company said it plans to plead guilty to charges over an alleged scheme to suppress the wages of nurses working in Las Vegas schools.

Notice attached | Read full article »

Steve Bannon's Bid For New Contempt Trial Denied

A D.C. federal judge on Friday refused to grant a new trial for ex-Trump White House aide Steve Bannon, who was recently found guilty of contempt of Congress, finding that Bannon's arguments are barred by District of Columbia Circuit precedent.

Order attached | Read full article »

DC Judge Tosses Ex-Trump Aide's FBI Surveillance Suit

A D.C. federal judge has tossed former Trump 2016 campaign adviser Carter Page's lawsuit against the U.S. Department of Justice, FBI and former top officials in relation to the FBI's surveillance of him as part of its Russian election interference probe, finding the agencies and officials can't be held liable for erroneous search warrant applications.

Memorandum attached | Read full article »

Biden Nominates Montana Law Professor For 9th Circ.

President Joe Biden is nominating a Montana law professor and former state solicitor to a vacancy on the Ninth Circuit and also tapping eight new district court nominees in six states, the White House announced Friday.

Read full article »

GOP Asks To Bar Pa. Counties From Letting Voters Fix Ballots

State and national Republican groups have filed a lawsuit in Pennsylvania state court seeking to stop counties in the Keystone State from letting voters "cure" defective absentee and mail-in ballots, arguing state election law only lets the Legislature set up such procedures.

Complaint attached | Read full article »

BANKING & SECURITIES

NY, Calif. Urge Credit Card Giants To Help Tackle Gun Violence

New York's and California's attorneys general on Friday became part of a growing list of lawmakers, politicians and

Davis Polk
Davis Wright
Dechert LLP
Dentons
DiCello Levitt
Dillon McCandless
Duane Morris LLP
Durie Tangri
Engstrom Lipscomb
Eversheds Sutherland
Fenwick & West
Forsters LLP
Fox Rothschild
Gallagher Giancola
Gibson Dunn
Girardi & Keese
GrayRobinson
Greenberg Gross
Greenberg Traurig
Hamlins LLP
Hangley Aronchick
Haynes & Boone
Herbert Smith Freehills
Hogan Lovells
Holland & Knight
Hooper Lundy
Howard Kennedy LLP
Hueston Hennigan
Hunton Andrews
Husch Blackwell
Ifrah Law
JMW Solicitors LLP
Jenner & Block
Jones Day
KaiserDillon
Kaplan Hecker
Keller Postman
Kellogg Hansen
King & Spalding
Kirkland & Ellis
Krieger Kim
Kuit Steinart
Kulwin Masciopinto
Labaton Sucharow
Latham & Watkins
Law Offices of Philip R. Sheldon
Leigh Day
Lieff Cabraser
Littler Mendelson
Londrigan Potter
Mark S. Zaid PC
Mayer Brown

other stakeholders asking American Express, Mastercard and Visa to create a unique merchant category code to help flag suspicious gun and ammunition transactions to law enforcement.

Letter attached | Read full article »

Banker Pleads Not Guilty In Puerto Rico Bribe Scandal

A banker charged last month with bribing the former governor of Puerto Rico in exchange for closing an investigation into his bank was arrested and pled not guilty earlier in the week.

Read full article »

ENERGY & ENVIRONMENTAL

Split 8th Circ. Upholds Coal Plant Air Pollution Permit

A divided Eighth Circuit has upheld the U.S. Environmental Protection Agency's approval of an air pollution permit for a North Dakota coal-fired power plant, but the dissenting judge said the agency ignored the main argument raised by landowners challenging the permit.

Opinion attached | Read full article »

McCarthy Departs Top WH Climate Job As Podesta Signs On

Gina McCarthy, the White House's first national climate adviser, is stepping down from her job counseling the president on domestic climate change polices, while Democratic fixture John Podesta has been tapped to lead the Biden administration's climate strategy team and oversee $370 billion in new clean energy spending.

Read full article »

FERC Urged To Smash State Grid Construction Law Barriers

The Fifth Circuit's recent ruling that a Texas law limiting new transmission projects to incumbent developers is unconstitutional bolsters the case for the Federal Energy Regulatory Commission to override other state right of refusal laws, an independent transmission developer told the agency.

Brief attached | Read full article »

Religious Group Urges 9th Circ. To Rehear Ariz. Mine Case

A group that advocates for religious rights asked the Ninth Circuit on Friday for a new hearing on a planned copper mine east of Phoenix, arguing that the court's previous decision misinterpreted the federal Religious Freedom Restoration Act.

1 document attached | Read full article »

HEALTH & LIFE SCIENCES

McAdoo Gordon & Associates
McCarter & English
McGuireWoods
Morgan Lewis
Morrison Foerster
Morrison Mahoney
Motley Rice
Munger Tolles
Nichols Liu LLP
O'Melveny & Myers
O'Neill & Borges
Parlatore Law Group
Paul Weiss
Potter Anderson
Proskauer Rose
Quarles & Brady
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Reed Smith
Reynolds Porter
Ridley McGreevy
Robbins Geller
Robins Kaplan
Robinson Bradshaw
Ropes & Gray
Sanford Heisler
Schaerr Jaffe
Silverman Thompson
Simpson Thacher
Skadden Arps
Spertus Landes
Squire Patton
Stephan Zouras
Steptoe & Johnson LLP
Stokoe Partnership Solicitors
Sullivan & Cromwell
Susman Godfrey
Tanenbaum Keale
Troutman Pepper
Tyler & Wilson
Van Ness Feldman
Vicente Sederberg
Wachtell Lipton
Walden Macht
Ward Hadaway
Weil Gotshal
Weiss Tom
White & Case
Wiley Rein
Wilkes & Associates
Williams & Connolly
WilmerHale
Wilson Sonsini

After Dobbs: State Abortion Ban Fights, Enforcement Heat Up

Federal judges have continued to hand down mixed rulings on whether state abortion bans can take effect and if federal guidance on emergency abortion access can be implemented, while trigger laws kicked into gear in three more states that will further restrict abortion access.

Letter attached | Read full article »

Ohio Clinics Shift Gears In Abortion Ban Challenge

Abortion clinics seeking to block an Ohio law effectively banning the procedure after six weeks filed their claims in state court Friday, saying a pressing issue means they can no longer wait for the Ohio Supreme Court to decide whether to take up the matter.

2 documents attached | Read full article »

EMPLOYMENT & BENEFITS

FTC Chair Backs USDA Rulemaking To Help Poultry Farmers

Federal Trade Commission Chair Lina M. Khan praised the U.S. Department of Agriculture for considering regulations that would go beyond increased transparency requirements already under consideration for poultry growers, arguing that transparency alone isn't enough protection from "unfairness, deception, and discrimination."

Read full article »

Puerto Rico Fiscal Board Sues To Stop New Labor Law

Puerto Rico's fiscal oversight board has filed a lawsuit seeking to halt a new law expanding private employee rights and benefits that the board claims violates the law that allowed the island's government to declare bankruptcy in 2017.

Complaint attached | Read full article »

Chewy Asks 11th Circ. To Nix Citation After Worker's Death

The Eleventh Circuit should upend an OSHA ruling and vacate a U.S. Department of Labor citation it issued to Chewy Inc. after a worker's death at a Florida facility, the company said, adding that it was unaware of certain safety steps it could have taken after the employee's death.

Brief attached | Read full article »

COMPETITION

FTC Appealing Judge's Ruling On Illumina's $8B Grail Deal

The Federal Trade Commission said Friday it is appealing an administrative law judge's rejection of its challenge to

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Wright Lindsey
Zuckerman Spaeder
deRubertis Law

COMPANIES IN TODAY'S NEWS

Amalgamated Bank
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Ohio
Apple Inc.
Associated Press
Bancredito International Bank & Trust Corp.
Cargill Inc.
Center for American Progress
Chevron Corp.
Chewy Inc.
Chicago Public Schools
Coinbase Global Inc.
DISH Network Corp.
DSV A/S
DaVita Inc.
Deloitte Touche Tohmatsu Ltd.
Democratic National Committee
District of Columbia Bar Association
Earthjustice
Edison Electric Institute Inc.
Edison International
Eli Lilly & Co.
Ford Motor Co.
GRAIL Inc.
Georgia State University
Google LLC
Guttmacher Institute
Illumina Inc.
Instagram Inc.
Institute for Policy Integrity
LS Power
Lex Machina Inc.
Major Lindsey & Africa LLC
Massachusetts Bar Association
Massachusetts Institute of Technology
MasterCard Inc.
Mediterranean Shipping Co. SA
Meta Platforms Inc.
Midcontinent Independent System Operator Inc.
NASDAQ Inc.

Illumina's $8 billion reacquisition of cancer testing outfit Grail Inc.

1 document attached | Read full article »

Feds Say Businessman Tried To Buy Control Of Pacific Atoll

A Chinese entrepreneur and his assistant were charged Friday in New York with bribing officials in the Republic of the Marshall Islands to wrest control over a Marshallese atoll and turn it into a semi-autonomous business zone under their control.

Indictment attached | Read full article »

Chicken Execs Fight Testimony From Alleged Co-Conspirators

A pair of former chicken executives facing criminal price fixing charges have urged a Colorado federal judge to block nearly 300 statements by alleged co-conspirators from their coming trial, arguing that many of the statements are now inadmissible because the speakers were acquitted of related charges.

Response attached | Read full article »

GOVERNMENT CONTRACTS

Analysis

Feds' Vax Mandate Loss Imperils Other Procurement Policies

The Biden administration's inability to convince courts so far that federal contractors' employees should have the COVID-19 vaccine could invite challenges to other pending and long-existing procurement policies stemming from executive orders.

Read full article »

INTERNATIONAL TRADE

Treasury Preps Russian Oil Price Cap Guidance

The U.S. Department of the Treasury will issue interim directions for complying with restrictions on Russian fuel purchases in the coming weeks, the agency said Friday, signaling the Biden administration's enthusiasm for the Group of Seven leading industrial nations' new curb on trade with Russia.

Read full article »

WHITE COLLAR

Meta Has No Plans To Settle FTC's VR Merger Challenge

A Meta Platforms Inc. attorney told a Federal Trade Commission in-house judge Friday that the Facebook successor is unlikely to settle the agency's challenge to its planned purchase of virtual reality fitness app developer Within Unlimited Inc.

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National Association of Broadcasters
National Rifle Association of America
Netflix Inc.
New York City Bar Association
New York University
North Carolina State Bar
Oracle Corp.
Orange SA
Pfizer Inc.
Pilgrim's Pride Corp.
Planned Parenthood Federation
Princeton University
Public Joint Stock Co. Gazprom
Sanderson Farms Inc.
Schools Health & Libraries Broadband Coalition
Skanska AB
Space Exploration Technologies Corp.
Spotify Technology SA
Supervalu Inc.
T-Mobile US Inc.
Temple University
The American Law Institute
The DIRECTV Group, Inc.
The Raben Group
The Vanguard Group Inc.
Twitter Inc.
U.S. Airways Group Inc.
United States Soccer Federation Inc.
United States Telecom Association
Volkswagen AG
Walgreens Co.
Walmart Inc.
Wayne Farms LLC
Wells Fargo & Co.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arkansas Supreme Court
Bureau of Indian Affairs
Bureau of Labor Statistics
California Air Resources Board
California Health and Human Services Agency
Centers for Disease Control and Prevention
Central Intelligence Agency
Cherokee Nation

Chicago Pol. Consultant Admits Fraud After 'Park' Plea Snafu

A Chicago political operative picked up where he left off and pled guilty to wire fraud in a bribery case Friday, after prosecutors spent a week confirming that the city park he bribed officials to rename was in fact a park.

1 document attached | Read full article »

NATIVE AMERICAN

Cherokee Continue Push For Expanded Audit Of Tribal Trust

Newly uncovered evidence makes clear that a 1996 audit of federally held Native American trust assets was meant only as a preliminary review, the Cherokee Nation told a D.C. court, arguing that the government must conduct an expanded audit of its holdings to satisfy federal law.

2 documents attached | Read full article »

Rhode Island Wants Out Of Narragansett Tribe's Highway Suit

Rhode Island urged a D.C. federal judge on Friday to let it leave the Narragansett Indian Tribe's suit seeking $30 million in damages for the destruction of cultural sites during the building of a highway bridge, saying the tribe's real beef is with the federal government.

Motion attached | Read full article »

TELECOMMUNICATIONS

Top Groups Lobbying The FCC

During the month of August, the Federal Communications Commission heard from lobbying groups on plenty of issues, running from digital discrimination to broadband "nutrition" labels, FCC subsidies, next-generation TV and more.

Read full article »

T-Mobile Wins Majority Of Licenses In FCC's 2.5 GHz Auction

T-Mobile has won the majority of county-based licenses in the 2.5 gigahertz band auction, according to information released by the Federal Communications Commission on Thursday.

3 documents attached | Read full article »

Senators Urge FCC To Keep Studying 12 GHz Issue

A bipartisan pair of senators has called on the Federal Communications Commission to "proceed with an evidence-based rulemaking" that would potentially add 5G wireless service to the 12 gigahertz band now used mainly by satellite operators.

Letter attached | Read full article »

CANNABIS

Delaware Court of Chancery
Employee Benefits Security Administration
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Highway Administration
Federal Trade Commission
Food and Drug Administration
Narragansett Indian Tribe
National Aeronautics and Space Administration
National Archives and Records Administration
Navajo Nation
North Dakota Department of Health
North Dakota Department of Health
Occupational Safety and Health Administration
Office of Foreign Assets Control
Office of the Director of National Intelligence
Ohio Supreme Court
Pennsylvania Department of State
Pennsylvania Supreme Court
Rhode Island Department of Transportation
San Carlos Apache Nation
Serious Fraud Office
Solicitors Regulation Authority
U.S. Attorney's Office
U.S. Attorney's Office for the District of Nevada
U.S. Attorney's Office for the District of Puerto Rico
U.S. Attorney's Office for the Northern District of Illinois
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit

Cannabis Bill Roundup: Calif. Lawmakers OK Raft Of Bills

California lawmakers in the past week approved more than a dozen bills reforming various aspects of the Golden State's cannabis policies, touching on employee protections, interstate commerce and criminal justice reform. Here is a rundown on the bills that have been sent to Democratic Gov. Gavin Newsom's desk.

Read full article »

Cannabis Advocates Ask Ark. Justices To OK Ballot Question

Cannabis legalization advocates on Friday asked the Arkansas Supreme Court to overrule state election officials' decision to reject a ballot initiative that would amend the state's Constitution to legalize recreational marijuana.

Brief attached | Read full article »

PEOPLE

Biden To Tap Ex-NYU Law Dean For Regs Review Agency

President Joe Biden on Friday said he plans to nominate Richard Revesz, an environmental lawyer and former dean of New York University's School of Law, to head the White House office that handles information collection, privacy and executive branch regulations — including certain tax proposals.

Read full article »

EXPERT ANALYSIS

Crypto In 401(k) Plans Highlights Brokerage Window Duties

The ongoing debate over 401(k) cryptocurrency investment options has placed a new focus on the scope of Employee Retirement Income Security Act fiduciary duties applicable to brokerage windows, and underscores the dangers posed when the statute's requirements are not applied, say Leigh Anne St. Charles and Shaun Rosenthal at Sanford Heisler.

Read full article »

The Ethical Risks For Lawyers Accepting Payments In Crypto

Ohio recently became the fifth jurisdiction to provide attorneys guidance on accepting cryptocurrency as payment or holding cryptocurrency in escrow, but lawyers should beware the ethics rules such payments may implicate, and consider three practical steps to minimize the risks, say Hilary Gerzhoy and Jared Marx at HWG.

Read full article »

U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Department of Agriculture
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of Puerto Rico
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Middle District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. Forest Service
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Sentencing Commission
U.S. Supreme Court
United Nations
United States District Court for the District of Colorado
United States District Court for the District of Nevada

LEGAL INDUSTRY

After Steady Growth, Legal Sector Shed 9K Jobs In August

The U.S. legal services sector saw an 8,900-job loss in August, a sharp decline after five months of consecutive growth, according to preliminary data released Friday by the U.S. Department of Labor.

Read full article »

Erika Girardi Received Money From Fla. Plaintiffs Firm

A well-known Florida plaintiffs attorney has given at least $750,000 to reality television star Erika Girardi as her husband's law firm, Girardi Keese, went bankrupt amid allegations that it stiffed lenders and stole from its clients, according to court records reviewed by Law360.

Read full article »

Analysis

WDTX Patent Cases Fall After New Rules, But Don't Disappear

One month after the establishment of new Western District of Texas rules that mean patent cases filed in Waco are no longer automatically assigned to Judge Alan Albright, the number of new patent suits in the district has dropped noticeably, but hasn't dried up altogether.

Read full article »

VW, DOJ Rip Bid To Rush Jones Day Emission Docs FOIA Row

The U.S. Department of Justice and Volkswagen AG have said that a Loyola Marymount University professor cannot shortcut California federal court proceedings to force the release of a confidential Jones Day report on the German automaker's internal investigation into the 2015 emissions-cheating scandal.

Read full article »

Musk Ally's Twitter Subpoena Protest Flushed In Del.

A Delaware Chancery Court chancellor rejected on Friday Elon Musk ally David Sacks' bid to quash Twitter's cross-country subpoena for details on Sacks' potential investment in Musk's $44 billion offer to buy the social media giant, noting in part his "unusual" responses to an earlier subpoena in California.

Read full article »

Discovery Ordered To Decide How To Split $1.8M Atty Fee

A magistrate judge ordered a Pennsylvania law firm to turn over records of its contributions to an underlying $5 million wage suit settlement to its former co-counsel so the firms could assess how to split the spoils of victory.

Read full article »

Morrison Mahoney Partner Takes Over As Mass. Bar Prez

Morrison Mahoney LLP partner Grace V.B. Garcia, the new president of the Massachusetts Bar Association, started her term Sept. 1 with a plan to focus on lawyer wellness and diversity within the bar.

Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

California lawmakers didn't pass an effort to ramp up the climate-related disclosures of large corporations, and House Speaker Nancy Pelosi said more work is needed to prevent federal privacy legislation from overriding California's more stringent protections. These are some of the stories in corporate legal news you may have missed in the past week.

Read full article »

UK Litigation Roundup: Here's What You Missed In London

The past week in London has seen blockchain fintech Blackfridge launch an intellectual property claim against rival crypto company Tether, Thames Valley Eggs crack open a competition claim against its former director, and Dechert's former head of white-collar crime face fresh legal action after he lied about leaking clients' confidential information. Here, Law360 looks at these and other new claims in the U.K.

Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Read full article »

Podcast

Pro Say: A Legal Explainer Of The Mar-A-Lago Search

Earlier last month, the FBI executed a search warrant on former President Donald Trump's Mar-a-Lago estate in Florida and found more than 100 highly sensitive and classified records. On this week's episode of Law360's Pro Say, we cut through the noise of the political pundits and focus on what you need to know to understand the fallout from the search.

Read full article »

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SUBJECT: Morning Consult Health Presented by the National Association ofChain Drug Stores: CVS Reaches $8 Billion Deal to Buy Signify Health
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 06/09/2022 05:54

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 6, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- CVS Health Corp. struck a roughly $8 billion deal to acquire Signify Health Inc., besting fellow bidders Amazon.com Inc., UnitedHealth Group Inc. and Option Care Health Inc. for the home health and technology services provider. The companies said they expect the transaction to close in the first half of next year, officially giving CVS access to Signify's network of 10,000-plus clinicians across all 50 states. (Bloomberg)

[redacted]

- Amazon is facing a Federal Trade Commission investigation over its $3.9 billion acquisition of One Medical operator 1Life Healthcare Inc., which disclosed the probe in a securities filing. The FTC requested additional information from Amazon and One Medical, potentially delaying completion of the deal given the typical monthslong timeline for federal antitrust investigations. (The Wall Street Journal)

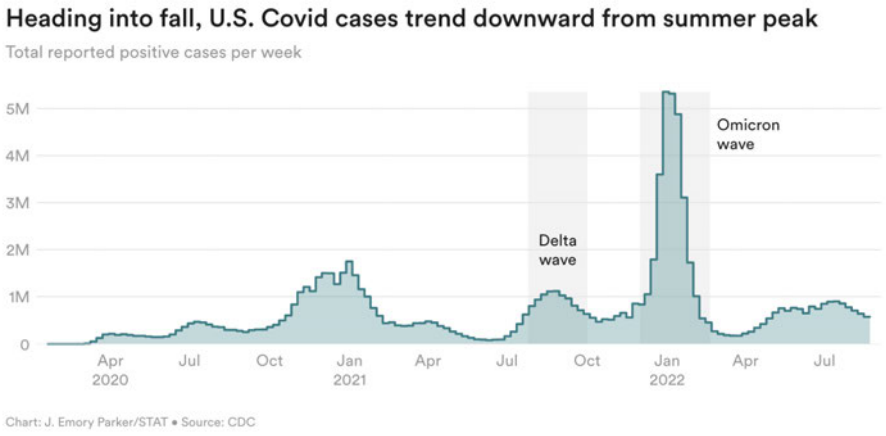
- The Biden administration asked Congress to sign off on a short-term continuing resolution that includes $22.4 billion to fund COVID-19 tests, support for global mitigation efforts and the research and development of new vaccines and treatments, including $3.9 million for the monkeypox response effort. (Fierce Healthcare) The request came a day after Centers for Disease Control and Prevention Director Rochelle Walensky signed off on the reformulated COVID-19 vaccines from Moderna Inc. and Pfizer Inc.-BioNTech SE, setting the stage for the fall booster campaign to begin this week. (NBC News)

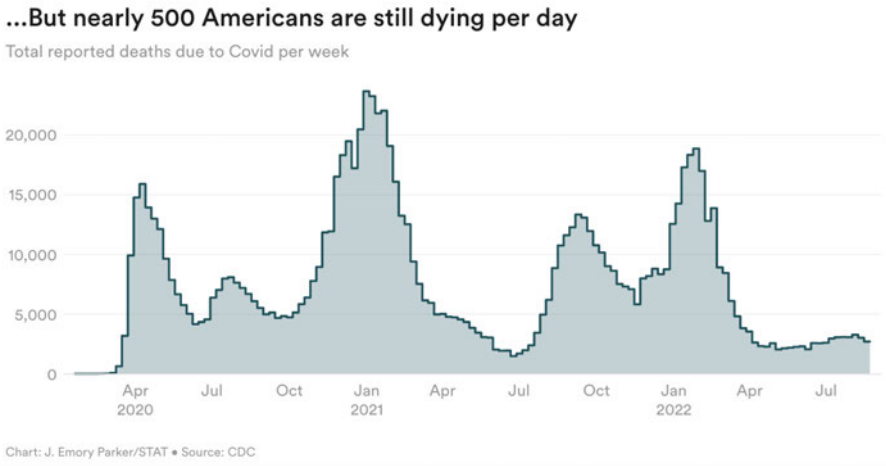
- The Department of Veterans Affairs submitted an interim final rule that would allow the agency to provide abortions for pregnant veterans and VA beneficiaries in cases of rape or incest or in emergency situations. The VA, which would also offer abortion counseling, said it will "provide these services in as many locations as possible" following publication of the interim final rule and a 30-day public comment period, though it may face legal challenges. (Politico)

CHART REVIEW

A third Covid autumn is upon us. Here's a look at where we stand

Stat News





PRESENTED BY THE NATIONAL ASSOCIATION OF CHAIN DRUG STORES

H.R. 7213 Would Help Preserve Reliable, Equitable & Trusted Access to Pharmacist Care for America's Seniors

Nearly 200 groups support H.R. 7213, the *Equitable Community Access to Pharmacist Services Act.* The bipartisan legislation would help preserve

vaccination, testing, and treatment services in pharmacies for Medicare beneficiaries. Research shows the majority of older Americans want access to these services at the pharmacy. The Future of Pharmacy Care Coalition stands with seniors and diverse organizations in supporting the legislation - including groups representing patients, seniors, rural and urban communities, health systems, pharmacies, and pharmacists.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

New Covid vaccines are here. What happens to the original shots?

Sarah Owermohle, Stat News

Senior Biden officials are in discussions about what to do with millions of original Covid-19 vaccines after the FDA's authorization of new, updated shots this week bumped them to the sidelines.

Pfizer isn't sharing Covid vaccines with researchers for next-gen studies

Rachel Cohrs, Stat News

Researchers studying next-generation vaccines to fight an evolving Covid-19 threat are running into problems getting existing vaccines to use in their research.

Fall covid surge possible, but unlikely to be as severe

Joel Achenbach and Lena H. Sun, The Washington Post

Coronavirus scenarios from multiple research teams, shared in recent weeks with federal officials, foresee stable or declining hospitalizations in early fall. The scenarios show the possibility of a late-fall surge. A new variant remains the biggest wild card. But several factors — including the approval this week of reformulated boosters and the buildup of immunity against the latest strain of the virus — could suppress some of the cold-season spread, experts say.

White House Warns of Pandemics Worse Than Covid as Health Overhauls Begin

Riley Griffin, Bloomberg

White House health officials warned that new pandemics could prove more serious than Covid-19 in a report that reviews efforts to prepare for the "high likelihood" of future serious outbreaks.

Novavax Says Anticipating Booster Approval After FDA Review

Zac Fleming, Bloomberg Law

Novavax said it is anticipating emergency approval in the US for its Covid-19 vaccine to be used a booster in people aged 18 and older, following completion of a review by the FDA.

California Biotech Executive Is Guilty in $77 Million Blood-Testing Scheme

Remy Tumin, The New York Times

A biotech executive in California was convicted of orchestrating a $77 million scheme involving false and fraudulent claims for Covid-19 and allergy testing, federal prosecutors said.

China approves the world's first inhaled COVID-19 vaccine, from Cansino

Grady McGregor, Fortune

The vaccine, called Convidecia Air, changes the liquid form of the vaccine into an aerosol using a nebuilzer. The vaccine can then be inhaled through the mouth using the nebulizer machine. The needle-free vaccine "can effectively induce comprehensive immune protection in response to SARS-CoV-2 after just one breath," Cansino said in a statement.

Pfizer, BioNTech seek to revoke CureVac's patent infringement claims

Reuters

Pfizer (PFE.N) and its German partner BioNTech have filed proceedings at the High Court of England and Wales, seeking a judgment that their COVID-19 vaccine, based on mRNA technology, does not infringe on CureVac's European patents, according to a regulatory filing on Friday.

GENERAL

Amazon Care is dead, but the tech giant's health-care ambitions live on

Caroline O'Donovan, The Washington Post

The demise of Amazon Care also came as a shock to industry observers. After launching publicly in 2019, it expanded quickly and was touted as one of the company's most important innovations. But there were also signs of trouble. To understand where Amazon is

headed next in health care, the industry is looking for clues from a different direction: Amazon's acquisitions.

Monkeypox Vaccine Study Raises Questions About Protection

Jason Gale and Madison Muller, Bloomberg

The monkeypox vaccine that's become the main method doctors use to try to stop the global scourge may be less potent than hoped, new research shows.

The Biden administration is gambling that a little-studied vaccine can stop monkeypox

Krista Mahr, Politico

Since monkeypox began its unprecedented spread through the nation in May, more than 352,600 people in the U.S. have placed their trust in a vaccine that has never undergone trials to evaluate how well it fights the virus in humans. The vaccine was designed to prevent smallpox, a related virus, and studies conducted by its Danish manufacturer have shown it works against monkeypox too, in animals.

Meet Mary Wakefield, the Nurse Administrator Tasked With Revamping the CDC

Sam Whitehead, Kaiser Health News

CDC Director Dr. Rochelle Walensky has tapped Mary Wakefield — an Obama administration veteran and nurse — to helm a major revamp of the sprawling agency and its multibillion-dollar budget. Making the changes will require winning over wary career CDC scientists, combative members of Congress, and a general public that in many cases has stopped looking to the agency for guidance.

Biden drug czar: Stigma among doctors is key culprit in addiction crisis

Lev Facher, Stat News

Gupta's selection as director of the White House Office of National Drug Control Policy, however, has ushered in a new era of federal drug policy. As the first doctor to hold the position, he says he will embrace new strategies, including harm reduction tactics, which aim to reduce drug users' risk of overdose, death, and disease in lieu of a hardline, abstinence-only attitude.

Covid, monkeypox, polio: Summer of viruses reflects travel, warming trends

Mark Johnson, The Washington Post

A third year of the coronavirus, driven by a more contagious variant. Global outbreaks of monkeypox and a mysterious hepatitis afflicting previously healthy children. Polio virus found in the sewage systems

in London and New York. And polio diagnosed in patients in Jerusalem and Rockland County where Chak works, a region of more than 300,000 people just north of New York City.

Abortion Pill Providers Work to Broaden Access Post-Roe Decision

Pam Belluck, The New York Times

These new efforts, which test the legal boundaries, have sprung up since the Supreme Court overturned Roe v. Wade and many states restricted abortion.

1. coli outbreak extends to New York and Kentucky

Dennis Romero, NBC News

Most people who reported feeling ill in July or August had eaten a burger or sandwich with romaine at a Wendy's in Indiana, Michigan, Ohio, or Pennsylvania, the CDC said.

Poll: One year after SB 8, Texans express strong support for abortion rights

Sarah McCammon, NPR News

In a new survey, six in 10 voters said they support abortion being "available in all or most cases," and many say abortion will be a motivating issue at the ballot box in November. Meanwhile, 11% say they favor a total ban on abortion.

These women were prosecuted for drugs after miscarriages, still births

Cary Aspinwall et al., The Washington Post

Experts say drug use is rarely the cause of miscarriage or still birth, but prosecution of women who test positive for drugs still happens — and could get more common in the wake of the Dobbs decision

Lowering the Cost of Insulin Could Be Deadly

Michael Rose, The Atlantic

If the drug becomes significantly cheaper than newer, better diabetes treatments, more people could die from the disease.

PAYERS

Doctors, seniors groups flag concerns with Medicare Advantage

Bob Herman, Stat News

Doctors, patients, and seniors groups are airing new grievances about Medicare Advantage, arguing the growing government

program is failing seniors and making life miserable for doctors and other providers.

MedPAC explores standardized Medicare Advantage plans

Robert King, Fierce Healthcare

The Medicare Payment Advisory Commission (MedPAC), which advises Congress on Medicare issues, is researching how standardized benefit options would work for MA. The goal is to include the findings in an annual report to Congress next year and explore how standardization could help simplify choice for seniors.

MA plans to CMS: Don't finalize controversial audit rule

Robert King, Fierce Healthcare

The Biden administration needs to back off a massive overhaul to risk adjustment audits for Medicare Advantage (MA) plans, according to insurers that say the proposal unfairly targets prior audits dating back a decade.

Medicaid extensions for new moms grow, may run into limits

Tom Murphy, The Associated Press

States around the country are making it easier for new moms to keep Medicaid in the year after childbirth, a time when depression and other health problems can develop. But tight government budgets and the program's low reimbursement may ultimately limit this push or make it hard for women with extended coverage to find doctors.

PROVIDERS

Ambulatory, hospitals, physician offices led August healthcare job gains

Hailey Mensik, Healthcare Dive

The healthcare sector added 48,000 jobs in August, according to preliminary data out Friday from the Bureau of Labor Statistics.

Private equity investors sharpen focus on specialty healthcare

Caroline Hudson, Modern Healthcare

More than 740 deals occurred in healthcare services in the first half of the year, down 20% from the same period in 2021 but an increase of 16% from 2019, according to an Oliver Wyman report. Private equity deals continue to play a significant role in healthcare, even as inflation and higher costs change the landscape.

Travel nurses' gold rush is over. Now, some are joining other nurses in leaving the profession altogether.

Jean Lee, NBC News

During the Covid pandemic, nurses tripled their pay by moving from job to job. But the short-lived boom was a temporary fix for a long-term decline in the nursing profession.

Pennsylvania nursing home strike: Hundreds of workers push for wages

Michael Rubinkam, The Associated Press

About 700 unionized workers walked off the job in a dispute over pay, benefits and staffing levels. Photos and video on social media showed picket lines going up outside many of the homes, with workers carrying signs and wearing the purple T-shirts of their union, SEIU Healthcare Pennsylvania.

PHARMA, BIOTECH AND DEVICES

FTC to Appeal Illumina-Grail Merger Loss, Extending Litigation

Leah Nylen, Bloomberg

The US Federal Trade Commission said Friday it's appealing a decision by an administrative judge to allow Illumina Inc.'s $7 billion acquisition of cancer-startup Grail Inc.

FDA still skeptical of ALS drug ahead of high-stakes meeting

Matthew Perrone, The Associated Press

Federal health regulators remain unconvinced about the benefits of a closely watched experimental drug for the debilitating illness known as Lou Gehrig's disease, even as they prepare to give its drugmaker a rare second opportunity to make a public case for the treatment.

Bayer to pay $40M in settlement after alleged kickbacks to hospitals, physicians

Spencer Kent, NJ.com

The Bayer Corporation has agreed to a $40 million settlement after allegations of kickbacks to hospitals and physicians to use its medications.

Drug Recalls for Nitrosamines Could Cost Big Pharma Millions

Anna Edney, Bloomberg Businessweek

When a drug is recalled because there's something in it that shouldn't be, it's scary but often traceable: Foreign objects such as shards of metal or microorganisms might infiltrate medications through dirty factories or lax manufacturing practices. But recently a

more insidious—and difficult to eradicate—form of contamination has surfaced among makers of some of the world's best-selling pharmaceuticals. They're called nitrosamines.

A Message From the National Association of Chain Drug Stores:

The bipartisan Equitable Community Access to Pharmacist Services Act (H.R. 7213) is championed by U.S. Reps. Ron Kind (D-WI), David McKinley (R-WV), Nanette Barragán (D-CA), and Buddy Carter (R-GA). H.R. 7213 would help to ensure patient access to essential care and services by pharmacists - often the most accessible points of healthcare in communities. Visit PharmacyCare.org to learn more about the broad support that exists for this legislation across communities.

HEALTH TECHNOLOGY

Artificial intelligence is being used to accurately predict women's childbirth risks

Tristan Bove, Fortune

Artificial intelligence models are being used to make labor and pregnancy deliveries safer for mothers and newborns, as A.I. continues to reshape the health care world.

Pandemic telehealth expansion reduced opioid overdoses: study

Annie Burky, Fierce Healthcare

The study split 175,000 Medicaid beneficiaries between those who initiated opioid use disorder (OUD) care before the pandemic and after the outbreak. Patients in the COVID-19 pandemic group were more likely to receive OUD-related telehealth care and corresponding medications for opioid use disorder (MOUD), experts said. Those who received telehealth care were also more likely to retain medical treatments. Beneficiaries who were Black or lived in the south were less likely to receive telehealth services, the study found.

OPINIONS, EDITORIALS AND PERSPECTIVES

The Pandemic Is Coming for Your Pocketbook

Andy Slavitt, The Atlantic

President Joe Biden's administration has been shuffling money from other pockets to pay for the new shots after Congress failed to pass a pandemic budget request earlier this summer. The government will soon run out of options. This will result in a significant shift in how we fight the pandemic—what is being referred to as "commercialization." The public has yet to wrap their minds around the implications, and while it seems unlikely that we'll avoid this fate, there are strategies to lessen the worst potential impacts.

RESEARCH REPORTS

Federal Database on Owners of Nursing Homes Is Incomplete and Out-of-Compliance with the Law

Taylor Lincoln, Public Citizen

In response to evidence that nursing homes owned by private equity firms often provide substandard care, Congress included language in the 2010 Affordable Care Act (ACA) requiring nursing facilities to furnish far more comprehensive information on who their owners are. But the U.S. Department of Health and Human Services (HHS), the agency responsible for collecting such information, never issued regulations to implement that law. Queries of a nursing home ownership database that the agency does publish suggests that ownership disclosure is about as spotty today as it was when the law was passed in 2010.

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SUBJECT: Re: Title X Family Planning Grants
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 08:11

Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> David,
>
> I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.
>
> Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.
>
> Thank you.
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted]

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

[redacted]

[redacted]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted]

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

§ 59.5(a) What requirements must be met by a family planning project
*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

(a) Consent for Services.

[redacted]

[redacted]

(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources, ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services

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--

Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Family Health

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SUBJECT: Re: Title X Family Planning Grants
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 10:47

David -

Lynne and Lauri have been working on a Legislative Review Sheet for the past two weeks on this proposal. I'll upload it to our "2023 Proposed Legislation" sheet for all of you to see when I receive it from them.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

[redacted]

[redacted]

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of Health & Human Services
>
> On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
>
> > Tracy -
> >
> > I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?
> >
> > David
> >
> > **David Litvack**
> > Deputy Director
> > *He/Him/His*
> > O: 385.382.6099
> > davidlitvack@utah.gov

[redacted]

[redacted]

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>

[redacted]

[redacted]

Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

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§ 59.5(a) What requirements must be met by a family planning project
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[redacted]

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Please let me know if you have any follow up questions.

Thank you,
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[redacted]

[redacted]

--

Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Family Health

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DATE: 06/09/2022 10:48

For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Utah Department of
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krisannbacon@utah.gov
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Utah Department of
Health & Human
Services

[redacted]

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[redacted]

[redacted]

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did

[redacted]

not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

§ 59.5(a) What requirements must be met by a family planning project
*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

(a) Consent for Services.
(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources, ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements

[redacted]

altered?

Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.

Thank you!

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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--

Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Family Health

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[redacted]

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email.

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SUBJECT: Re: Title X Family Planning Grants
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 11:27

Marc -

My recollection is that the current draft of the legislative review sheet from Laurie & Lynne recommends that we do not submit a grant application because we are not eligible due to the state's parental consent requirement. Maybe we just need to ask that the legislative review sheet be rewritten to incorporate potential changes to state statute based on what Laurie provided last week in response to Congressman Moore's request.

What do you think?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 10:49 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

********** IMPORTANT MESSAGE **********

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[redacted]

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On Tue, Sep 6, 2022 at 10:47 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

David -

Lynne and Lauri have been working on a Legislative Review Sheet for the past two weeks on this proposal. I'll upload it to our "2023 Proposed Legislation" sheet for all of you to see when I receive it from them.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 8:10 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human
Services

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

David,

[redacted]

[redacted]

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Tracy -
>
> It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).
>
> Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.
>
> Tracy
> **Tracy S. Gruber**

[redacted]

[redacted]
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

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Utah Department of Health & Human Services

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Utah Department of Health & Human Services

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be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

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Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

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§ 59.5(a) What requirements must be met by a family planning project
*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

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(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

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When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

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Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources, ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

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> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).

[redacted]

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Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?

Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.

Thank you!

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Family Health

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SUBJECT: Re: Title X Family Planning Grants
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TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 11:33

I will communicate that expectation to them. Thanks David

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 11:28 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Marc -

My recollection is that the current draft of the legislative review sheet from Laurie & Lynne recommends that we do not submit a grant application because we are not eligible due to the state's parental consent requirement. Maybe we just need to ask that the legislative review sheet be rewritten to incorporate potential changes to state statute based on what Laurie provided last week in response to Congressman Moore's request.

What do you think?

[redacted]

[redacted]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 10:49 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 10:47 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

David -

Lynne and Lauri have been working on a Legislative Review Sheet for the past two weeks on this proposal. I'll upload it to our "2023 Proposed Legislation" sheet for all of you to see when I receive it from them.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

[redacted]

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On Tue, Sep 6, 2022 at 8:10 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

[redacted]

[redacted]

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of Health & Human Services

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Tracy -
>
> I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*

[redacted]

[redacted]

O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>

[redacted]

[redacted]

Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

§ 59.5(a) What requirements must be met by a family planning project
(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

(a) Consent for Services.
(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that

[redacted]

[redacted]

compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources, ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services

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--

Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

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[redacted]

[redacted]

SUBJECT: We're Hiring | Tips: How to Safe During A Heat Wave | Responding to COVID-19 Through Multi-Funder Collaboration & Fast, Flexible Funds to Communities
FROM: Public Health Institute <communications@phi.org>
TO: <hborski@utah.gov>
DATE: 06/09/2022 13:28

PUBLIC HEALTH INSTITUTE®

SEPT 6, 2022

How to Stay Safe During A Heat Wave

California and the Western United States are experiencing an intense heat wave—shaping up to become one of the region's most extreme September heat events on record. Heat waves can be deadly, fueling wildfires and increasing the risks of heat stroke, other heat-related illnesses, asthma and more. PHI experts share ways to help your community prepare and stay safe:

- **Understanding the Health Impacts of Extreme Heat:** PHI's Dr. Gina Solomon joins *KQED Forum* to discuss extreme heat's health impacts and the elevated risks to vulnerable populations, including youth, older adults, pregnant people and farmworkers.
- **How Buddy Programs Can Protect At-Risk Neighbors:** Across the country, emergency response networks like buddy programs are connecting vulnerable community members with their neighbors who can check in on them during extreme heat events. "For elderly people who are low-income or people of color, these [heat] risks are cumulative," explains PHI's Dr. Linda Rudolph in *USA Today*.

[redacted]

- **Five Tips to Stay Cool During Extreme Heat:** In the *Ventura County Star*, PHI's Dr. Gina Solomon shares strategies to stay cool during a heat wave. For example, if you must be outside, remember to move slowly, take breaks, spend time in the shade and drink water.

LEARN MORE

Together Toward Health: How Collaborative Funding & Flexible Dollars Allow Quick Response to COVID-19 & Deep Focus on Vulnerable Communities

Together Toward Health (TTH) is a joint initiative administered by PHI and created by a collaborative of funders to deliver fast, flexible COVID response funding to California community-based organizations (CBOs), who serve as trusted experts in education, testing and vaccine access. The funding has minimal strings attached, allowing CBOs to focus on getting resources into communities within days and weeks instead of months—keeping people healthy and ultimately saving lives. In total, TTH has disbursed over $33 million to more than 500 CBOs, connecting 23 million people across the state with vital COVID resources rooted in how and where they live, organized by people they trust, and offered in the languages they speak.

Two new briefs explore the funding strategies behind TTH's success: A multi-funder collaborative that provides fast, flexible funds to CBOs with local knowledge and community trust. Find insights and lessons-learned, with recommendations for shared grantmaking efforts and guidance on how fast, flexible funding to local CBOs can build health, equity and community power—to stem COVID-19, and to address other critical issues facing communities today.

Read the briefs ⟶

Send a tweet: *.@PHIdotorg's #TogetherTowardHealth is a multi-funder collaborative that's reached over 23 million Californians with critical #COVID info & resources, by providing fast, flexible funding to 500+ CBOs. See insights & lessons-learned on the funding model: https://ctt.ec/7KRwD+* ⟶

Championing Public Health Amid Legal & Legislative Threats: Framing & Language Recommendations

As communities continue to confront efforts to shrink the authority of public health officials and agencies, it's critical that practitioners and advocates are equipped to speak about why we need public health to keep our communities safe and healthy. A new report from PHI's Berkeley Media Studies Group and Real Language offers five key framing recommendations, along with messaging examples and sample language to answering difficult questions. One tip: Frame public health as indispensable, using metaphors when possible.

Explore the full report ⟶

Webinar: Building Community Resilience Against Wildfires & Air Pollution

Join PHI's Dr. Gina Solomon and Dr. Paul English, along with speakers from Americares, Stanford University, UCSF and Google, for a webinar exploring the health impacts of wildfires and air pollution on communities in the United States. The discussion is co-hosted by the Bay Area Global Health Alliance and Americares, and will highlight how to build community resilience, support preparedness and disaster management efforts, and address health inequities resulting from climate change.

Register for the webinar on Thursday, September 8th, 1-2pm PT ⟶

Considerations When Transitioning an MPT Product Candidate from Preclinical to Clinical Development

Wednesday September 7th | 7:30am - 8:30am PT

Multipurpose Prevention Technologies (MPTs) are safe, effective, accessible and acceptable tools that combine prevention of at least two sexual and reproductive health risks, like HIV, other STIs and unintended pregnancy. In this “Let’s Talk MPTs” webinar, presenters will discuss successful strategies and lessons learned for progressing an MPT product candidate from preclinical through to clinical development. This series is hosted by the Initiative for MPTs, a project of PHI's CAMI Health.

JOIN

Opioid Settlement Dollars: A Breakdown of the Process & What it Means for Your Work in Overdose Prevention

Wednesday, September 7th | 11am - 12pm PT

After years of litigation, several major opioid settlement agreements are being finalized with states and communities across the country. Join PHI's National Overdose Prevention Network to explore the current status of the major settlements, demystify what happens next and discuss what these funds mean for your work in overdose prevention going forward.

REGISTER

Informational Webinar: Apply for the National Leadership Academy for the Public's Health

Thursday, September 8th | 11am - 12pm PT

Multi-sector teams are invited to apply to PHI's Center for Health Leadership & Impact's National Leadership Academy for the Public's Health, a free cohort learning program designed to help build capacity to transform your community, improve health and advance equity. Applications are due Monday, October 3rd, 2022. Tune in for an informational webinar to learn more about the program and application process.

RSVP

Why Multisector Collaboration Matters: Exploring Rural Healthcare Partnership Models of Investment

Tuesday, September 13th | 10 - 11am PT

Join PHI's Build Healthy Places Network to dive into their recent report, A Playbook for New Rural Healthcare Partnership Models of Investment, and learn core strategies used by rural healthcare entities to bolster community health through leveraging multisector partnerships. The webinar will feature speakers who are engaging in cross-sector partnerships to foster increased resources, local control and a strengthened infrastructure to create increased healthcare access in rural areas.

REGISTER NOW

Building Your Global Health Network

Wednesday, September 21st | 9 - 10am PT

Are you a current student or recent graduate seeking to build a stronger global health network? Join PHI's Global Health Technical Professionals to explore insights on how to build a network within the global health sector. Hear tips to identify your current network and make virtual connections, and hear firsthand from other global health professionals on how they utilized these networks to find career opportunities.

TUNE IN

Know Your Power: Rise Up Virtual Gala

Thursday, October 6th | 9 - 10am PT

Tickets start at $50

PHI's Rise Up will host their annual gala to celebrate knowing and owning our power as individuals, as Rise Up supporters, and as a global movement for gender equity and justice. The gala will feature five powerful Rise Up Leaders from India, Mexico, Nigeria, South Africa and the United States who are taking bold action to strengthen health, education, and economic opportunity for women, girls, and all people in their communities.

REGISTER

More from PHI

Podcast: Innovating to Meet Reproductive Health Needs with MPTs

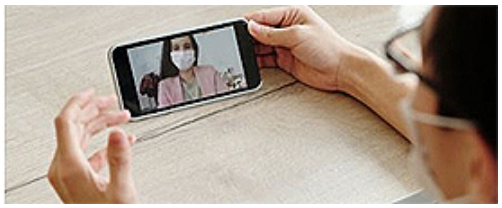
On the latest episode of *One World, One Health*, PHI's Dr. Bethany Young Holt discusses Multipurpose Prevention Technologies (MPTs)—products that provide not just contraception, but protection against HIV and other STIs. "When you empower women to protect themselves around their health—when and if they want to have children—that improves not only the woman's life, but the economic well-being of her family and the whole community," says Holt.

Listen to the episode ⟶

CA Cannabis Right to Know Bill Torpedoed by Industry Power

Last month, sponsors of a landmark California bill (SB 1097 - Pan) to provide the most comprehensive, effective health warnings on cannabis products in the nation were forced to withdraw support just days before an Assembly Floor vote. "Despite unquestionable public support and overwhelming scientific consensus for the bill, industry profits won out over youth's and the public's health," said PHI's Dr. Lynn Silver, director of Getting It Right From the Start.

Read the press release from PHI's Getting It Right From the Start⟶



Watch: Telehealth & Medicaid Webinar Series

Catch up with the recordings from PHI's Center for Connected Health Policy's recent webinar series on Medicaid and Telehealth, exploring the intersections of telehealth and school-based health programs, licensure, private payer laws and substance use disorders. Panelists include a wide-range of experts and policymakers, including speakers from state Medicaid programs; federal, state, and local agencies; health plans; legislative representatives and patient advocates.

Watch the webinar series ⟶

Providing Students with Hands-On Medical Training

Each summer, PHI's FACES for the Future Coalition brings together students for the annual FACES Summer Medical Academy, offering hands-on learning opportunities while allowing a space for students to connect with their peers. Youth learn how to save lives, respond to crisis situations, explore potential diagnosis and treatment plans for a patient, and meet with healthcare professionals who represent diverse backgrounds and professions.

Read the impact story ⟶

We're Hiring

PHI is dedicated to promoting health, well-being and quality of life for people throughout California, across the nation and around the world. Join us:

- **Financial Analyst II:** Oakland, CA. This role is responsible for the contract setup, timely and accurate invoicing of funders, and will assist the Accounts Receivable Manager in invoice analysis and preparation.

- **Associate Director, Software Development:** Remote, USA. In collaboration with the Director of Information Technology, this role will support the direction and guidance to IT team personnel including management of the programmer analysts' projects.
- **Quality Control Specialist I:** Remote, USA. This role is responsible for collecting and processing data into the California Cancer Registry statewide database, by performing accurate and timely casefinding; abstracting data based on records from physician's offices and various other sources; and more.
- **Senior Recruiter:** Oakland, CA (Remote). Reporting to the Deputy Director of Human Resources/Talent Acquisition, the Senior Recruiter is responsible for the full cycle of recruitment, hiring, and onboarding processes at the Public Health Institute.
- **Desktop Support Specialist III:** Oakland, CA. This role will provide day-to-day desktop and network support to PHI staff in Oakland and at other sites in the United States, and is responsible for maintaining, configuring and troubleshooting desktop/laptop computers, software applications, phone hardware, printers, and network hardware for about 150 users.

See all open positions at PHI ⟶

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[redacted]

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SUBJECT: Morning Consult Health Presented by the National Association ofChain Drug Stores: White House Officials Expect Annual COVID-19Vaccinations
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 07/09/2022 06:11

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 7, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- White House officials said Americans will likely be able to move to a once-a-year inoculation cadence when it comes to COVID-19 vaccines, with reformulated shots based on current strains akin to the annual flu vaccine campaign. Ashish Jha, the White House's COVID-19 response coordinator, said a single dose "should provide a high degree of protection against serious illness all year" for most Americans, though Dr. Anthony Fauci noted that "dramatically different variants" could upend that plan. (NBC News)

- Walmart Inc. and UnitedHealth Group Inc. announced a 10-year partnership to deliver preventive care for adults 65 and over and virtual health care services to all age groups, with the seniors-focused initiative set to launch in January in 15 Walmart clinics in

[redacted]

Georgia and Florida. Seniors on Medicare Advantage plans will be eligible for care under the partnership, while Walmart health staffers will be given access to Optum, the UnitedHealth-owned company that delivers data analytics on patients to providers. (Reuters)

- Following a two-year investigation into Juul Labs Inc.'s marketing and sales practices, the e-cigarette maker agreed to a $438.5 million settlement with 34 states and territories to be paid out over six to 10 years. The investigation found that Juul purposely marketed its products to children despite the illegality of selling e-cigarettes to youths, while the company said in a statement that the agreement serves as "a significant part of our ongoing commitment to resolve issues from the past." (CNN)

- The Health and Human Services Department awarded a $19.8 million contract to the drug distributor giant AmerisourceBergen Corp. to deliver up to 2,500 weekly shipments of frozen doses of the Bavarian Nordic A/S Jynneos monkeypox vaccine. The agreement also covers roughly 2,500 weekly "ambient temperature" shipments of Tpoxx, SIGA Technologies Inc.'s antiviral treatment for monkeypox. (The Hill)

Worth watching today (all times local):

- **9 a.m.** The World Anti-Microbial Resistance Congress kicks off its two-day conference in National Harbor, Md.

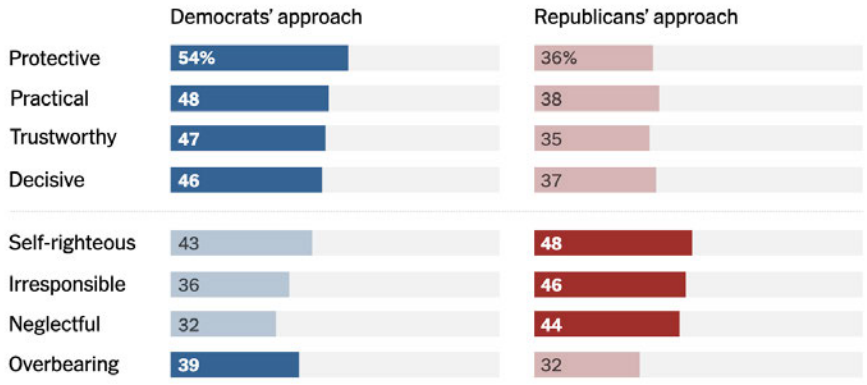
- **12 p.m.** The Food and Drug Administration's Peripheral and Central Nervous System Drugs Advisory Committee meets.

CHART REVIEW

A Good Issue for Democrats

The New York Times

Share of adults who say each word below describes a party's approach to Covid somewhat or very well



Based on a survey of 2,212 adults in August 2022. Respondents asked about each party separately. • Source: Morning Consult • By The New York Times

PRESENTED BY THE NATIONAL ASSOCIATION OF CHAIN DRUG STORES

H.R. 7213 Would Help Preserve Reliable, Equitable & Trusted Access to Pharmacist Care for America's Seniors

Nearly 200 groups support H.R. 7213, the *Equitable Community Access to Pharmacist Services Act.* The bipartisan legislation would help preserve vaccination, testing, and treatment services in pharmacies for Medicare beneficiaries. Research shows the majority of older Americans want access to these services at the pharmacy. The Future of Pharmacy Care Coalition stands with seniors and diverse organizations in supporting the legislation - including groups representing patients, seniors, rural

and urban communities, health systems, pharmacies, and pharmacists.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

People who recently caught Covid can wait to get omicron booster

Spencer Kimball, CNBC

People who recently caught Covid can wait a few months to get a new omicron booster, White House Covid response coordinator Dr. Ashish Jha said on Tuesday.

Nearly 1 in 4 young adults in US treated for mental health during pandemic, CDC survey finds

Deidre McPhillips, CNN

The share of US adults who received treatment for mental health grew throughout the Covid-19 pandemic, according to data published Wednesday by the US Centers for Disease Control and Prevention. Nearly 22% of adults got mental health treatment in 2021, up from about 19% in 2019.

Study: Nearly 8 million kids lost a parent/primary caregiver to the pandemic

Rhitu Chatterjee, NPR News

A new international study estimates that from January 1, 2020, to May, 1, 2022, nearly 8 million kids age 18 and under lost a parent or primary caregiver to a pandemic-related cause. When the researchers included the deaths of secondary caregivers like grandparents or other older relatives, the number of kids affected rose to 10.5 million.

As masks are shed, medical offices pose Covid risk for some

Megan Molteni, Stat News

For tens of millions of Americans who are at high risk of severe outcomes from Covid-19, or live with such people — either from age, underlying medical conditions, or immunodeficiency — not much has changed since the spring of 2020. They're still mostly hunkering down at home. They don't go out to eat or see a movie or take in a

concert. Often the only exception they make is a visit to the doctor's office.

New Covid boosters look a lot like the old ones. Doctors worry that could lead to errors.

Berkeley Lovelace Jr., NBC News

As updated Covid booster shots roll out across the nation, many experts are raising an eyebrow — and perhaps squinting at the label. That's because the new doses come in capped vials that look strikingly similar to the old ones.

Novavax Leaders Face Insider Trading Suit Over Covid Vaccine

Mike Leonard, Bloomberg Law

A Novavax Inc. investor filed suit in Delaware, claiming some of its senior leaders made insider stock sales worth tens of millions at prices inflated by their scheme to mislead the public about the timeline for the company's Covid-19 vaccine, which was approved for emergency use in July.

GENERAL

US Startup Choix Will Sell Abortion Pills to Patients Who Aren't Pregnant

Kelsey Butler, Bloomberg

Choix will begin selling abortion pills to people who aren't pregnant so they can stockpile them for future use, the reproductive health-care startup announced on Wednesday.

Philip Morris is investing billions in health care. Critics aren't swayed

Olivia Goldhill, Stat News

A new health care company was quietly incorporated last month, with plans to leverage cutting-edge inhalation technology and oral delivery expertise to treat everything from neurology to cardiovascular emergencies.

Republicans have unlikely allies in their fight to restrict abortion at the state level: Democrats

Blake Ellis and Melanie Hicken, CNN

More than 140 Democrats from eight of the roughly dozen states with the most restrictive abortion laws voted in favor of the bans, and the vast majority of these state lawmakers were men.

Rape, incest exceptions out of South Carolina abortion bill

Jeffrey Collins, The Associated Press

A South Carolina Senate committee voted Tuesday to remove exceptions for rape and incest from a proposed abortion ban setting up a showdown among Republicans wary of passing such a restrictive bill.

How Abbott Kept Sick Babies From Becoming a Scandal

David Enrich, The New York Times

Abbott's lawyers at Jones Day negotiated secret settlements and used scorched earth tactics with families whose infants fell ill after consuming powdered formula.

The fight to keep cronobacter out of powdered baby formula

Laura Reiley and Jacob Bogage, The Washington Post

Parents aren't adequately warned about the risks of cronobacter, say food safety experts. 'I fed my daughter like I was supposed to,' said Megan Surber, whose child is now disabled.

Australia's tough flu season could spell trouble for the US this winter, especially with Covid-19 in the mix

Brenda Goodman, CNN

This year, Australia had its worst flu season in five years. Cases peaked about three times higher than the average for that period, and they topped out about two months earlier than they normally do, according to official government surveillance reports.

Nearly 43 percent of young adults used marijuana in 2021

Linda Searing, The Washington Post

Marijuana use among young adults reached an all-time high last year, with nearly 43 percent of 19- to 30-year-olds saying they had used marijuana in the past 12 months, according to research funded by the National Institute on Drug Abuse and conducted by the University of Michigan Institute for Social Research.

Republican campaigns are silent on health care

Victoria Knight, Axios

Republicans in tight congressional races are going silent on health care, scrubbing campaign websites of anti-abortion language and in some cases distancing themselves from past criticisms of the Affordable Care Act.

Washington LGBTQ Conversion Therapy Ban Upheld by Ninth Circuit

Mary Anne Pazanowski, Bloomberg Law

A Washington law that prohibits state-licensed medical professionals from practicing conversion therapy on LGBTQ patients under 18-years old is valid, the Ninth Circuit said Tuesday.

Baltimore issues boil water advisory after E.coli detected

Olafimihan Oshin, The Hill

The city of Baltimore has issued a boil water advisory in western sections of the city after officials detected E.coli in some water samples.

PAYERS

Medicare plans must update materials to comply with new law

Maya Goldman, Modern Healthcare

Medicare prescription drug plan sponsors need to make their enrollee materials compliant with the recently passed Inflation Reduction Act before the next sign-up period, according to a notice the Centers for Medicare and Medicaid Services issued Tuesday.

Doctors lobby Congress for Medicare payment bump, again

Jessie Hellmann, Roll Call

The cuts, the result of a 2020 Centers for Medicare and Medicaid Services decision to increase payments for underpaid services like primary care and maternal health, are meant to offset the costs of increasing payments for those services.

PROVIDERS

How Signify Health fits into CVS' healthcare strategy

Paige Minemyer, Fierce Healthcare

Bringing Signify into the fold advances the company further into both the home health and the managed service organization (MSO) markets, Sree Chaguturu, M.D., CVS Health's chief medical officer, told Fierce Healthcare. It also builds on the foundation CVS has built in retail health through its pharmacies and MinuteClinic locations.

How Republicans in Montana hijacked public health and brought a hospital to the brink

Marilyn W. Thompson and Jenny Deam, ProPublica

Last spring, a year after COVID-19 had first ripped through the United States, Republican lawmakers in Montana doubled down.

They passed the nation's most extreme anti-vaccination law. Not even nurses in a cancer ward could be required to get the shots.

PHARMA, BIOTECH AND DEVICES

EU blocks merger of US firms in cancer screening sector

The Associated Press

The European Union's anti-trust watchdog announced on Tuesday that it is blocking the buyout of cancer-screening company GRAIL by biotech giant Illumina in a rare move by European regulators against two U.S. companies.

Theranos Founder Elizabeth Holmes Seeks New Trial, Citing Fresh Evidence

Heather Somerville, The Wall Street Journal

Elizabeth Holmes, founder of defunct blood-testing startup Theranos Inc. who was convicted of fraud, has asked a federal judge for a new trial after she said one of the prosecution's star witnesses visited her house to express regret for his role in her trial, according to new court filings.

Showdown over experimental ALS drug expected Wednesday before FDA advisers

Laurie McGinley, The Washington Post

The therapy is the latest to raise questions about how the agency assesses drugs for devastating diseases, such as ALS and Alzheimer's.

Pharma donations to charities may violate 'spirit' of anti-kickback laws

Ed Silverman, Stat News

There is a federal law that prohibits drug companies from directly covering out-of-pocket spending by Medicare beneficiaries. But these companies are allowed to donate to independent charities that provide assistance to patients — and they can earmark donations for a condition treated by their drugs.

Fresenius Kabi Gets FDA Approval for Biosimilar Stimufend

Zac Fleming, Bloomberg Law

Fresenius Kabi said it received FDA approval for Stimufend, making it the company's first approved US biosimilar.

Philips Respironics Recalls Certain BiPAP, CPAP Masks, FDA Says

Jim Silver, Bloomberg

Philips recalled certain masks used with bilevel positive airway pressure (also known as Bilevel PAP, BiPAP, or BPAP) machines and continuous positive airway pressure (CPAP) machines due to a serious safety concern, the FDA says.

A Message From the National Association of Chain Drug Stores:

The bipartisan Equitable Community Access to Pharmacist Services Act (H.R. 7213) is championed by U.S. Reps. Ron Kind (D-WI), David McKinley (R-WV), Nanette Barragán (D-CA), and Buddy Carter (R-GA). H.R. 7213 would help to ensure patient access to essential care and services by pharmacists - often the most accessible points of healthcare in communities. Visit PharmacyCare.org to learn more about the broad support that exists for this legislation across communities.

HEALTH TECHNOLOGY

Google debuts a new AI tool in the global fight against tuberculosis

Casey Ross, Stat News

Google is now joining a global fight to snuff out the disease, using AI to automate its detection — and expedite treatment — in communities where physicians are in short supply. A new study published Tuesday in Radiology, the journal of the Radiological Society of North America, found that its AI model performed as well as radiologists at detecting tuberculosis on chest X-rays.

Amazon health feature can accurately assess users' mobility, study finds

Mario Aguilar, Stat News

As Amazon works to shoulder its way into health care, a new study — funded by the company — suggests that a feature of its wearable devices can accurately assess users' mobility.

What happens to patients when telehealth businesses shutter?

Mohana Ravindranath, Stat News

Buzzy, venture-backed startups and big tech companies that have promised to disrupt health care are indeed doing so — including by shuttering services that early adopter patients may have come to rely on.

OPINIONS, EDITORIALS AND PERSPECTIVES

The updated booster shot is a reset for how to manage covid

Leana S. Wen, The Washington Post

Those who oppose authorization say that not enough studies have been done to prove that the bivalent version is superior to the original one. In some ways, they are right; real-world studies are still ongoing to prove the new booster is superior. But laboratory studies on a vaccine's ability to induce antibodies are a good proxy. We also have many years of experience from the flu vaccine, which is updated annually to match emerging mutations.

Illumina and Antitrust's Unholy Grail

The Editorial Board, The Wall Street Journal

Antitrust regulation is running off the rails in Europe and the U.S., and their citizens could wind up as collateral damage. The latest example is the European Commission's order Tuesday to derail gene-sequencing giant Illumina's acquisition of cancer blood-test startup Grail.

The FDA got it right with hearing aids. Updating Medicare is next

Nicholas S. Reed and Frank R. Lin, Stat News

"You would really benefit from hearing aids, but they aren't covered by Medicare and cost around $4,000." We've each said this phrase countless times to patients with hearing loss and are prepared for the reaction that invariably follows: an expression of bewilderment about why a pair of hearing aids may have to be their third largest material purchase in life, after a house and car.

RESEARCH REPORTS

Distortions in Time Perception During Collective Trauma: Insights From a National Longitudinal Study During the COVID-19 Pandemic

Alison Holman et al., American Psychological Association

[redacted]

During the protracted collective trauma of the COVID-19 pandemic, lay of distorted perceptions of time (e.g., time slowing, days blurring together, uncertainty about the future) have been widespread. Known as "temporal disintegration" in psychiatric literature, these distortions are associated with negative mental health consequences. However, the prevalence and predictors of temporal disintegration are poorly understood. We examined perceptions of time passing and their associations with lifetime stress and trauma and pandemic-related secondary stress as COVID-19 spread across the United States.

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SUBJECT: Fwd: Introduction
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 07/09/2022 06:25

Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

Thanks.
Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

[redacted]

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

§ 59.10 Confidentiality

[redacted]

[redacted]

(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: “The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver.” Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Derrick,
>
> I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."
>
> As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.
>
> More to come next week. Enjoy your weekend!
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted]

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey Tracy,

I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Derrick, Will <Will.Derrick@mail.house.gov>
Date: Friday, August 19, 2022 at 9:09 AM
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
That would be tremendous. Thank you, Tracy.

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Friday, August 19, 2022 at 8:13 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey there,

Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.

Kindly,

[redacted]

[redacted]

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Thursday, August 18, 2022 at 12:07 PM
To: Gordon Larsen <gordonlarsen@utah.gov>
Cc: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted]

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

> Will,
>
> Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.
>
> I'm flexible next week, particularly next Tuesday.
>
> Thanks in advance for your help!
>
> Gordon
>
> On Thu, Aug 18, 2022 at 8:26 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:
>
> > Hey Gordon,
> >
> > Picking up this convo from last year –
> >
> > I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of “family planning” in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.

[redacted]

[redacted]

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Gordon Larsen <gordonlarsen@utah.gov>
Date: Thursday, June 17, 2021 at 11:34 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Hi Will,

Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?

And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

Gordon

On Thu, Jun 17, 2021 at 8:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey there,
>
> My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?
>
> On a more specific note, my understanding is that the Utah Department of Health may have applied for a Title X Family Planning Grant last year. I know that Utah would have to be granted an exemption to accommodate state law mandating minors have parental consent to access contraceptive services. I was curious if there was a contact at the Utah Department of Health I could connect with to discuss if the Department plans to apply again. Do you know of anyone I could chat with on this topic?
>
> Thank you so much for your help. I hope to connect soon!
>
> Kindly,
>
> Will Derrick
> Junior Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
> Sign up for our weekly newsletter!

--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

--
Gordon Larsen

[redacted]

[redacted]
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

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SUBJECT: Re: Title X Family Planning Grants
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 07/09/2022 07:30

Thanks Marc - our meeting with the LG has been bumped-up to tomorrow. Can you please check with Laurie to see if we can get an updated review sheet by close of business today.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

[redacted]

[redacted]

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 11:33 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

I will communicate that expectation to them. Thanks David

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 11:28 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Marc -

My recollection is that the current draft of the legislative review sheet from Laurie & Lynne recommends that we do not submit a grant application because we are not eligible due to the state's parental consent requirement. Maybe we just need to ask that the legislative review sheet be rewritten to incorporate potential changes to state statute based on what Laurie provided last week in response to Congressman Moore's request.

What do you think?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 10:49 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

For those that might not have had access to that sheet before. Here is the link:

[redacted]

[redacted]

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Sep 6, 2022 at 10:47 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> David -
>
> Lynne and Lauri have been working on a Legislative Review Sheet for the past two weeks on this proposal. I'll upload it to our "2023 Proposed Legislation" sheet for all of you to see when I receive it from them.
>
> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> dhhs.utah.gov
>
>
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On Tue, Sep 6, 2022 at 8:10 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

> Good morning,
>
> If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

[redacted]

[redacted]

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099

[redacted]

[redacted]

davidlitvack@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of Health & Human Services

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Tracy -
>
> I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Thank you! Can I just forward Laurie's response to Will?
>
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550

[redacted]

[redacted]

tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

[redacted]

§ 59.5(a) What requirements must be met by a family planning project
*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

(a) Consent for Services.
(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

*… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources, **such as Title X**.*

[redacted]

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services
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--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov

[redacted]

[redacted]

dhhs.utah.gov

Utah Department of
Health & Human Services
Family Health

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SUBJECT: [Webinar] Maternal Mortality and Maternal Mental Health
FROM: "Relias Webinars" <webinars@relias.com>
TO: <hborski@utah.gov>
DATE: 07/09/2022 08:29

[redacted]

Register for our upcoming webinar

RELIAS

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The Effects of Social and Behavioral Factors on Maternal Mortality

Tuesday, September 20, 2022 | 12 PM CT

The time has come to start focusing on maternal mental health throughout the entire pregnancy process. **Join the American Hospital Associate (AHA) and Relias Tuesday, September 20 at 12 PM CT** to discuss the necessity of using a mental health screening curated by both maternal and behavioral health teams.

Learning Objectives:

- **Uncover** findings on maternal mental health, social determinants, and racial disparities
- **Understand** how to screen for and identify mental health conditions
- **Discover** maternal mental health screening initiatives
- **Review** actions to consider when adopting new practices or extending capabilities

RESERVE YOUR SPOT

Lora Sparkman, MHA, RN, BSN

[redacted]

Dr. Rola Aamar

Upcoming Webinars

Wound Care as a Risk Mitigation Tool

Wednesday, September 21, 2022 I 2 PM ET

When it comes to wound care, the best treatment is prevention. Giving your staff the necessary tools to identify, treat, and prevent injuries will save you from these unwanted legal and regulatory complications.

REGISTER NOW

Want To Learn More?

request a consultation

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Suite 100
Morrisville, North Carolina 27560

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This email was sent to hborski@utah.gov.

SUBJECT: September News & Events
FROM: Utah Law <communications@law.utah.edu>

[redacted]

[redacted]
TO: hborski@utah.gov
DATE: 07/09/2022 10:30

THE UNIVERSITY OF UTAH
S.J. QUINNEY
COLLEGE OF LAW

September 2022

Title IX: 50 Years Later – Looking at where we've been and where we are going

September 16, 2022

12:00 - 1:00 p.m., Zoom Link ~ Register Here »
This webinar will be a dialogue looking at both national and local impact and the influence of the US Department of Education's regulatory framework. It will also cover the real extent of Title IX and the fact that it isn't just limited to sports. 1 hour CLE (pending).

Learn more »

Save These October Dates!

October 17 - 39th Annual Jefferson B. Fordham Debate
October 20 - National Parks Forever: Fifty Years of Fighting and a Case for Independence
October 21 - Lee E. Teitelbaum Utah Law Review Symposium - The New Roaring Twenties: The Progressive Agenda for Antitrust and Consumer Protection Law
October 27 - 18th Annual Stegner Center Young Scholar - Water Markets: the Good, the Bad, and the Ugly

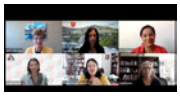
[redacted]

New Video Posts ~ SJQ YouTube Channel

Subscribe to the S.J. Quinney College of Law YouTube channel to be notified when new videos are posted. Many of our videos qualify for CLE credit. Please check the comments section to see which videos apply and the steps you need to take to receive the credit.

The Aftermath: How the Dobbs Decision May Impact Same Sex Marriage, Contraception and Other Rights

CLE available



What Does the Dobbs Decision Mean for Medical Professionals?

CLE available

Wallace Stegner Center 27th Annual Symposium - The Colorado River Compact: Navigating the Future

CLE available

Throwback- #IncludeTheirStories: Rethinking, Reimagining, and Reshaping Legal Education

CLE available

Throwback- 38th Annual Jefferson B. Fordham Debate - Qualified Immunity: Apportioning Accountability

CLE available

College of Law News

Utah Law launches traveling interview program for students

The Career Development Office at the S.J. Quinney College of Law recently launched a traveling interview program to allow students to explore out-of-state opportunities.

“We know that our students are among the best in the nation, and we want to make sure they have our full support in pursuing opportunities outside of Utah,” said Assistant Dean of Career Services Arturo Thompson.

Learn more »

Welcoming Utah Law's new faculty

The S.J. Quinney College of Law welcomes an exceptional cohort of new faculty to our community this year. We also celebrate our faculty who have taken named professorships and new leadership roles at Utah Law. Please join us in congratulating them! Read more »

Alumna Abigail M. Dizon-Maughan to be honored at Living Color Gala

Abigail M. Dizon-Maughan (Utah Law class of 2012) will be honored at the annual Living Color Gala on September 9, 2022.The Living Color Gala is a night to honor those individuals who have made it their mission to attract and foster diversity and inclusion initiatives throughout the state of Utah. Read more »

Rising 2L Anthony Tenney fights for worker rights

March of 2020 and the start of the COVID-19 pandemic brought about huge societal and economic changes around the globe. Anthony Tenney was among the millions of people who found themselves suddenly and unexpectantly without a job during this tumultuous time. Read more »

College of Law News Bytes

Professor RonNell Andersen Jones featured in the New York Times discussing election defamation suit

Assistant Research Professor Heather Tanana discusses looming water crisis with USA Today

Professor Amos Guiora comments on Israel-Palestine Tensions

Professor John Ruple named Trustee of Foundation for Natural Resources & Energy Law

Research from Professor Jonas Anderson leads to equitable-distribution order for federal judge

Recent publications from Utah Law faculty members

Faculty News

Teneille Brown, Invited to workshop her paper on juror's use of mental state information when assessing negligence to the Guilty Minds Lab at University of Zurich

Paul Cassell, Presented expert witness testimony in U.S. v. Boeing (U.S. District Court Northern District Texas) on causation of 737 MAX crashes

Paul Cassell, Quoted in Washington Post, "In court, a fight over whether those killed on Boeing jets are 'crime victims'"

Jorge Contreras, Quoted in WSJ - Moderna Sues Pfizer and BioNTech, Alleging mRNA Patent Infringement

Leslie Francis, Medical Aid in Dying, Abortion, and the Right to Travel, Virtual Health Law Scholars

RonNell Andersen Jones, Presenter, "The Disappearing Freedom of the Press," Southern Methodist University Law School Faculty Forum Workshop

Hallie Pope, Guest on the Legal Design Podcast, "Episode 45: Democratizing Legal Information by Cartoons."

Heather Tanana, Guest on NPR 1A, States missed a federal deadline for Colorado River cuts. What now?

Free Market State (Of Mind): Antitrust Federalism, John J. Flynn and the Utah Constitution's Free Market Clause

Former University of Utah S.J. Quinney College of Law professor John Flynn made lasting impacts on anti-trust law. His legacy will be considered in the upcoming law review symposium on Friday, October 21. For those who are interested in the significant role that John Flynn played in this important area of the law, a paper regarding his work is now available on SSRN.

Read the article »

ADMISSIONS **STUDENTS** **FACULTY** **ALUMNI** **EVENTS**

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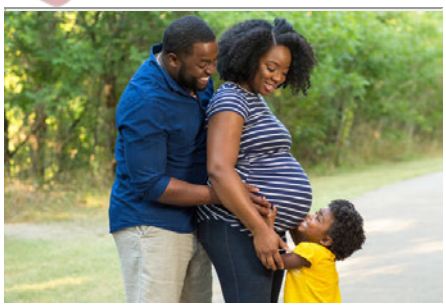
[redacted]

SUBJECT: Partners in Progress for September 7, 2022
FROM: "HRSA Maternal and Child Health Bureau (MCHB)" <hrsa@public.govdelivery.com>
TO: hborski@utah.gov
DATE: 07/09/2022 11:23

PARTNERS IN PROGRESS
September 7, 2022

HRSA Maternal & Child Health

NEWS



HHS Announces $20 Million in Awards to Reduce Disparities in Maternal and Infant Health

On Aug. 29, HRSA announced investments of more than $20 million to improve maternal and infant health and implement the White House Blueprint for Addressing the Maternal Health Crisis. Funding aims to help reduce disparities in maternal and birth outcomes, expand and diversify the workforce caring for pregnant and postpartum individuals, increase access to obstetrics care in rural communities, and support states in tackling inequities in maternal and infant health.
MCHB awards include:

[redacted]

- State Maternal Health Innovation Program
- Increasing Access to Community-based Doulas
- Catalyst for Infant Health Equity Program

Biden-Harris Administration Proposes to Make Health Care Enrollment Easier for Millions of Americans

A new proposed rule would reduce red tape and streamline administrative processes to help children, older adults, people with disabilities, and others from underserved communities connect to health care coverage through Medicaid and CHIP. Read more.

UPCOMING EVENTS

The Impact of Community Doulas on Reducing Health Disparities in Maternal and Child Health Populations, September 13, 1:30-2:30 PM ET

Join us for the next in our series of **En**gaging **R**esearch **I**nnovations & **Ch**allenges (EnRICH) webinars. Understand the current state of research on and the impact of community doulas on maternal and child health (MCH). Familiarize yourself with the research agenda on promoting effective integration of community doulas into MCH services in order to reduce

inequities.

Advisory Committee on Infant and Maternal Mortality (ACIMM), September 13-15

Would you like to join this event?

A virtual option is available for those who cannot attend in-person.

The Shakopee Mdewakanton Sioux Community (SMSC) in Prior Lake, Minnesota will host this meeting. The Committee will hear directly from tribal communities to inform their recommendations to HHS related to improving the birth outcomes of American Indian/Alaska Native (AI/AN) mothers and infants. This committee advises the HHS Secretary on department activities, partnerships, policies, and programs directed at reducing infant mortality, maternal mortality, severe maternal morbidity, and on improving the health status of infants and women.

2022 City MCH Leadership and MCH Epidemiology Conference, September 21-23

Back in person and in Chicago, this year's theme is *Onwards & Upwards: Accountability for the Past and Building for the Future of Maternal and Child Health*. The agenda is now live. Select a date from the drop-down menu to view all session offerings. Updates will be added as they finalize session details.

[redacted]

FUNDING OPPORTUNITIES

The following Notices of Funding Opportunity (NOFOs) are open:

- Strengthen the Evidence for Maternal and Child Health Programs (closes 9/08/2022)
- Healthy Tomorrows Partnership for Children Program (closes 10/12/2022)
- Emergency Medical Services for Children State Partnership (closes 11/07/2022)
- National Maternal and Child Health Data Resource Center (closes 11/16/2022)

MCHB NOFOs

[redacted]

RESOURCES

Federal Resources

Connecting Kids to Coverage National Campaign

For organizations working with families: Please use and direct families to this website which provides help in finding health insurance programs and dental providers, by state. This is a back-to-school initiative of the Centers for Medicare & Medicaid Services (CMS). Organizations can use toolkits in the Back-to-School & School-Based Outreach page to get the word out.

Also, CMS created Unwinding and Returning to Regular Operations after COVID-19. The centralized location at Medicaid.gov gives states and stakeholders information and resources about the "unwinding" of health coverage so that they can plan and prepare.

MCHB Resources

Toolkit to Build Parent Leadership in Continuous Quality Improvement

The Home Visiting Collaborative Improvement and Innovation Network 2.0 provides this toolkit to help Home Visiting programs build and sustain parent leadership.

[redacted]

HRSA Maternal & Child Health

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MCHB prioritizes access, equity, capacity, and impact.

Sign up for eNews

More HRSA email updates / Unsubscribe | Help
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5600 Fishers Lane | Rockville, MD 20857

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[redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: Re: Introduction
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/09/2022 18:45

I spoke with Laurie and Lynne.
Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

HB

[redacted]

[redacted]

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I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

Sign up for our weekly newsletter!

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Will,

I am so sorry for the delay in responding. That is my fault.

[redacted]

[redacted]

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

§ 59.10 Confidentiality

(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: “The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver.” Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

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tracygruber@utah.gov

Utah Department of Health & Human Services

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As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.

More to come next week. Enjoy your weekend!

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> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
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From: Derrick, Will <Will.Derrick@mail.house.gov>
Date: Friday, August 19, 2022 at 9:09 AM
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
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Hey there,

Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.

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Subject: Re: Introduction

Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted].

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Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

Will,

Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who

[redacted]

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were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.

I'm flexible next week, particularly next Tuesday.

Thanks in advance for your help!

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> Picking up this convo from last year –
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> I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of "family planning" in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.
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> **From:** Gordon Larsen <gordonlarsen@utah.gov>
> **Date:** Thursday, June 17, 2021 at 11:34 AM
> **To:** Derrick, Will <Will.Derrick@mail.house.gov>
> **Subject:** Re: Introduction
> Hi Will,
>
> Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?
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> >
> > Thank you so much for your help. I hope to connect soon!
> >
> > Kindly,
> >
> > Will Derrick

[redacted]

[redacted]

Junior Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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SUBJECT: Re: Introduction
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>

[redacted]

[redacted]

CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 07/09/2022 18:59

Tracy -

Heather or Nate may know the answer to your question, but I do not. I am going to forward the e-mail to Laurie Baksh.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 07/09/2022 18:59

Thank you Heather - you were much faster than me!!!!!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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[redacted]

[redacted]

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Will,

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While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

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I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

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O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted]

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

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As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.

More to come next week. Enjoy your weekend!

Tracy
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Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey Tracy,

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Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

Sign up for our weekly newsletter!

From: Derrick, Will <Will.Derrick@mail.house.gov>
Date: Friday, August 19, 2022 at 9:09 AM
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
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[redacted]

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Utah Department of Health & Human Services

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Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted].

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O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted]

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I'm flexible next week, particularly next Tuesday.

Thanks in advance for your help!

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Picking up this convo from last year –

I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of “family planning” in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.

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From: Gordon Larsen <gordonlarsen@utah.gov>
Date: Thursday, June 17, 2021 at 11:34 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

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Hey there,

My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?

[redacted]

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On a more specific note, my understanding is that the Utah Department of Health may have applied for a Title X Family Planning Grant last year. I know that Utah would have to be granted an exemption to accommodate state law mandating minors have parental consent to access contraceptive services. I was curious if there was a contact at the Utah Department of Health I could connect with to discuss if the Department plans to apply again. Do you know of anyone I could chat with on this topic?

Thank you so much for your help. I hope to connect soon!

Kindly,

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SUBJECT: Re: Introduction
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/09/2022 19:18

Thank you!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Sep 7, 2022 at 6:45 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

I spoke with Laurie and Lynne.
Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

HB

[redacted]

[redacted]

On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

Thanks.

Tracy
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Executive Director
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SUBJECT: Pharmacist May Need Third Sentencing In Meningitis Case
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 08/09/2022 02:54

Thursday, September 8, 2022

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TOP NEWS

Pharmacist May Need Third Sentencing In Meningitis Case

The First Circuit on Wednesday raised the prospect of a third sentencing hearing for the founder of a compounding pharmacy at the center of a deadly meningitis outbreak, suggesting that a lower court judge mistakenly thought that the appeals court had ordered him to dole out more prison time.

Read full article »

Elizabeth Holmes Files 2nd New Trial Bid, Citing Balwani Trial

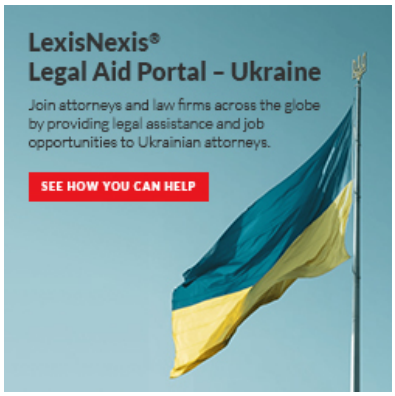
Convicted former Theranos CEO Elizabeth Holmes filed a second request for a new criminal fraud trial Wednesday, arguing that prosecutors dramatically shifted their take on her relationship with her convicted co-conspirator Ramesh "Sunny" Balwani during his recent trial, and the government's "new narrative" warrants a trial do-over for Holmes.

Motion attached | Read full article »

CVS, Walgreens, Walmart Will Fight $650M Ohio Opioid Order

Three major pharmacy chains plan to challenge a federal judge's order to pay more than $650 million toward a plan to abate the opioid epidemic in two Northeast Ohio counties, according to notices of appeal filed Wednesday.

4 documents attached | Read full article »



COMPANIES IN TODAY'S NEWS

AXA SA
AXA XL Ltd.
American Property Casualty Insurance Association
Archdiocese of Philadelphia
BDO USA LLP
Bayer AG
Boston Celtics
CNA Financial Corp.

[redacted]

Ohio Justices Nix Insurer's Duty To Defend In Opioid Suits

The Ohio Supreme Court on Wednesday overturned an appeals court's ruling that Acuity Inc. has a duty to defend a now-out-of-business drug wholesaler in public nuisance suits brought by governments over the opioid epidemic, finding the underlying actions were not brought "because of" bodily injury.

Opinion attached | Read full article »

HIV Medicine Mandate Flouts Religious Rights, Judge Says

A Texas federal judge ruled Wednesday that the U.S. government can't require a Christian-owned business to cover an HIV-prevention medication through its health insurance, saying the mandate enshrined in the Affordable Care Act flouted the employer's religious rights.

Order attached | Read full article »

Analytics Co. Hit With Consumer Suit In Wake Of FTC Action

Mobile app analytics provider Kochava Inc. is facing a proposed class action accusing it of unlawfully selling geolocation information on mobile users, a suit that comes amid its battle with the Federal Trade Commission.

Complaint attached | Read full article »

POLICY & REGULATION

SF Supervisors OK Psychedelics Decriminalization Measure

San Francisco's Board of Supervisors on Tuesday unanimously approved a resolution to decriminalize psychedelic plants and fungi and implored local law enforcement to deprioritize pursuing individuals for using, cultivating or distributing plant-based drugs, including psychedelic mushrooms and cacti.

1 document attached | Read full article »

ENFORCEMENT & COMPLIANCE

Ex-Coach Latest To Plead Guilty In NBA Health Fraud Case

A former NBA journeyman player who most recently served as an assistant coach for the Utah Jazz is the latest defendant to accept a plea deal in a sweeping case over an alleged scheme to defraud the league's health care plan.

Read full article »

LITIGATION

Bayer Beats Former Exec's Retaliation Suit At 3rd Circ.

The Third Circuit said Wednesday that a former Bayer Healthcare LLC executive has failed to back up her claims

Cincinnati Financial Corp.
Denver Broncos
Drexel University
Duquesne University
Geisinger Health System
Georgetown University
Getty Images Inc.
Giant Eagle Inc.
Glenmark Pharmaceuticals Ltd.
Google LLC
H.D. Smith LLC
Johnson & Johnson
Los Angeles Clippers
Merck & Co. Inc.
Meta Platforms Inc.
National Association of Mutual Insurance Companies
New England Compounding Pharmacy Inc.
New York University
Nordstrom Inc.
Old Republic Insurance Co.
Old Republic International Corp.
Orlando Magic
Purdue Pharma LP
Rite Aid Corp.
Roberts Group (Little Rock, US)
Space Exploration Technologies Corp.
Stretto Inc.
Tesla Inc.
Teva Pharmaceutical Industries Ltd.
Tower Health
Twitter Inc.
United Policyholders
Utah Jazz
Walgreens Co.
Walmart Inc.

LAW FIRMS IN TODAY'S NEWS

Axinn Veltrop
Baker & Hostetler
Ballard Spahr
Bartlit Beck
Bendin Sumrall
Berger Montague
Blank Rome
Bodell Bove
Boies Schiller
Brouse McDowell
Buchanan Ingersoll
Burns White

that her ex-supervisor eliminated her position and took other retaliatory actions because she objected to his purported discriminatory treatment of a pregnant employee with respect to a project leadership role.

Opinion attached | Read full article »

CNA Tells 2nd Circ. To Nix Medical Groups' Virus Suit

CNA Financial Corp urged the Second Circuit to reject a COVID-19 business interruption coverage appeal from several groups of medical providers, arguing a recent decision by the court — that the plaintiffs previously asked to wait for — dooms their case.

Brief attached | Read full article »

Merck, Glenmark Antitrust MDL Must Go To Jury, Judge Says

A Virginia magistrate judge has recommended denying Merck and Glenmark's bids to end antitrust multidistrict litigation accusing the drugmakers of conspiring to delay generic competition for the branded cholesterol medication Zetia, finding there are numerous material factual disputes that should go to a jury.

Report attached | Read full article »

Health Chain Wins Suit Over Pa. Hospital's 'As-Is' Sale

A Pennsylvania hospital sold "as is" had been in compliance with all its necessary state and federal licensing at the time the deal between Community Health Systems Inc. and Tower Health closed, so CHS hadn't violated the purchase agreement when Tower had to update fire-safety plans to keep the hospital's licenses, a federal judge ruled.

Opinion attached | Read full article »

Grocer's Amended Suit Stalls Opioid Coverage Ruling

Two excess insurers must wait until after discovery to know whether they must defend grocery chain Giant Eagle in ongoing opioid litigation, a Pennsylvania federal judge ruled Wednesday, holding it would be most efficient to defer judgment on their defense obligations in light of the grocer's latest complaint.

Opinion attached | Read full article »

Ex-NFL Player, Atty Must Arbitrate Suit Over $2M PPE Deal

A federal judge ruled Wednesday that a retired NFL linebacker will have to arbitrate claims he paid a New York attorney $2 million for medical gloves that were never provided.

Opinion attached | Read full article »

Caldwell Carlson
Cohen Milstein
Collins Roche
Cooley LLP
DLA Piper
Danaher Lagnese
Dean & Fulkerson
Dentons
Farrell & Fuller
Faruqi & Faruqi
Fillmore Law Firm
Fox Rothschild
Frantz Ward
Furniss Davis
Gallagher Sharp
Garvey Shearer
Gibson Dunn
Glasser & Glasser
Goldman Ismail
Goodwin Procter
Hagens Berman
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Hangley Aronchick
Hanna Campbell
Hinckley Allen
Huff Powell
Jones Day
K&L Gates
Kaufman & Canoles
Kenny Nachwalter
Kessler Topaz
Kline & Specter
Kramer Levin
Lanier Law Firm
Law Office of John D. Cline
Loewinsohn Deary
Marcus & Shapira
Miller Friel
Miller Shah LLP
Morgan Lewis
Motley Rice
Napoli Shkolnik
Nussbaum Law Group PC
Paul Weiss
Plevin & Gallucci
Potter Anderson
Proskauer Rose
Quinn Emanuel
Radice Law Firm
Reed Smith
Rivero Mestre
Robbins Alloy

Hospital Must Face Suit Over Death Following Appendectomy

A Georgia appeals court has undone a win for Piedmont Henry Hospital Inc. in a suit alleging its nurses failed to follow up on a patient's treatment after an appendectomy, leading to her death, saying there is evidence that they failed to report symptoms of a blood clot.

Opinion attached | Read full article »

Pa. Health System's Reapplication Process Sound, Court Told

A health care system sued by a nurse and the U.S. Equal Employment Opportunity Commission over its policy of making workers returning from medical leave reapply for their jobs told a Pennsylvania federal judge on Wednesday that the practice was not the basis for an EEOC enforcement action.

Read full article »

'Ponzi' Cannabis Extract Suit Belongs In NC, Calif. Judge Says

A Los Angeles County judge has dismissed a hemp product company's dispute with a processing firm over a business agreement to provide a certain cannabinoid produced from raw materials, finding that the interests in the case "weigh strongly against" California jurisdiction.

Order attached | Read full article »

BANKRUPTCY

Ill. Pharma Co. Gets OK For Fast Sale Of Testosterone Drug

Clarus Therapeutics Inc., a bankrupt manufacturer of a pill that treats low testosterone, received court approval on Wednesday in Delaware bankruptcy court to pay down the interest on its $43 million debt to noteholders and tap into $8.9 million cash on hand to fund the speedy sale of the company's assets.

Motion attached | Read full article »

EXPERT ANALYSIS

How In-House Counsel Can Better Manage Litigation Exposure

In anticipation of economic downturn and increased litigation volume, the true struggle for an in-house team is allocating their very limited and valuable attentional resources, but the solution is building systems that focus attention where it can be most effective in delivering better outcomes, say Jaron Luttich and Sean Kennedy at Element Standard.

Read full article »

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Roche Freedman
Shapiro & Associates
Simmons Hanly
Skadden Arps
Skarzynski Marick
Skiff Law Firm
Spangenberg Shibley
Sperling & Slater
Spertus Landes
Stevens & Lee
Swigart Law Group
Taus Cebulash
Troutman Pepper
Tucker Ellis
Turner Friedman
Wachtell Lipton
Weston Hurd
Wigdor LLP
Williams & Connolly
Wilson Sonsini
Wolcott Rivers
Woods Rogers
Zuckerman Spaeder

GOVERNMENT AGENCIES IN TODAY'S NEWS

Agency for Healthcare Research and Quality
Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Delaware Court of Chancery
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Federal Communications Commission
Federal Trade Commission
Food and Drug Administration
Georgia Supreme Court
Internal Revenue Service
National Archives and Records Administration
New York Attorney General's Office
Ohio Supreme Court
Pennsylvania Department of Health
U.S. Attorney's Office
U.S. Attorney's Office for the District of Massachusetts

LEGAL INDUSTRY

Analysis

Experts Say Mar-A-Lago Judge Shows Poor Grasp Of Privilege

A Florida federal judge's decision to appoint a special master to screen documents seized at former President Donald Trump's Mar-a-Lago estate for executive privilege shows a "fundamental misunderstanding" of the subject, experts told Law360.

Read full article »

Ex-5th Circ. Judge Joins Gibson Dunn In Houston

Gibson Dunn & Crutcher LLP will bring aboard former Fifth Circuit Judge Gregg Costa in Houston next month as co-chair of its global trial practice group, the firm said Wednesday.

Read full article »

Senate Confirms 1st Asian American Judge To 7th Circ.

The Senate in bipartisan fashion on Wednesday confirmed U.S. District Judge John Z. Lee to be the first Asian American judge on the Seventh Circuit.

Read full article »

3rd Circ. Noms Pressed By GOP Sens. For Personal Views

Senators on the Judiciary Committee had a tense exchange over appropriate lines of inquiry into judicial nominees Wednesday as Republicans pressed two Third Circuit picks for their personal views on several issues, including questioning a Delaware Supreme Court justice on recommendations from a diversity committee on which she served.

Read full article »

Ga. High Court Revives Proskauer Tax Malpractice Case

Despite widespread media coverage years ago of shady tax shelters and BigLaw firms, Proskauer Rose LLP didn't show that investors who relied on the firm's tax opinion long before filing suit were "specifically aware" of those issues, the Georgia Supreme Court ruled Wednesday, breathing life into the closely watched malpractice case.

Read full article »

11th Circ. Asked To DQ Atty Caught Calling Jurors 'Idiots'

An attorney who was caught on video calling jurors "idiots" and confessing to filing class actions to advance his business interests must be disqualified from representing

U.S. Attorney's Office for the Northern District of California
U.S. Attorney's Office for the Northern District of Texas
U.S. Attorney's Office for the Southern District of Texas
U.S. Bankruptcy Court for the District of Delaware
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Pennsylvania
U.S. House of Representatives
U.S. Supreme Court
United States District Court for the Northern District of Ohio

the other side of a dispute over a soured partnership, the self-professed inventor of bitcoin told the Eleventh Circuit.
Read full article »

NY Court Gives Ex-AG Schneiderman His Law License Back

Former New York Attorney General Eric T. Schneiderman is again allowed to practice law after a one-year suspension of his law license stemming from a sexual abuse scandal that mired his political career, his attorney confirmed on Wednesday to Law360 Pulse.
Read full article »

Kramer Levin Continues DC Growth With Impeachment Atty

Barry Berke, a Kramer Levin Naftalis & Frankel LLP trial attorney who served as special counsel during former President Donald Trump's first impeachment trial and as chief counsel during his second, will lead the firm's new congressional investigations practice.
Read full article »

Cooley Boosts Antitrust Team In DC With Senior DOJ Lawyer

Cooley LLP has added a senior antitrust attorney from the U.S. Department of Justice to its Washington, D.C., office as a partner, its fourth high-profile antitrust addition this year, the law firm said Wednesday.
Read full article »

DOJ Antitrust Division Chief Of Staff Joins Axinn

Axinn Veltrop & Harkrider LLP said Wednesday it has hired a top deputy at the U.S. Justice Department's Antitrust Division as a partner in its Washington, D.C., office.
Read full article »

Duquesne Univ. Alum Tom Kline Donates $50M To Law School

Duquesne University in Pittsburgh will rename its law school for Kline & Specter partner Thomas R. Kline, after the attorney made a record $50 million donation to his alma mater, the school announced Wednesday.
Read full article »

Chancery Won't Delay Musk-Twitter But OKs Counterclaim

Elon Musk won clearance Wednesday to broaden his defense and counterclaims against a Delaware Court of Chancery suit by Twitter Inc. aiming to force his closing on a $44 billion take-private deal, but failed in a bid to delay an Oct. 17 trial kickoff for the dispute.
Read full article »

Ex-DLA Piper Atty Wins Stay In Cannabis Co. Fight

A California judge paused a cannabis company's suit against a former DLA Piper attorney Tuesday to allow the attorney's own fraud suit against the cannabis company to

[redacted]

proceed first, finding that the parties' legal tactics, along with risk of inconsistent rulings, warrant a stay.

Read full article »

JOBS

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SUBJECT: Morning Consult Health Presented by the National Association ofChain Drug Stores: GOP Balks at Biden's COVID-19, Monkeypox FundingRequests
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 08/09/2022 06:03

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 8, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- Senate Republicans threw cold water on the White House's request for $22.4 billion in COVID-19 funding and $4.5 billion to battle monkeypox, telling reporters that there remains unspent money already allotted for the pandemic fight. Senate Minority Whip John Thune (R-S.D.) said the GOP has "zero interest" in additional COVID-19 or monkeypox funding and warned

[redacted]

Democrats against attaching the aid to legislation to fund the government past Sept. 30. (Politico)

- A federal judge in Texas ruled that an Affordable Care Act provision that requires businesses' insurance plans to cover the HIV prevention drug PrEP is a violation of companies' religious freedom, in addition to raising questions about the legality of all mandatory coverage of preventive health care. The plaintiff, Braidwood Management Inc., argued that coverage of PrEP "facilitates and encourages homosexual behavior, intravenous drug use, and sexual activity outside of marriage between one man and one woman," while U.S. District Judge Reed O'Connor wrote that he plans to weigh in soon on whether private businesses can be compelled to cover contraceptive services. (Roll Call)

- A panel of Food and Drug Administration advisers voted 7-2 to recommend agency approval of Amylyx Pharmaceuticals Inc.'s ALS drug AMX0035, a rare reversal after the committee voted 6-4 against the drug in March over what it said was a lack of evidence proving its efficacy. The FDA doesn't have to follow the panel's recommendation, but a decision from the agency is due by Sept. 29. (The Wall Street Journal)

- A study from Harvard researchers published in JAMA Psychiatry found that people who reported feelings of stress, anxiety, loneliness, depression or concern about COVID-19 before becoming infected with the disease had a 32% to 46% increased risk of developing long COVID symptoms, while those that reported at least two types of psychological distress faced a 50% elevated risk. (NBC News)

Worth watching today (all times local):

- **8:30 a.m.** Centers for Medicare & Medicaid Services Administrator Chiquita Brooks-LaSure gives the opening plenary at the National Association of Accountable Care Organizations' fall conference. She'll discuss CMS' strategy and current activities to advance ACOs and other value-based care models.

- **9 a.m.** Health and Human Services Secretary Xavier Becerra delivers a keynote address at the World Anti-Microbial Resistance Congress in National Harbor, Md.

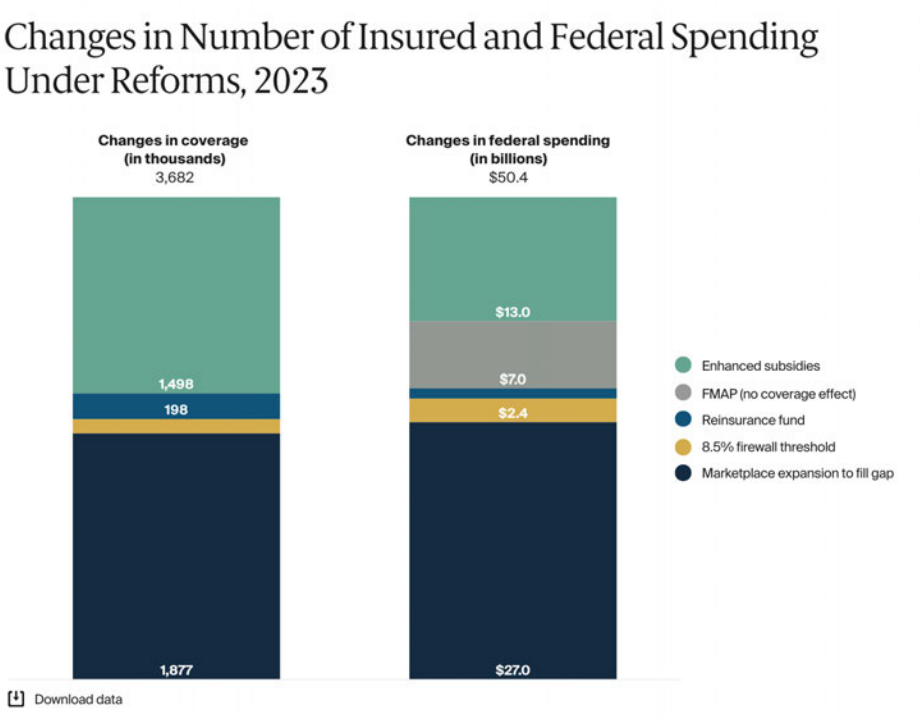
- **12 p.m.** U.S. News & World Report hosts a webinar on improving mental health on campus and how colleges are responding.

- **2 p.m.** Consumer Financial Protection Bureau Director Rohit Chopra hosts a virtual discussion on nursing home debt collection practices.

CHART REVIEW

Next Steps in Expanding Health Coverage and Affordability

The Commonwealth Fund



H.R. 7213 Would Help Preserve Reliable, Equitable & Trusted Access to Pharmacist Care for America's Seniors

Nearly 200 groups support H.R. 7213, the *Equitable Community Access to Pharmacist Services Act.* The bipartisan legislation would help preserve vaccination, testing, and treatment services in pharmacies for Medicare beneficiaries. Research shows the majority of older Americans want access to these services at the pharmacy. The Future of Pharmacy Care Coalition stands with seniors and diverse organizations in supporting the legislation - including groups representing patients, seniors, rural and urban communities, health systems, pharmacies, and pharmacists.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Covid Relapse Symptoms, Positive Tests After Paxlovid Are Common, Study Says

Carey Goldberg, Bloomberg

Resurgence of Covid-19 symptoms in patients treated with Pfizer Inc.'s Paxlovid appeared far more common than has been reported, and rebounding patients still risked spreading the disease, doctors said in a report on a series of cases in a top medical journal.

Republicans Try to Jump-Start Probes Into Biden's Covid Response

Alex Ruoff and Jeannie Baumann, Bloomberg Law

Republicans want to use a procedural tool—known as a resolution of inquiry—in the coming weeks to advance investigations into areas ranging from Health and Human Services Secretary Xavier Becerra's role as a Covid adviser to oversight of research conducted in China at the start of the pandemic.

A Key to Long Covid Is Virus Lingering in the Body, Scientists Say

Sumathi Reddy, The Wall Street Journal

New research has found the spike protein of the SARS-CoV-2 virus in the blood of long Covid patients up to a year after infection but not in people who have fully recovered from Covid. Virus has also been found in tissues including the brain, lungs, and lining of the gut, according to scientists and studies

Biden's next Covid challenge: How and when to wind down his task force

Adam Cancryn, Politico

The pandemic may not be over. But there's a growing sense among officials inside the White House that their days on the front lines of the Covid fight may be numbered.

Doctors are taking it on themselves to figure out long Covid

Krista Mahr and Megan Messerly, Politico

Dozens of health care practitioners from across the country signed onto a recent Zoom call to talk about pain. Specifically, how much pain their patients with long Covid were in, what kind, and what — if anything — they could do about it.

Can Exercise Strengthen Your Immunity?

Knvul Sheikh, The New York Times

When researchers reviewed 16 studies of people who stayed physically active during the pandemic, they found that working out was associated with a lower risk of infection as well as a lower likelihood of severe Covid-19. The analysis, published last month in the British Journal of Sports Medicine, has generated a lot of enthusiasm among exercise scientists, who say the findings could lead to updated guidelines for physical activity and health care policy that revolves around exercise as medicine.

Covid-19: New Omicron offshoot BA.4.6 evades protection of Evusheld antibodies, study finds

Brenda Goodman, CNN

The antibodies in Evusheld, the only therapy available to protect people with reduced immune function against Covid-19, may lose

[redacted]

their punch against the BA.4.6 subvariant, a new study shows.

Vitamin D won't protect you from Covid or respiratory infections, studies say

Sandee LaMotte, CNN

Vitamin D supplements aren't likely to prevent an infection from Covid-19 or respiratory infections like colds or flu, even if your current levels of the vitamin are low, according to two new, large clinical trials.

Scientists seek $100mn to research long Covid

Clive Cookson, Financial Times

Ethereum co-founder among those funding work on debilitating after effects of virus.

Hochul Lifts Mask Mandate on N.Y.C. Public Transit

Ana Ley and Luis Ferré-Sadurní, The New York Times

Riders on public transit are no longer required to wear masks in New York, Gov. Kathy Hochul announced Wednesday, bringing the state in line with other transportation systems nationwide that relaxed their rules in April when a federal judge in Florida overturned a nationwide mandate.

Pfizer donates Paxlovid to group targeting COVID in poorer countries

Jennifer Rigby, Reuters

Pfizer (PFE.N) has donated 100,000 courses of its COVID-19 antiviral treatment Paxlovid to a new group aiming to improve access to the drug in low and middle-income countries.

4 things to know about the bivalent booster campaign rollout

David Lim and Katherine Ellen Foley, Politico

The Biden administration's fall campaign for updated Covid-19 boosters is ramping up ahead of the flu season, with pharmacies adding appointments for the newly authorized shots that officials believe will offer greater protection against currently circulating variants.

Biden's Omicron Booster Campaign Faces Fatigue, Efficacy Doubts

Celine Castronuovo, Bloomberg Law

The Biden administration should make infection severity a focus of its Covid-19 booster campaign as limited efficacy data and cost-shifting threatens to hinder uptake of the latest shot, infectious disease doctors and policy analysts say.

[redacted]

GENERAL

Cancer study: Cases on the rise globally for those under age of 50

Mike Snider, USA Today

Cancer is on the rise among adults under the age of 50, new research suggests.Early onset cases of cancers of the breast, colon, esophagus, kidney, liver, and pancreas are among those that have risen worldwide since about 1990, according to a study by researchers at Brigham and Women's Hospital in Boston, and published this week in the peer-reviewed journal Nature Reviews Clinical Oncology.

U.S. monkeypox outbreak is slowing as vaccines become more accessible, health officials say

Spencer Kimball, CNBC

The U.S. monkeypox outbreak is slowing as vaccines have become more available and there's broader public awareness about what actions individuals can take to lower their risk of infection, according to White House health officials.

HHS Secretary Becerra Moves to Expand Testing for Monkeypox

Jeannie Baumann, Bloomberg Law

New monkeypox tests from companies like Quest Diagnostics can come to the market through an emergency clearance following action Wednesday by HHS Secretary Xavier Becerra.

Monkeypox: Senate Health Committee Sets Schedule for Hearings on Response

Madison Muller, Bloomberg

Heads of the US Centers for Disease Control and Prevention, Food and Drug Administration, National Institute of Allergy and Infectious Diseases and the Health and Human Services Department's preparedness office are slated to testify Sept. 14 at 10 a.m., according to a statement from the office of Senator Patty Murray of Washington state, who chairs the Health, Education, Labor and Pensions Committee. Bloomberg reported last month that the hearing was planned for mid-September.

Biden to highlight plans for reducing cancer deaths in moonshot speech

Shawna Chen, Axios

President Biden will outline his plan for reducing cancer deaths and bolstering treatments in a speech next week as part of what he has

called "this generation's moonshot," the White House announced Wednesday.

A Texas court gives Democrats get another chance to campaign on health care

Caitlin Owens, Axios

Weaponizing the GOP's 2017 attempt to repeal and replace the ACA was hugely successful for Democrats in the 2018 midterms. Republicans have been eager to talk about anything but the ACA since then, but Judge Reed O'Connor has twice now issued decisions that put key tenets of the law at risk.

Seriously, Flu Could Be Bad This Year

Katherine J. Wu, The Atlantic

Now, as the weather once again chills in this hemisphere and the winter holidays loom, experts are nervously looking ahead. After skipping two seasons in the Southern Hemisphere, flu spent 2022 hopping across the planet's lower half with more fervor than it's had since the COVID crisis began. And of the three years of the pandemic that have played out so far, this one is previewing the strongest signs yet of a rough flu season ahead.

Michigan judge: State's 1931 near-total abortion ban unconstitutional

Shawna Chen, Axios

By criminalizing abortion, the ban "prevents a woman who seeks to exercise a constitutional right from controlling her ability to work or to go to school, and thereby determining for herself the shape of her present and future life," Michigan Court of Claims Judge Elizabeth L. Gleicher wrote in the opinion.

Pregnant women with high stress fluctuations can affect the baby after birth

Megan Marples, CNN

Being pregnant is tough enough, but with the added pressure of work, a shaky economy and the risks of Covid-19, it can seem overwhelming. But if it's possible, expectant mothers should try to take stock of their stress and reach out for help to reduce how often their newborn is likely to experience negative emotions, according to a new study.

Opioid Treatment for Monkeypox Means Balancing US Health Crises

Jeannie Baumann, Bloomberg Law

Monkeypox patients seeking relief from painful lesions should only take opioids when alternatives don't work and after an evaluation for their risk of addiction or misuse, public health leaders said.

PAYERS

End of federal support means big COVID-19 costs for insurers

Maya Goldman, Modern Healthcare

Health insurance companies are urging regulators to establish price ceilings for COVID-19 vaccines and therapeutics, cautioning that costs will skyrocket without them.

Trans residents sue Florida over gender-affirming Medicare ban

Anne Branigin, The Washington Post

The lawsuit argues that Florida's policy, which went into effect last month, violates the plaintiffs' constitutional rights and federal nondiscrimination statutes, because it categorically denies them treatment on the basis of their gender identity.

Employer Group Touts 'Playbook,' Data to Broker Hospital Prices

Sara Hansard, Bloomberg Law

An organization that works with employers that provide health coverage for 45 million Americans is starting a service Thursday to help determine fair hospital prices.

PROVIDERS

Providers press CMS to pull back 4.5% doc pay cut

Robert King, Fierce Healthcare

Several provider groups say the Biden administration needs to reverse a proposed 4.5% pay cut to doctors for next year, noting the agency needs to consider additional financial pressures that practices are facing.

Congress is back. Here are 4 things to watch out for

Robert King, Fierce Healthcare

Provider groups are ramping up their efforts to convince lawmakers to stave off a 4% cut to provider payments under the PAYGO law, which calls for mandatory cuts if federal spending reaches a certain level. Lawmakers have traditionally postponed such pay cuts from taking effect. Physician groups are hoping that the latest cuts don't prove to be an exception.

PHARMA, BIOTECH AND DEVICES

Pandemic Readiness Lobby Draws Biotech, Government Members

Riley Griffin, Bloomberg

Drug and biotechnology firms, academics, investors and former government officials are launching a new lobbying group that hopes to improve long-term support for technology and products to combat future pandemics and other biological threats.

Roche pays $250 million to acquire Good Therapeutics

Damian Garde, Stat News

Good Therapeutics, a private company that raised just $30 million in venture financing since its 2016 foundation, said Wednesday it had signed a deal to sell itself to Roche for $250 million without ever running a clinical trial.

FDA Approves New Botox Rival

Jared S. Hopkins, The Wall Street Journal

The U.S. Food and Drug Administration approved a new antiwrinkle treatment that could be the most formidable challenger to date to market leader Botox.

Pediatric Drug Data Scarcity Prompts FDA to Revise Guidance

Jeannie Baumann, Bloomberg Law

Revised draft guidance on pediatric clinical trials aims to tackle the lack of adequate information on how well drugs work in kids.

A Message From the National Association of Chain Drug Stores:

The bipartisan Equitable Community Access to Pharmacist Services Act (H.R. 7213) is championed by U.S. Reps. Ron Kind (D-WI), David McKinley (R-WV), Nanette Barragán (D-CA), and Buddy Carter (R-GA). H.R. 7213 would help to ensure patient access to essential care and services by pharmacists - often the most accessible points of healthcare in communities. Visit PharmacyCare.org to learn more about the broad support that exists for this legislation across communities.

HEALTH TECHNOLOGY

A new report brings telehealth fraud risk into focus

Mohana Ravindranath, Stat News

Washington's attempts to permanently lock in telehealth coverage have been hobbled by a fear that virtual care could drive up Medicare fraud and spending. But a new watchdog report offers early evidence that only a small portion of providers are billing for virtual care in a potentially fraudulent way, suggesting that targeted interventions could crack down on abuse.

OPINIONS, EDITORIALS AND PERSPECTIVES

Ezekiel Emanuel on the state of COVID-19 in the US and the 'major issue' of healthcare burnout

Sydney Halleman, Healthcare Dive

Healthcare Dive caught up with Ezekiel "Zeke" Emanuel — oncologist, bioethicist and a former White House health adviser — to talk about the state of COVID-19, the federal government's policies on it, healthcare burnout and long COVID-19.

RESEARCH REPORTS

Application of Statistical Learning to Identify Omicron Mutations in SARS-CoV-2 Viral Genome Sequence Data From Populations in Africa and the United States

Lue Ping Zhao et al., JAMA Network Open

In this case series of 2698 Omicron cases in Africa and 12 141 Omicron cases in the United States, a statistical learning strategy found that Omicron was dynamically expanding in Africa and the United States with trackable expansion over time. The results indicated that Omicron could have been detected 20 days earlier in Africa; similarly, 8 Omicron cases were detected in the United States by November 25, 2021, prior to the official US Centers for Disease Control and Prevention declaration.

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SUBJECT: Nations Buying the Most Weapons, Peloton Faces Fines, & 7 StrongBuy Dividend Natural Gas Stocks to Load Up on Now
FROM: "24/7 Wall St." <newsletter@247wallst.com>
TO: hborski@utah.gov
DATE: 08/09/2022 07:35

24/7 WALL ST September 8, 2022

Morning Market Roundup

The latest news, updates & offers delivered directly to your inbox.

Top Analyst Upgrades & Downgrades

THURSDAY'S TOP ANALYST UPGRADES AND DOWNGRADES: APPLE, CHARGEPOINT, COINBASE, EQT, IQIYI, PETCO HEALTH, UPS AND MORE

Thursday's top analyst upgrades and downgrades included Apple, ChargePoint, Chimerix, Cincinnati Financial, Coinbase Global, DocuSign, EQT, Fastenal, iQIYI, Petco Health & Wellness, Stem and United...

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Special Report

NATIONS BUYING THE MOST WEAPONS AND THEIR BIGGEST SUPPLIERS

The U.S. defense budget and global military expenditures have been increasing in recent years, reaching

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7 'STRONG BUY' NATURAL GAS DIVIDEND STOCKS TO GRAB RIGHT NOW AS RUSSIA HALTS SUPPLY TO EUROPE

These seven natural gas producers pay strong and reliable dividends. Their stocks offer outstanding growth potential and reasonable entry points, and the closer we get to winter weather, the more...

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A recent analysis reveals that Utah is the state where owning a car will be the most expensive.

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FAMOUS AMERICANS WHO ARE NO LONGER US CITIZENS

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No historical figures are more reviled than traitors. Many of their betrayals have had a significant impact on history and the fate of nations. Such is the depth of their treachery that many of their...

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As fans eagerly await the release of Martin Scorsese's latest film, "Killers of the Flower Moon," set to debut in 2023, it may be time to revisit the catalog of one of the best filmmakers of...

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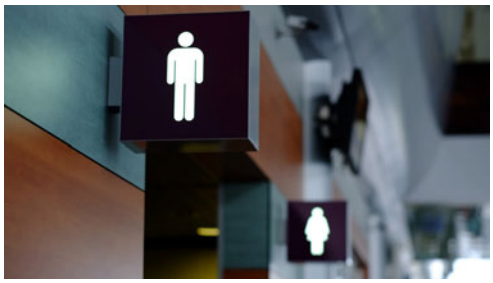

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Social Security is reviled by many Americans. This is particularly true of people who receive it.

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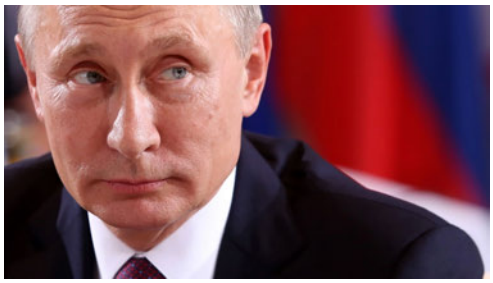

THE WINTER OF EUROPE'S DISCONTENT: ANALYSTS UPGRADE OR DOWNGRADE NETFLIX, PINTEREST AND MORE

In case you missed Wednesday afternoon's analyst calls.

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SUBJECT: 📢 New Cohort of Diverse Public Health Leaders
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TO: hborski@utah.gov
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PUBLIC HEALTH WEEKLY

READ

How Health Officials Can Build Relationships with Members of Congress

With midterms quickly approaching, public health officials are getting ready to build relationships with new members of Congress. It is more essential than ever for health officials to provide sound data and information to members of Congress on many health issues and ensure support for public health programs.

This week's Federal Health Policy Update is designed to help state and territorial health officials start a lasting relationship with Congress. Check out these tips now.

READ

THIS WEEK'S HIGHLIGHTS

New ASTHO Representative Appointed to National Advisory Committee | Scott Shone, PhD, director of the North Carolina State Laboratory of Public Health, has been named ASTHO's representative to the Advisory Committee on Heritable Disorders in Newborns and Children. The committee advises the HHS Secretary on the most appropriate application of universal newborn screening tests, technologies, policies, guidelines, and standards. **Learn more about Dr. Shone and the committee**.

ASTHO's Preparedness Webinar Series | ASTHO has a new webinar series as part of this year's **National Preparedness Month**. The offerings include: a comprehensive training on the Emergency Management Assistance Compact and preparing mission ready packages; enhancing emergency preparedness and care for pregnant people, neonates, and infants; and a deep dive on the National Biosurveillance Integration Center and how they partner with public health. Sign up for these webinars now:

- **Preparing to Respond to Biological Threats: Use of Mission Ready Packages** | Sept. 15 | 2:30–4 p.m. ET
- **Considerations for Maternal and Child Health and Public Health Emergencies** | Sept. 22 | 4–5 p.m. ET
- **Early Warning Signs: Health and Disease Surveillance Using the National Biosurveillance Integration Center** | Sept. 29 | 4–5 p.m. ET

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Thank you for being a long-time subscriber to ***Public Health Weekly***—we greatly appreciate your support! But did you know that we have more great newsletters to keep you up-to-date on the latest and greatest from ASTHO?

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A Conversation on Vaccine Confidence with the Washington State Department of Health

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Podcast

Making Sure Maine Youth Matter

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Report

State/Territorial Policy Considerations for Preventing Adverse Childhood Experiences

READ

[redacted]

• **Life Expectancy Data Sounds Alarm** | Anne Zink (SHO-AK), ASTHO President-Elect
• **Helping Youth in Crisis** | Heather Sebero, ASTHO
• **New Naloxone Strategy** | Nabarun Dasgupta, UNC-CH Gillings School of Global Public Health

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PUBLIC HEALTH REVIEW PODCAST

• **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
• **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
• **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
• **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC

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SUBJECT: NIHCM Newsletter: Life Expectancy Declines for the Second Year
FROM: NIHCM Foundation <nihcm@nihcm.org>

[redacted]

[redacted]

TO: Heather <hborski@utah.gov>
DATE: 08/09/2022 08:30

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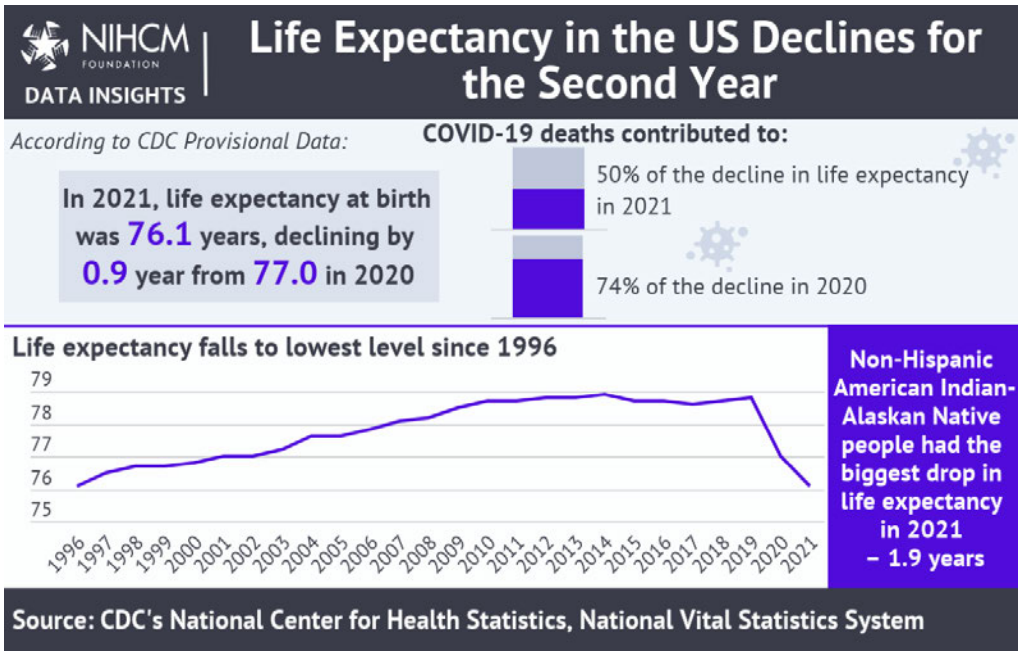
NIHCM NEWSLETTER - SEPTEMBER 2022

IN THIS ISSUE

- Overlapping Public Health Emergencies
- Incarcerated People's Health
- The Opioid Crisis and Other Drug Use
- Mental Health in America



More on this Data Visualization

[redacted]

Overlapping Public Health Emergencies

Life expectancy in the US fell for the second year in a row, driven largely by COVID-19 and drug overdose deaths. This contrasts with other high-income countries where life expectancy has rebounded. As the United States continues to respond to the pandemic, the emergence of monkeypox and polio highlights how overlapping emergencies strain the public health workforce and threaten multiple vaccination campaigns.

- **Boosters:** Newly authorized COVID boosters are now available. This shot is the first update to the vaccine targeting the omicron BA.5 subvariant. Federal officials say going forward COVID boosters will be treated as an annual shot, like the flu.
- **Monkeypox Cases:** It is not yet clear if the slowing pace of new monkeypox cases in the US will continue. The current at-risk population for monkeypox is mostly gay and bisexual men. Learn more about the frustration and pain patients have experienced over finding care.
- **Vaccinating Against Monkeypox:** The Biden administration announced a new equity program to improve access to vaccines. Black Americans have made up nearly a third of monkeypox cases in recent weeks but have only received about 10% of vaccine doses.
- **Poliovirus:** The return of polio to the US is a wake-up call to get vaccinated against the once-defeated virus. Learn if you received the polio vaccine and are protected against the virus.

Resources & Initiatives:

- Learn more about the new COVID booster shots and how to get up to date from the Centers for Disease Control and Prevention (CDC).
- The Caring Foundation of Texas' Care Vans are deployed to provide free vaccinations to students in the Dallas and Houston area.
- Learn what scientists know about how monkeypox spreads and about monkeypox and kids.
- Learn how to slow the spread of monkeypox from this publication from Blue Cross Blue Shield of Massachusetts.
- The CDC recommends that everyone 6 months and older get vaccinated against the flu, noting that fall vaccine campaigns will be complicated with both the flu and fall boosters being rolled out.

Register for NIHCM's upcoming webinar on maternal mortality to hear experts discuss the impact of changes to reproductive rights and new approaches that may improve maternal health!

Incarcerated People's Health

It is estimated that there are currently close to 2 million people incarcerated across the country. Between 1980 and 2014, the incarceration rate in the US went up by 220%. Incarcerated individuals are disproportionately impacted by chronic health conditions, mental illness, and substance use before, during, and after incarceration. While incarcerated individuals in the US have a constitutional right to receive health care, many do not have access to appropriate care.

- **Health Care in Prisons:** Roughly 63% of people with a history of mental illness do not receive adequate treatment while incarcerated. For incarcerated individuals that are pregnant, around 58,000 people a year, there are no federal standards for policies dictating abortion, maternal, and reproductive care. The overturning of Roe v. Wade may make these services even more restrictive or nonexistent.

- **Infectious Diseases:** Compared to the general population, infectious diseases are more prevalent among incarcerated populations. As of August 31, 2022, there have been at least 616,478 confirmed COVID-19 cases and 2,901 related deaths among this population. Prison health experts are now concerned that monkeypox will spread rapidly through the prison systems just as COVID-19 has. As of August 2, 2022, there were 533 confirmed monkeypox cases in an Illinois county jail, the first prison nationally to report any cases; since then, cases have been reported in prisons in Texas, Florida, and California as well.

- **Climate Change and Living Conditions:** Climate change is expected to bring increasingly hot summers, putting many incarcerated individuals at risk of heat-related illnesses. In Texas, which is one of at least 13 states without universal air conditioning in state prisons, more than two-thirds of the state's 100 prisons do not have air conditioning, forcing prisoners and staff to live and work in triple-digit temperatures. Since 1998, at least 23 incarcerated people in Texas have died from heat-related illnesses.

Resources & Initiatives:

- NIHCM Grantee, *Vox*, published an article on health care in prisons and the impact of the COVID-19 pandemic.

- The Highmark Foundation and several other organizations provided grants to support meeting the health needs of individuals released from incarceration and connecting individuals to social supports.

- The Council on Criminal Justice released briefs on health care in the criminal justice system and potential new reentry policies through their Health and Reentry Project.

- Blue Cross Blue Shield of Michigan grantee, MADE Institute, helps to ease the transition from incarceration to society by providing re-entry care packages. The Institute's founder recently spoke on NIHCM's webinar on children's health.

Register for NIHCM's webinar on the drug overdose crisis next week, featuring public health leaders who are working to address it.

The Opioid Crisis and Other Drug Use

NIHCM's infographic on opioid overdose deaths allows readers to visualize how the crisis has both grown in magnitude since 2000 and changed in character. Synthetic opioids, fentanyl in particular, were involved in 83% of opioid deaths in 2020. In addition to the growing overdose and addiction crisis, there is also worsening substance use among young adults.

- **Harm Reduction:** There is a need to expand access to naloxone to ensure it is in the hands of the people who are most likely to experience or witness an overdose. Additionally, needle exchange programs like this one in rural Nevada, and supervised injection sites can save lives.
- **Treatment:** Experts say that the benefits of expanding access to methadone outweigh any risks and a recent report outlines how federal regulators can remove barriers to treatment. A recent study shares how pandemic telehealth reforms increased access to opioid use disorder medications.
- **Young Adults:** The most recent federal survey on drug use found record-high use of marijuana and psychedelics among young Americans ages 19 to 30. There was also an increase in nicotine vaping and excessive alcohol consumption. The stress of the pandemic has likely contributed to this rise.

Resources & Initiatives:

- See resources from Shatterproof for people struggling with addiction, such as support groups and where to get naloxone.
- A special report released by NIHCM grantee, *STAT*, examines an overdose cluster that killed eight Black people in St. Louis.
- As part of the Michigan Opioid Partnership, Blue Cross Blue Shield of Michigan awards four substance use disorder recovery communities.
- Learn more about harm reduction from this podcast episode created by Tradeoffs, a NIHCM grantee.
- A former NFL quarterback shared his struggle with opioid addiction with high school students as part of a program, in part created by Horizon Blue Cross Blue Shield of New Jersey.

The pandemic's resulting isolation and online schooling exacerbated **youth mental health challenges.**

Mental Health in America

As millions of Americans return to the workplace after nearly three years of the COVID-19 pandemic, many report negative mental health implications. Among children, the pandemic's resulting isolation and online schooling exacerbated

youth mental health challenges. For many American students, there is anxiety surrounding returning to the classroom on a regular basis.

- **Workplace Mental Health:** Stress in the workplace can lead to decreased effectiveness and productivity. A recent survey found that nearly 71% of workers agree that employers are more concerned about employee mental health now than in the past. Many districts have turned to addressing the mental health challenges of educators as well as the children, aiming to reduce stress and burnout.

- **Return to School:** Poor mental health in adolescents is associated with lower productivity, school attendance, and higher rates of dropping out of school, all of which can impact future educational and career outcomes. A recent survey reported that 74% of parents believe schools should offer mental health days. However, several barriers including lack of awareness, social stigma, and economic challenges may inhibit the use of these days.

- **Mental Illness is Not a Predictor of Violence Towards Others:** While mental illness is often blamed as the cause of shooting events, it is not a useful predictor of violence towards others. Instead, recent research has shown that life crises are better predictors, suggesting that violence could potentially be averted.

Resources & Initiatives:

- Learn more about understanding what to look for and how to help with employee mental health and how leaders can encourage mental health in the workplace.

- Through its Social Impact program, Premera Blue Cross donated $3 million to address health inequities, mental health, and substance use disorder across Washington and Alaska.

- NIHCM recently released infographics on mental health in the US, detailing the importance of prioritizing mental health care and the stigma surrounding gun violence and mental health.

- Blue Cross Blue Shield of Arizona recently pledged over $1.3 million to organizations addressing mental health in the state, including helping to launch a Youth Mental Health First Aid program.

- NIHCM Grantee, *PBS NewsHour*, recently released a segment on mental health, focused on suicide, guns, and reducing stigma.

- Blue Cross and Blue Shield of North Carolina expanded its behavioral health network, strengthening access for rural areas and pediatric care.

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DNPAO Daily Media Monitor

September 8, 2022

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- "Can this Houston chef transform a food desert into thriving farmland?," *Texas Monthly* 9/7/2022 (Kendleton, TX)

Physical Activity

- "Breast cancer: Less sitting, more physical activity may lower risk," *Medical News Today* 9/7/2022
- "Can exercise strengthen your immunity?," *New York Times* 9/7/2022

Obesity

- "Low handgrip strength, obesity associated with increased risk of CKD in women," *American Journal of Managed Care* 9/6/2022
- "Exercise improves brain outcomes in overweight or obese children," *Contemporary Pediatrics* 9/6/2022
- "Children of mothers with obesity, gestational diabetes at higher risk for developing ADHD," *Healio* 9/8/2022

Access to Healthy Food

Waukegan grocery store owners give subtle push for better options; 'We want to give them the food they like for a healthy lifestyle'
9/7/2022 — Chicago, IL
Nydia Gonzalez-Carson and her husband, Adam Carson, took over management of the Waukegan location of her family's 41-year-old business — Supermercado Gonzalez — in November of 2020 with the goal of using it as a vehicle to make their community better. With a variety of ideas, Gonzalez-Carson said they wanted to find ways to help members of the community eat healthier.
Read full article here.

Can this Houston chef transform a food desert into thriving farmland?
9/7/2022 — Kendleton, TX
This past Juneteenth weekend, chef Chris Williams stood in the summer heat at Bates Allen Park in Kendleton for a ribbon-cutting ceremony. A group of elected officials and community members gathered at the site of a garden. At the time, it was only a few acres of fresh soil, but during this month's harvest, it's filled with tomatoes, okra, cucumbers, and peas that will feed the residents of the historically Black town about an hour southwest of downtown Houston.
Read full article here.

Physical Activity

[redacted]

[redacted]

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SUBJECT: Re: Introduction
FROM: "Nate Checketts (DHHS)" <natecheckett@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/09/2022 09:04

It seems like 76-7-325 would be the section that could potentially apply outside of state government agencies.

76-7-322 and 76-7-323 apply to the state and its political subdivisions.

Thanks,

Nate

On Wed, Sep 7, 2022 at 6:45 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

I spoke with Laurie and Lynne.
Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedent comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Bangerter

HB

On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate [illegible] if possible. But if Davida and Heather would like to discuss, that would probably be easier than having me in the middle.

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550

Breast cancer: Less sitting, more physical activity may lower risk
9/7/2022
Physical activity and less sedentary time have been linked to a lower risk for breast cancer in observational studies. While research suggests a generally consistent link between breast cancer risk and physical activity, the link between sedentary time and breast cancer risk is less clear and less well-studied.
Read full article here.

Can exercise strengthen your immunity?
9/7/2022
You've probably heard the advice: One of the best things you can do to keep healthy — especially as cold and flu season creeps up — is stay physically active. This folk wisdom has been around for ages, but until recently, researchers did not have much data to support the idea. Now, scientists studying risk factors related to Covid-19 have turned up some preliminary evidence about the link between regular exercise and better immune defenses against disease.
Read full article here.

Obesity

Low handgrip strength, obesity associated with increased risk of CKD in women
9/6/2022
A study published in *The Journal of The North American Menopause Society* found that postmenopausal women who had low handgrip strength and a high waist circumference, defined here as dynapenic-abdominal obesity, had a higher risk of chronic kidney disease (CKD) when compared with other women who were obese, dynapenic, or healthy.
Read full article here.

Exercise improves brain outcomes in overweight or obese children
9/6/2022
Intelligence and cognitive flexibility are improved through exercise in overweight or obese children, according to a recent study. From 1975 to 2016, overweight and obesity in children rose from 4% to 18%. This has led to health concerns, as overweight and obesity has been associated with poorer cognitive and brain health among pediatric patients. As a potential countermeasure to these adverse events, researchers studied the effects of exercise on cognitive function.
Read full article here.

Children of mothers with obesity, gestational diabetes at higher risk for developing ADHD
9/8/2022
Children of women with gestational diabetes and pregestational obesity are more likely to develop ADHD than offspring of women with normal weight, according to study findings. “Our study found pregnant women with obesity and gestational diabetes had children with long-term mental health disorders, such as ADHD,” Verónica Perea, MD, PhD, endocrinologist at Hospital Universitari Mutua Terrassa in Barcelona, Spain, said in a press release. “We did not find this association when these women gained a healthy amount of weight during pregnancy.”
Read full article here.

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tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

[redacted]

[redacted]

§ 59.10 Confidentiality

(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: “The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver.” Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Derrick,
>
> I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."
>
> As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.
>
> More to come next week. Enjoy your weekend!
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of Health & Human Services

[redacted]

[redacted]

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey Tracy,

I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Derrick, Will <Will.Derrick@mail.house.gov>
Date: Friday, August 19, 2022 at 9:09 AM
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
That would be tremendous. Thank you, Tracy.

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Friday, August 19, 2022 at 8:13 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey there,

Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If

[redacted]

[redacted]

you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

Sign up for our weekly newsletter!

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Thursday, August 18, 2022 at 12:07 PM
To: Gordon Larsen <gordonlarsen@utah.gov>
Cc: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted].

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

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Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Gordon Larsen <gordonlarsen@utah.gov>
Date: Thursday, June 17, 2021 at 11:34 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

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--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

[redacted]

[redacted]

--
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[redacted]

[redacted]

SUBJECT: Re: Introduction
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/09/2022 09:10

Are you pointing to 76-7-325 because it says "whenever possible" notice will be given to parents?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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> Nate
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> On Wed, Sep 7, 2022 at 6:45 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:
> > I spoke with Laurie and Lynne.
> > Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.
> >
> > We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
> > Planned Parenthood Association of Utah v. Matheson
> > Planned Parenthood Association of Utah v. Dandoy
> >
> > HB
> >
> > On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
> > > Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

[redacted]

[redacted]

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

Sign up for our weekly newsletter!

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

[redacted]

[redacted]

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: “The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver.” Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of
Health & Human
Services

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Derrick,
>
> I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."
>
> As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.

[redacted]

[redacted]

More to come next week. Enjoy your weekend!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey Tracy,
>
> I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.
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> Congressman Blake Moore (UT-01)
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> Sign up for our weekly newsletter!

From: Derrick, Will <Will.Derrick@mail.house.gov>
Date: Friday, August 19, 2022 at 9:09 AM
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
That would be tremendous. Thank you, Tracy.

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Friday, August 19, 2022 at 8:13 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted]

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SUBJECT: Over the Precipice Into a Post-Roe World - AJPH September Issue
FROM: "Alfredo Morabia" <apha@apha.org>
TO: hborski@utah.gov
DATE: 08/09/2022 09:17

AJPH
A PUBLICATION OF THE AMERICAN PUBLIC HEALTH ASSOCIATION

150 YEARS APHA

Dear Heather,

The September issue of AJPH features a special section on abortion and reproductive rights. Select articles cover rights and access in the United States, abortion bans and economic risk, infrastructure, and telemedicine. Other topics include body-worn camera footage and police-administered naloxone, #MeToo in South Korea, screening for breast cancer, and more.

Here are a few of the many articles in the September 2022 issue:

- Podcast: "Harassment Of Public Health Officials: Looking At The Full Picture" (Watch as a video)
- Reproductive Rights and Fascist Threat
- Abortion Care Is Health Care: A Public Health of Consequence, September 2022

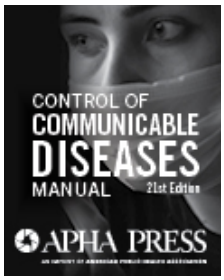
Join APHA and get full access to AJPH, the official journal of the American Public Health Association.

AJPH Podcast

150 YEARS
APHA 2022
ANNUAL MEETING & EXPO
BOSTON | NOV. 6 - 9

[redacted]

- Over the Precipice Into a Post-Roe World—A Look at Abortion Rights and Access in the United States
- New Abortion Bans Will Increase Existing Health and Economic Disparities
- Collapse of the Abortion Care Infrastructure: There Aren't Enough Hands to Fill the Gaps
- Barriers Push People into Seeking Abortion Care Later in Pregnancy
- Telemedicine Provision of Medication Abortion
- Could Health Plan Co-Opetition Boost Action on Social Determinants?
- Leveraging Body-Worn Camera Footage to Better Understand Opioid Overdoses and the Impact of Police-Administered Naloxone
- Social Movement and Mental Health of South Korean Women Sexual Violence Survivors, 2012–2019



The mission of AJPH is to advance public health research, policy, practice and education. Toward that goal, the journal also produces monthly podcasts available in English and Chinese at ajph.org. The monthly podcasts are also on iTunes and Google Play.

Be on the lookout for more timely research from AJPH, and consider subscribing or becoming an APHA member for full access.

In good health.

Alfredo Morabia, MD, PhD
Editor-in-Chief, AJPH
@AlfredoMorabia
@AMJPublicHealth

Thank you for all you are doing to address the ongoing pandemics of COVID-19 and racism. Please share our COVID-19 guidance in English and Spanish and read our statement on racism as you join in the chorus for justice. Our Advancing Racial Equity and COVID-19 Conversations webinars and COVID-19 and racism pages are also great resources for you and the public.

[redacted]

American Public Health Association
800 I St. NW, Washington DC 20001
www.apha.org
202-777-2742

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Unsubscribe from all future APHA emails. *Please Note: This will remove you from all APHA communications, including important updates, membership information and newsletters.*

higher logic

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: Re: Introduction
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/09/2022 09:49

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> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of Health & Human Services
>
> ---------- Forwarded message ---------
> From: **Derrick, Will** <Will.Derrick@mail.house.gov>
> Date: Tue, Sep 6, 2022 at 8:13 AM
> Subject: Re: Introduction
> To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
> Cc: Gordon Larsen <gordonlarsen@utah.gov>
>
> Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.
>
> I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards
>
> How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?
>
> Kindly,
>
> Will Derrick

[redacted]

[redacted]
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: “The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver.” Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Derrick,

I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."

As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.

More to come next week. Enjoy your weekend!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey Tracy,

I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Derrick, Will <Will.Derrick@mail.house.gov>
Date: Friday, August 19, 2022 at 9:09 AM
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
That would be tremendous. Thank you, Tracy.

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Friday, August 19, 2022 at 8:13 AM

[redacted]

To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey there,
>
> Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.
>
> Kindly,
>
> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
> Sign up for our weekly newsletter!

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Thursday, August 18, 2022 at 12:07 PM
To: Gordon Larsen <gordonlarsen@utah.gov>
Cc: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction
Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted]

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted]

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

Will,

Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.

I'm flexible next week, particularly next Tuesday.

Thanks in advance for your help!

Gordon

On Thu, Aug 18, 2022 at 8:26 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey Gordon,

Picking up this convo from last year –

I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of "family planning" in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Gordon Larsen <gordonlarsen@utah.gov>
Date: Thursday, June 17, 2021 at 11:34 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Hi Will,

Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?

And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

Gordon

On Thu, Jun 17, 2021 at 8:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey there,

[redacted]

[redacted]

My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?

On a more specific note, my understanding is that the Utah Department of Health may have applied for a Title X Family Planning Grant last year. I know that Utah would have to be granted an exemption to accommodate state law mandating minors have parental consent to access contraceptive services. I was curious if there was a contact at the Utah Department of Health I could connect with to discuss if the Department plans to apply again. Do you know of anyone I could chat with on this topic?

Thank you so much for your help. I hope to connect soon!

Kindly,

Will Derrick
Junior Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

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[redacted]

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SUBJECT: FRAC Applauds the Biden Administration for Improvements to PublicCharge Rule, Calls on Congress to Pass Lift the Bar Act to Further MitigateHunger
FROM: Food Research & Action Center <shayward@frac.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 08/09/2022 12:20

FRAC Food Research & Action Center

NEWS RELEASE

Media Contact:

[redacted]

[redacted]

Jordan Baker
jbaker@frac.org
202-640-1118

FRAC Applauds the Biden Administration for Improvements to Public Charge Rule, Calls on Congress to Pass Lift the Bar Act to Further Mitigate Hunger

Statement attributed to Luis Guardia, president, Food Research & Action Center (FRAC)

WASHINGTON, September 8, 2022 — The Food Research & Action Center (FRAC) commends the Biden administration for issuing a new final public charge rule that provides confirmation to eligible immigrant families that they can access and benefit from the Supplemental Nutrition Assistance Program (SNAP), Medicaid, and housing assistance without negative repercussions to their immigration status.

The new Department of Homeland Security public charge rule unequivocally states that, applying for or receiving SNAP, Medicaid, and housing benefits will not be considered in a public charge determination. This new rule signifies that eligible immigrant families should not be penalized for seeking vital assistance that will not only improve their health, nutrition, and well-being, but also lead to a more compassionate, productive, and thriving nation for all.

While this is an essential step in mitigating hunger among immigrant families, there is still much work to be done to ensure all families, regardless of immigration status, can access the nutrition they need to thrive. FRAC now looks forward to working with state agencies, anti-hunger partners, and the Protecting Immigrant Families coalition to spread awareness about immigrant eligibility for SNAP and other nutrition programs, and calls on Congress to pass the LIFT the Bar Act to rescind arbitrary and harsh eligibility rules that terminate, impede, or undercut SNAP access and exacerbate racial and health inequities.

###

The Food Research & Action Center improves the nutrition, health, and well-being of people struggling against poverty-related hunger in the United States through advocacy, partnerships, and by advancing bold and equitable policy solutions. To learn more, visit FRAC.org and follow us on Twitter and on Facebook.

About Us
The Food Research & Action Center (FRAC) improves the nutrition, health, and well-being of people struggling against poverty-related hunger in the United States through advocacy, partnerships, and by advancing bold and equitable policy solutions.

Contact Us
Food Research & Action Center
1200 18th Street, NW Suite 400
Washington, District of Columbia 20036
(202) 986-2200
shayward@frac.org

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SUBJECT: UnitedHealth Deal Is 'Not A Merger To Monopoly,' Judge Says
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 09/09/2022 02:15

Friday, September 9, 2022

Follow

TOP NEWS

[redacted]

UnitedHealth Deal Is 'Not A Merger To Monopoly,' Judge Says

The D.C. federal judge who will decide the fate of UnitedHealth's $13.8 billion bid for Change Healthcare challenged the U.S. Department of Justice during closing arguments Thursday on its assertions that the deal will create a monopoly for health insurance claims processing technology, repeatedly noting plans to divest the sole overlapping business unit.

Read full article »

Holmes' 3rd New Trial Bid Targets Missing Database Emails

Convicted former Theranos CEO Elizabeth Holmes filed a third request for a new trial late Wednesday, this time arguing that prosecutors unveiled new evidence during co-defendant Ramesh "Sunny" Balwani's criminal trial regarding their efforts to preserve a missing Theranos database and that the new information is grounds for a new trial.

Motion attached | Read full article »

FTC Says Endo Bankruptcy Can't Stop DC Circ. Appeal

The Federal Trade Commission has asked the D.C. Circuit to lift a bankruptcy-related stay in its bid to revive antitrust claims accusing Endo Pharmaceuticals Inc. of entering a "pay-for-delay" agreement with Impax Laboratories LLC to stave off competition to Endo's Opana ER painkiller.

Motion attached | Read full article »

Cherokee Opioids Suit Can't Go To Okla. Court, 10th Circ. Told

Three national pharmacy chains want the Tenth Circuit to keep in federal court a lawsuit brought by the Cherokee Nation, which accuses the chains of exacerbating opioid addiction on its reservation, claiming the Oklahoma tribe seeks to "rewrite federal law" by returning the case to state court.

Brief attached | Read full article »

Ohio Judge Questions Carveouts In 'Heartbeat' Abortion Law

An Ohio judge on Thursday expressed doubt that exceptions outlined in the state's law criminalizing most abortions after six weeks of pregnancy would truly convince doctors they will not be second-guessed, pushing back on the state's contention that the clinics challenging the statute have nothing to fear if they use sound judgment.

Read full article »

POLICY & REGULATION

Biden Admin. Reverses Trump-Era Immigration Wealth Test

COMPANIES IN TODAY'S NEWS

Affiliated FM Insurance Co.
Air Line Pilots Association International
Allianz SE Reinsurance
Amazon.com Inc.
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Ohio
American Immigration Council Inc.
Ameritas Life Insurance Corp.
Amneal Pharmaceuticals LLC
Anaplan Inc.
CNA Financial Corp.
CVS Health Corp.
Change Healthcare Inc.
Chegg Inc.
Citizens Property Insurance Corp.
Creative Artists Agency LLC
Crescent Hotels & Resorts LLC
Democracy Forward Foundation
Endo International PLC
Google LLC
Impax Laboratories, Inc.
KBC Group NV
Legal Sea Foods LLC
LexisNexis Group Inc.
LinkedIn Corp.
Mayo Foundation for Medical Education and Research

Green card hopefuls likely to use Medicaid and food stamps will no longer be deemed ineligible for permanent residency on the basis of being considered a "public charge," under a final regulation released Thursday that reverses a Trump-era policy.

1 document attached | Read full article »

SEC To Open New Office Scrutinizing Crypto Filings

The U.S. Securities and Exchange Commission plans to open an office this fall dedicated to reviewing public filings related to crypto assets, a senior official at the agency said Thursday.

Read full article »

LITIGATION

9th Circ. Upholds Jury's $10M Wrongful Birth Verdict

The Ninth Circuit on Thursday affirmed a jury's $10 million verdict award to a woman on her unwanted birth claims against a federally funded medical center that failed to provide her contraception, ruling the government must pay damages awarded on account of the child's brain damage.

Opinion attached | Read full article »

3rd Circ. Won't Revive Off-Label Suit Over Teva Heart Drug

The Third Circuit has declined to revive two cases against Teva Pharmaceuticals USA Inc. alleging the company failed to warn patients about side effects associated with the off-label use of heart drug Amiodarone, finding the patients didn't plausibly allege how the drugmaker broke Delaware state law.

Opinion attached | Read full article »

DOL, Legal Org. Tell 10th Circ. ERISA Suit Can't Be Arbitrated

The U.S. Department of Labor and a legal advocacy organization urged the Tenth Circuit to uphold a lower court's ruling that an arbitration agreement doesn't stop workers from suing a radiology company in a proposed class action for allegedly overcharging them in a stock ownership sale.

2 documents attached | Read full article »

Feds Can't Appeal Immunity Ruling In Flint Water Suit

The U.S. Environmental Protection Agency can't appeal an order denying its bid to dismiss claims that its negligence worsened the Flint water crisis, after a Michigan federal judge ruled that the legal questions are not as discrete and clean as the government suggests.

Order attached | Read full article »

McKesson Corp.
Migration Policy Institute
National Association of Realtors
New York State Bar Association
Optum Inc.
Patomak Global Partners LLC
Pfizer Inc.
Planned Parenthood Federation
Practising Law Institute Inc.
RELX PLC
Service Employees International Union
Spectrum Management Holding Co.
Spectrum Retirement Communities LLC
Teva Pharmaceutical Industries Ltd.
The Florida Bar
Thoma Bravo LLC
U.S. Bancorp
Under Armour Inc.
United Airlines Holdings Inc.
United Talent Agency LLC
UnitedHealth Group Inc.
Walgreens Co.
Walmart Inc.
Wells Fargo & Co.
Wilmington Trust Corp.
Zurich Insurance Group AG

LAW FIRMS IN TODAY'S NEWS

Baker Donelson
Bartlett LLP
Bartlit Beck
Boies Schiller
Bowman & Brooke
Butler Snow LLP
Caminez & Yeary
Casper Firm
Cleary Gottlieb
Cole Cole
Cozen O'Connor
Dean Mead
Dechert LLP
Dentons
Dhillon Law Group
Federal Practice Group
Fenwick & West
Foley Hoag
Foliart Huff
Gibson Dunn
Glankler Brown

Mass. Nursing Co. Settles Claim It Rejected Opioid Patients

The operator of nearly two dozen nursing facilities in Massachusetts has settled claims that it violated the Americans with Disabilities Act by turning away patients who said they needed medications for opioid use disorder, federal prosecutors announced Thursday.

Read full article »

US Bank Seeks To Toss $20M Insurance Death Benefit Suit

U.S. Bank told a Delaware federal court that Ameritas Life Insurance Corp.'s swift efforts to void an insurance policy with $20 million in death benefits demonstrates the insurer's scheme to only "bill, collect and retain premiums."

Brief attached | Read full article »

Union Looks To Cement $2.1M Arbitral Win Against Hospital

A Service Employees International Union local asked a New York state court to confirm its $2.1 million win in a dispute with a Brooklyn hospital over benefit fund contributions, which was resolved through arbitration this year.

Complaint attached | Read full article »

Ex-United Pilots Say Union 'Colluded' On Vax Mandate

Former United Airlines pilots alleged their union unlawfully breached its fair duty of representation by colluding with the airline to impose a COVID-19 vaccine mandate, saying the labor organization dissuaded workers from filing grievances over the policy.

Complaint attached | Read full article »

Colo. Judge Awards $6M In Pot Biz Fight, Calls Out Atty

A Colorado federal judge has awarded more than $6 million in damages to a Colorado man who proved breach of contract by his former medical cannabis business partner, in a ruling that also criticized prominent cannabis firm Vicente Sederberg LLP.

Decision attached | Read full article »

Medical Pot Users Call DOJ Bid To Ax Suit 'Insulting'

The Florida agriculture commissioner and three residents have slammed a bid by the U.S. Department of Justice to throw out their suit challenging a rule holding that participants in medical cannabis programs don't have Second Amendment rights, saying the DOJ's arguments comparing those in the program to felons is "insulting."

Response attached | Read full article »

DEALS

Goodwin Procter
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Law Office of John D. Cline
Levy Konigsberg
Levy Ratner
Link & Rockenbach
Maxwell Graham Law
McElroy Deutsch
Motley Rice
Phillips Murrah
Robbins Geller
Saxena White
Sheppard Mullin
Silverman Thompson
Simpson Thacher
Squire Patton
Vicente Sederberg
Whitten Burrage
Williams & Connolly
WilmerHale
Zuckerman Spaeder

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Supreme Court
Cherokee Nation
Colorado Supreme Court
Federal Bureau of Investigation
Federal Trade Commission
Food and Drug Administration
Louisiana Supreme Court
Maryland Medical Cannabis Commission
National Archives and Records Administration
Office of National Drug Control Policy
Office of the Director of National Intelligence
Ohio Attorney General's Office
Ohio Supreme Court
Oklahoma Supreme Court
U.S. Attorney's Office for the District of Massachusetts

Biz Software Sees Record Deals Despite Broader M&A Lull

The enterprise software sector has defied the broader decline in global mergers and acquisitions activity this year, posting a record-breaking number of transactions in the first half of 2022, according to a newly released report.

Read full article »

PEOPLE

Bowman And Brooke Partner Discusses Expansion In Austin

After adding six attorneys and four other legal professionals in the past year, the leader of Bowman and Brooke LLP's Austin office is crediting the expansion to a deep pool of legal talent in the Lone Star State and a post-pandemic demand for litigators.

Read full article »

EXPERT ANALYSIS

FTC Settlement Puts Contact Lens Compliance In Sharp Focus

The Federal Trade Commission's recent $3.5 million settlement with Vision Path over improper online sales of prescription contact lenses, and related online reviews, demonstrates that companies must eye their legal responsibilities under the Contact Lens Rule and the FTC Act carefully to mitigate legal risks and liability, says David Oberly at Squire Patton.

Read full article »

Rebuttal

Courts Are Not Shifting On COVID Biz Interruption Stance

Although a recent Law360 guest article suggested that the pendulum is about to swing in favor of policyholders seeking business interruption coverage for pandemic-related losses, the larger body of appellate case law — applying the laws of 25 states — continues to find no coverage, say attorneys at Dentons.

Read full article »

Rebuttal

ABA Is Defending Profession's Values From Monied Influences

A recent Law360 guest article suggested that the American Bar Association ignored new opportunities for the legal industry by opposing nonlawyer ownership of law practices, but any advantages would be outweighed by the constraints nonlawyer owners could place on the independence that lawyers require to act in the best interest of their clients, says Stephen Younger at Foley Hoag.

Read full article »

PRACTICAL GUIDANCE

Where States Stand On The Legality Of Abortion

U.S. Attorney's Office for the Northern District of California
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Veterans Affairs
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the Eastern District of Louisiana
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Southern District of Florida
U.S. District Court for the Western District of Texas
U.S. Environmental Protection Agency
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of Colorado

In light of Indiana recently joining 19 other states in criminalizing abortion prior to viability, Amanda Zablocki and Mikela Sutrina at Sheppard Mullin review the current slate of state abortion laws and their broader implications.
Read full article »

LEGAL INDUSTRY

DOJ Appeals Mar-A-Lago Special Master Order, Asks For Stay

The U.S. Department of Justice said Thursday it will appeal a Florida federal judge's decision to appoint a special master to screen documents seized by the FBI from former President Donald Trump's Mar-a-Lago estate for attorney-client and executive privilege and asked the judge to pause an injunction against prosecutors' review of only the classified materials seized at the estate.
Read full article »

Senate Confirms Memphis Atty To 6th Circ.

The Senate narrowly confirmed Memphis attorney Andre B. Mathis to the Sixth Circuit on Thursday by a 48-47 vote, making him the 20th circuit court nominee to be approved since President Joe Biden took office.
Read full article »

Motley Rice Says Robbins Geller Undercut Client In Stock Suit

Motley Rice LLC and Saxena White PA were appointed lead counsel in a securities fraud class action against online education company Chegg Inc. after accusing Robbins Geller Rudman & Dowd LLP of undermining its own client in order to win the lead position for itself.
Read full article »

Alsup Says Amazon's Attys 'Pampering' Selves With Delay Bid

U.S. District Judge William Alsup held off on deciding Thursday whether to grant Amazon a win in MasterObjects Inc.'s infringement suit over autofill search-engine patents, and he appeared critical of Amazon attorneys' request to delay the upcoming trial, saying, "I think you lawyers are pampering yourself too much."
Read full article »

11th Circ. Tosses Baker Donelson's $140K Fees Suit

The 11th Circuit Court of Appeals has affirmed the dismissal of a $140,000 lawsuit for lack of jurisdiction by Baker Donelson Bearman Caldwell & Berkowitz PC against the

appointed guardian of the mother of a client challenging the guardian's appointment.

Read full article »

Florida Man Charged With Vandalizing Federal Courthouse

A Florida man has been charged with destruction of federal property, accused of vandalizing the federal courthouse in Fort Lauderdale on Labor Day and breaking doors and windows in the building.

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[redacted] Title

SUBJECT: Biden Admin. Reverses Trump-Era Immigration Wealth Test
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 09/09/2022 02:30

LAW360 PUBLIC POLICY

Friday, September 9, 2022 Follow

TOP NEWS

Biden Admin. Reverses Trump-Era Immigration Wealth Test
Green card hopefuls likely to use Medicaid and food stamps will no longer be deemed ineligible for permanent residency on the basis of being considered a "public charge," under a final regulation released Thursday that reverses a Trump-era policy.
1 document attached | Read full article »

Feds Can't Appeal Immunity Ruling In Flint Water Suit
The U.S. Environmental Protection Agency can't appeal an order denying its bid to dismiss claims that its negligence worsened the Flint water crisis, after a Michigan federal judge ruled that the legal questions are not as discrete and clean as the government suggests.
Order attached | Read full article »

White House Office Urges Study Of Crypto's Enviro Impact
The White House on Thursday called on the federal government to conduct further research on the energy impact of crypto mining and to set new environmental standards for the growing digital asset industry.
Report attached | Read full article »

SEC To Open New Office Scrutinizing Crypto Filings
The U.S. Securities and Exchange Commission plans to open an office this fall dedicated to reviewing public filings related to crypto assets, a senior official at the agency said Thursday.
Read full article »

DOJ Appeals Mar-A-Lago Special Master Order, Asks For Stay
The U.S. Department of Justice said Thursday it will appeal a Florida federal judge's decision to appoint a special master to screen documents seized by the FBI from former President Donald Trump's Mar-a-Lago estate for attorney-client and executive privilege and asked the judge to pause an injunction against prosecutors' review of only the classified materials seized at the estate.
2 documents attached | Read full article »

Bannon Indicted In NY As 'Architect' Of Border Wall Fraud
New York prosecutors charged former Trump administration strategist Stephen Bannon with money laundering and conspiracy Thursday in connection with fundraising to build a wall on the southern U.S. border.
Read full article »

Senate Confirms Memphis Atty To 6th Circ.
The Senate narrowly confirmed Memphis attorney Andre B. Mathis to the Sixth Circuit on Thursday by a 48-47 vote, making him the 20th circuit court nominee to be approved since President Joe Biden took office.

LAW FIRMS IN TODAY'S NEWS
Alston & Bird
Baker Botts
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Bartlett LLP
Butler Snow LLP
Caminez & Yeary
Cleary Gottlieb
Dean Mead
Dechert LLP
Fenwick & West
Fick & Marx
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Gibson Dunn
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Hosie Rice
Hueston Hennigan
Hunton Andrews
Ifrah Law
Kirkland & Ellis
Levy Konigsberg
Link & Rockenbach
Martin G. Weinberg Attorney at Law
McDermott Will
Motley Rice
Ogletree Deakins
Orrick Herrington
Parker Bunt
Parker Poe
Paul Weiss
Pierce Atwood
Robbins Geller
Saxena White
Sheppard Mullin

[redacted]

Read full article »

BANKING & SECURITIES

SEC's Gensler Considers Divvying Up Crypto Platforms

U.S. Securities and Exchange Commission Chair Gary Gensler said Thursday that cryptocurrency exchanges that also operate as brokers, dealers and lenders could have their businesses broken up into separate legal entities to avoid harming investors through the commingling of these services.

Read full article »

Coinbase Backs Suit Against Treasury Over Tornado Cash Ban

The U.S. Department of the Treasury on Thursday was hit with a lawsuit backed by the cryptocurrency platform Coinbase accusing it of overstepping its authority when it sanctioned certain addresses associated with crypto mixing service Tornado Cash last month.

Complaint attached | Read full article »

ENERGY & ENVIRONMENTAL

Power Cos. Blast FERC Role In Power Market Rule Fight

Independent power producers want the Third Circuit to bar the Federal Energy Regulatory Commission from actively defending a major electricity market change in court, and they claim FERC Chairman Richard Glick abused his authority by trying to wage a defense without support from a majority of the commissioners.

3 documents attached | Read full article »

Utilities Spar With FERC Over PURPA Eligibility Interpretation

Electric utilities are challenging the Federal Energy Regulatory Commission's decision to qualify a solar-plus-battery storage project as a small-scale power producer under the Public Utility Regulatory Policies Act, telling the D.C. Circuit that the approval went against the statutory size cap in the law.

Read full article »

HEALTH & LIFE SCIENCES

Ohio Judge Questions Carveouts In 'Heartbeat' Abortion Law

An Ohio judge on Thursday expressed doubt that exceptions outlined in the state's law criminalizing most abortions after six weeks of pregnancy would truly convince doctors they will not be second-guessed, pushing back on the state's contention that the clinics challenging the statute have nothing to fear if they use sound judgment.

Read full article »

FTC Says Endo Bankruptcy Can't Stop DC Circ. Appeal

The Federal Trade Commission has asked the D.C. Circuit to lift a bankruptcy-related stay in its bid to revive antitrust claims accusing Endo Pharmaceuticals Inc. of entering a "pay-for-delay" agreement with Impax Laboratories LLC to stave off competition to Endo's Opana ER painkiller.

Motion attached | Read full article »

IP & TECHNOLOGY

IP Forecast: DC Circ. To Hear Free Speech Challenge To DMCA

The D.C. Circuit next week will consider a long-simmering constitutional challenge to parts of the Digital Millennium Copyright Act that lawyers at the Electronic Frontier Foundation call "a draconian federal statute that directly restricts [the] ability to speak." Here's a look at that case — plus all the

Silverman Thompson
Simpson Thacher
Stoel Rives
Vinson & Elkins
Wiley Rein
WilmerHale
Wilson Sonsini

COMPANIES IN TODAY'S NEWS

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American Association of State Highway and Transportation Officials
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Ohio
American Federation of Government Employees
American Immigration Council Inc.
American National Standards Institute Inc.
Amneal Pharmaceuticals LLC
Apple Inc.
Chamberlain Group Inc.
Change Healthcare Inc.
Chegg Inc.
Cipla Ltd.
Coinbase Global Inc.
Communications Workers of America
Constellation Energy Corp.
Edison Electric Institute Inc.
Electric Power Supply Association
Electronic Frontier Foundation
Endo International PLC
Ethereum GmbH
Gilead Sciences Inc.
Google LLC
Hasbro Inc.
Hetero Drugs Ltd.
Idaho Power Company
Impax Laboratories, Inc.
Instagram Inc.
Intel Corp.
KBC Group NV
LexisNexis Group Inc.
Meta Platforms Inc.
Miami Herald Media Co.
Migration Policy Institute
National Right to Work Legal Defense Foundation
New York State Bar Association
Nielsen Consumer LLC
NorthWestern Energy
Optum Inc.
PJM Interconnection LLC
Paramount Global
Patomak Global Partners LLC
Planned Parenthood Federation
Practising Law Institute Inc.
RELX PLC
Service Employees International Union
Solar Energy Industries Association
Southern California Edison Co.
Spectrum Management Holding Co.
Starbucks Corp.

other major intellectual property matters on deck in the coming week.
Read full article »
MEDIA & ENTERTAINMENT

Journalism Competition Bill Stalls Over Amendment Dispute
Legislation to give some journalism outlets limited antitrust immunity to bargain with major tech companies for revenue from the news they share on those platforms stalled in a Senate committee Thursday over a contentious disagreement about an amendment dealing with online content moderation.
Bill attached | Read full article »
EMPLOYMENT & BENEFITS

DOL Seeks To Wrap Up Fiduciary Rule Battle In Texas
The U.S. Department of Labor asked a Texas federal judge to toss a challenge to a 2020 rule critics say would unlawfully expand which retirement advisers qualify as fiduciaries with obligations under federal benefits law, arguing the regulations were a reasonable interpretation of federal benefits law.
Memorandum attached | Read full article »

Dems Intro Bill Targeting Right-To-Work Laws, Backing Unions
A group of Democratic lawmakers is taking aim at states across the country with so-called right-to-work laws through introducing a bill on Thursday that would eliminate bans on agreements between labor organizations and employers to require union membership as a condition of employment.
Bill attached | Read full article »
COMPETITION

UnitedHealth Deal Is 'Not A Merger To Monopoly,' Judge Says
The D.C. federal judge who will decide the fate of UnitedHealth's $13.8 billion bid for Change Healthcare challenged the U.S. Department of Justice during closing arguments Thursday on its assertions that the deal will create a monopoly for health insurance claims processing technology, repeatedly noting plans to divest the sole overlapping business unit.
Read full article »
INTERNATIONAL TRADE

Lawmakers Show Growing Unease On Indo-Pacific Framework
Thirty-six federal lawmakers added their names to a letter warning the Biden administration against cutting Congress and other stakeholders out of trade talks ahead of this week's ministerial-level meeting of the Indo-Pacific Economic Framework.
Letter attached | Read full article »
IMMIGRATION

1st Circ. Hears Args On Log Trucker Guestworker Visa Limits
The First Circuit heard oral arguments on whether a Maine law punishing businesses for hiring foreign logging truck drivers through the H-2A visa program went against federal law, with the state of Maine arguing it clearly did not.
Read full article »
WHITE COLLAR

1st Circ. Doubts Former Mass. Mayor's Tainted Jury Claim

The Florida Bar
TikTok Inc.
Trader Joe's Co.
Transport Workers Union of America
Under Armour Inc.
United Steelworkers
UnitedHealth Group Inc.
Universal Music Group NV
Vital Pharmaceuticals
Walmart Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Alaska Department of Law
Consumer Financial Protection Bureau
Defense Contract Management Agency
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Trade Commission
Food and Drug Administration
Government Accountability Office
Idaho Department of Environmental Quality
Internal Revenue Service
Maine Attorney General's Office
Metlakatla Indian Community
Miccosukee Tribe of Indians
National Archives and Records Administration
National Labor Relations Board
New York Attorney General's Office
Nez Perce Tribe
North Carolina General Assembly
Nuclear Regulatory Commission
Office of Foreign Assets Control
Office of National Drug Control Policy
Office of the Director of National Intelligence
Ohio Attorney General's Office
Ohio Supreme Court
Pennsylvania Public Utility Commission
Privacy and Civil Liberties Oversight Board
Tennessee Valley Authority
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office
U.S. Attorney's Office for the District of Massachusetts
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Fourth Circuit

A former Massachusetts mayor's attempt to overturn his fraud and corruption convictions faced headwinds Thursday, as one First Circuit judge appeared unswayed by claims that irrelevant evidence and improper closing arguments tainted the verdict.
Read full article »

NATIVE AMERICAN

1891 Law Gives Alaska Tribe Fishing Rights, 9th Circ. Rules
An 1891 federal law gives a federally recognized Native Alaskan tribe an implied right to fish in traditional off-reservation waters, a Ninth Circuit panel concluded Thursday, reversing a district court ruling that had dismissed the original lawsuit from the Metlakatla Indian Community against the state of Alaska.
Opinion attached | Read full article »

Idaho Hydroelectric Co. Will Pay Tribe $545K For Pollution
Idaho Power Co. has agreed to pay $545,000 to the Nez Perce Tribe to settle allegations that the utility illegally discharged oils, grease and other pollutants into the Snake River.
Order attached | Read full article »

Florida Wants In On Tribe's EPA Water Power Challenge
Florida on Wednesday said the Miccosukee Tribe of Indians cannot support their claims that the U.S. Environmental Protection Agency "disregarded and diminished" their sovereignty in giving the state authority to administer an important Clean Water Act permitting program.
Motion attached | Read full article »

TELECOMMUNICATIONS

DC Circ. Won't Rethink Approval Of FCC's 5.9 GHz Plan
A D.C. Circuit panel on Thursday declined to reconsider its opinion upholding a Federal Communications Commission 2020 decision to repurpose the 5.9 gigahertz spectrum band, which was once reserved for roadway safety.
Order attached | Read full article »

FCC Floats Security Upgrades For Public Emergency Alerts
The Federal Communications Commission will consider a plan to increase the cybersecurity of public warning systems, including wireless emergency alerts, the agency's chief said.
Read full article »

NFL Can Continue Gameday Workaround For Internet Outages
The Federal Communications Commission has granted the NFL's request for an extension of a conditional waiver allowing the NFL to continue operating its coach-to-coach communications systems in the limited circumstance of an internet outage in NFL stadiums during football games.
Order attached | Read full article »

CANNABIS

Medical Pot Users Call DOJ Bid To Ax Suit 'Insulting'
The Florida agriculture commissioner and three residents have slammed a bid by the U.S. Department of Justice to throw out their suit challenging a rule holding that participants in medical cannabis programs don't have Second Amendment

U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Energy
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the District of Idaho
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of Florida
U.S. District Court for the Western District of Texas
U.S. Environmental Protection Agency
U.S. Securities and Exchange Commission
U.S. Supreme Court

rights, saying the DOJ's arguments comparing those in the program to felons is "insulting."

Response attached | Read full article »

Pot Shop Atty Rips FBI Effort To 'Manufacture' Bribery Case

A Massachusetts attorney accused of attempting to bribe a police chief to approve a pot shop in his town called the charges against him "manufactured" by the FBI, according to a motion to dismiss Thursday.

Motion attached | Read full article »

EXPERT ANALYSIS

What Ore. Employers Can Do Ahead Of Paid Leave Law

Employers with more than 25 employees anywhere in the world, who have at least one employee in Oregon — including remote employees — should consider taking five steps now before the Oregon Family Leave Act takes effect on Jan. 1, says Florence Mao at Ogletree.

Read full article »

New Tax Credits For Renewables Should Offer Investors Relief

The Inflation Reduction Act's changes to tax credits for renewable energy projects should finally liberate tax equity investors from the restraints of the complex and onerous federal anti-abuse regime — and similar regimes in North Carolina and other states, says Kay Hobart at Parker Poe.

Read full article »

Opinion

FCC Preemption Ruling Is A Win For Cell Tech, Consumers

The Ninth Circuit ensured in Cohen v. Apple that the Federal Communications Commission's governance of radiofrequency emissions would not be undermined by contrary state and local standards — and prevented a fractured regulatory environment from stifling the continued rapid growth of cellular technology, say attorneys at Wiley.

Opinion attached | Read full article »

Rebuttal

ABA Is Defending Profession's Values From Monied Influences

A recent Law360 guest article suggested that the American Bar Association ignored new opportunities for the legal industry by opposing nonlawyer ownership of law practices, but any advantages would be outweighed by the constraints nonlawyer owners could place on the independence that lawyers require to act in the best interest of their clients, says Stephen Younger at Foley Hoag.

Read full article »

PRACTICAL GUIDANCE

Where States Stand On The Legality Of Abortion

In light of Indiana recently joining 19 other states in criminalizing abortion prior to viability, Amanda Zablocki and Mikela Sutrina at Sheppard Mullin review the current slate of state abortion laws and their broader implications.

Read full article »

LEGAL INDUSTRY

Motley Rice Says Robbins Geller Undercut Client In Stock Suit

Motley Rice LLC and Saxena White PA were appointed lead counsel in a securities fraud class action against online education company Chegg Inc. after accusing Robbins Geller Rudman & Dowd LLP of undermining its own client in order to win the lead position for itself.
Read full article »

Alsup Says Amazon's Attys 'Pampering' Selves With Delay Bid

U.S. District Judge William Alsup held off on deciding Thursday whether to grant Amazon a win in MasterObjects Inc.'s infringement suit over autofill search-engine patents, and he appeared critical of Amazon attorneys' request to delay the upcoming trial, saying, "I think you lawyers are pampering yourself too much."
Read full article »

11th Circ. Tosses Baker Donelson's $140K Fees Suit

The 11th Circuit Court of Appeals has affirmed the dismissal of a $140,000 lawsuit for lack of jurisdiction by Baker Donelson Bearman Caldwell & Berkowitz PC against the appointed guardian of the mother of a client challenging the guardian's appointment.
Read full article »

Florida Man Charged With Vandalizing Federal Courthouse

A Florida man has been charged with destruction of federal property, accused of vandalizing the federal courthouse in Fort Lauderdale on Labor Day and breaking doors and windows in the building.
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SUBJECT: Morning Consult Health Presented by the National Association ofChain Drug Stores: DHS Replaces Trump's Public Charge Rule to Ease HealthCare Access for Immigrants
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 09/09/2022 05:59

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 9, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The Department of Homeland Security said immigrants' Medicaid and Children's Health Insurance Program coverage status will not be taken into account when determining green card eligibility, reversing the so-called public charge policy put in place by the Trump administration. The Trump-era directive, intended to limit immigration, dramatically lowered Medicaid enrollment among immigrants and their families, and Health and Human Services Secretary Xavier Becerra said the rule change should ensure that those who qualify for Medicaid, CHIP and other health programs will be able to "receive the care they need without fear of jeopardizing their immigration status." (Modern Healthcare)

- In closing arguments for the Department of Justice's antitrust case against UnitedHealth Group Inc. over the insurer's $13 billion acquisition of Change Healthcare Inc., a federal judge pushed back on the DOJ's assertion that the deal would stifle competition and curb innovation in payer markets. U.S. District Judge Carl J. Nichols, who is expected to issue a ruling in the coming weeks, also pressed the DOJ on why UnitedHealth's planned divestiture of parts of its claims-processing business wouldn't allay competition concerns. (The Wall Street Journal)

- The White House said it will buy more than $100 million at-home COVID-19 tests from U.S. manufacturers, in what it characterized as a short-term solution intended to shore up capacity ahead of a potential testing demand surge in the fall and winter. The Biden administration, whose congressional request for another $22.4 billion in pandemic funding is almost certain to be rejected by Senate Republicans, did not say whether the purchase means that Americans will again be able to order free COVID-19 tests from a government website. (Reuters)

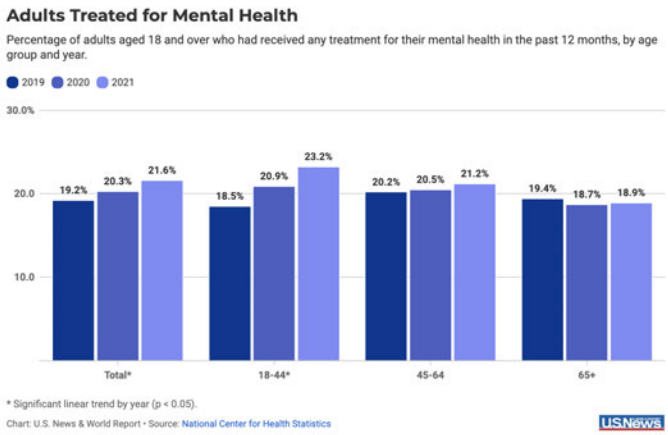
- A Centers for Disease Control and Prevention study found that HIV-infected people who contract monkeypox are hospitalized with the disease more than twice as often as those who do not have HIV. (CNBC) Dr. John T. Brooks, chief medical officer for the CDC's monkeypox response, said the report is a "call to action" and federal officials are now likely to expand vaccine recommendations, potentially to include HIV-positive men and people recently diagnosed with sexually transmitted infections. (The Associated Press)

Worth watching today (all times local):

- **8:30 a.m.** The final day of the National Association of Accountable Care Organizations' fall conference will be headlined with a speech from Center for Medicare & Medicaid Innovation Director Liz Fowler, who will be presented with the NAACOS Champion of Value in Health Care Award.

CHART REVIEW

Study Shows Rising Demand for Mental Health Treatment During Pandemic
U.S. News & World Report



PRESENTED BY THE NATIONAL ASSOCIATION OF CHAIN DRUG STORES

H.R. 7213 Would Help Preserve Reliable, Equitable & Trusted Access to Pharmacist Care for America's Seniors

Nearly 200 groups support H.R. 7213, the *Equitable Community Access to Pharmacist Services Act.* The bipartisan legislation would help preserve vaccination, testing, and treatment services in pharmacies for Medicare beneficiaries. Research shows the majority of older Americans want access to these services at the pharmacy. The Future of Pharmacy Care Coalition stands with seniors and diverse organizations in supporting the legislation - including groups representing patients, seniors, rural and urban communities, health systems, pharmacies, and pharmacists.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

'Don't wait' to get the new Covid shot, White House says
Erika Edwards, NBC News
The Biden administration is making a major push to get the updated Covid vaccine in arms ahead of what could be another fall surge of the virus as children head back to the classroom, and employees return to the workplace.

Doubling up on Covid, flu shots may have downside, experts say
Helen Branswell, Stat News

The protection generated by influenza vaccines erodes pretty quickly over the course of a flu season. A vaccine dose given in early September may offer limited protection if the flu season doesn't peak until February or even March, as it did during the unusually late 2021-2022 season.

Long COVID's link to suicide: scientists warn of hidden crisis
Julie Steenhuysen and Jennifer Rigby, Reuters
There is no authoritative data on the frequency of suicides among sufferers. Several scientists from organizations including the U.S. National Institutes of Health and Britain's data-collection agency are beginning to study a potential link following evidence of increased cases of depression and suicidal thoughts among people with long COVID, as well as a growing number of known deaths.

Return to school is driving up Covid-19 cases in kids, but there are more tools to keep them safe this year
Deidre McPhillips, CNN
New cases reported among children in the last week of August were 14% higher than they were two weeks earlier, according to data tracked by the American Academy of Pediatrics. They jumped even more in the South, where classes have been in session for weeks. In contrast, overall cases for all ages were down about 17% in the same timeframe.

Dirty Air Could Raise COVID Risks for Poor Pregnant Women
Cara Murez, HealthDay
While exposure to smog is a known risk factor for preterm birth and low-birth weight, new research suggests it also may heighten risk of COVID-19 infection for pregnant low-income women.

Superbugs are a "second punch" after pandemic
Eileen Drage O'Reilly, Axios
Superbugs are strengthening their foothold: The COVID-19 pandemic spurred a 15% increase in hospital-related infections and deaths in 2020, per the CDC.

GENERAL

U.S. starts enrollments in trial testing smaller dosage of monkeypox vaccine
Reuters
The National Institutes of Health said on Thursday it had started enrollments in a trial testing an alternative method of administering Bavarian Nordic's monkeypox vaccine, Jynneos, which requires smaller dosages.

FDA requires stronger safety warnings for breast implants
The Associated Press
U.S. health regulators on Wednesday finalized stronger warnings for breast implants, including a new requirement that people receive detailed information about their potential risks and complications before getting them.

Michigan Supreme Court puts abortion rights question on Nov. ballot
Nathaniel Weixel, The Hill
The 5-2 ruling comes after the Michigan Board of State Canvassers last week deadlocked 2-2 along partisan lines, blocking certification of the sweeping amendment that if passed, would enshrine abortion rights into the state's constitution after the U.S. Supreme Court overturned the right at the national level in June.

AMA warns 'patient health is at risk' post-Roe, calls for 'clear guidance' on state abortion laws
Jared Gans, The Hill
The AMA, American Pharmacists Association, American Society of Health-System Pharmacists and National Community Pharmacists Association said in a release that health care providers face a "confusing" legal landscape on abortion policies following the Dobbs v. Jackson Women's Health Organization ruling, which struck down a federal protection for abortion.

Artificial sweeteners may raise risk of heart disease, elevate blood sugar
Aria Bendix, NBC News

A study published Wednesday in the BMJ, which involved more than 100,000 adults in France, found a potential link between consumption of artificial sweeteners and heart disease.

Forehead thermometers could be less likely to detect fevers in Black patients
Ayana Archie, NPR News
Forehead thermometers may not be as accurate in reading temperatures for Black hospitalized patients, compared to oral thermometers, according to researchers at Emory University and the University of Hawaii.

Idaho Legislature Asks Judge to Reconsider Abortion Ruling
Rebecca Boone, The Associated Press
The Idaho Legislature has asked a federal judge to reconsider his decision blocking the state from enforcing a strict abortion ban in medical emergencies.

At 988 Call Centers, Crisis Counselors Offer Empathy — And Juggle Limited Resources
Brett Sholtis, Kaiser Health News
For people experiencing a mental health crisis, calling 988 can be a lifesaving decision. But what happens after they call depends on where they are. The new 988 system launched in mid-July, and one early estimate said calls went up 45% nationally during the first week.

South Carolina senators reject a near-total abortion ban
Jeffrey Collins, The Associated Press
South Carolina senators rejected a ban on almost all abortions Thursday in a special session called in the aftermath of the U.S. Supreme Court decision overturning Roe v. Wade after five Republicans, including all the chamber's women, refused to support it.

Juul settlement won't overhaul the e-cig landscape, experts warn
Nicholas Florko, Stat News
But the settlement doesn't have nearly the scope or the import of earlier efforts to rein in tobacco companies' marketing, experts told STAT. In fact, it appears to be missing many of the key provisions that they say made the earlier settlement so powerful in the first place.

Second person in the U.S. dies after contracting monkeypox
Alexander Tin, CBS News
Health authorities are now investigating what role monkeypox may have played in the death of a person diagnosed with the virus, officials in California said Thursday. This is the second known person to die in the U.S. after contracting the virus during the current outbreak.

PAYERS

Affordable Care Act Health-Plan Premiums Set to Rise
Stephanie Armour and Anna Wilde Mathews, The Wall Street Journal
Premiums for many Affordable Care Act health-insurance plans are set to rise sharply next year, a sign of how rising labor costs and other expenses are starting to ripple through the healthcare economy.

HHS Extends Medicaid, CHIP Coverage in Indiana, West Virginia
Bloomberg Law
The Department of Health and Human Services has approved the extension of Medicaid and Children's Health Insurance Program coverage for 12 months after pregnancy in Indiana and West Virginia, according to the department Thursday.

New playbook aims to help employers negotiate hospital prices
Paige Minemyer, Fierce Healthcare
The National Alliance of Healthcare Purchased Conditions released the book on Thursday, and it offers strategies for plan sponsors to harness newly-released price transparency and quality data as leverage to drive down prices. The book notes that hospitals charge commercial plans significantly more than Medicare, often with prices 140% to 200% higher than Medicare rates.

COVID vaccine coverage questions abound for health insurers
Frank Diamond, Fierce Healthcare
First, they're not free. That's the point that Amesh Adalja, M.D., a senior scholar at the Johns Hopkins Center for Health Security, wants to emphasize.

PROVIDERS

Regulators try to stop unlawful nursing home debt collection
Fatima Hussein, The Associated Press
Nursing homes and debt collectors are flouting a law that prohibits them from requiring friends and family of care home residents to shoulder the costs of the facilities, according to a federal report issued Thursday.

ACOs fret over losing dependable MACRA bonus after this year
Robert King, Fierce Healthcare
Accountable care organizations are worried about how the loss of a 5% quality bonus could affect the recruitment and retention of physicians as the window for Congress to act to extend it narrows.

Nurses help grow buprenorphine treatment capacity, study finds
Anastassia Gliadkovskaya, Fierce Healthcare
Despite a slowdown in new waivers to prescribe buprenorphine during COVID-19, treatment capacity nonetheless grew at a stable rate, a new Health Affairs study has found.

Patient Satisfaction Surveys Earn a Zero on Tracking Whether Hospitals Deliver Culturally Competent Care
Rae Ellen Bichell, Kaiser Health News
Each day, thousands of patients get a call or letter after being discharged from U.S. hospitals. How did their stay go? How clean and quiet was the room? How often did nurses and doctors treat them with courtesy and respect? The questions focus on what might be termed the standard customer satisfaction aspects of a medical stay, as hospitals increasingly view patients as consumers who can take their business elsewhere.

Hospitals divert primary care patients to health center 'look-alikes' to boost finances
Phil Galewitz, Kaiser Health News
A growing number of hospitals are outsourcing often-unprofitable outpatient services for their poorest patients by setting up independent, nonprofit organizations to provide primary care.

Clinics overwhelmed with out-of-state patients push abortions later in pregnancy
Oriana Gonzalez, Axios
A crush of out-of-state patients at abortion clinics is causing backlogs in care and forcing some to have the procedure later in their pregnancies, when treatment is more intensive and costs are higher.

PHARMA, BIOTECH AND DEVICES

FDA warns of potential clip lock issue with Abbott's heart valve repair device
Reuters
The U.S. Food and Drug Administration on Thursday alerted healthcare providers about a potential clip lock issue with Abbott Laboratories' (ABT.N) MitraClip device used to stop heart valve leakage.

Bayer, Regeneron's eye drug shown to work at higher dose, longer intervals
Reuters
Bayer (BAYGn.DE)said on Thursday its anti-blindness treatment Eylea, jointly developed with Regeneron (REGN.O), has been shown to work as well when given at a higher dose at a longer interval between injections.

[redacted]

Title

A Message From the National Association of Chain Drug Stores:

The bipartisan Equitable Community Access to Pharmacist Services Act (H.R. 7213) is championed by U.S. Reps. Ron Kind (D-WI), David McKinley (R-WV), Nanette Barragán (D-CA), and Buddy Carter (R-GA). H.R. 7213 would help to ensure patient access to essential care and services by pharmacists - often the most accessible points of healthcare in communities. Visit PharmacyCare.org to learn more about the broad support that exists for this legislation across communities.

HEALTH TECHNOLOGY

Dr. Amazon Will See You Now
David Wainer, The Wall Street Journal
Thanks to innovation, Americans can hail a ride, order groceries and even buy a car without getting off of their couches. Yet when it comes to arguably their most important purchase—healthcare—capitalism keeps coming up short. It certainly isn't for lack of opportunity as the U.S. has the world's largest economy and devotes a larger share of it to medical services than any developed nation.

Healthcare leaders facing dozens of cyberattacks annually: survey
Jessica Kim Cohen, Modern Healthcare
A poll of more than 600 healthcare information-technology and security professionals found 89% of organizations surveyed had experienced at least one cyberattack in the past year. Within that group, organizations on average had 43 attempted cyberattacks during that time period, according to the poll published Thursday by research firm Ponemon.

JP Morgan invests $20M in digital health company
Lauren Berryman, Modern Healthcare
This deal is part of Morgan Health's plan to devote $250 million to the healthcare space. The unit has invested $105 million to date into companies such as Vera Whole Health, Centivo and Embold Health. The investment bank launched Morgan Health last year following the dissolution of Haven, JP Morgan Chase's joint healthcare venture with Amazon and Berkshire Hathaway.

OPINIONS, EDITORIALS AND PERSPECTIVES

Missed vaccines open path for return of preventable diseases
Patricia Stinchfield, Healthcare Dive
During the long months of COVID-19 restriction, work and school patterns were upended, routine healthcare visits were delayed and many children fell behind on recommended immunizations.

Launch prices: tackling the next drug pricing challenge
Steve Pearson, Stat News
The pharmaceutical industry will continue its fight to blunt the implementation of the law, but in coming years Medicare prices for a limited number of high-cost medications will be lowered, with new prices established either through steep discounts off the average price in the private insurance market or by considerations of comparative effectiveness and other factors within a broader "negotiation" process.

RESEARCH REPORTS

Mental Health and Respiratory Admissions Account for the Majority of Non-Newborn Children's Hospitalizations from 2016-2020
Jessica Chang and Aditi Sen, Health Care Cost Institute

[redacted]

[redacted] Title

Half of American children have health insurance coverage through an employer (typically as a dependent on a parent's coverage). Therefore, a major asset of employer-sponsored insurance (ESI) claims data is the opportunity to understand more about how children use and experience the health care system. In this brief, we use HCCI's unique national dataset encompassing health care claims for over one-third of the population with ESI to explore one dimension of children's health care use: hospital admissions.

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SUBJECT: Fighting for health and justice in the wake of Supreme Court setbacks
FROM: "The Studio at Harvard Chan School" <studio@hsph.harvard.edu>
TO: hborski@utah.gov
DATE: 09/09/2022 06:02

THE STUDIO | HARVARD T.H. CHAN SCHOOL OF PUBLIC HEALTH

FIGHTING FOR HEALTH AND JUSTICE IN THE WAKE OF SUPREME COURT SETBACKS

Friday, September 16, 2022, 1-2pm ET

A Dr. Lawrence H. and Roberta Cohn Forum

Register for free to submit your questions.

Recent and anticipated Supreme Court rulings on abortion access, gun control, voting rights, environmental protection, and affirmative action are reshaping U.S. politics and policies. With midterms approaching, we've assembled leading voices in these fields to talk through the court's impact on public health and social justice. Our panelists will also explore the power of civic action — and lay out practical steps to stand up for health and justice in the face of painful setbacks.

Welcome

Michelle Williams (@HarvardChanDean)

Dean of the Faculty

Harvard T.H. Chan School of Public Health

[redacted]

[redacted]

Title

Moderator

Dana Milbank (@milbank)

Political Columnist

The Washington Post

Speakers

Cecile Richards (@cecilerichards)

Former President of Planned Parenthood

Co-Founder of Supermajority

Marc Morial (@MARCMORIAL)

President and CEO

National Urban League

Esther Sanchez-Gomez

Attorney

Giffords Law Center to Prevent Gun Violence

Leah Stokes (@leahstokes)

Anton Vonk Associate Professor of Environmental Politics

University of California, Santa Barbara

Go to event page

View upcoming events in our Public Health On The Brink series here.

The Studio explores public health's most pressing challenges and most promising solutions. Subscribe or update your content preferences here.

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[redacted]

[redacted]

Title

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[redacted]

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[redacted]

SUBJECT: We're Hiring | Responding to COVID-19 Through Multi-Funder Collaboration & Fast, Flexible Funds to Communities | Tips: How to Safe During a Heat Wave

FROM: Public Health Institute <communications@phi.org>

TO: <hborski@utah.gov>

DATE: 09/09/2022 12:03

PUBLIC HEALTH INSTITUTE®

SEPT 9, 2022

[redacted]

How to Stay Safe During a Heat Wave

California and the Western United States are experiencing an intense heat wave—shaping up to become one of the region's most extreme September heat events on record. Heat waves can be deadly, fueling wildfires and increasing the risks of heat stroke, other heat-related illnesses, asthma and more. PHI experts share ways to help your community prepare and stay safe:

- **Understanding the Health Impacts of Extreme Heat:** PHI's Dr. Gina Solomon joins *KQED Forum* to discuss extreme heat's health impacts and the elevated risks to vulnerable populations, including youth, older adults, pregnant people and farmworkers.
- **How Buddy Programs Can Protect At-Risk Neighbors:** Across the country, emergency response networks like buddy programs are connecting vulnerable community members with their neighbors who can check in on them during extreme heat events. "For elderly people who are low-income or people of color, these [heat] risks are cumulative," explains PHI's Dr. Linda Rudolph in *USA Today*.
- **Five Tips to Stay Cool During Extreme Heat:** In the *Ventura County Star*, PHI's Dr. Gina Solomon shares strategies to stay cool. For example, if you must be outside, remember to move slowly, take breaks, spend time in the shade and drink water.

LEARN MORE

Together Toward Health: How Collaborative Funding & Flexible Dollars Allow Quick Response to COVID-19 & Deep Focus on Vulnerable Communities

[redacted]

Title

Together Toward Health (TTH) is a joint initiative administered by PHI and created by a collaborative of funders to deliver fast, flexible COVID response funding to California community-based organizations (CBOs), who serve as trusted experts in education, testing and vaccine access. The funding has minimal strings attached, allowing CBOs to focus on getting resources into communities within days and weeks instead of months—keeping people healthy and ultimately saving lives. In total, TTH has disbursed over $33 million to more than 500 CBOs, connecting 23 million people across the state with vital COVID resources rooted in how and where they live, organized by people they trust, and offered in the languages they speak.

Two new briefs explore the funding strategies behind TTH's success: A multi-funder collaborative that provides fast, flexible funds to CBOs with local knowledge and community trust. Find insights and lessons-learned, with recommendations for shared grantmaking efforts and guidance on how disbursing funding and resources to local CBOs can build health, equity and community power—to stem COVID-19, and to address other critical issues facing communities today.

READ THE BRIEFS ⟶

SEND A TWEET: ***.@PHIDOTORG'S #TOGETHERTOWARDHEALTH IS A MULTI-FUNDER COLLABORATIVE THAT'S REACHED OVER 23 MILLION CALIFORNIANS WITH CRITICAL #COVID INFO & RESOURCES, BY PROVIDING FAST, FLEXIBLE FUNDING TO 500+ CBOS. SEE INSIGHTS & LESSONS-LEARNED ON THE FUNDING MODEL: HTTPS://CTT.EC/7KRWD+*** ⟶

Championing Public Health Amid Legal & Legislative Threats: Framing & Language Recommendations

As communities continue to confront efforts to shrink the authority of public health officials and agencies, it's critical that practitioners and advocates are equipped to speak about why we need public health to keep our communities safe and healthy. A new report from PHI's Berkeley Media Studies Group and Real Language offers five key framing recommendations, along with messaging examples and sample language to answering difficult questions. One tip: Frame public health as indispensable, using metaphors when possible.

EXPLORE THE FULL REPORT ⟶

[redacted]

Why Multisector Collaboration Matters: Exploring Rural Healthcare Partnership Models of Investment
Tuesday, September 13th | 10 - 11am PT

Join PHI's Build Healthy Places Network to dive into their recent report, A Playbook for New Rural Healthcare Partnership Models of Investment, and learn core strategies used by rural healthcare entities to bolster community health through leveraging multisector partnerships. The webinar will feature speakers who are engaging in cross-sector partnerships to foster increased resources, local control and a strengthened infrastructure to create increased healthcare access in rural areas.

RSVP

Building Your Global Health Network
Wednesday, September 21st | 9 - 10am PT

Are you a current student or recent graduate seeking to build a stronger global health network? Join PHI's Global Health Technical Professionals to explore insights on how to build a network within the global health sector. Hear tips to identify your current network and make virtual connections, and hear firsthand from other global health professionals on how they utilized these networks to find career opportunities.

TUNE IN

Know Your Power: Rise Up Virtual Gala

Thursday, October 6th | 9 - 10am PT

Tickets start at $50

PHI's Rise Up will host their annual gala to celebrate knowing and owning our power as individuals, as Rise Up supporters, and as a global movement for gender equity and justice. The gala will feature five powerful Rise Up Leaders from India, Mexico, Nigeria, South Africa and the United States who are taking bold action to strengthen health, education, and economic opportunity for women, girls, and all people in their communities.

REGISTER

More from PHI

Podcast: Innovating to Meet Reproductive Health Needs with MPTs

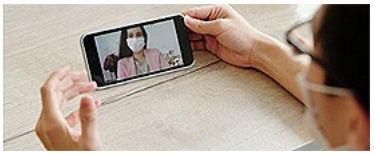
On the latest episode of *One World, One Health*, PHI's Dr. Bethany Young Holt discusses Multipurpose Prevention Technologies (MPTs)—products that provide not just contraception, but protection against HIV and other STIs. "When you empower women to protect themselves around their health—when and if they want to have children—that improves not only the woman's life, but the economic well-being of her family and the whole community," says Holt.

LISTEN TO THE EPISODE ⟶

CA Cannabis Right to Know Bill Torpedoed by Industry Power

Last month, sponsors of a landmark California bill (SB 1097 - Pan) to provide the most comprehensive, effective health warnings on cannabis products in the nation were forced to withdraw support just days before an Assembly Floor vote. "Despite unquestionable public support and overwhelming scientific consensus for the bill, industry profits won out over youth's and the public's health," said PHI's Dr. Lynn Silver, director of Getting It Right From the Start.

READ THE PRESS RELEASE FROM PHI'S GETTING IT RIGHT FROM THE START⟶



Watch: Telehealth & Medicaid Webinar Series

Catch up with the recordings from PHI's Center for Connected Health Policy's recent webinar series on Medicaid and Telehealth, exploring the intersections of telehealth and school-based health programs, licensure, private payer laws and substance use disorders. Panelists include a wide-range of experts and policymakers, including speakers from state Medicaid programs; federal, state, and local agencies; health plans; legislative representatives and patient advocates.

WATCH THE WEBINAR SERIES ⟶

Providing Students with Hands-On Medical Training

Each summer, PHI's FACES for the Future Coalition brings together students for the annual FACES Summer Medical Academy, offering hands-on learning opportunities while allowing a space for students to connect with their peers. Youth learn how to save lives, respond to crisis situations, explore potential diagnosis and treatment plans for a patient, and meet with healthcare professionals who represent diverse backgrounds and professions.

READ THE IMPACT STORY ⟶

We're Hiring

PHI is dedicated to promoting health, well-being and quality of life for people throughout California, across the nation and around the world. Join us:

- **Financial Analyst II:** Oakland, CA. This role is responsible for the contract setup, timely and accurate invoicing of funders, and collection, and will assist the Accounts Receivable Manager in invoice analysis and preparation.
- **Associate Director, Software Development:** Remote, USA. In collaboration with the Director of Information Technology, this role will support the direction and guidance to IT team personnel including management of the programmer analysts' projects.
- **Quality Control Specialist I:** Remote, USA. This role is responsible for collecting and processing data into the California Cancer Registry statewide database, by performing accurate and timely casefinding; abstracting data based on records from physician's offices and various other sources; and more.
- **Senior Recruiter:** Oakland, CA (Remote). Reporting to the Deputy Director of Human Resources/Talent Acquisition, the Senior Recruiter is responsible for the full cycle of recruitment, hiring, and onboarding processes at the Public Health Institute.

- **Desktop Support Specialist III:** Oakland, CA. This role will provide day-to-day desktop and network support to PHI staff in Oakland and at other sites in the United States, and is responsible for maintaining, configuring and troubleshooting desktop/laptop computers, software applications, phone hardware, printers, and network hardware for about 150 users.

SEE ALL OPEN POSITIONS AT PHI ⟶

Support Us

Your support helps us build community power, advocate for change, train tomorrow's leaders, and share our expertise with the world.

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SUBJECT: High Court 'Shadow Docket' Still A Long Shot For Companies
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 12/09/2022 02:42

LAW360 PUBLIC POLICY

Monday, September 12, 2022 Follow

TOP NEWS

Analysis
High Court 'Shadow Docket' Still A Long Shot For Companies
The U.S. Supreme Court has made frequent use of its "shadow docket" in recent years to decide blockbuster cases on an expedited basis without full briefing or argument, but the justices' recent actions indicate that companies are likely to be

disappointed if they look to the docket as a realistic option for streamlining their appeals.
Read full article »

Analysis

Calif. Gun Law: A Tool To Curb Violence Or 'Political Theater'?

California's new gun law allowing private citizens to sue the gun supply chain has experts divided on whether it is a useful new tool to curb gun violence or a political tactic inspired by recent U.S. Supreme Court decisions on abortion and guns that will surely be challenged by the firearms industry.
Read full article »

Analysis

USPTO's Fight Against TM Fraud Still A Work In Progress

The U.S. Patent and Trademark Office's announcement last month that a Chinese company had been using an attorney's name on hundreds of trademark applications a year after his death signals that the agency needs to take stronger action against trademark fraud, practitioners told Law360.
Read full article »

Trump, DOJ Lodge Dueling Mar-a-Lago Special Master Picks

Former President Donald Trump and the U.S. Department of Justice on Friday proposed competing candidates to serve as the special master tasked with examining documents seized from Trump's Mar-a-Lago estate, as well as dueling proposals for the review's scope and procedures.
1 document attached | Read full article »

Sotomayor Lifts Order On Yeshiva U. Accepting LGBTQ Group

U.S. Supreme Court Justice Sonia Sotomayor on Friday temporarily lifted an order requiring Yeshiva University to recognize a new LGBTQ student advocacy group until the full court can weigh in on a First Amendment dispute over the Jewish-affiliated school's refusal to accommodate the group.
Order attached | Read full article »

Roberts Seeks Return To Normalcy: 'More Normal, The Better'

Chief Justice of the United States John Roberts reflected on the "unusual" and "difficult" past year the court has endured while addressing judges and attorneys at the 10th Circuit judicial conference in Colorado on Friday evening, saying "it was gut-wrenching to drive into a Supreme Court with barricades around it."
Read full article »

Biden Admin OK'd For Affirmative Action Args At High Court

The U.S. Supreme Court said Friday it would allow the Biden administration to participate in oral arguments in a landmark affirmative action case involving Harvard University and the University of North Carolina.
Order attached | Read full article »

BANKING & SECURITIES

GOP SEC Commish Uyeda Calls For Crypto Rulemaking

The U.S. Securities and Exchange Commission's Mark Uyeda said Friday that the agency wasn't doing a good job of explaining what it expects of cryptocurrency companies and should propose rules providing clearer guidance, but the agency's leader said it has been perfectly clear on what it expects from the industry.
Read full article »

Dems Press Zuckerberg On Meta Effort To Halt Crypto Scams

LAW FIRMS IN TODAY'S NEWS

Akerman LLP
Baker & Hostetler
Ballard Spahr
Barzee Flores
Bass Berry
Beveridge & Diamond
Botta Angeli
Bracewell LLP
Buchanan Ingersoll
Clarkslegal LLP
Cleary Gottlieb
Clifford Chance
Clyde & Co
Clyde Snow
Collyer Bristow
Colson Hicks
Consovoy McCarthy
DLA Piper
DWF LLP
Dasti Murphy
Day Pitney
Debevoise & Plimpton
Dechert LLP
Devol & Associates
Dykema
EIP Europe
Eckert Seamans
Ellinger & Associates
Emery Celli
Epstein Becker Green
Ervin Cohen
Farnan LLP
Fridman Fels
Gelber Schachter
Gibson Dunn
Gilbert LLP
Girardi & Keese
Greenberg Traurig
Habba Madaio
Haliczer Pettis
Haynes & Boone
Herbert Smith Freehills
Hilgers Graben
Hill Dickinson
Hogan Lovells
Holman Fenwick
Howard & Howard
Hunton Andrews
Ifrah Law
Irwin Mitchell
JMW Solicitors LLP
Jenner & Block

Prominent Democratic senators are calling on Meta to explain what it is doing to prevent cryptocurrency-related scams on its various social media platforms, citing concerns that the technology giant is providing a "breeding ground" for fraud.

Letter attached | Read full article »

ENERGY & ENVIRONMENTAL

Maine, Lobster Fishers' Whale Rule Challenges Fall Flat

A District of Columbia federal judge has rejected lobster fishers' and the state of Maine's challenges to a U.S. National Marine Fisheries Service rule designed to protect endangered North Atlantic right whales.

Order attached | Read full article »

Energy Orgs Say No Place For Green Groups In Oil Lease Row

A coalition of energy industry groups on Thursday urged the Fifth Circuit to uphold a Louisiana federal judge's decision barring environmental organizations from joining litigation over the U.S. Department of the Interior's failure to hold new oil and gas lease sales.

Brief attached | Read full article »

HEALTH & LIFE SCIENCES

Attys Seek Fees For Getting Virus Precautions At Pa. Jail

A legal team that successfully argued for better health precautions and procedures at the Allegheny County Jail early in the COVID-19 pandemic said Thursday in Pennsylvania federal court the county should pay more than $585,000 for attorney fees.

Brief attached | Read full article »

INSURANCE

$1.5M Approved For Fla. To Study Insurance Rating Alternative

Florida's joint legislative budget commission approved a request Friday from the state's Department of Financial Services to spend up to $1.5 million on a consultant that would explore alternative methods for rating insurance companies.

1 document attached | Read full article »

REAL ESTATE

Feature

NFIP Reforms Take On Urgency As Program Deadline Nears

Reforming the National Flood Insurance Program to better serve marginalized communities and ensure long-term support for homeowners should be a top priority for lawmakers ahead of a coming deadline to reauthorize the program, experts say.

Read full article »

EMPLOYMENT & BENEFITS

Plea Details In Flux In Vegas School Nurse 'No Poach' Case

A Nevada federal judge delayed a staffing company's guilty plea in what would be the government's first win on a criminal labor market antitrust case after a dispute arose over how prosecutors described the impact of an alleged "no poach" agreement.

Read full article »

COMPETITION

White House Calls For Clear Antitrust Rules For Big Tech

Jomarron Lopez
Jones Day
Kanji & Katzen
Kaplan Hecker
Kellogg Hansen
Kingsley Napley
Kirkland & Ellis
Kutak Rock
Latham & Watkins
Levy Firestone
Lewis Brisbois
Lightfoot Franklin
Locke Lord
McDermott Will
Miller Nash LLP
Mishcon de Reya
MoloLamken
Morgan Lewis
Nelson Mullins
Nossaman LLP
Orrick Herrington
Parker Hudson
Paul Weiss
Penningtons Manches
Perkins Coie
Porzio Bromberg
Posner Law
Potter Anderson
Powell Gilbert LLP
Price Meese
Quinn Emanuel
Radey Law Firm
Richards Layton
Rudman Winchell
Schertler Onorato
Shutts & Bowen
Sidley Austin
Silverman Thompson
Skadden Arps
Somach Simmons
Sonosky Chambers
Spratt Endicott
Stephenson Harwood
Stoel Rives
TLT LLP
Taylor Wessing
Ticktin Law Group
Venable LLP
Vicente Sederberg
Vinson & Elkins
Wachtell Lipton
Walker Morris LLP
Wanger Jones
Wedlake Bell
Weil Gotshal
White & Case
Wilkinson Stekloff
Williams & Connolly
Willkie Farr
WilmerHale
Wilson Sonsini
gunnercooke LLP

COMPANIES IN TODAY'S NEWS

ACA Connects- America's Communications Association
Altria Group Inc.
Amazon.com Inc.
American Axle & Manufacturing Holdings Inc.
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Pennsylvania
American Petroleum Institute Inc.

With the fate of legislative proposals to rein in Big Tech uncertain, the Biden White House used a listening session on "tech platform accountability" to push for reforms aimed at reining in the power of a handful of major technology platforms.
Read full article »

Australia OKs $1.7B Software Co. Tie-Up, With Conditions

After previously raising concerns over anti-competitiveness, the Australian Competition and Consumer Commission said Thursday that it would not oppose software company Dye & Durham Ltd.'s proposed AU$2.47 billion ($1.7 billion) acquisition of financial data services company Link Administration Holdings Ltd. on the condition that D&D sells its existing Australian businesses to an ACCC-approved business.
Read full article »

AEROSPACE & DEFENSE

GAO Says Clear Roles In Satellite Imagery Acquisition Needed

The U.S. Department of Defense and the Office of the Director of National Intelligence should establish more explicit roles and responsibilities for the acquisition of commercial satellite imagery and data critical to national security issues, the U.S. Government Accountability Office said in a report published Wednesday.

Report attached | Read full article »

INTERNATIONAL TRADE

Labor, Digital Trade Will Be Focus For Indo-Pacific Talks

Labor rights and digital trade were among the subjects of negotiations that could begin as early as Monday for the Indo-Pacific economic framework, according to U.S. Secretary of Commerce Gina Raimondo, as the first in-person ministerial gathering for the trade deal concluded Friday.

Statement attached | Read full article »

WTO Dispute Roundup: Same Stalemate, New Solution

The U.S. remains stolid in its refusal to resuscitate the World Trade Organization's Appellate Body, but Turkey and the European Union gave WTO members proof positive that a second level of adjudication is still possible with the buy-in of both parties in a dispute.
Read full article »

TAX

IRS Floats Rule To Expand Access To Administrative Appeals

Taxpayers seeking to settle disputes with the Internal Revenue Service over their unpaid tax liabilities would get greater access to the service's office of administrative appeals under proposed regulatory guidance released Friday.

Proposed Rule attached | Read full article »

WHITE COLLAR

Trump's RICO Suit Against Clinton Dismissed As 'Manifesto'

Former President Donald Trump's racketeering lawsuit against Hillary Clinton has been thrown out of court, with a Florida federal judge deriding the case as a poorly drafted "political manifesto" masquerading as a real lawsuit.

Order attached | Read full article »

NATIVE AMERICAN

Apple Inc.
Associated Press
Avery Dennison Corp.
Balfour Beatty PLC
CTIA
Center for Biological Diversity
Citigroup Inc.
Citizens Property Insurance Corp.
Coinbase Global Inc.
Conservation Law Foundation
Cornell University
CureVac AG
DHL International GmbH
DaVita Inc.
Defenders of Wildlife
Deloitte Touche Tohmatsu Ltd.
Earthjustice
Electronic Frontier Foundation
Ernst & Young LLP
Federal National Mortgage Association
Federalist Society
Freddie Mac
GRAIL Inc.
Gartner Inc.
Georgia State University
Google LLC
HSBC Holdings PLC
Harvard University
Henry Schein Inc.
Illumina Inc.
Instagram Inc.
International Association of Machinists & Aerospace Workers
International Cannabis Bar Association
Investments Ltd.
JUUL Labs Inc.
Keystone Strategy LLC
Maximus Inc.
Maxus Energy Corp.
Mediterranean Shipping Co. SA
Meta Platforms Inc.
Micron Technology Inc.
Myriad Genetics Inc.
National Opinion Research Center
Natural Resources Defense Council
NeuStar Inc.
Northern Mariana Islands Retirement Fund
Organization for Economic Cooperation and Development
PJM Interconnection LLC
Pfizer Inc.
Philip Morris International Inc.
Practising Law Institute Inc.
Providence Health & Services Inc.
Public Co. Accounting Oversight Board
Purdue Pharma LP
Revlon Inc.
Robinhood Markets Inc.
S&P Global Inc.
Sales Inc.
Service Employees International Union
Sonos Inc.

9th Circ. Backs Tribes' Immunity To Water Use Suit

The Ninth Circuit has upheld the dismissal of Oregon water users' challenge to irrigation decisions by the U.S. Bureau of Reclamation, saying a lower court rightly found that two Native American tribes' water and fishing rights were at stake, but that their immunity meant they couldn't be brought into the suit.

Opinion attached | Read full article »

Nez Perce Members' Salmon Fishing Convictions Overturned

An Oregon state appellate court has reversed the criminal convictions of two Nez Perce tribal members on charges of fishing for salmon on the Columbia River, saying a trial court wrongly concluded that a state gillnet regulation must be applied to treaty fishers to conserve salmon populations.

Opinion attached | Read full article »

Okla. May Not Prosecute Reservation Indians, 10th Circ. Told

Tribal leaders in Oklahoma maintain that only they and the federal government may prosecute Native Americans for crimes committed on their lands and urge the Tenth Circuit to reject state officials' claim that a recent Supreme Court ruling gives them criminal jurisdiction in Indian Country, too.

Brief attached | Read full article »

TELECOMMUNICATIONS

ISP Groups Drop Challenge To Maine Internet Privacy Law

Industry groups representing internet service providers have dropped their legal challenge to Maine's landmark online privacy statute, leaving the law — one of the nation's strictest — in place after roughly two and half years of litigation.

1 document attached | Read full article »

NJ Borough Will Allow Verizon's Wireless Build-Out, After All

A beachside New Jersey borough has agreed to let Verizon build 20 wireless facilities sites along its boardwalk, after the telecommunications giant filed a lawsuit last year accusing the borough of delaying approval for the proposal.

Order attached | Read full article »

FCC Aims To Shorten Time For Cleaning Up Space Debris

The Federal Communications Commission plans during its September meeting to vote on a proposal that would shorten by 20 years the amount of time that debris from defunct satellites may remain floating above Earth.

4 documents attached | Read full article »

Broadband Subsidy Fraud Still Prevalent, Says FCC Watchdog

The Federal Communications Commission's internal watchdog has again warned of fraud in the government's new program to subsidize broadband for low-income households, saying some providers have enrolled multiple households based on the same child or dependent.

1 document attached | Read full article »

CANNABIS

Analysis

What Psychedelic Lawyers Can Learn From Pot Legalization

The burgeoning field of psychedelic law can take some pointers from cannabis legalization in the U.S.,

Southern Environmental Law Center
Spotify Technology SA
Sunoco LP
Swissport International Ltd.
Tesla Inc.
The National Cannabis Industry Association
The Pew Charitable Trusts
The Travelers Cos. Inc.
Twitter Inc.
United Services Automobile Association
United States Telecom Association
Verizon Communications Inc.
Western Environmental Law Center
YPF SA

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Indian Affairs
Bureau of Labor Statistics
Bureau of Land Management
Bureau of Ocean Energy Management
Bureau of Reclamation
California Commission on Judicial Performance
California Labor Commissioner's Office
California Labor and Workforce Development Agency
Cherokee Nation
Chickasaw Nation
Choctaw Nation of Oklahoma
Cole County, Missouri
Commonwealth of Kentucky
Congressional Research Service
Delaware Court of Chancery
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Emergency Management Agency
Federal Energy Regulatory Commission
Federal Trade Commission
Florida Department of Health
Florida Supreme Court
Food and Drug Administration
Government Accountability Office
Hoopa Valley Tribe
House of Commons of the United Kingdom
Internal Revenue Service
International Trade Commission
Klamath Tribes
Maine Attorney General's Office
National Archives and Records Administration
National Economic Council
National Geospatial-Intelligence Agency
National Labor Relations Board

but it should also heed many warnings, experts said at a recent all-day virtual symposium hosted by the Psychedelic Bar Association.
Read full article »

Co. Can't Force Fla. To Grant Marijuana Dispensing License

A Florida appeals court won't let a would-be cannabis dispensary revive a suit seeking to force the state Department of Health to grant it a Medical Marijuana Treatment Center license, saying it hadn't completed its application under the previous law, and can't use that application to qualify for a license under current law.

Order attached | Read full article »

Med. Pot Center Loses Bid To Force Fla. To Grant License

A Florida appeals court has tossed out a bid by a proposed medical marijuana treatment center to force the state to grant its application for a license, saying it sent in its application while the state was not accepting them.

1 document attached | Read full article »

Missouri Pot Question Won't Be Pulled From Nov. Ballot

A Missouri state judge on Friday threw out an effort to remove a question from the November ballot seeking to legalize cannabis in the state, finding that there was no evidence that the plaintiff was a resident of the state and thus couldn't object to the question.

Decision attached | Read full article »

PEOPLE

DLA Piper Adds FDA Adviser To Partner Ranks

DLA Piper has added a top U.S. Food and Drug Administration policy adviser to its Washington, D.C., office, as the firm expands its regulatory and government affairs team.
Read full article »

EXPERT ANALYSIS

Reading FARA Tea Leaves In Flynn Ex-Partner, Wynn Cases

The recent Foreign Agents Registration Act cases against Michael Flynn's ex-business partner Bijan Rafiekian and casino mogul Steve Wynn show that the U.S. Department of Justice may test the statute's boundaries as it ramps up enforcement of foreign influence campaigns, say Richard Sofield and Peter Thomas at V&E.
Read full article »

Patent Eligibility Reform May Require A Legislative Approach

The U.S. Patent and Trademark Office's recent decision to revisit its 2019 subject matter eligibility guidance may not mean much, and those seeking changes to patent eligibility may be best served by looking for a legislative solution and by addressing each industry separately, says Vincent Shier at Haynes and Boone.
Read full article »

Key Takeaways From Calif.'s Sweeping Fast-Food Wage Law

California Gov. Gavin Newsom recently signed a controversial wage bill that will have a major impact on fast-food employers and employees, will likely shape how the state regulates other industries in the future, and represents a radical step toward sectoral bargaining, says Pooja Nair at Ervin Cohen.

Bill attached | Read full article »

Revised Hong Kong Regs Could Up Risks For Foreign Traders

National Marine Fisheries Service
National Oceanic and Atmospheric Administration
National Reconnaissance Office
Navajo Nation
New Jersey Board of Public Utilities
New York Department of Financial Services
New York State Commission on Judicial Conduct
Nez Perce Tribe
North Carolina Department of Justice
North Dakota Supreme Court
Office of the Director of National Intelligence
Oregon Department of Fish & Wildlife
Puyallup Tribe of Indians
Seminole Nation
U.S. Army
U.S. Attorney's Office
U.S. Attorney's Office for the District of Nevada
U.S. Attorney's Office for the District of New Jersey
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Attorney's Office for the Southern District of Ohio
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Interior
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the District of Maine
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Southern District of Florida
U.S. District Court for the Western District of Pennsylvania

A proposal to expand the Hong Kong Securities and Futures Commission's powers to obtain relief for victims of securities misconduct and prosecute insider dealing and unauthorized advertising of investment products would expose foreign traders to greater risks of regulatory enforcement, say Jason Frank and Billy Wong at Morgan Lewis.
Read full article »

How Inflation Reduction Act Will Lift Offshore Wind Projects

The Inflation Reduction Act should promote the development of offshore wind energy in multiple ways — including by improving the planning and permitting process for transmission infrastructure, expanding potential lease areas and making beneficial changes to the tax credits available for renewable energy developers, say attorneys at Day Pitney.
Read full article »

Judges Who Use Social Media Must Know Their Ethical Limits

While the judiciary is permitted to use electronic social media, judges and judicial candidates should protect themselves from accusations of ethics violations by studying the growing body of ethics opinions and disciplinary cases centering on who judges connect with and how they behave online, says Justice Daniel Crothers at the North Dakota Supreme Court.
Read full article »

LEGAL INDUSTRY

Interview

Inside The Collapse Of A Pioneering Opioid Case For DOJ

The U.S. Department of Justice launched a "terribly flawed" criminal case against a drug distributor and several individuals amid pressure to alleviate Appalachia's opioid crisis, and a newly confirmed U.S. attorney displayed "courage and guts" by ending the case last month, defense counsel told Law360 in an expansive interview.
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U.S. Drug Enforcement Administration
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of Nevada
United States District Court for the Southern District of Ohio
World Trade Organization

Elon Musk Says Twitter Whistleblower Deal Also Tanks Merger

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Read full article »

Analysis

Courts Fall Silent But Continue After Queen's Death

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Ernst & Young To Split Into 2 Companies

Ernst & Young will split into two distinct companies following a vote that will conclude in early 2023, the accounting giant announced Thursday.

Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

Because crypto platforms perform so many different functions as brokers, dealer and lenders, U.S. regulators are considering breaking up the platforms into separate legal entities. And Uber's former cybersecurity chief, on trial for obstructing a federal probe, is blaming an Uber in-house lawyer for scapegoating him. These are some of the stories in corporate legal news you may have missed in the past week.

Read full article »

UK Litigation Roundup: Here's What You Missed In London

The past week in London has seen Pfizer and BioNTech seeking a declaration that their COVID-19 vaccine doesn't infringe CureVac's European patents, Zurich Insurance suing those caught up in a superyacht fire in a limitation of liability claim, and British vodka brand Au Vodka suing its rival in a trademark claim.

Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Read full article »

Podcast

Pro Say: I Always Feel Like My Boss Is Watching Me

The COVID-19 pandemic and the ensuing shift to remote work led many employers to begin using software to monitor workers' productivity. But are those trackers all they're cracked up to be?

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[redacted] Title

SUBJECT: Plea Details In Flux In Vegas School Nurse 'No Poach' Case
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 12/09/2022 03:20

LAW360 HEALTH

Monday, September 12, 2022 Follow

TOP NEWS

Plea Details In Flux In Vegas School Nurse 'No Poach' Case
A Nevada federal judge delayed a staffing company's guilty plea in what would be the government's first win on a criminal labor market antitrust case after a dispute arose over how prosecutors described the impact of an alleged "no poach" agreement.
Read full article »

Interview

Inside The Collapse Of A Pioneering Opioid Case For DOJ
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5 documents attached | Read full article »

Drugmaker Kickback Deal Isn't A Covered Loss, 7th Circ. Told
A Chubb unit told the Seventh Circuit Friday that it should not have to pay drugmaker Astellas $10 million toward a settlement with the U.S. Department of Justice to resolve an investigation into possible Medicare fraud, arguing that insuring what the company paid back for an intentional kickback scheme would only incentivize such misconduct.
Read full article »

Hospital Didn't Bargain Ahead Of Layoffs, NLRB Judge Says
A Puerto Rico hospital unlawfully laid off its cleaning staff and subcontracted out their jobs without bargaining with the workers' union, a National Labor Relations Board judge held, saying the hospital must offer the former employees their jobs back.
Decision attached | Read full article »

Abbott Infant Formula MDL Gets Co-Lead Plaintiffs' Attys
An Illinois federal judge overseeing multidistrict litigation against Abbott Laboratories over the contamination of its Similac infant formula tapped attorneys from Aylstock Witkin Kreis & Overholtz PLLC and Johnson Becker PLLC as co-lead counsel for the plaintiffs Thursday.
1 document attached | Read full article »

Pfizer's $5.4B Deal To Acquire Drugmaker Faces Investor Suit
Global Blood Therapeutics Inc. investors have challenged Pfizer's $5.4 billion plan to acquire the sickle cell-drug company, claiming that GBT's top brass made incomplete and misleading disclosures in an attempt to convince shareholders to sign off on the proposed deal.
Complaint attached | Read full article »

Analysis

COMPANIES IN TODAY'S NEWS
ABM Industries Inc.
Abbott Laboratories
Aetna Inc.
Altria Group Inc.
American Bar Association
Apple Inc.
Astellas Pharma Inc.
Avery Dennison Corp.
Balfour Beatty PLC
Beazley PLC
Bunge Ltd.
CNA Financial Corp.
Citigroup Inc.
Coinbase Global Inc.
Cornell University
CureVac AG
DHL International GmbH
DaVita Inc.
Deloitte Touche Tohmatsu Ltd.
Emigrant Bancorp Inc.
Ernst & Young LLP
Federalist Society
Fred Hutchinson Cancer Research Center
GRAIL Inc.
Gartner Inc.
Global Blood Therapeutics Inc.
Golden Rule Insurance Co.
Google LLC
HSBC Holdings PLC
Harvard University
Health Management Associates Inc.
Henry Schein Inc.
Illumina Inc.
Inhibitor Therapeutics Inc.

[redacted]

What Psychedelic Lawyers Can Learn From Pot Legalization
The burgeoning field of psychedelic law can take some pointers from cannabis legalization in the U.S., but it should also heed many warnings, experts said at a recent all-day virtual symposium hosted by the Psychedelic Bar Association.
Read full article »

MVP

MVP: Gibson Dunn's Geoffrey Sigler
Geoffrey Sigler of Gibson Dunn & Crutcher LLP has assisted UnitedHealth Group-related entities in various lawsuits over the past year, including helping its behavioral health unit unravel a pair of major California federal court orders in a case over substance abuse and mental health treatments, earning him a spot among Law360's 2022 Health Care MVPs.
Read full article »

LITIGATION

Florida Pharma Co. Settles Drug Control Suit For $14.25M
Shareholders of Inhibitor Therapeutics Inc. have agreed to settle their lawsuit against the Florida drug company's directors and controlling stockholder in exchange for a series of revised license agreements, debt and equity cancelation, and $14.25 million in cash.
Read full article »

NJ Health System Hit With Antitrust Suit Over Property Buys
A New Jersey health system has been hit with an antitrust challenge that alleges a multipronged conspiracy to monopolize medical care in the area and push its rival out of business, particularly in Hudson County.
Complaint attached | Read full article »

Medtronic Investors Sue Over Insulin Pump Recall, FDA Letter
Medtronic was hit with a proposed class action Thursday by a group of pension funds alleging the medical device manufacturer hid that its insulin pumps were defective, causing its stock to tank when the U.S. Food and Drug Administration issued a warning letter.
Complaint attached | Read full article »

Med. Pot Center Loses Bid To Force Fla. To Grant License
A Florida appeals court has tossed out a bid by a proposed medical marijuana treatment center to force the state to grant its application for a license, saying it sent in its application while the state was not accepting them.
1 document attached | Read full article »

Co. Can't Force Fla. To Grant Marijuana Dispensing License
A Florida appeals court won't let a would-be cannabis dispensary revive a suit seeking to force the state Department of Health to grant it a Medical Marijuana Treatment Center license, saying it hadn't completed its application under the previous law, and can't use that application to qualify for a license under current law.
Order attached | Read full article »

UK Litigation Roundup: Here's What You Missed In London
The past week in London has seen Pfizer and BioNTech seeking a declaration that their COVID-19 vaccine doesn't infringe CureVac's European patents, Zurich Insurance suing those caught up in a superyacht fire in a limitation of liability claim, and

International Cannabis Bar Association
Investments Ltd.
JUUL Labs Inc.
Keystone Strategy LLC
Maximus Inc.
Maxus Energy Corp.
Mediterranean Shipping Co. SA
Medtronic PLC
Meta Platforms Inc.
Metro Health University of Michigan Health
Micron Technology Inc.
NeuStar Inc.
Pfizer Inc.
Philip Morris International Inc.
Practising Law Institute Inc.
Providence Health & Services Inc.
Public Co. Accounting Oversight Board
Purdue Pharma LP
RWJ Barnabas Health Inc.
Revlon Inc.
Robinhood Markets Inc.
Sales Inc.
Spotify Technology SA
Starr International Co. Inc.
Sunoco LP
Swissport International Ltd.
Technicolor
Tesla Inc.
The Metropolitan Museum of Art
The National Cannabis Industry Association
The Travelers Cos. Inc.
Twitter Inc.
USA Gymnastics
United Services Automobile Association
United States Olympic Committee
UnitedHealth Group Inc.
Vertex Pharmaceuticals Inc.
William and Flora Hewlett Foundation
YPF SA

LAW FIRMS IN TODAY'S NEWS

Abrams & Bayliss
Acocelli Law
Akerman LLP
Anastopoulo Law Firm
Andrews & Springer
Ashby & Geddes
Aylstock Witkin
Baker & Hostetler
Ballard Spahr
Barzee Flores
Bass Berry
Bracewell LLP
Bradley Grombacher
Buchanan Ingersoll
Butler Snow LLP
Clarkslegal LLP
Cleary Gottlieb
Clifford Chance
Clyde & Co
Collyer Bristow
Colson Hicks
Consovoy McCarthy
Cozen O'Connor
DLA Piper
DWF LLP

British vodka brand Au Vodka suing its rival in a trademark claim.
Read full article »

PEOPLE

Health Hires: Bass Berry & Sims, Curebase
Bass Berry & Sims PLC has added a new health care member from Butler Snow LLP, while life sciences businesses Curebase and Vertex have added new legal heads, highlighting Law360's latest roundup of personnel moves in health care and life sciences.
Read full article »

DLA Piper Adds FDA Adviser To Partner Ranks
DLA Piper has added a top U.S. Food and Drug Administration policy adviser to its Washington, D.C., office, as the firm expands its regulatory and government affairs team.
Read full article »

Davis Wright Adds Former University Of California Atty
The former principal counsel of nonprofits and charitable giving at the University of California has returned to Davis Wright Tremaine LLP, bringing experience that also includes time as an associate general counsel at the William and Flora Hewlett Foundation to the firm's Seattle office.
Read full article »

EXPERT ANALYSIS

7th Circ. 'Reasonable Costs' Ruling Is A Win For Policyholders
The Seventh Circuit's decision in USA Gymnastics v. Liberty Insurance last month establishes useful precedent for policyholders, affirming and expanding on its rule that defense costs are presumed to be reasonable and necessary when insurers breach their duty to defend, say attorneys at Reed Smith.
Opinion attached | Read full article »

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Read full article »

LEGAL INDUSTRY

Roberts Seeks Return To Normalcy: 'More Normal, The Better'
Chief Justice of the United States John Roberts reflected on the "unusual" and "difficult" past year the court has endured while addressing judges and attorneys at the 10th Circuit judicial conference in Colorado on Friday evening, saying "it was gut-wrenching to drive into a Supreme Court with barricades around it."
Read full article »

Analysis

High Court 'Shadow Docket' Still A Long Shot For Companies
The U.S. Supreme Court has made frequent use of its "shadow docket" in recent years to decide blockbuster cases on an expedited basis without full briefing or argument, but the justices' recent actions

Davis Wright
Debevoise & Plimpton
Dilworth Paxson
Dugan Law Firm
EIP Europe
Eckert Seamans
Epstein Becker Green
Farnan LLP
Fridman Fels
Gelber Schachter
Gibson Dunn
Gilbert LLP
Girardi & Keese
Greenberg Traurig
Habba Madaio
Haliczer Pettis
Herbert Smith Freehills
Hilgers Graben
Hill Dickinson
Hogan Lovells
Holman Fenwick
Howard & Howard
Hunton Andrews
Ifrah Law
Irwin Mitchell
JMW Solicitors LLP
Jenner & Block
Johnson Becker
Jomarron Lopez
Jones Day
Kaplan Hecker
Kingsley Napley
Kirkland & Ellis
Latham & Watkins
Law Offices of Sheldon J. Schlesinger
Levy Firestone
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Radey Law Firm
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Schertler Onorato
Shutts & Bowen
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indicate that companies are likely to be disappointed if they look to the docket as a realistic option for streamlining their appeals.
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Biden Admin OK'd For Affirmative Action Args At High Court

The U.S. Supreme Court said Friday it would allow the Biden administration to participate in oral arguments in a landmark affirmative action case involving Harvard University and the University of North Carolina.
Read full article »

Fed. Circ. Opens To The Public, Masks Required

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Trump's RICO Suit Against Clinton Dismissed As 'Manifesto'

Former President Donald Trump's racketeering lawsuit against Hillary Clinton has been thrown out of court, with a Florida federal judge deriding the case as a poorly drafted "political manifesto" masquerading as a real lawsuit.
Read full article »

Trump, DOJ Lodge Dueling Mar-a-Lago Special Master Picks

Former President Donald Trump and the U.S. Department of Justice on Friday proposed competing candidates to serve as the special master tasked with examining documents seized from Trump's Mar-a-Lago estate, as well as dueling proposals for the review's scope and procedures.
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Irked Judge Wants Attys To Ease Up On All The Alice Updates

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Read full article »

Analysis

USPTO's Fight Against TM Fraud Still A Work In Progress

The U.S. Patent and Trademark Office's announcement last month that a Chinese company had been using an attorney's name on hundreds of trademark applications a year after his death signals that the agency needs to take stronger action against trademark fraud, practitioners told Law360.
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Walker Morris LLP
Wedlake Bell
Weil Gotshal
White & Case
Wilkinson Stekloff
Williams & Connolly
Willkie Farr
WilmerHale
Wilson Sonsini
gunnercooke LLP

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Commission on Judicial Performance
Centers for Disease Control and Prevention
Commonwealth of Kentucky
Delaware Court of Chancery
European Commission
European Union
Federal Bureau of Investigation
Federal Trade Commission
Florida Department of Health
Florida Supreme Court
Food and Drug Administration
House of Commons of the United Kingdom
International Trade Commission
National Archives and Records Administration
National Labor Relations Board
New York Department of Financial Services
New York State Commission on Judicial Conduct
North Carolina Department of Justice
North Dakota Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the District of Nevada
U.S. Attorney's Office for the District of New Jersey
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Attorney's Office for the Southern District of Ohio
U.S. Bankruptcy Court for the Southern District of Indiana
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Justice
U.S. District Court for the District of Delaware
U.S. District Court for the District of Minnesota
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of New York
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York

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SUBJECT: Morning Consult Health Presented by Dialysis Patient Citizens:Biden Selects Ex-Government Scientist as First Head of ARPA-H
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 12/09/2022 06:12

MORNING CONSULT

Health

[redacted]

Title

Essential health care industry news & intel to start your day.

SEPTEMBER 12, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- Renee Wegrzyn, a biologist and former scientist in the Pentagon's Defense Advanced Research Projects Agency and the Intelligence Advanced Research Projects Activity, will be announced today as President Joe Biden's pick to lead the new Advanced Research Projects Agency for Health. Wegrzyn, who currently works at the biological engineering firm Gingko Bioworks, will be introduced as the first head of ARPA-H in Boston today during an event to promote Biden's cancer moonshot project. (Stat News)

- Biden will sign an executive order today to boost U.S. biomanufacturing and lessen reliance on China, laying out a plan to leverage biological systems as a means to create new products and materials such as drugs and human tissues, people familiar with the matter said. It's not clear how much funding exists to support the executive order, which sources said will also detail how the United States can develop a talent pipeline that is equipped to use naturally occurring processes to create the bio-based materials and products. (Bloomberg)

- Alphabet Inc. health care unit Verily Life Sciences said it will replace founder and Chief Executive Andy Conrad with President Stephen Gillett in January, with Conrad, a geneticist, stepping back to executive chairman as the company eyes more commercialization seven years after its spinout from Google's X moonshots unit. Alphabet said it raised another $1 billion in new funding for the company, which has so far centered its efforts on the personalization of health care. (The Wall Street Journal)

- Ahead of the Sept. 30 deadline to fund the Food and Drug Administration for the coming fiscal year, two drug industry lobbyists and an advocacy source said Democrats told Republicans that they would attach pandemic preparedness legislation from Sens. Richard Burr (R-N.C.) and Patty Murray (D-Wash.) to the funding bill if GOP senators agree to pass the House's bipartisan mental health legislation, which would create a new office within the Substance Abuse and Mental Health Services Administration. Democrats' counteroffer came about two months after Burr said the FDA's user fee bill, the authorization of which is also set to expire on Sept. 30, must pass without additional health policy items attached to it. (Stat News)

Worth watching today (all times local):

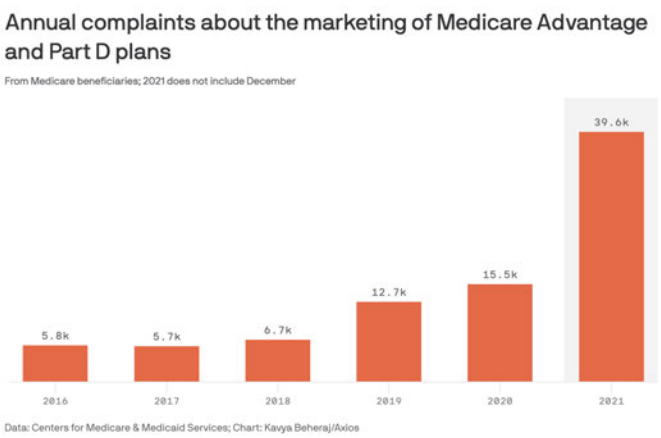
- **8 a.m.** AHIP's three-day Consumer Experience & Digital Health Forum kicks off in Nashville.

- **11:30 a.m.** Altria Group Inc. and Juul Labs Inc. present oral arguments before the Federal Trade Commission.

[redacted]

CHART REVIEW

Medicare Advantage has a marketing problem
Axios



PRESENTED BY DIALYSIS PATIENT CITIZENS

Support the Restore Protections for Dialysis Patients Act to Guarantee Dialysis Patients Healthcare That Fits All Their Needs

Right now, dialysis patients are being cornered into Medicare to receive proper coverage for their routine treatment, but losing protection for their families and health concerns unrelated to their dialysis. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Covid-19 Is Still Killing Hundreds of Americans Daily
Jon Kamp, The Wall Street Journal

The U.S. has recently averaged about 320 new Covid-19 deaths each day, and the average was above 400 before the Labor Day holiday weekend, data from the Centers for Disease Control and Prevention show. The rate is far below pandemic peaks, including levels above 2,500 a day during the Omicron wave early this year. But the country hasn't matched lows closer to 200 a day reached during a lull last year.

Covid-19 Illnesses Are Keeping at Least 500,000 Workers Out of U.S. Labor Force, Study Says
Gwynn Guilford, The Wall Street Journal
Illness caused by Covid-19 shrank the U.S. labor force by around 500,000 people, a hit that is likely to continue if the virus continues to sicken workers at current rates, according to a new study released Monday.

Is Fauci's prediction of an annual COVID vaccine an attempt to 'gaslight' people that it's just like the flu?
Erin Prater, Fortune
"I don't see any evidence for how an annual COVID shot will provide durable protection … without better vaccines," Dr. Eric Topol, a professor of molecular medicine at Scripps Research and founder and director of the Scripps Research Translational Institute, said this week via tweet.

Are We Really Getting COVID Boosters Every Year Forever?
Jacob Stern, The Atlantic
From a certain standpoint, this regimen makes a lot of sense. The pandemic's biggest surges so far have come in the winter, and a fall booster could go a long way toward mitigating the next of those surges. What's more, the new plan greatly simplifies COVID-vaccination regimens, both for the public and for providers.

GENERAL

Polio: New York governor declares state disaster emergency amid circulating poliovirus evidence, samples found in 5 counties
Kristina Sgueglia, CNN
New York Governor Kathy Hochul declared a state disaster emergency amid evidence of circulating poliovirus, a move that will increase the availability of resources including expanding the network of polio vaccine administrators, state health officials said.

Fight against AIDS, TB and malaria bounced back post-COVID - but not enough
Jennifer Rigby, Reuters
Efforts to tackle AIDS, tuberculosis and malaria began to recover last year after being hit hard by the COVID-19 pandemic in 2020, but the world is still not on track to defeat these killer diseases, according to a report.

A health care program for 9/11 survivors and first responders is running short of money
Yasmine Salam and Kenzi Abou-Sabe, NBC News
A dozen GOP House members sent a letter to the Energy and Commerce Committee chair asking for more funds for the World Trade Center Health Program.

8 questions with the doctor in charge of stopping the U.S. monkeypox outbreak
Pien Huang, NPR News
NPR caught up with Dr. Demetre Daskalakis, one month into his job as deputy coordinator for the White House Monkeypox Response, to talk about where the outbreak is headed, and what it's like to go from being an HIV doctor and queer health activist to being the out-and-proud face of the government's monkeypox response.

Siga's Tpoxx Safe for Monkeypox Patients, Early Study Shows
Madison Muller and Jeannie Baumann, Bloomberg
Siga Technologies Inc.'s antiviral Tpoxx is safe when used to treat symptoms of monkeypox, according to an early study that provides evidence for its use in helping alleviate painful sores caused by the viral disease that's infected at least 20,000 Americans.

Monkeypox Shots, Treatments and Tests Are Unavailable in Much of the World
Stephanie Nolen, The New York Times
High-income countries snapped up vaccines when the disease hit them, leaving none for countries that have battled the virus for years, in an echo of the Covid response.

A big breakfast and light dinner doesn't burn more calories: study
Aria Bendix, NBC News
People who eat the bulk of their calories in the morning don't lose more weight than those who eat more calories at night, but they might feel less hungry during the day.

New cell-based therapy for melanoma more effective than existing treatment, trial finds
Kaitlin Sullivan, NBC News
Researchers in the Netherlands found that a therapy that uses a patient's own immune cells slowed the progression of metastatic melanoma.

Duke Health performs world's first partial-heart transplant on baby boy
Sophie Reardon, CBS News
A baby boy born with a lethal heart condition underwent a life-changing partial transplant, believed to be the first in the world, Duke Health reported. Now, more than four months since the operation, Owen Monroe's family and doctors say he's recovered well.

U.S. surpasses 1 million organ transplants as need continues to soar
Shawna Chen, Axios
The U.S. surpassed one million organ transplants on Friday, reaching a milestone decades after the first successful transplant with a kidney in 1954.

Store Shelves Are No Longer Bare, but Baby Formula Remains in Short Supply
Julie Creswell and Michael Corkery, The New York Times
While the situation has improved since mid-July, many families are still scrambling to find popular brands that remain out of stock.

Republicans look to restrict ballot measures following a string of progressive wins
Megan Messerly, Politico
Republicans across the country are working to make it harder to pass ballot measures — a direct threat to abortion-rights advocates and other liberal groups' efforts to bypass governors and legislatures and take issues directly to voters.

Rise in Deaths Spurs Effort to Raise Alcohol Taxes -
Ted Alcorn, The New York Times
Alcohol taxes have been stagnant for years. But after the pandemic sent alcohol-related deaths soaring, activists in Oregon said higher taxes could save lives.

PAYERS

Experts urge Medicare: Overhaul secretive panel advising on doctor pay
Bob Herman, Stat News
A heavyweight group of former Medicare officials and payment experts are calling on the federal government to overhaul how Medicare pays physicians, which they say has morphed into a system that is "mind-numbingly complex and nontransparent."

Envision sues UnitedHealthcare over allegedly denied ER claims
Samantha Liss, Healthcare Dive
Envision Healthcare, a national physician staffing firm, said it is suing UnitedHealthcare, one of the nation's largest insurers, for denying payment for emergency services the medical group provided.

Blue Cross antitrust deal appealed by Home Depot, others
Nona Tepper, Modern Healthcare
Three employers have appealed a $2.67 billion antitrust settlement with the Blue Cross and Blue Shield Association, potentially altering the terms of the landmark federal agreement and extending the timeline of the 10-year case.

CVS enters into 4 new states for ACA exchange plans
Rebecca Pifer, Healthcare Dive
Aetna, the insurance arm of CVS Health, will begin selling Affordable Care Act plans in California, Delaware, Illinois and New Jersey next year, bringing its total ACA presence to 12 states.

PROVIDERS

Provider groups ask CMS to ditch ACO revenue distinctions
Maya Goldman, Modern Healthcare
The Centers for Medicare and Medicaid Services should eliminate the distinction between high- and low-revenue accountable care organizations, groups representing healthcare providers wrote in comment letters on a recent regulatory proposal.

Doctors urged to give weight counseling to women. Some aren't happy about it.
Jacqueline Stenson, NBC News
New recommendations suggest women between the ages of 40 and 60 get advice about maintaining weight to stave off serious illness.

Nursing Home Death Suit Could Put PREP Act Before Supreme Court
Mary Anne Pazanowski, Bloomberg Law
A California nursing home operator has asked the US Supreme Court to interpret the 2005 PREP Act for the first time and declare that federal courts have exclusive authority to hear wrongful death and personal injury claims arising out of the Covid-19 pandemic.

Water shortages threatening patient safety
Kara Hartnett and Alex Kacik, Modern Healthcare
In Jackson, Mississippi, where flooding of the Pearl River earlier this month caused a water system failure that plunged the Magnolia State into a state of emergency, health system executives are scrambling to maintain operations while treating more patients.

PHARMA, BIOTECH AND DEVICES

Aduhelm Drug Approval Saga Has Alzheimer's Patients in Limbo
Robert Langreth, Bloomberg Businessweek
Medicare won't pay for Aduhelm, the FDA-approved Alzheimer's treatment, and leading drugs aimed at pharma's primary target have repeatedly fallen short.

AstraZeneca Looks to More Than Double New Cancer Drugs by 2030
Naomi Kresge and Dong Lyu, Bloomberg
AstraZeneca Plc is aiming to more than double its portfolio of new cancer drugs by the end of this decade, seeking the top spot in the world's most lucrative category of medicines.

J&J wins partial appeal against U.K.'s cost-effectiveness watchdog
Ed Silverman, Stat News
In an unusual turn of events, an appeals panel ruled that the U.K.'s cost effectiveness watchdog agency acted unfairly and exceeded its authority by failing to thoroughly explain why it declined to recommend a Johnson & Johnson medicine called Spravato for combating treatment-resistant depression.

Cancer treatment devised in 1980s is newly proved effective
Jason Mast, Stat News
Eight years ago, a Dutch oncologist, John Haanen, set out to change melanoma treatment by arranging one of the largest and most rigorous trials ever for a cell therapy technique originally devised in the mid-'80s. He could not have picked worse timing.

Amgen says Lumakras cuts risk of lung cancer progression by 34%
Deena Beasley, Reuters

Amgen Inc's (AMGN.O) Lumakras pill reduced the risk of disease progression in patients with advanced lung cancer by 34% compared with chemotherapy in a clinical trial, the company said on Sunday.

Cell Therapy Kills Tumors in Promising Skin Cancer Test
Naomi Kresge, Bloomberg
Cell therapy using melanoma patients' own tissue beat Bristol-Myers Squibb Co.'s Yervoy in a study that may change the way the skin cancer is treated for some people.

Novartis drug shown to ease symptoms of painful skin condition
Reuters
Novartis said its anti-inflammatory drug Cosentyx eased the symptoms of a painful, lump-forming skin condition in two late-stage trials, putting the approved treatment on track to further shore up sales growth at the Swiss drugmaker.

A Message From Dialysis Patient Citizens:

Dialysis patients are in a lose-lose situation. Private insurance is forcing them to decide between coverage for their life-saving treatment and their family's health protection. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

Learn more at www.dialysispatients.org/MSP

HEALTH TECHNOLOGY

Trilliant Health unveils evidence-based hospital comparison app
Dave Muoio, Fierce Healthcare
Following up on this summer's release of a market comparison resource for healthcare organizations, Trilliant Health has cut the ribbon on a new machine learning application that determines a hospital's most-similar peers across quality, operations, market share, finances and other factors.

OPINIONS, EDITORIALS AND PERSPECTIVES

Regular covid boosters help end pandemic. But U.S. should aim higher.
Editorial Board, The Washington Post
Yet perpetually chasing new strains with boosters is only a stopgap tactic. With substantial public funding, the country could aim higher. Congress should provide the money the Biden administration needs to fight a robust battle against the coronavirus — and to prepare for the next pandemic.

RESEARCH REPORTS

Rural Hospital Closures Threaten Access
American Hospital Association
In rural communities across America, hospitals and health systems are cornerstones for the health and well-being of the patients and communities they serve. Rural hospitals and health systems provide much needed access to affordable, quality health care for patients close to home, and operate as economic anchors in their local communities, supporting good paying jobs and infusing the local economy with spending on goods and services. In 2020, rural hospitals supported one in every 12 rural jobs in the U.S. as well as $220 billion in economic activity in rural communities.

[redacted]

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SUBJECT: FYI | FW: Learning collaboratives for MOUD starting in September/October
FROM: "Lauren Radcliffe (DHHS)" <lradcliffe@utah.gov>
TO: undisclosed-recipients:;
BCC: hborski@utah.gov
DATE: 12/09/2022 10:28

Comagine Health is launching two new offerings for clinicians and administrators who want to start or expand Medication for Opioid Use Disorder (MOUD) treatment services. There is no cost to join. Feel free to sign up for both! More details in the flyers attached.

The first is an ECHO series featuring local presenters and offered only to Utah clinics. Participants will attend every Wednesday for six weeks.

Medication for Opioid Use Disorder (MOUD) in Outpatient Clinics ECHO™ Series

Sessions begin October 5! (Held virtually on Wednesdays from 12:15 - 1:15 p.m. MT, Oct. 5 – Nov. 9, 2022)

Participants will be provided with a learning network through the ECHO™ model.

Our subject matter experts will guide you on:

- How to accurately identify which patients will benefit from MOUD
- ***NEW this year*** The dual diagnosis patient: treating patient's anxiety and depression along with their use disorder
- Policy, procedure, visit templates and billing
- Risk mitigation strategies
- Treatment considerations for co-occurring methamphetamine use disorder

P14#yIS1

Contact RWilson@comagine.org to sign up (advanced registration is preferred) Office: 801-892-6616

The second is a regional learning series that will be held monthly for six months.

To Participate: Register here or contact mklemesrud@comagine.org for more information

Lauren Radcliffe, MPH
She/Her/Hers
Overdose Prevention Coordinator | Local Health Department Coordinator
O: (385) 303-2303
lradcliffe@utah.gov
dhhs.utah.gov
Hours: Monday - Thursday (Teleworking) | 7:00 am - 5:00 pm

Utah Department of Health & Human Services
Population Health

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SUBJECT: Agenda for Health and Human Services Interim Committee onWednesday, Sep. 21, 2022 1:15 PM
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO:
DATE: 12/09/2022 18:04

Link to document: https://le.utah.gov/Interim/2022/html/00003428.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

1. Committee Business
* Call to order
* Approval of the minutes of the June 15, 2022, and August 17, 2022, meetings.
* Requests for committee bill files

2. Behavioral Health Receiving Centers

3. Sunset Review - Behavioral Health Receiving Center Grant Program

4. Sunset Review - Behavioral Health Crisis Response Commission

5. Sunset Review - Forensic Mental Health Coordinating Council

6. Healthcare Reform - Prescription Drugs

7. Medicaid - Pregnancy Postpartum Coverage

8. Sunset Review - Assisted Living Facility Transfers

9. Adjourn

HEALTH AND HUMAN SERVICES INTERIM COMMITTEE AGENDA
SEPTEMBER 21, 2022

AGENDA
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE

Wednesday, September 21, 2022 | 1:15 p.m. | Room 30 House Building

Members of the public may participate remotely in the meeting by visiting the committee's webpage to access the live streaming options:
https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

Page 1 of 2

Link to unsubscribe: https://le.utah.gov/tracking/unsubscribe.jsp?com=INTHHS&mess=566280&user=hborski@utah.gov

[redacted]

[redacted] Title

SUBJECT: Morning Consult Health Presented by Dialysis Patient Citizens: FDASets Meeting on Application for Potential First U.S. OTC Birth Control Pill
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 13/09/2022 06:07

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 13, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The Food and Drug Administration will consider Perrigo Co. PLC's application to make its daily birth control pill available over the counter during a joint meeting on Nov. 18. If the FDA's Nonprescription Drugs Advisory Committee and Obstetrics, Reproductive, and Urologic Drugs Advisory Committee sign off on the plan, Perrigo's pill would be the first nonprescription daily birth control offering in the United States. (The Hill)

- President Joe Biden touted his administration's cancer moonshot initiative during a speech at the John F. Kennedy Presidential Library and Museum, calling on the private sector to make drugs more affordable and data more accessible in an effort to hit his goal of lowering U.S. cancer deaths by 50% over the next 25 years. (The Associated Press)

- Oregon became the first state to receive financial support for mobile mental health crisis intervention units, tapping into American Rescue Plan funding that seeks to deploy unarmed responders in cases of mental health or substance abuse crises instead of involving the police. Sen. Ron Wyden (D-Ore.) said the state will now be the first to qualify for a federal Medicaid match of 85% over the next three years in reimbursements for the services delivered to Medicaid beneficiaries, and Health and Human Services Secretary Xavier Becerra encouraged other states to follow Oregon's lead in accessing such funding. (The Associated Press)

- A report from the Community Oncology Alliance found that hospitals participating in the federal government's 340B drug pricing program are marking up the cost of medicines they buy through the discount initiative by up to 11 times the cost. The analysis, which looked at self-reported drug data from 49 of the leading acute care hospitals participating in the 340B program that see a disproportionate share of low-income patients, also found cancer drug markups at 4.9 times the acquisition price. (Axios)

Worth watching today (all times local):

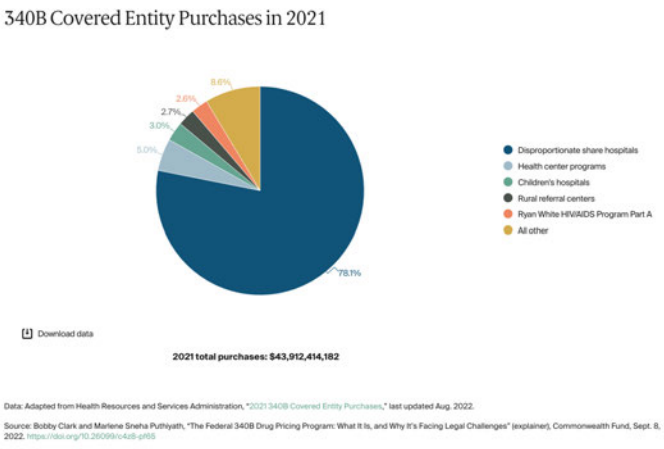
[redacted]

- **12 p.m.** Day 2 of AHIP's three-day Consumer Experience & Digital Health Forum.

- **12 p.m.** American Medical Association webinar on what physicians need to know about Tpoxx for the treatment of monkeypox.

CHART REVIEW

The Federal 340B Drug Pricing Program: What It Is, and Why It's Facing Legal Challenges
The Commonwealth Fund



PRESENTED BY DIALYSIS PATIENT CITIZENS

Support the Restore Protections for Dialysis Patients Act to Guarantee Dialysis Patients Healthcare That Fits All Their Needs

Right now, dialysis patients are being cornered into Medicare to receive proper coverage for their routine treatment, but losing protection for their families and health concerns unrelated to their dialysis. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

One of Long COVID's Worst Symptoms Is Also Its Most Misunderstood
Ed Yong, The Atlantic
Brain fog isn't like a hangover or depression. It's a disorder of executive function that makes basic cognitive tasks absurdly hard.

Should I Get the New Covid-19 Booster Shot Now or Wait?
Alex Janin, The Wall Street Journal
For healthy people not at high risk of severe disease, there might be reasons to wait longer, doctors say, but the determination depends on your risk tolerance. Older or immunocompromised people should get the booster as soon as they are eligible or about a month after recovering from a recent infection to minimize the possibility of severe disease, according to doctors.

So you haven't yet caught COVID. Does that make you a superdodger?
Michaeleen Doucleff, NPR News
By this point in the pandemic, most Americans have had at least one bout of COVID. For children under age 18, more than 80% of them have been infected, the Centers for Disease Control and Prevention estimates.

AstraZeneca Beats Investor Suit Over Covid-19 Vaccine Testing
Matthew Bultman, Bloomberg Law
AstraZeneca plc won the dismissal of a would-be class action brought by investors who accused the drug-maker of misleading them about its Covid-19 vaccine testing process.

Why we need to be talking about vaccines that offer "mucosal immunity"
Tina Reed, Axios
As the U.S. rolls out updated mRNA-based COVID shots, a growing chorus of experts say it's a mistake not to focus on treatments that boost immunity through mucous membranes.

These 10 states still have COVID emergency orders in place
Brad Dress, The Hill
New York Gov. Kathy Hochul (D) announced Monday that she will end the state's COVID-19 state of emergency amid falling case numbers and rising criticism. While the COVID-19 pandemic has faded as a major concern for much of the American public, there are still 10 states across the U.S. with emergency orders in place.

GENERAL

As demand for the monkeypox vaccine stalls, outreach goes hyperlocal
Megan Messerly and Krista Mahr, Politico
Earlier this summer, eager people snapped up vaccination appointments in cities from New York to Los Angeles. But a POLITICO review of a Biden administration pilot program that began last month to offer shots at large events found that supply outpaced demand, a trend mirrored nationwide as vaccine uptake has slowed. Now the administration says it's widening the net, creating another pilot to send vaccines to smaller venues and clinics.

Biden touts new drug pricing law amid cancer, biotech push
Lauren Clason, Roll Call
President Joe Biden on Monday hit the campaign trail to unveil new initiatives in biotechnology and a leader for a new health research agency key to his "Cancer Moonshot" initiative.

CDC warns about enterovirus in kids — and the risk of rare paralysis that can follow
Alexander Tin, CBS News
After virtually disappearing for several years amid measures aimed at curbing the spread of COVID-19, the Centers for Disease Control and Prevention is now urging

doctors to be vigilant for a renewed wave of enterovirus D68, or EV-D68 — a viral infection in children that can cause a rare kind of paralysis.

FDA Chief Touts Data Revamp to Resist Pressure, Misinformation
Celine Castronuovo, Bloomberg Law
Commissioner Robert M. Califf is pushing the FDA to generate more robust data to defend its decisions following the release of a congressional report detailing attempts by top Trump administration officials to influence the agency's pandemic response.

Scientists find air pollution link to lung cancer
Tina Reed, Axios
Researchers identified a mechanism for how air pollution can trigger lung cancer in people who've never smoked, according to a study presented at a major oncology conference on Saturday.

Ground beef in HelloFresh meal kits may have had E. coli contamination
Aria Bendix, NBC News
Food safety officials at the USDA warned that potentially contaminated meat was shipped to consumers in July.

Walking briskly reduces risk for cancer, heart disease, early death, study says
Sandee LaMotte, CNN
Put on your walking shoes and don't forget your step counter: You can reduce your risk for cancer, heart disease and early death by getting up to 10,000 steps a day, but any amount of walking helps, according to a new study.

Monkeypox vaccine racial disparities drive a gay Black health worker
Fenit Nirappil, The Washington Post
From clubs to church, a Black health worker's push to boost vaccination rates in his community meets resistance.

Monkeypox: First US death due to the virus confirmed in Los Angeles County
Katherine Dillinger, CNN
A Los Angeles County resident's death has been attributed to monkeypox, the county Department of Public Health said Monday, the first known death from the virus in the US.

Harris: 'Probably by design' that attacks on abortion, voting and LGBTQ rights come from same 'sources'
Joseph Choi, The Hill
Vice President Harris on Monday said it was "not by accident, but probably by design" that the same "sources" who threaten abortion rights also work against voting rights and LGBTQ rights.

Strict Indiana Abortion Law Proceeds, Recusals Delay Stay Bid
Alex Ebert, Bloomberg Law
A near-total abortion ban will go into effect in Indiana Sept. 15 as planned after a pair of judicial recusals led to delays in litigation seeking to temporarily block the law.

Exclusive: Medical journals broaden inquiry into potential heart research misconduct
Marisa Taylor and Brad Heath, Reuters
Three medical journals recently launched independent investigations of possible data manipulation in heart studies led by Temple University researchers, Reuters has learned, adding new scrutiny to a misconduct inquiry by the university and the U.S. government.

PAYERS

Medicare Advantage star ratings declines coming post-COVID
Nona Tepper, Modern Healthcare
Health insurance companies that sell Medicare Advantage plans enjoyed higher star ratings, and the extra dollars that come with them, during the COVID-19 pandemic. That's about to end.

While Inflation Takes a Toll on Seniors, Billions of Dollars in Benefits Go Unused
Judith Graham, Kaiser Health News
A few examples: Nearly 14 million adults age 60 or older qualify for aid from the federal Supplemental Nutrition Assistance Program (also known as food stamps) but haven't signed up, according to recent estimates. Also, more than 3 million adults 65 or older are eligible but not enrolled in Medicare Savings Programs, which pay for Medicare premiums and cost sharing. And 30% to 45% of seniors may be missing out on help from the Medicare Part D Low-Income Subsidy program, which covers plan premiums and cost sharing and lowers the cost of prescription drugs.

Texas judge's ACA ruling faces long legal road, experts say
Frank Diamond, Fierce Healthcare
Whether millions of insured Americans who receive some preventive medical services for free thanks to the Affordable Care Act can continue to do so hinges in part on what the courts decide to be the oversight role of the U.S Preventive Services Task Force.

A look inside Caremark's strategy for improving health equity
Paige Minemyer, Fierce Healthcare
For example, Joel Helle, vice president of physician services at CVS Specialty, told Fierce Healthcare that Caremark has not historically gathered race and ethnicity data, but now asks payers and plans sponsors for that information to more accurately target where disparities are occurring.

UnitedHealthcare fires back, sues Envision for allegedly exaggerating patient claims
Samantha Liss, Healthcare Dive
UnitedHealthcare, one of the nation's largest insurers, filed a lawsuit against Envision Healthcare alleging it overpaid the physician staffing firm millions of dollars after Envision exaggerated the complexity of illness and care provided to thousands of patients in emergency rooms.

PBGH's new committee focuses on public purchasers. Here's why
Frank Diamond, Fierce Healthcare
Public and private employers need all the information they can get when it comes to selecting healthcare benefits for their employers. And they'll soon get more of it, say backers of an initiative announced today by the Purchaser Business Group on Health, a group of about 40 private and public companies.

PROVIDERS

Rural hospitals face 'precarious' outlook as expenses climb, AHA says
Susan Kelly, Healthcare Dive
Escalating costs for labor, drugs, supplies and equipment are adding to the long-term pressures facing rural hospitals, raising the risk of more closures that could jeopardize patient access to care, the American Hospital Association warned in a new report.

Thousands of nurses strike in Minnesota, affecting more than a dozen hospitals
CBS News
The labor action includes 15,000 nurses and seven health care systems in the Minneapolis and Duluth areas. Those health care systems said they have recruited temporary nurses and are expected to maintain most services.

Providers urged to be alert for rare polio-like syndrome in kids
Andrew Joseph and Helen Branswell, Stat News
Pediatricians and top health officials are warning about an uptick in activity of a common virus that in rare cases can cause a polio-like syndrome in young children.

PHARMA, BIOTECH AND DEVICES

Johnson & Johnson and a New War on Consumer Protection
Casey Cep, The New Yorker

The company has spent billions on cases about one of its most popular products. As its executives try a brazen new legal strategy to stop the litigation, corporate America takes note.

States' efforts show drug cost isn't biggest obstacle to eliminating hep C
Nicholas Florko, Stat News
For nearly a decade, many experts assumed the biggest obstacle to eliminating hepatitis C was the sky-high cost of the new cures. So when Washington state and Louisiana signed flashy, unprecedented deals with the pharmaceutical companies that make the medicines back in 2019, and dedicated personnel and money toward the lofty goal, many celebrated. Just last week, the White House held the states up as a potential model for a forthcoming multibillion-dollar national effort with the same aim.

Data likely support approval of Amgen's KRAS-targeted drug Lumakras
Adam Feuerstein, Stat News
Clinical trial results reported Monday by Amgen may be enough to confirm the U.S. approval of its KRAS-targeting lung cancer drug called Lumakras. But the new data also show lung cancer patients are not benefiting from Lumakras as much as previously hoped, and liver toxicity remains a safety concern.

Bayer Is Said to Begin Search for New Chief Executive Officer
Eyk Henning and Aaron Kirchfeld, Bloomberg
Bayer AG has quietly started the search for a successor to Chief Executive Officer Werner Baumann, raising the prospect of an early departure, according to people familiar with the matter.

A Message From Dialysis Patient Citizens:

Dialysis patients are in a lose-lose situation. Private insurance is forcing them to decide between coverage for their life-saving treatment and their family's health protection. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

Learn more at www.dialysispatients.org/MSP

HEALTH TECHNOLOGY

Teladoc names first-ever chief health equity officer
Rebecca Pifer, Healthcare Dive
Virtual care giant Teladoc named Loehrer as its inaugural chief health equity officer on Monday. Loehrer will direct the New York-based company's health equity strategy and aim to ensure its suite of healthcare products are targeted towards all people, the vendor said in a release.

OPINIONS, EDITORIALS AND PERSPECTIVES

Did the US Jump the Gun With the New Omicron-Targeted Vaccines?
Céline Gounder and Elisabeth Rosenthal, Kaiser Health News
Last month, the FDA authorized omicron-specific vaccines, accompanied by breathless science-by-press release and a media blitz. Just days after the FDA's move, the Centers for Disease Control and Prevention followed, recommending updated boosters for anyone age 12 and up who had received at least two doses of the original covid vaccines. The message to a nation still struggling with the covid-19 pandemic: The cavalry — in the form of a shot — is coming over the hill.

Don't let shrill debates keep you from getting a Covid booster
Matthew Herper, Stat News

[redacted] Title

Even before the new Covid booster shots arrived, the arguments about them got shrill. There's a dizzying kaleidoscope of defensible opinions about the new Covid shots, which are designed to match the BA.5 strain of the virus that currently accounts for 9 in 10 Covid cases in the U.S.

California's anti-misinformation bill is a bad idea
Leana S. Wen, The Washington Post
One of the many lessons from the covid-19 pandemic is that misinformation can be deadly. It can lead people to forgo lifesaving precautions and turn instead to potentially harmful therapies. If it's egregious for politicians and celebrities to purvey misinformation, it's far worse when the lie peddler is a physician. Surely, such an individual would be in violation of their oath and should be stripped of their medical license.

RESEARCH REPORTS

Dependent Coverage and Parental "Job Lock": Evidence from the Affordable Care Act
Hannah Bae and Katherine Meckel, National Bureau of Economic Research
In 2010, the Affordable Care Act (ACA) mandated that private insurance plans extend coverage to adult dependents under the age of 26. We hypothesize that this policy may have had the unintended consequence of increasing "job lock" among parents who would otherwise leave their employer. We use a large panel of insurance claims that links members covered by the same plan and follows individuals over time.

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FROM: Trust for America's Health <info@tfah.org>
TO: hborski@utah.gov
DATE: 13/09/2022 08:16

Trust for America's Health

Wellness and Prevention Digest

TODAY'S NEWS - September 13th, 2022

Reports and Announcements

- Yesterday, the Biden Administration released a fact sheet on the recent Executive Order to launch a National Biotechnology and Biomanufacturing Initiative. The fact sheet highlights how the initiative will impact job creation, the supply chain, and prices for families.

Events

- Reminder: Join TFAH on September 15th for our next Age Friendly Public Health Systems (AFPHS) Training. Older adults in rural communities face unique challenges accessing resources and services. The COVID-19 pandemic further highlighted the need for innovative strategies to meet the health and social needs older adults in rural areas. Addressing social determinants of health is crucial to rural healthy aging. This training will focus on the unique challenges facing older adults in rural communities and the public health roles in the context of social determinants of health to support this population. Register here.

- NACBHDD and Optum are hosting an Equity in Suicide Prevention Panel on September 20th. Suicide is among the top 9 leading causes of death for people ages 10-64. However, not all populations are at the same risk for suicide. Death rates vary based on where an individual lives, their race or ethnicity, age, and identity.

- 2020 Mom is hosting two upcoming events:

    - 2022 Saving and Supporting Moms Congressional Briefing, September 19th: During this briefing, experts will discuss Maternal Health and Supporting Motherhood, including: the latest maternal mortality dataset from the CDC, research regarding paid parental leave and the impact on the economy, child care post-COVID, the current burden of maternal mental health and more.

    - Maternal Suicide in the U.S., The Latest Research & Data Collection Efforts 2022, September 28th: This webinar will cover general overview of maternal suicide statistics in the U.S., updated data from the CDC on Maternal Mortality Review Committees and pregnancy-related suicide deaths, how states are improving suicide detection in their MMRC process, including the role of informant interviews in identifying maternal suicide deaths, a process adopted by the Delaware MMRC and others, and more.

- Join the Big Cities Health Coalition and Drexel University's Urban Health Collaborative on September 28th for a guided tour of the new features in their Big Cities Health Inventory, an interactive database with more than 100 health metrics (including social determinants of health) for 35 of the largest cities in the U.S. Click here to add this event to your calendar.

- The next public meeting of the National Biodefense Science Board (NBSB) will take place on September 29th. Advanced registration is required. To register for the meeting and for additional information, visit the NBSB Public Meeting page.

- The National Association for Rural Mental Health's Conference will take place in Boulder, CO from November 2nd - 4th, and will highlight gaps in mental health services that rural communities face. For more information and to register.

Take Action

- The Protecting the Health of America's Older Adults Act (H.R. 6302) would create a healthy aging program at CDC, including grants to states for public health approaches to healthy aging. A fact sheet to the bill, which includes a list of endorsing organizations, can be found here. To endorse the bill, fill out this form (no need to fill it in if your organization is already listed).

- The Improving Social Determinants of Health Act of 2021 (S. 104/H.R. 379) would create a SDOH program at CDC, including grants to states for a public health

approach to SDOH. A fact sheet to the bill, which includes a list of endorsing organizations, can be found here. To endorse the bill, fill out this form (no need to fill it in if your organization is already listed).

Opportunities and Deadlines

Sign On Documents and Opportunities for Input

- The Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act (S. 1658) would close the coverage gap in the Break Time for Nursing Mothers law, ensuring an additional 9 million women of childbearing age have the right to time and space to pump breast milk during the workday. Organizational are invited to sign on to a joint letter urging the Senate to pass the bill. Signers will be added on a rolling basis.

- The Centers for Disease Control and Prevention Hospitals Promoting Breastfeeding program helps fund critical initiatives to support breastfeeding families in hospitals, workplaces, and communities. Organizations are invited to sign on to a joint letter urging policymakers to increase investments in this program in fiscal year 2023. Signers will be added on a rolling basis.

- USDA is interested in learning from stakeholders how we can better meet the needs of customers seeking kosher or halal foods through The Emergency Assistance Food Program (TEFAP). So far, USDA has held discussions with several advocacy organizations, 9 State Agencies, and food banks in those states that serve communities with kosher and/or halal food needs. USDA is reviewing the information gathered through these conversations to determine some actions and next steps we can take to better meet the needs of customers seeking kosher and halal foods. USDA is interested in feedback from States and food banks in all States and territories about how to best meet their customers' needs. Feedback can always be shared with your State Agency or sent to USDAFoods@usda.gov.

- Johns Hopkins Bloomberg School of Health and the de Beaumont Foundation recently released the report Seven Ways Business Can Align with Public Health for Bold Action and Innovation. To support collaboration between business and public health, the organizations are collecting endorsements and stories of alignment, which are reflections on how organizations are applying recommendations from the report as well as endorsements, which will be accepted on a rolling basis.

Funding Opportunities and Awards

- NIH's Office of Nutrition Research (ONR) has issued the notice of special interest (NOSI) Stimulating Research to Understand and Address Hunger, Food and Nutrition Insecurity. The purpose of this NOSI is to encourage research on the efficacy of interventions that address nutrition security and the mechanisms of food insecurity on a variety of health outcomes. It also calls for the development of new measures for nutrition security and assessment of food insecurity that are broadly applicable. It was developed by the ONR Implementation Working Group on Nutrition and Health Disparities in collaboration with NIH Institutes and Centers (ICs) and Offices in support of the goals and objectives of the Strategic Plan for NIH Nutrition Research. Deadline, October 5th.

- Healthy Eating Research, a national program of the Robert Wood Johnson Foundation, is funding research focused on how pandemic-driven social and economic programs and policies related to poverty reduction impact child obesity, diet quality, and food and nutrition security. Applications are open at this link with an October 12th deadline.

- The Foundation for Opioid Response Efforts (FORE) today issued a new Request for Proposal for projects that support community-based organizations capacity to reduce opioid use disorder and overdose mortality. The goal is to help community-based organizations enhance their ability to deliver services addressing the opioid crisis, particularly in communities where people are at greatest risk of developing opioid use disorder and dying from overdoses. Competitive applications will demonstrate how funding will result in long-lasting improvements in delivering opioid use disorder mitigation initiatives in their community. Applicants may apply for a grant of up to $75,000 per year for up to two years. Applications will be accepted through October 21, 2022, and grants will be awarded in early 2023.

- The PHS Commissioned Officers Foundation (COF) for the Advancement of Public Health have announced the 2023 Barclay-Giel Seed Grants opportunity. Any 501c3 non-profit or local/state/tribe/tribal organization with a focus on public health. Grants will be open to all areas of public health, with the Surgeon General's Priorities of special interest. Specific topics of interest related to the COVID-19 pandemic include health misinformation, health worker burnout, and youth mental health. The application period will be September 8th - November 3rd, with awards being announced in February 2023.

- CDC's National Center for Injury Prevention and Control (NCIPC) is accepting applications for Injury Control Research Center (ICRC) grants. The ICRCs support NCIPC's priorities and mission through high-quality research, training, and outreach, as well as effective translation of scientific discoveries into practice for the prevention and control of injuries and violence. The application deadline is January 6th, 2023.

- In partnership with CDC, AmeriCorps recently announced the next round of funding for the Public Health AmeriCorps program. Public Health AmeriCorps is a groundbreaking initiative funded by the American Rescue Plan Act. Organizations interested in hosting one or more Public Health AmeriCorps members may apply for the 2023 Public Health AmeriCorps Grant through January 4, 2023, at 5:00 p.m. (ET). Successful applicants will be notified in April 2023. Public Health AmeriCorps members will provide support to recipient organizations and become a valuable part of our nation's public health workforce. Eligible organizations include nonprofit, faith-based, tribal and community-based organizations; higher-education institutions; state, local and territorial government entities, including local public health departments.

- The Center for Science in the Public Interest's (CSPI's) first round of grantmaking for 2022 is now open. CSPI seeks to support communities as they explore local, state, and federal policy interventions to elicit systemic change and advance a just and equitable food environment. CSPI is focused on identifying strategies and passing policies aimed at increasing purchasing power for, and access to, nutritious food that meets people's needs, supporting a healthier food environment, and reducing health disparities across demographic groups. Several opportunities are currently open, with details available here.

- Evidence for Action's released an open and rolling call for proposals, Innovative Research to Advance Racial Equity. Through this CFP they seek to fund researchers, practitioners, community leaders, advocates, policymakers, and/or other stakeholders to investigate the impacts of various social interventions on health and racial equity outcomes. They are interested in projects that develop and disseminate evidence about what works to advance racial equity and improve health and well-being outcomes for people and communities of color.

Other

- Learn how your health department can protect workers and diners from COVID-19 with a new, video-based, interactive training developed by the Public Health Foundation, in partnership with the Food and Society Program at the Aspen Institute. The training, Safety First: Helping Restaurants Reduce the Spread of COVID-19, is now available through the TRAIN Learning Network.

- The National Headache Foundation (NHF) launched Primary Care Migraine, a new educational training program available at no cost to health practitioners. The program was announced by Tom Dabertin, Executive Director and Chief Executive Officer of the National Headache Foundation. The course also offers a diagnosis tool to assist one in quickly diagnosing migraines while interviewing and examining patients.

- Prevent Blindness is seeking applicants for the A.S.P.E.C.T. (Advocacy, Support, Perspective, Empowerment, Communication, and Training) Program, which aims to equip participants with the knowledge, skills, and confidence to become advocates for vision and eye health- at the individual, peer-to-peer, community, state, or national levels via an 8-week educational series.

Upcoming Events

Today's Additions in Red

How Advocates Can Influence Healthcare to Advance Equity
Sponsored by Raising the Bar
Tuesday, September 13th, 2:00 p.m. (ET)
For more information and to register

Creating 21st Century Capital Markets for Better Social Outcomes: Transformative Change in Health Equity Through Debt Financing
Sponsored by the Federal Reserve Bank of New York
Tuesday, September 13th, 3:00 - 5:30 p.m. (ET)
New York NY and virtual
For more information and to register

Taking Public Health Action for Family Caregivers Webinar
Sponsored by the National Alliance for Caregiving and the National Association of Chronic Disease Directors
Wednesday, September 14th, 10:00 a.m. (ET) - webinar
For more information and to register

Public Health Approaches to Addressing Health Disparities in Alzheimer's Disease and Related Dementias
Sponsored by UsAgainstAlzheimer's
Thursday, September 15th, 10:30 a.m.
For more information and to register

America's Growing Drug Overdose Crisis
Sponsored by NIHCM
Thursday, September 15th, 1:00 - 2:00 p.m. (ET) - webinar
For more information and to register

Strengthening and Modernizing the Public Health System
Sponsored by the Alliance for Health Policy

Friday, September 16th, 12:00 - 1:30 p.m. (ET) - webinar
For more information and to register

Exploring the Power of Youth Leadership in Creating the Conditions for Health and Equity
Sponsored by the National Academies of Sciences, Engineering, and Medicine Roundtable on Population Health Improvement
Monday, September 19th, 12:00 - 7:30 p.m. (ET)
For more information and to register

NHCOA's Annual Status of Hispanic Older Adults Report: Health Equity
Sponsored by the National Hispanic Council on Aging
Tuesday, September 20th, 2:00 - 3:30 p.m. (ET) - webinar
For more information and to register

Injury and Violence Prevention Forum
Sponsored by Safe States Alliance in coordination with the Injury and Violence Prevention Network
Thursday, September 29th, 12:30 - 4:30 p.m. (ET)
Capitol Visitors Center, Congressional Meeting Room North
Washington, DC
For more information and to register

Models for Strategic Planning to Coordinate Equity Efforts
Sponsored by Raising the Bar
Thursday, September 29th, 1:30 p.m. (ET)
For more information and to register

2022 End Social Isolation and Loneliness Action Forum
Sponsored by the Foundation for Social Connection
October 11th - 13th - virtual
For more information and to register

Children's Environmental Health Day
Sponsored by Children's Environmental Health Network
Thursday, October 13th
For more information

Accelerating the Development & Uptake of Rapid Diagnostics to Address AMR
Sponsored by NASEM
October 13th - 14th
Washington, DC (In-person and virtual)
For more information and to register

SHIFT Summit
Sponsored by GP RED
October 17th - 20th
Fort Collins, CO
For more information and to register

SOPHE Advocacy Summit
October 21st - 24th
Washington, DC
For more information and to register

Informing Workplace Practices and Policies to Advance Equity
Sponsored by Raising the Bar
Monday, October 24th, 3:00 (ET)
For more information and to register

2022 Mom and Baby Action Network Summit
Sponsored by March of Dimes
October 24th - 25th
Atlanta, GA and virtual
For more information and to register

Community Benefit 101
Sponsored by Catholic Health Association
October 25th - 27th - virtual
For more information and to register

Altus Wellness Symposium and Health Fair
Sponsored by Jackson County Health Department, SWODA, and Shortgrass Community Health Center
October 26th - 27th
Altus, OK
For more information and to register

2022 AICR Research Conference
October 31st - November 2nd
Leesburg, VA and virtual
For more information and to register

[redacted] Title

My City My Health Conference
Sponsored by The Healthy Project
Friday, November 11 9:00 – 3:00 p.m. (CT)
For more information and to register

Active Living Conference
Sponsored by GP RED
March 13th - 16th, 2023
Bethesda, MD
For more information and to register

Trust for America's Health | 1730 M Street NW, Suite 900, Washington, DC 20036

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SUBJECT: Reducing maternal mortality in the face of new challenges to reproductive health
FROM: NIHCM Foundation <nihcm@nihcm.org>
TO: <hborski@utah.gov>
DATE: 13/09/2022 09:54

Maternal Mortality may rise in the US under new, restrictive reproductive health care laws. Are there solutions?

Trouble viewing? View email in browser

NIHCM FOUNDATION

UPCOMING WEBINAR

Maternal Mortality and New Risks to Women's Reproductive Health

DATE & TIME
Tuesday, September 20, 2022
1:00 - 2:00 PM ET

Register

[redacted]

[redacted]

Title

SPEAKERS

Ndidiamaka Amutah-Onukagha, PhD, MPH
Tufts University &
Center for Black Maternal Health and Reproductive Justice

Sindhu K. Srinivas, MD, MSCE
Perelman School of Medicine
University of Pennsylvania
Adam Myers, MD
Blue Cross Blue Shield Association

The United States has the highest maternal mortality rate among industrialized nations, in 2020 it was 23.8 deaths per 100,000 live births, a 14% increase from just two years prior. For every person in the US who dies because of pregnancy or childbirth, it is estimated that up to 70 more people suffer dangerous or life-threatening complications, yet two-thirds of these deaths are preventable. Many experts think the dramatic restrictions on reproductive health care emerging in many states will only increase maternal mortality rates and existing disparities. The rate for Black women is nearly three times higher than White women. This disparity can be attributed to limited access to quality health care, underlying chronic conditions, structural racism, implicit bias, and many of the social determinants of health.
This webinar will explore overall maternal mortality, the impact of changes to reproductive rights, and new approaches and possible solutions that may improve maternal health outcomes. Speakers will discuss:

- The state of the maternal mortality crisis, who is affected, and the possible impact of new laws limiting reproductive health care and new approaches to achieving health equity.
- Risks to maternal health, with a focus on high-risk pregnancies and new challenges facing physicians, midwives, and other care providers.
- Supporting equitable, high-quality reproductive health care in all communities.

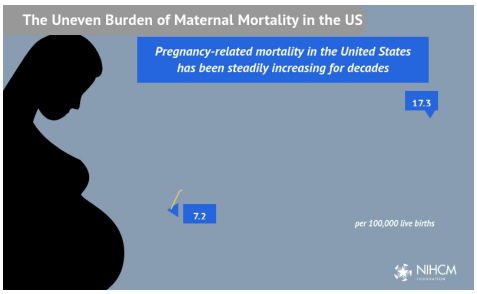
Register Today

View NIHCM's Recent Infographic:
The Uneven Burden of Maternal Mortality in the US

[redacted]

[redacted]

Title



This webinar is part of NIHCM's "Stopping the Other Pandemic: Systemic Racism and Health" series. Find out more, here.

NIHCM Foundation

Washington DC 20036-2454

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SUBJECT: [Content Engagement Hub] Looking Forward in Drug Development
FROM: "Applied Clinical Trials" <edigest@email.appliedclinicaltrialsonline.com>
TO: <hborski@utah.gov>
DATE: 13/09/2022 10:30

View web version.

We'd like to offer you exclusive access to an online resource with useful tools and practical information on *Looking Forward in Drug Development, Real World Evidence to Optimize Product Approval and Access*.

- **[Whitepaper]** Advancing Patient-centered Approaches to Oncology Studies: Exploring an Example
- **[Whitepaper]** Overcoming Challenges in Real-world External Control Arm Design
- **[Whitepaper]** The Evolution of Technology Enablement in Long-term Follow-up (LTFU) Studies
- **[Whitepaper]** Recent Trends in Drug Safety: The Growing and Evolving Role of Real-world Evidence
- **[Whitepaper]** Using Patient Experience Data to Demonstrate the Value of CAR-T Cell Therapies

[redacted]

[redacted]

Title

- **[Whitepaper]** Pediatric Drug Development: Trends and Perspectives in the European Union
- **[Whitepaper]** Advancing Rare Disease Treatments in the COVID-19 Era and Beyond
- **[Whitepaper]** Pregnancy and Lactation Studies in the US and Trends in FDA Post-Marketing Requirements/Commitments
- **[Whitepaper]** Network Meta-Analysis of Real-World Evidence: The Challenge of Related Publications
- **[Whitepaper]** Pre-Approval Information Exchange (PIE) – Is It Time for More PIE?
- **[Whitepaper]** Reimbursement Landscape for Next Generation Sequencing in Oncology
- **[Whitepaper]** Mini-Global Value Dossiers (GVDs) – Smaller Can Be Better!

Access All Resources

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SUBJECT: Potential Speed Bumps In Road To Calif.'s 2035 EV Target
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 14/09/2022 01:46

LAW360 PUBLIC POLICY

Wednesday, September 14, 2022 Follow

TOP NEWS

Analysis

Potential Speed Bumps In Road To Calif.'s 2035 EV Target

California's plan to phase out sales of new gasoline-powered vehicles by 2035 could usher in an electrification renaissance in the U.S. if policymakers and industry leaders can overcome supply-chain hurdles, plug gaps in electric-vehicle charging infrastructure and assuage consumer hesitancy.

Read full article »

Analysis

Anti-Legalizers Rev Up Challenges To Pot Ballot Measures

Opponents of cannabis legalization are increasingly pivoting from lobbying and public messaging to litigation in order to keep reform referenda from

appearing on the ballot, short-circuiting any chance for voters to weigh in.
Read full article »

Senate Declines To Confirm 3rd Circ. Pick

The Senate voted against Arianna J. Freeman's nomination to the Third Circuit on Tuesday in an unexpected setback for Democrats, with three senators absent from the closely divided vote.
Read full article »

More Portions Of Mar-A-Lago Warrant Unsealed By Court

D.C. federal grand jury subpoenas issued to former President Donald Trump turned up surveillance footage and documents tied to some of the federal government's most sensitive national security operations, according to a newly unsealed version of the affidavit prosecutors used to obtain a search warrant for Trump's Mar-a-Lago estate in Florida.

6 documents attached | Read full article »

Pa. Justices Deny Early Review Of Wolf's Amendment Fight

The Pennsylvania Supreme Court has denied Gov. Tom Wolf a shortcut for his challenge to proposed amendments to the state constitution by Republican legislators, saying the case will have to start a step below in an appellate court.

Order attached | Read full article »

Cuomo Lodges Ethics Complaint Against NY AG

Former New York Gov. Andrew Cuomo lobbed an ethics complaint at state Attorney General Letitia James on Tuesday that alleges she "cynically manipulated a legal process for personal, political gain" in her investigation of sexual harassment claims against him.

Complaint attached | Read full article »

Powell, Others Ask 6th Circ. To Ax 'Career-Ending' Sanctions

Former Trump campaign lawyer Sidney Powell and five other attorneys have accused a Michigan federal judge of discrimination in an appeal to the Sixth Circuit of what they describe as career-ending sanctions stemming from their involvement in a lawsuit challenging the 2020 presidential election results in the Great Lakes State.

Brief attached | Read full article »

Ex-Fugees Artist Can't Nix 1MDB-Linked Illegal Lobbying Case

Ex-Fugees member Prakazrel Michel lost his bid to nix charges relating to the 1Malaysia Development Bhd. political embezzlement scandal after a D.C. federal judge on Tuesday rejected contentions that Michel was singled out in a crowd of co-conspirators by pointing to a lack of evidence to infer discriminatory motivation by prosecutors.

Order attached | Read full article »

BANKING & SECURITIES

Treasury Says Tornado Cash Users Can Apply To Get Crypto

Crypto investors who started but didn't complete transactions involving the Tornado Cash platform before it was sanctioned by the U.S. Department of the Treasury last month can request licenses to complete their dealings, the department said in guidance released Tuesday.
Read full article »

ENERGY & ENVIRONMENTAL

Interior Dept. Proposes Revamping Offshore Safety Regs

The U.S. Department of the Interior has proposed revising a Trump-era offshore drilling safety rule that

LAW FIRMS IN TODAY'S NEWS

ArentFox Schiff
Bachus & Brom
Baker & Hostetler
Baker Donelson
Blank Rome
Boyden Gray & Associates
Cleary Gottlieb
Cravath Swaine
Curley Hurtgen
DLA Piper
Davis Shapiro
Duane Morris LLP
Ellinger & Associates
Ellis George
Fink Bressack
Fisher Phillips
Foley Hoag
Gibson Dunn
Gombos Leyton
Gray Reed
Gunn Lee
Heidepriem Purtell
Hepworth Gershbaum
Hogan Lovells
Kakalec Law
Kirkland & Ellis
Kutak Rock
Lanier Law Firm
Latham & Watkins
Loeb & Loeb
McNees Wallace
Morgan Lewis
Mowery Youell
Munck Wilson
Murchison & Cumming
Myers Brier
Nilan Johnson
Ogletree Deakins
Parker Poe
Post & Schell
Quinn Emanuel
Sanford Heisler
Satterlee Stephens
Seila Law
Shumaker Loop
Snell & Wilmer
Struck Love
Taft Stettinius
Taylor English
Thompson Hine
Troutman Pepper
Vladeck Raskin
Vorys
Wachtell Lipton
Waters Kraus
Witham Mahoney
Womble Bond

COMPANIES IN TODAY'S NEWS

Akorn Inc.
American Bar Association
American Petroleum Institute
Inc.
Baylor University
Burford Capital LLC
Center for Biological Diversity

rolled back requirements enacted by the Obama administration in the wake of the 2010 Deepwater Horizon disaster.

Proposed Rule attached | Read full article »

TVA Escapes Utility Trade Group Spending Suit

A federal judge on Monday tossed a suit accusing the Tennessee Valley Authority of stonewalling a request for a new regulation that would prevent it from funding utility industry groups, saying the environmentalists who sued can't show they've been harmed and therefore lack standing.

Order attached | Read full article »

Fishery Monitor Cost Similar To Nets, 1st Circ. Says

The First Circuit on Tuesday appeared receptive to a rule requiring fishermen to pay for a new federal monitoring program to ensure compliance with federal fishing standards, likening it to covering the cost of their own nets.

Read full article »

Green Groups Seek To Restart Fluoridated Water Risks Case

Green groups on Monday urged a California judge to resume their lawsuit seeking to force the U.S. Environmental Protection Agency to ban the addition of fluoride to drinking water, saying there's plenty of new information to warrant new proceedings.

Motion attached | Read full article »

9th Circ. Says FDA Has Dibs On Copycat Drug Suits

A Ninth Circuit panel on Tuesday affirmed a California judge's decision to toss a pharmaceutical manufacturer's claims that a compounding pharmacy unlawfully produced copies of its U.S. Food and Drug Administration-approved blood pressure medication, ruling the claims were preempted by the FDA's exclusive enforcement power.

3 documents attached | Read full article »

HEALTH & LIFE SCIENCES

Sen. Graham's Federal Abortion Ban Gets GOP Cold Shoulder

Sen. Lindsey Graham proposed a federal ban on abortions after 15 weeks of pregnancy Tuesday, a move that irked fellow Republican senators who saw no reason to disrupt the authority that the U.S. Supreme Court gave states to regulate the procedure with its landmark reversal of Roe v. Wade.

Bill attached | Read full article »

DOJ Tells 5th Circ. Biden As 'CEO' Can Enforce Vax Mandate

A U.S. Department of Justice attorney appearing before the Fifth Circuit on Tuesday likened President Joe Biden to the "CEO of the federal workforce" while defending the administration's mandate requiring federal employees to be vaccinated against COVID-19.

Read full article »

EMPLOYMENT & BENEFITS

Biden's EEOC GC Pick Tells Senators She'd Seek Consensus

President Joe Biden's pick to serve as the U.S. Equal Employment Opportunity Commission general counsel stressed the importance of consensus Thursday at a Senate committee hearing when she was asked about agency attorneys needing approval from the five-member commission before pursuing cases.

Read full article »

COMPETITION

Chevron Corp.
Coinbase Global Inc.
CoreCivic Inc.
Edison Electric Institute Inc.
Food & Water Watch
Ford Motor Co.
Fordham University
Fresenius Kabi AG
Georgetown University
Getty Images Inc.
Google LLC
Harbour Litigation Funding Ltd.
Insurance Europe Ltd.
International Legal Finance Association
Intuit Inc.
Kelley Blue Book Co. Inc.
Laguna Development Corp.
LinkedIn Corp.
Marijuana Policy Project
McDonald's Corp.
Meta Platforms Inc.
Michigan Attorney Grievance Commission
Microsoft Corp.
NBCUniversal Media LLC
National Employment Law Project
National Telephone Cooperative Association
Natural Resources Defense Council
New Civil Liberties Alliance
New York University
Nexus Pharmaceuticals Inc.
Nuclear Energy Institute
Public Citizen Inc.
Securus Technologies Inc.
Smart Approaches to Marijuana
Southwestern Law School
Space Exploration Technologies Corp.
Square Inc.
Stellantis NV
Tesla Inc.
The American Law Institute
The Center for Reproductive Rights Inc.
Toyota Motor Corp.
Trump Organization Inc.
Twitter Inc.
Uber Technologies Inc.
Viasat Inc.
Volkswagen AG
Washington & Lee University
Yale University

GOVERNMENT AGENCIES IN TODAY'S NEWS

Attorney Registration and Disciplinary Commission
Bureau of Indian Affairs
Bureau of Safety and Environmental Enforcement
California Air Resources Board
California State Transportation Agency
Consumer Financial Protection Bureau
Equal Employment Opportunity Commission
European Commission
European Union

DOJ Antitrust Head Eyes Merger Policy 'Disconnect'

The U.S. Department of Justice's top antitrust official on Tuesday teased important insights into a pending major overhaul of U.S. merger guidelines that, he said, need to bridge the gap between "artificial" economic analysis and the real-world experiences of people affected by transactions.

Read full article »

CYBERSECURITY & PRIVACY

Twitter Security Gaps Lingered For Years, Whistleblower Says

A former top security executive at Twitter who filed a whistleblower complaint over the company's data practices told senators on Tuesday that the social media giant has substandard data privacy and security measures that left users' data and national security vulnerable to malicious actions.

Read full article »

CONSUMER PROTECTION

College Chain Operator Can't Sink CFPB Investigative Demand

A Utah federal judge said Tuesday that the operator of several now-shuttered colleges must cooperate with a federal Consumer Financial Protection Bureau investigative demand tied to its private student lending, rejecting the nonprofit's constitutional challenge to the agency's budgetary independence.

Decision attached | Read full article »

INTERNATIONAL TRADE

Aluminum Industry Calls On Gov'ts To Up Recycling Efforts

U.S., Canadian, European and Japanese aluminum associations are calling on democratic governments to increase recycling and information sharing, moves they say are necessary to strengthen supply chains against future shocks tied to limited sourcing options for critical materials.

Letter attached | Read full article »

TAX

Analysis

3 Takeaways From Uber's $100M Tax Payout To NJ

Uber and a subsidiary's $100 million payout in back taxes to New Jersey over the misclassification of drivers as independent contractors shows the importance of public enforcement of employment laws and signals that state-level employee classification tests will fuel legal and political battles in years to come, attorneys said.

Read full article »

11th Circ. Suggests ARPA Tax Provision Could Be Too Vague

Eleventh Circuit judges appeared reluctant Tuesday to overturn an Alabama district court's ruling that bars the federal government from enforcing in 13 states a tax provision of the American Rescue Plan Act because it is ambiguous.

Read full article »

IMMIGRATION

DHS OIG Says Faulty Tracking Stalled Migrant Kid Transfers

The U.S. Department of Homeland Security's watchdog urged it to improve how officers track migrants arrested at the U.S.-Mexico border, saying in a report released Tuesday that ad hoc data recording has delayed unaccompanied migrant children's transfer out of DHS custody.

Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Illinois Secretary of State
Internal Revenue Service
Karuk Tribe
Michigan Attorney General's Office
Morongo Band of Mission Indians
National Archives and Records Administration
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
National Security Agency
National Telecommunications and Information Administration
New Jersey Department of Labor and Workforce Development
North Carolina General Assembly
Office of Foreign Assets Control
Ohio Supreme Court
Pala Band of Mission Indians
Pennsylvania Supreme Court
Pueblo of Laguna of New Mexico
Tennessee Valley Authority
U.S. Attorney's Office for the District of South Dakota
U.S. Attorney's Office for the Eastern District of Texas
U.S. Attorney's Office for the Southern District of California
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Customs and Border Protection
U.S. Department of Commerce
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Department of the Treasury

Report attached | Read full article »

Asylum-Seeker Says Pregnancy Was Doomed In Detention

An asylum-seeker suing over a miscarriage she suffered in a detention center rebuked the Biden administration's efforts to escape her lawsuit, telling a California federal court that her pregnancy was viable when she entered the center.

Response attached | Read full article »

NATIVE AMERICAN

SD Judge Rebuffs Tribe's School Funding Suit Against BIA

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Opinion attached | Read full article »

Gov't OKs Land-Leasing Regs For Pueblo Of Laguna In NM

The federally recognized Pueblo of Laguna tribe in west-central New Mexico has been approved by the U.S. Interior Department's Bureau of Indian Affairs to set its own land-leasing regulations without further BIA approval.

Notice attached | Read full article »

TELECOMMUNICATIONS

FCC Builds On Partnerships With European Regulators

The U.S. government will step up its collaboration with European allies to prevent the flow of illegal robocall traffic and take action on other telecom policy initiatives, the Federal Communications Commission said.

Read full article »

FCC Republican Backs Starlink Appeal Of Rural Funds Denial

A second Republican on the Federal Communications Commission has weighed in on satellite company Starlink's loss of nearly $886 million in expected broadband subsidies from an FCC rural program, saying the agency should reconsider the decision.

1 document attached | Read full article »

'Forceful' Action Needed To Curb Prison Call Fees, FCC Told

The Federal Communications Commission should take "more forceful" steps to reduce "double dipping" by prison phone service providers that allegedly charge excessive add-on fees, an advocacy group told the agency in a Sept. 12 letter.

2 documents attached | Read full article »

CANNABIS

Mo. Justices Won't Stop Pot Question From Getting To Ballot

The Missouri Supreme Court on Tuesday rejected a bid to keep a ballot question seeking to legalize cannabis off the ballot, ending an expedited legal fight over the measure and allowing voters to decide the issue in November.

Decision attached | Read full article »

PEOPLE

Shumaker Launches Tech Business Sector, Names Co-Heads

U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Tennessee
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. Immigration and Customs Enforcement
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of South Dakota
United States District Court for the District of Utah
Wage and Hour Division

Shumaker Loop & Kendrick LLP announced the launch of a technology business sector, an initiative the firm said was formed in response to the increasingly digital nature of the business world and the specific needs of its technology-focused clients.
Read full article »

Ex-US Ambassador To Zimbabwe Joins Taft Stettinius

The former U.S. ambassador to Zimbabwe under President Bill Clinton has left his most recent role in private practice to join Taft Stettinius & Hollister LLP, the firm has announced.
Read full article »

DLA Piper Adds ArentFox Schiff Web 3.0, Blockchain Pro In LA

DLA Piper continues expanding its Los Angeles office by adding an ArentFox Schiff LLP Web 3.0 and blockchain expert as a partner.
Read full article »

EXPERT ANALYSIS

What SEC's Final Exec Comp Disclosure Rule Means For Cos.

The U.S. Securities and Exchange Commission recently adopted new regulations requiring companies to justify executive pay to shareholders by comparing it to financial performance, meaning companies ought to consider the new requirements quickly to avoid delaying their annual proxies, and discuss the implications with relevant committees, say Brian Soares and Celia Soehner at Morgan Lewis.
Read full article »

CORRECTED: New Tax Credits For Renewables Should Offer Investors Relief

The Inflation Reduction Act's changes to tax credits for renewable energy projects should finally liberate tax equity investors from the restraints of the complex and onerous federal anti-abuse regime, says Kay Hobart at Parker Poe. Correction: Because of an editing error, a previous version of this article incorrectly characterized tax enforcement regimes in North Carolina and other states. This error has been corrected.
Read full article »

LEGAL INDUSTRY

Ken Starr, Who Led Clinton Sex Scandal Inquiry, Dies At 76

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Read full article »

Waco IP Atty Calls Pilot License His 'Secret Weapon'

Munck Wilson Mandala LLP partner David Henry has made his personal plane and flying services central to his patent litigation practice in Waco,

Texas, where he set up shop long before it became a patent hotspot.
Read full article »

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The Minority Corporate Counsel Association has picked Microsoft Corp. as the national winner of its 2022 Employer Choice Award for its approach to diversity and inclusion.
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Read full article »

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SUBJECT: Sen. Graham's Federal Abortion Ban Gets GOP Cold Shoulder
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 14/09/2022 02:13

LAW360 HEALTH

Wednesday, September 14, 2022 Follow

TOP NEWS

Sen. Graham's Federal Abortion Ban Gets GOP Cold Shoulder

Sen. Lindsey Graham proposed a federal ban on abortions after 15 weeks of pregnancy Tuesday, a move that irked fellow Republican senators who saw no reason to disrupt the authority that the U.S. Supreme Court gave states to regulate the procedure with its landmark reversal of Roe v. Wade.

Bill attached | Read full article »

Prolific Oxycodone Doc Gets 15 Years After Feds Rip Up Deal

A Manhattan federal judge sentenced a former pain doctor Tuesday to 15 years in prison for pushing "almost unfathomable" amounts of oxycodone onto the streets of New York City, handing down a long sentence after prosecutors said he breached his cooperation agreement.

Read full article »

9th Circ. Says FDA Has Dibs On Copycat Drug Suits

A Ninth Circuit panel on Tuesday affirmed a California judge's decision to toss a pharmaceutical manufacturer's claims that a compounding pharmacy unlawfully produced copies of its U.S. Food and Drug Administration-approved blood pressure medication, ruling the claims were preempted by the FDA's exclusive enforcement power.

3 documents attached | Read full article »

Women Sue Over Alleged Inaccurate Ovulation Test Kits

A slew of home ovulation test kit manufacturers were accused of misleading consumers and preying on the anxieties of women trying to get pregnant in order to make a profit in a proposed class action suit filed in a New York federal court.

Complaint attached | Read full article »

MVP

MVP: Holland & Knight's Maria T. Currier

Maria Currier has been one of the main players leading the national health practice at Holland & Knight, where she helps package Florida health care

COMPANIES IN TODAY'S NEWS

Abbott Laboratories
Akorn Inc.
American Bar Association
B. Braun Melsungen AG
Baring Private Equity Asia Ltd.
Baxter International Inc.
Baylor University
Burford Capital LLC
CVS Health Corp.
Church & Dwight Co. Inc.
EQT Corp.
Early Warning Services LLC
Food & Water Watch
Fordham University
Fresenius Kabi AG
Harbour Litigation Funding Ltd.
Health Discovery Corp.
Insurance Europe Ltd.
Intel Corp.
International Legal Finance Association
Intuit Inc.

[redacted]

companies into billion-dollar deals, earning her a spot among Law360's 2022 Health Care MVPs.
Read full article »

LITIGATION

Baxter Can't Nullify Patent Settlement, Judge Rules

A Pennsylvania federal judge has tossed for now Baxter International Inc.'s lawsuit claiming it was deceived when it inked a deal to settle a separate patent infringement suit against B. Braun, but left room for an amended complaint.

Order attached | Read full article »

AI Patent Survives PTAB Review After Getting Axed In WDTX

A split Patent Trial and Appeal Board panel has determined that Intel Corp. failed to show that six claims it challenged in a Health Discovery Corp. patent on using machine learning to identify genes underlying certain medical conditions are invalid.

Decision attached | Read full article »

Insurer Wants Class Decertified In Fla. Medicare Recovery Suit

IDS Property Casualty Insurance Co. urged Florida's Third District on Tuesday to reverse class certification for a second time in litigation brought by the assignee of a defunct Medicare Advantage organization over the auto insurer's reimbursement practices, saying the plaintiffs had failed to fix flaws in the case cited in the appeals court's previous ruling.

3 documents attached | Read full article »

Green Groups Seek To Restart Fluoridated Water Risks Case

Green groups on Monday urged a California judge to resume their lawsuit seeking to force the U.S. Environmental Protection Agency to ban the addition of fluoride to drinking water, saying there's plenty of new information to warrant new proceedings.

Motion attached | Read full article »

Surgical Assistant Group Sues Board Over Accreditation

The Association of Surgical Assistants filed suit in Colorado federal court on Tuesday accusing a national certification board of antitrust violations over its alleged refusal to consider allowing the group to become an accredited provider of continuing education credits.

Complaint attached | Read full article »

Suquamish Tribal Court Must Hear Insurers' COVID-19 Suit

A Washington federal judge has thrown out a suit by a group of insurers asking him to rule that the Suquamish Tribal Court doesn't have jurisdiction over claims by the tribe and its businesses seeking coverage for physical loss or damage to their property due to COVID-19.

Order attached | Read full article »

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Opinion attached | Read full article »

DEALS

Lexington Insurance Co.
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MSP Recovery
Michigan Attorney Grievance Commission
Microsoft Corp.
NBCUniversal Media LLC
New York University
Nexus Pharmaceuticals Inc.
Port Madison Enterprises
Square Inc.
Target Corp.
Teleflex Inc.
Tesla Inc.
The Center for Reproductive Rights Inc.
Trump Organization Inc.
Twitter Inc.
UCLA School of Law
University of Georgia
Walgreens Co.
Washington & Lee University
Yale University

LAW FIRMS IN TODAY'S NEWS

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Armas Bertran Pieri
Ascenda Law Group
Baker Donelson
Cleary Gottlieb
Cravath Swaine
Crowell & Moring
Curley Hurtgen
Debevoise & Plimpton
Dickinson Wright
Dorsey & Whitney
Duane Morris LLP
Dykema
Ellis George
Fink Bressack
Fisher Phillips
Forsberg & Umlauf
Gibson Dunn
Glancy Prongay
Gordon Thomas Honeywell
Gray Reed
Greenberg Traurig
Gunn Lee
Haun Mena
Heidepriem Purtell
Hepworth Gershbaum
Herbert Smith Freehills
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Lether Law Group
Maynard Cooper
McNees Wallace
Mowery Youell
Munck Wilson
Ogletree Deakins
Parker Poe
Perkins Coie
Quinn Emanuel
Satterlee Stephens
Surovell Isaacs
Taylor English
Troutman Pepper
Umberg Zipser
Vladeck Raskin
Wachtell Lipton
Waters Kraus
White & Case

KKR-Led Group Won't Upgrade AU$20B Ramsay Health Bid
Ramsay Health Care said Tuesday that a KKR-led consortium declined to sweeten its 20 billion Australian dollars offer to purchase the Australian hospital group, leading to a more than 10% dip in Ramsay's stock price as the deal all but crumbled.
Read full article »

Baring Raises $11.2B For Latest Asia Pacific-Focused Fund
Baring Private Equity Asia, guided by Debevoise & Plimpton LLP, has closed its eighth flagship private equity fund after securing $11.2 billion in commitments, overshooting its initial target by nearly $3 billion and making it one of the largest fundraises of its type ever, the firm said Tuesday.
Read full article »

PEOPLE

Williams Mullen Adds 2 Partners In Northern Virginia Office
Williams Mullen has added two partners to its northern Virginia office: a corporate partner and a partner returning to Williams Mullen after working 10 years at other firms and will chair its antitrust practice, the firm said Monday.
Read full article »

EXPERT ANALYSIS

How To Minimize Risk When Launching Smart Medical Devices
Prior to launching a smart medical device, there are several critical steps that companies can take in order to protect their intellectual property, get approval from the U.S. Food and Drug Administration and ensure the safety of their data, say attorneys at Crowell & Moring.
Read full article »

LEGAL INDUSTRY

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Read full article »

Senate Declines To Confirm 3rd Circ. Pick
The Senate voted against Arianna J. Freeman's nomination to the Third Circuit on Tuesday in an unexpected setback for Democrats, with three senators absent from the closely divided vote.
Read full article »

Cuomo Lodges Ethics Complaint Against NY AG
Former New York Gov. Andrew Cuomo lobbed an ethics complaint at state Attorney General Letitia James on Tuesday that alleges she "cynically manipulated a legal process for personal, political

Williams Mullen
Womble Bond
Zelle LLP

GOVERNMENT AGENCIES IN TODAY'S NEWS

Attorney Registration and Disciplinary Commission
Bureau of Indian Affairs
Centers for Medicare & Medicaid Services
Congressional Research Service
European Commission
European Union
Federal Aviation Administration
Federal Bureau of Investigation
Food and Drug Administration
Illinois Secretary of State
Michigan Attorney General's Office
National Archives and Records Administration
National Security Agency
Ohio Supreme Court
Suquamish Tribe
U.S. Attorney's Office
U.S. Attorney's Office for the District of South Dakota
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Justice
U.S. Department of the Interior
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of Colorado
United States District Court for the District of South Dakota

gain" in her investigation of sexual harassment claims against him.
Read full article »

More Portions Of Mar-A-Lago Warrant Unsealed By Court

D.C. federal grand jury subpoenas issued to former President Donald Trump turned up surveillance footage and documents tied to some of the federal government's most sensitive national security operations, according to a newly unsealed version of the affidavit prosecutors used to obtain a search warrant for Trump's Mar-a-Lago estate in Florida.
Read full article »

Powell, Others Ask 6th Circ. To Ax 'Career-Ending' Sanctions

Former Trump campaign lawyer Sidney Powell and five other attorneys have accused a Michigan federal judge of discrimination in an appeal to the Sixth Circuit of what they describe as career-ending sanctions stemming from their involvement in a lawsuit challenging the 2020 presidential election results in the Great Lakes State.
Read full article »

Waco IP Atty Calls Pilot License His 'Secret Weapon'

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SUBJECT: Morning Consult Health Presented by Dialysis Patient Citizens:375-Plus Health Systems, Companies and Trade Groups Ask Senate for Two-YearTelehealth Pay Extension
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 14/09/2022 06:04

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 14, 2022

BY MATT BRACKEN

Twitter Email

Appetite for (Annual) Inoculation

[redacted]

[redacted]

Title

The Biden administration's fall booster campaign is officially underway, and it includes a pitch from several federal health officials urging most Americans to get a COVID-19 shot annually just as they would a flu vaccine.

A new Morning Consult survey found that 56% of U.S. adults said they would follow a yearly booster cadence. Fully vaccinated adults, Democrats and baby boomers are especially likely to get a once-a-year COVID-19 booster.

Check out the full story here: The White House Is Backing Annual COVID-19 Boosters. A Majority of Americans Plan to Get Them.

TODAY'S TOP NEWS

- More than 375 health systems, health-related companies and trade associations signed on to a letter urging Senate leaders to issue an extension of Medicare telehealth flexibilities for two years after the COVID-19 public health emergency officially ends. Amazon.com Inc., the Cleveland Clinic, CVS Health Corp., the Federation of American Hospitals, Alphabet Inc.'s Google, MedStar Health and One Medical were among the signers of the letter, which also asked Senate leadership to "push for a permanent extension." (Modern Healthcare)

- Sen. Lindsey Graham (R-S.C.) introduced a bill to ban abortion nationwide after 15 weeks, about three months after he said in a Fox News interview that "there's nothing in the Constitution giving the federal government the right to regulate abortion" and it should be left up to the states. With the midterms looming, some Republicans distanced themselves from the bill, including Senate Minority Leader Mitch McConnell (R-Ky.), who told reporters that most Senate GOP lawmakers would rather abortion "be dealt with on a state level." (Roll Call)

- A group of 30 Democratic senators led by Patty Murray of Washington asked the Biden administration in a letter to use the Health Insurance Portability and Accountability Act to bar providers and health care personnel from sharing patients' reproductive health information "without explicit consent." The lawmakers specifically want HIPAA protections applied in cases involving law enforcement and with those who pursue legal action tied to abortion. (The 19th)

- The American Medical Association, the Medical Society of New Jersey and the Washington State Medical Association signed on to a class-action lawsuit against Cigna Corp., joining plaintiffs that allege that the insurer reimbursed provider claims in the third-party MultiPlan network at its lower nonparticipating providers rate. Cigna did not respond to a request for comment. (Fierce Healthcare)

Worth watching today (all times local):

- **8:30 a.m.** AHIP's Consumer Experience & Digital Health Forum concludes with a final day of programming.

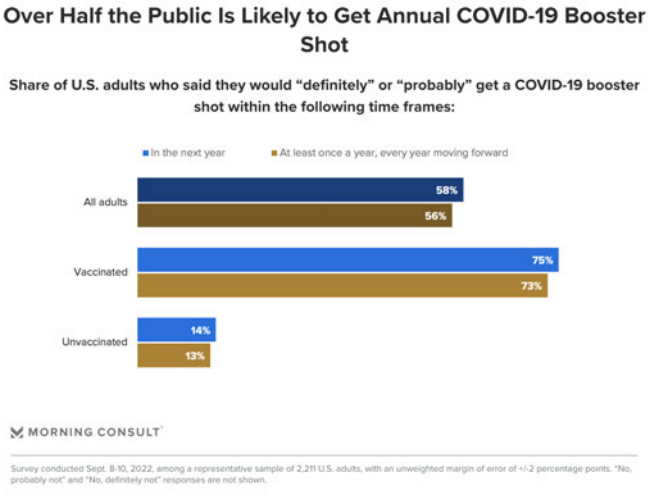
- **10 a.m.** The Senate HELP Committee examines the federal monkeypox response, with Centers for Disease Control and Prevention Director Rochelle Walensky, National Institute of Allergy and Infectious Diseases Director Anthony Fauci, Food and Drug Administration Commissioner Robert Califf and Health and Human Services Assistant Secretary for Preparedness and Response Dawn O'Connell set to testify.

[redacted]

- **10 a.m.** The Senate Judiciary Committee holds a hearing on why immigrants are crucial to the U.S. health care workforce.

CHART REVIEW

The White House Is Backing Annual COVID-19 Boosters. A Majority of Americans Plan to Get Them
Morning Consult



PRESENTED BY DIALYSIS PATIENT CITIZENS

Support the Restore Protections for Dialysis Patients Act to Guarantee Dialysis Patients Healthcare That Fits All Their Needs

Right now, dialysis patients are being cornered into Medicare to receive proper coverage for their routine treatment, but losing protection for their families and health concerns unrelated to their dialysis. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Complexity of Covid vaccine program leads to concerns about potential for error
Helen Branswell, Stat News
Even before the addition of the new booster shots, more than 5,300 errors in vaccine dose delivery in children alone were reported, according to data from the Centers for Disease Control and Prevention. Those errors included giving the wrong dose or the wrong product for a recipient's age, using undiluted vaccine when dilution was called for, or administering vaccine that was past its expiration date.

Court rehears fight over vaccine mandate for federal workers
Kevin McGill, The Associated Press
President Joe Biden has the same authority to impose a COVID-19 vaccine requirement on federal workers that private employers have for their employees, an administration lawyer told a federal appeals court Tuesday.

At least 17 million people in Europe suffered long Covid in first 2 years of pandemic, WHO report says
Karen Gilchrist, CNBC
At least 17 million people in Europe suffered from "long Covid" within the first two years of the coronavirus pandemic, according to a new study released Tuesday by the World Health Organization.

Moderna open to supplying COVID vaccines to China, CEO says
Reuters
Moderna Inc (MRNA.O) has talked with the Chinese government about supplying COVID-19 vaccines, but no decision has been made, CEO Stephane Bancel said on Wednesday.

Afrigen Biologics Covid Vaccine Candidate Human Trials to Start by May
Antony Sguazzin, Bloomberg
Afrigen Biologics & Vaccines plans to start human trials of its Covid-19 vaccine candidate by May, part of a World Health Organization-backed plan to develop locally-made inoculations in the developing world.

GENERAL

Republicans Struggle to Unite Party Around National Abortion Restrictions
Lisa Lerer and Elizabeth Dias, The New York Times
For weeks, anti-abortion activists and their Republican allies have been quietly seeking to rally their party around a single platform on abortion, hoping to settle divisions and blunt political damage from an issue with growing potency in the midterm elections.

West Virginia passes near-total abortion ban
Oriana Gonzalez, Axios
The West Virginia legislature on Tuesday passed a near-total abortion ban, and it now heads to the governor's desk for final approval.

Monkeypox outbreak slowing in the US, but health leaders say critical challenges remain
Deidre McPhillips, CNN
"There is some hope around these cases leveling off. That should not be anybody's solace that this outbreak is done," David Harvey, executive director of the National Coalition of STD Directors, said at a briefing Tuesday.

Brain Inflammation Seen in Two US Monkeypox Cases, CDC Says
Madison Muller, Bloomberg
US health officials cautioned Tuesday that monkeypox led to neurological complications in two otherwise healthy men in their 30s.

Evidence is lacking for diabetes screening in youths -U.S. panel
Julie Steenhuysen, Reuters
A U.S. panel tasked with weighing the pros and cons of regular diabetes screening for children and adolescents found a lack of evidence for the testing, even as the proportion of U.S. youths with type 2 diabetes has doubled since 2001.

The World Health Organization has added the U.S. to its list of countries with circulating polio. It joins the likes of Somalia, Yemen, and Israel
Erin Prater, Fortune
"We cannot emphasize enough that polio is a dangerous disease for which there is no cure," Dr. José R. Romero, director of CDC's National Center for Immunization and Respiratory Diseases, said in a statement, urging anyone who is unvaccinated to get vaccinated.

Privacy concerns prompt states to reexamine storing newborns' heel blood tests
Michelle Andrews, Kaiser Health News
Close to 4 million babies are born in the United States every year, and within their first 48 hours nearly all are pricked in the heel so their blood can be tested for dozens of life-threatening genetic and metabolic problems. The heel-stick test is considered such a crucial public health measure that states typically require it and parents aren't asked for their permission before it's done.

Diet changes may help head off kidney stone recurrence
Linda Searing, The Washington Post
People who have had a kidney stone face about a 30 percent chance of having another within five years, but dietary changes may help prevent a recurrence, Mayo Clinic researchers say.

Southern States' Lackluster Monkeypox Efforts Leave LGBTQ+ Groups Going It Alone
Daniel Chang and Colleen DeGuzman, Kaiser Health News
The perception that the response to the monkeypox virus in the South has lacked coordination has rekindled familiar concerns about recent state policies that leave members of the region's LGBTQ+ communities feeling marginalized and discriminated against. More urgently, it raises questions about whether state and local health departments are doing enough to protect the people principally affected by the virus: men who have sex with men.

What a High-Risk Pregnancy Looks Like After Dobbs
Stephanie Sinclair and Jaime Lowe, The New York Times
The Cleveland Clinic's maternal-fetal medicine department, one of the largest of its kind in the country, is set up to handle high-risk pregnancies and the dangers that can accompany them. It manages more than 5,000 such pregnancies a year. In August, less than two months after the Supreme Court ruled on Dobbs v. Jackson Women's Health Organization, overturning Roe v. Wade and abolishing the constitutional right to abortion, the photographer Stephanie Sinclair spent two weeks capturing the newly unsettled world inside the Cleveland Clinic.

PAYERS

The uninsured rate of Americans remains relatively steady
Victoria Knight, Axios
8.3% or 27.2 million Americans lacked health insurance at some point in 2021. That compared to an uninsured rate of 8.6% or 28.3 million in 2020.

Study examines spending on low-value care in Medicare
Frank Diamond, Fierce Healthcare
More money is wasted in caring for beneficiaries in traditional Medicare than in Medicare Advantage (MA) plans, according to a study that examined data from nearly 2.5 million Humana members.

Insurers track long COVID through loss-of-smell data
Frank Diamond, Fierce Healthcare
As health plans wrestle with what to do about COVID-19 coverage going forward, a recent study in JAMA Network Open concludes that patients suffering from a loss of the sense of smell might be more susceptible to exhibiting symptoms of long COVID for longer periods of time.

PROVIDERS

It's taking longer to get a doctor appointment, survey finds
Susan Kelly, Healthcare Dive
Scheduling a new patient appointment with a physician takes 8% longer than it did in 2017 and 24% more time than it did in 2004, indicating a growing physician shortage in the U.S., according to a new survey from AMN Healthcare.

Poll: Physicians unclear when abortions legally protected
Annie Burky, Fierce Healthcare
Of the more than 240 U.S. physicians surveyed by Sermo, 70% indicated they were unclear about what constitutes a "life-threatening emergency" allowing a physician to legally perform an abortion in states where the procedure is otherwise banned.

'The Future of Hospitals': Flexible Space for the Next Pandemic
Debra Kamin, The New York Times
After struggling to respond to a crushing Covid caseload, many hospitals are remodeling so that when the next crisis comes, they'll be better able to meet it.

JAMA study: Private equity linked to greater spending, utilization in physician practice
Anastassia Gliadkovskaya, Fierce Healthcare
Private equity investment in physician practices is ramping up but these deals also are associated with increases in healthcare spending and utilization, as well as some greater intensity of care, a new study has found.

Providers see opportunity in early success of 988 mental health hotline
Kara Hartnett, Modern Healthcare
The suicide and mental health crisis hotline has seen a dramatic increase in call volumes since converting its number to 988, presenting a big opportunity for healthcare systems to better coordinate mental and behavioral health services.

PHARMA, BIOTECH AND DEVICES

Rebate walls may thwart biosimilar savings
Alex Kacik, Modern Healthcare
Several biosimilars for the world's top-selling drug are slated to hit the market next year, but the potential billions of dollars in savings may not materialize until at least 2024.

Right-to-Try Rule Finalized by FDA Requiring Reports Every March
Jeannie Baumann, Bloomberg Law
Drug companies who provide experimental medicines under a law designed to skirt FDA oversight must let the agency know in annual reports due at the end of every March.

California and New York Aim to Curb Diet Pill Sales to Minors
Laurie Udesky, Kaiser Health News
California and New York are on the cusp of going further than the FDA in restricting the sale of non-prescription diet pills to minors as pediatricians and public health advocates try to protect kids from extreme weight-loss gimmicks online.

Akero drug for NASH reduces liver scarring, goal of mid-stage study
Adam Feuerstein, Stat News
Akero Therapeutics said Tuesday that an experimental medicine improved liver scarring at twice the rate of a placebo without worsening other symptoms — achieving the main goal of a mid-stage clinical trial involving patients with the fatty liver disease known as NASH.

A Message From Dialysis Patient Citizens:

Dialysis patients are in a lose-lose situation. Private insurance is forcing them to decide between coverage for their life-saving treatment and their family's health

protection. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

Learn more at www.dialysispatients.org/MSP

HEALTH TECHNOLOGY

How drugmakers are turning telehealth into a marketing gold mine
Katie Palmer, Stat News
For pharma companies, online prescribing has now become a powerful tool to drive sales, sending hundreds of thousands of patients to the clinic at the moment they're most primed to ask for a specific prescription. The company that runs the Linzess platform, Populus Media, says that across its telehealth prescribing programs, more than 90% of eligible patients who finish intake forms get a script for the drug they clicked on.

Laid off by Big Tech? Big Pharma wants you
Adam Bluestein, Fast Company
As layoffs mount at tech firms, biotechs and pharmaceutical companies are scooping up employees with AI and data science experience.

Q&A: Google's Ivor Horn on health equity in product design
Mohana Ravindranath, Stat News
Physician Ivor Horn has led Google's health equity efforts since 2020; her team of public health experts, social and behavioral academics, and doctors with experience with marginalized communities advise Google teams about how to make products like search, YouTube, FitBit, and Google Cloud more equitably accessible.

CA launches abortion website in bid to fortify information access
Shawna Chen, Axios
California Gov. Gavin Newsom (D) announced Tuesday that the state has launched a website to help people both inside and outside of the state access information about abortions, their legal rights and where to find providers.

OPINIONS, EDITORIALS AND PERSPECTIVES

Expensive Prescription Drugs Are a Bargain
Charles L. Hooper and David R. Henderson, The Wall Street Journal
The Inflation Reduction Act has eight provisions intended to reduce future drug prices. Some observers were surely pleased that Congress gave the Centers for Medicare and Medicaid Services new powers to negotiate with pharmaceutical companies. They shouldn't have been. The Inflation Reduction Act won't noticeably reduce inflation and it will do little or nothing to lower the cost of healthcare. Forcing drug companies to charge lower prices will likely lead to fewer new drugs.

Vaccine guarantees can help prevent the resurgence of polio
Awi Federgruen, Stat News
Health officials are advocating for improving domestic vaccination rates to prevent a resurgence of polio, as they should. But this is only part of the solution. Expanding the vaccine supply is the other part. Without a reliable vaccine supply, there's no way to ensure all children are vaccinated.

A challenge trial can streamline testing of hepatitis C vaccines
Andrea L. Cox, Stat News
Trade-offs in medicine can be harsh, even when clearly necessary. Chemotherapy can save people from cancer, but the side effects can wreak havoc on their bodies for months or years. These trade-offs aren't limited to the clinical world. They are also part of research.

[redacted]

Title

RESEARCH REPORTS

Association of Mental Health Burden With Prenatal Cannabis Exposure From Childhood to Early Adolescence

David A. A. Baranger et al., JAMA Pediatrics

Dramatic increases in cannabis use during pregnancy are alarming because of evidence that prenatal exposure may be associated with a host of adverse outcomes. We previously found that prenatal cannabis exposure (PCE) following maternal knowledge of pregnancy is associated with increased psychopathology during middle childhood using baseline data from the Adolescent Brain Cognitive Development (ABCD) study. Here, leveraging longitudinal ABCD study data (data release 4.0), we examined whether associations with psychopathology persist into early adolescence.

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[redacted] Title

A brighter future for journalism and for our communities

Since 2019, The Salt Lake Tribune has partnered with Report For America to place reporters in our newsroom to cover untold stories in our community. Last year, over 370 Tribune donors contributed to our RFA reporters to make their reporting possible.

RFA alumna Becky Jacobs brought us hundreds of stories highlighting the issues Utah women face, such as the effects of the overturned Roe v. Wade Supreme Court decision. RFA alumnus Zak Podmore covered water and land use issues like the land/power struggles challenging San Juan County.

In 2021, Alixel Cabrera joined The Tribune to focus on reporting for the west side of the Salt Lake Valley. Alixel has written about pollution issues, west side population growth, and intimate stories of community members supporting each other.

In 2022, we welcomed two new Report for America team members: Bethany Baker and Leto Sapunar. Bethany is the first dedicated video journalist in the Tribune's history. Leto will tackle business and tech, focusing on sustainability and accountability.

In the coming days, you'll hear from The Tribune's RFA reporters and RFA alumni about the importance of their reporting and why they were called to action.

How can I help?

Report for America supports local journalism across the U.S. by focusing on topics and regions that are underserved. Report for America covers half of each reporter's salary.

As a nonprofit we can't continue this fight without you, the community we serve. The Tribune, like other RFA newsrooms, is seeking donations to support the balance.

Donate to our Report For America journalists here and keep the fight for truth and accountability alive.

Donate to fund RFA journalists

Thank you,
Jessica Sweeney
Development Director

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SUBJECT: BREAKING: Ohio Judge Temporarily Blocks 6-Week Abortion Ban
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 14/09/2022 15:45

LAW360 HEALTH

Wednesday, September 14, 2022 Follow

BREAKING: Ohio Judge Temporarily Blocks 6-Week Abortion Ban
An Ohio judge on Wednesday temporarily blocked a law effectively banning abortions after six weeks, ruling that the state's constitution gives women the right to choose whether to have such a procedure.

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SUBJECT: 3 Questions Holding Up SEC Registration Of Crypto Firms
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 15/09/2022 02:55

LAW360 PUBLIC POLICY

Thursday, September 15, 2022 Follow

TOP NEWS

Analysis

3 Questions Holding Up SEC Registration Of Crypto Firms
Lawyers in the cryptocurrency sector say the U.S. Securities and Exchange Commission's unclear guidance and culture of enforcement are deterring many in the industry from working with the agency. With Chair Gary Gensler set to appear before a Senate panel Thursday, here are three key questions experts say the SEC could answer to help bring the industry into the fold.
Read full article »

High Court Tells Yeshiva University To Allow LGBTQ Group
The U.S. Supreme Court on Wednesday narrowly rejected an emergency bid by Jewish-affiliated Yeshiva University to pause a New York trial court's

order that it recognize a new LGBTQ student advocacy group, saying the school hasn't yet pursued all of its available options for fighting the decision in state court.

Order attached | Read full article »

European Commission Plans Crackdown On Forced Labor

The European Union's executive body announced Wednesday that it plans to ban products in EU markets that are made with forced labor, saying the proposal covers products for domestic consumption and export as well as imported goods but doesn't target specific companies or industries.

Read full article »

Judge Backs Most Of GMO Labeling Rule, Bans QR Codes

A California federal judge on Wednesday shot down the majority of claims challenging a Trump-era organic food labeling rule, but sided with food advocacy groups in ruling electronic quick response codes aren't adequate methods of informing shoppers that food was bioengineered.

Order attached | Read full article »

White House Details $2B Biotech Supply Chain Initiative

The White House's recently announced drive to advance U.S. biotechnology and biomanufacturing will cost more than $2 billion, the Biden administration said on Wednesday.

Read full article »

Senate Confirms Rhode Island Public Defender To 1st Circ.

The Senate voted Wednesday to confirm Lara E. Montecalvo, the public defender of Rhode Island, to the First Circuit.

Read full article »

Indiana Federal Chief Judge To Take Senior Status Next Year

Northern District of Indiana Chief Judge Jon DeGuilio said Monday that he will take senior status next July, opening a seat for President Joe Biden to fill.

Read full article »

Ohio Judge Temporarily Blocks 6-Week State Abortion Ban

An Ohio judge temporarily blocked a state law effectively banning abortions after six weeks, ruling Wednesday that the state's constitution gives women the right to choose whether to have the procedure.

Decision attached | Read full article »

Pa. Court Considers Time Limit For Challenging Regulations

The window for Pennsylvania's legislature to challenge new regulations could be 30 days or up to 60 days, depending on the Commonwealth Court's interpretation of a state law governing "both" and "each" of the chambers following arguments on Wednesday.

Read full article »

Pa. Bar Groups Ask 3rd Circ. To Support Atty Anti-Bias Rule

Three Pennsylvania bar associations have asked the Third Circuit to overturn a ruling by a federal judge that found a new anti-discrimination rule for lawyers violated the First Amendment, calling the decision wrongheaded and based on purely speculative arguments.

Brief attached | Read full article »

Philly DA's Atty Calls Contempt Vote 'Political Theater'

In the wake of Pennsylvania House Republicans' decision to hold Philadelphia District Attorney Larry Krasner in contempt for refusing to comply with a

LAW FIRMS IN TODAY'S NEWS

Abrams & Bayliss
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Baker Donelson
Ballard Spahr
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Brownstein Hyatt
Brune Law PC
Buckley LLP
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Daily & Woods
Duane Morris LLP
Eisenberg & Schnell
Emery Celli
Glavin PLLC
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Seward & Kissel
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Stark & Stark
Troutman Pepper
Vedder Price
Vinson & Elkins
Wachtell Lipton
Werman Salas
White and Williams
Wilentz Goldman
Wiley Rein
WilmerHale
Winston & Strawn
Winthrop & Weinstine
Young Conaway

subpoena in their impeachment investigation, members of Krasner's camp have called the action "nonsense" and "political theater."
Read full article »

BANKING & SECURITIES

CFPB's Chopra Casts Doubt On New Arbitration Reform Push

Consumer Financial Protection Bureau Director Rohit Chopra on Wednesday signaled concerns about mandatory arbitration clauses in banks' consumer contracts, although he threw cold water on prospects for near-term rulemaking on the issue.

Letter attached | Read full article »

Vedder Price-Backed Bitcoin Futures ETF Gets SEC Listing OK

Vedder Price PC announced Wednesday that it helped launch a bitcoin futures exchange-traded fund registered and regulated exclusively under the Securities Act, the first of its kind that has secured listing approval from the U.S. Securities and Exchange Commission.
Read full article »

New Exchange Seeks SEC's Nod To Serve 'Green' Investors

Green Exchange PBC on Wednesday said it has begun discussions with the U.S. Securities and Exchange Commission to register a new equities exchange that would link environmentally-focused investors and public companies.
Read full article »

SEC Pushes Stronger Clearing Rules For US Treasuries

The U.S. Securities and Exchange Commission on Wednesday unanimously proposed new rules that would require more Treasury market transactions to undergo central clearing, purportedly to improve transparency and protect investors from market shocks.
Read full article »

SEC Fines Firm For Failing To Register As Municipal Adviser

The U.S. Securities and Exchange Commission announced Wednesday that it settled with a Chicago broker-dealer that allegedly provided advice to a municipal entity without registering as a municipal adviser, marking the first time the SEC has brought civil claims against a broker-dealer for allegedly violating the municipal adviser registration rule.

Settlement attached | Read full article »

ENERGY & ENVIRONMENTAL

Judge Kills Permit For Mojave Desert Water Pipeline Project

A California federal judge has revoked a permit a company obtained to convert a former natural gas pipeline to one that carries water from Mojave Desert aquifers to cities in Southern California, allowing the Biden administration to more closely scrutinize the project.

Order attached | Read full article »

8th Circ. Says Ark. City Can't Delay Serious Sewer Fixes

The Eighth Circuit ruled Wednesday that Fort Smith, Arkansas, can't manage severe structural defects in its sanitary sewer system with open-ended monitoring and maintenance, but rather must complete full repairs within a set time frame.

Opinion attached | Read full article »

Feds Propose Maximum Protection For Tricolored Bats

COMPANIES IN TODAY'S NEWS

ABB Asea Brown Boveri Ltd.
Amazon.com Inc.
American Arbitration Association
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Ohio
American Farm Bureau Federation
American Fuel & Petrochemical Manufacturers
American Immigration Council Inc.
American Immigration Lawyers Association
American Trucking Associations Inc.
Apple Inc.
Association of American Railroads
BlockFi Inc.
Boardwalk Pipeline Partners LP
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Center for Biological Diversity
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Freshworks Inc.
Google LLC
Grayscale Investments LLC
Ingram Micro Inc.
International Association of Machinists & Aerospace Workers
International Centre for Dispute Resolution
Kik Interactive Inc.
Leafly Holdings Inc.
Little Diversified Architectural Consulting Inc.
Loews Corp.
Loop Capital Markets LLC
Marvel Entertainment LLC
McGuireWoods Consulting LLC
Medtronic PLC
Meta Platforms Inc.
NASDAQ Inc.
National Association of Manufacturers
National Congress of American Indians
National Futures Association
National Parks Conservation Association
National Railway Labor Conference Inc.

The U.S. Fish and Wildlife Service on Tuesday proposed the strongest protection possible under the Endangered Species Act for a bat that lives in 39 states, saying a fungal disease has devastated its numbers.
Read full article »

DC Circ. Questions Challenge To $45B Alaskan LNG Project

A D.C. Circuit panel on Wednesday pushed the Sierra Club and the Center for Biological Diversity to explain what additional information the Federal Energy Regulatory Commission should've analyzed before approving a proposed $45 billion liquid natural gas export facility in Alaska, questioning the groups' claim that the agency failed to adequately review concerns about the project.
Read full article »

Texas Aims To Take Charge Of Carbon Capture Projects

Texas oil and gas regulators have crafted an overhaul of carbon capture and sequestration rules with the hopes of convincing the federal government to let them take the lead in overseeing long-term underground carbon storage in the Lone Star State. Here's a rundown of Texas' carbon capture moves.
1 document attached | Read full article »

Town, Green Groups To Sue EPA Over UNC Coal Permit

A North Carolina town and two environmental groups told the Environmental Protection Agency on Tuesday they plan to sue the agency over its inaction on a permit allowing the University of North Carolina-Chapel Hill to operate a coal-fired power plant near campus.
Letter attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

Freight Shipping Anxiety Swells As Rail Labor Talks Continue

Transportation and logistics providers are bracing for shipping shutdowns as labor leaders and freight rail giants continued contract negotiations and met with Biden administration officials Wednesday to avert a potential rail workers strike Friday that would exacerbate existing supply chain logjams.
Read full article »

REAL ESTATE

NJ Mayor Aims To Sink Council's Redevelopment Powers Suit

The mayor of Trenton, New Jersey, has asked a state court to end the City Council's quest for rulings that it is solely authorized in the state's capital to apply for creating a redevelopment agency and to perform all redevelopment functions, claiming state statutes do not grant such powers to the council.
Motion attached | Read full article »

EMPLOYMENT & BENEFITS

United Beats Worker's Suit Over $5B In Virus Relief For Now

An Illinois federal judge said United Airlines can for now escape a worker's proposed class action alleging the airline breached the $5 billion coronavirus relief deal it had with the government, saying third parties can't enforce the agreement.
Order attached | Read full article »

4th Circ. Backs USPS In Bias Suit That Clarified Appeal Rules

The Fourth Circuit on Wednesday upheld the U.S. Postal Service's win in a lawsuit from a worker who said she was fired because of a shoulder injury and

Natural Grocers by Vitamin Cottage Inc.
New Jersey Resources Corp.
New York University
Pennsylvania Bar Association
Peoples Bank SB
Philadelphia Bar Association
Planned Parenthood Federation
Public Citizen Inc.
Ripple Labs Inc.
S&P Global Inc.
SMART Union
Service Employees International Union
Sierra Club
Skullcandy Inc.
Southern California Gas Co.
Spectrum Management Holding Co.
Starbucks Corp.
State Bar of Georgia
The Bank of New York Mellon Corp.
The Southern Co. Inc.
Trump Organization Inc.
Twilio Inc.
Twitter Inc.
Uber Technologies Inc.
United Airlines Holdings Inc.
Universal Service Administrative Co.
University of California Irvine
University of Virginia
Walmart Inc.
Wood Mackenzie Ltd.
Zimmer Biomet Holdings Inc.
eBay Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Agricultural Marketing Service
Bureau of Land Management
California Attorney General's Office
Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Energy Information Administration
Equal Employment Opportunity Commission
European Commission
European Union
Executive Office for Immigration Review
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission
Financial Crimes Enforcement Network
Fish and Wildlife Service
Florida Supreme Court
HM Revenue & Customs
Internal Revenue Service
Minnesota Department of Commerce
Municipal Securities Rulemaking Board

her age, wrapping up a case that saw the circuit clarify exactly when a lower court dismissal could be appealed.

Opinion attached | Read full article »

Starbucks Slow To Bargain, Union Organizer Tells House

Starbucks has dragged out bargaining over a labor contract with the first group of workers who unionized in Buffalo, New York, last year, a Starbucks workers union organizer told a House panel Wednesday.

Read full article »

COMPETITION

Calif. AG Sues Amazon For 'Price Floor'

California on Wednesday became the second state or local government to bring an antitrust lawsuit against Amazon, accusing it of creating artificial pricing floors by barring sellers from offering their goods cheaper on other platforms.

Complaint attached | Read full article »

Real Estate Board Poses Anti-Competitive Threat, Judge Told

A Pittsburgh-based real estate company has told a Louisiana federal judge that a state appraisers board's deal with the Federal Trade Commission barring the regulator from setting appraisers' fees does not moot the company's antitrust suit.

Memorandum attached | Read full article »

CYBERSECURITY & PRIVACY

Sens. Urge HHS To Beef Up Privacy Protections Post-Dobbs

Thirty U.S. Senators are pushing the U.S. Department of Health and Human Services to act swiftly to strengthen federal health privacy law to ensure that medical providers who are asked by law enforcement to turn over sensitive health information to aid in post-Dobbs abortion investigations can't do so without patients' explicit consent.

Letter attached | Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Increase In Philly Med Mal Cases Expected After Rule Change

The Pennsylvania Supreme Court's recent decision to effectively end, after two decades, a special venue rule placing restrictions on where a medical malpractice suit can be filed will result in an uptick in cases lodged in plaintiff-friendly Philadelphia County, experts say.

Read full article »

Former Gov. Cuomo Hit With Sexual Harassment Suit

A former aide whose sexual harassment allegations against New York Gov. Andrew Cuomo helped lead to his resignation sued him in Manhattan federal court Wednesday, saying he subjected her to sexual innuendo and said a pair of shorts made her look like TV icon Daisy Duke.

Complaint attached | Read full article »

INTERNATIONAL TRADE

China's Silence On Loans Justifies Millwork Duty, CIT Says

The U.S. Court of International Trade has upheld the U.S. Department of Commerce's decision to raise Chinese millwork tariffs over Beijing's refusal to hand over information on a credit program, saying China's silence created a gap that needed to be filled.

National Labor Relations Board
National Railroad Passenger Corp.
National Science Foundation
Navajo Nation
New York Attorney General's Office
Office of Foreign Assets Control
Office of the Comptroller of the Currency
Office of the U.S. Trade Representative
Ohio Attorney General's Office
Ohio Supreme Court
Pennsylvania Supreme Court
Pipeline and Hazardous Materials Safety Administration
San Carlos Apache Nation
Surface Transportation Board
Texas Attorney General's Office
Texas Commission on Environmental Quality
Texas Legislature
U.S. Attorney's Office
U.S. Attorney's Office for the Northern District of California
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Louisiana
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York

[redacted]

Title

Opinion attached | Read full article »

Importers Lambast USTR's 'Immaterial' China Tariff Remand

Importers representing thousands of companies assailing far-reaching tariffs on Chinese goods renewed their calls to vacate the levies Wednesday, slamming the Biden administration's treatment of public comments on remand as "immaterial" and "unresponsive" to the court's instructions.

2 documents attached | Read full article »

TAX

R&D Tax Credit Specialist Cites Rampant Fraud In UK

The British tax authority is falling victim to significant amounts of fraud targeting research and development tax credits, from large-scale criminal gangs to dubious applications from claim mills often resulting in payouts, according to a specialist in R&D tax relief.

Read full article »

IMMIGRATION

DOJ Gives Attys More Leeway To Aid Migrants In Deportation

The U.S. Department of Justice on Wednesday offered more flexibility to immigration attorneys helping unrepresented immigrants in deportation proceedings, allowing lawyers to draft and file court documents without assuming the responsibilities of becoming the immigrants' "practitioner of record."

1 document attached | Read full article »

Texas Asks Justices To Help Revive Old Public Charge Rule

Texas and 13 other states urged the U.S. Supreme Court to hear their defense of the Trump administration's definition of who counts as a "public charge" for immigration purposes, which the Biden administration recently redrafted, with the states saying lower courts wrongly prevented them from having a say.

Brief attached | Read full article »

WHITE COLLAR

Bannon Associate Says DA Case Taints His SDNY 'Wall' Trial

A Colorado man accused of pilfering a $25 million fund to build a wall between the U.S. and Mexico said Steve Bannon's recent state indictment in Manhattan over the alleged scheme makes it "all the more unlikely" he will have a fair trial in his related New York federal case.

Response attached | Read full article »

NATIVE AMERICAN

NCAI Slams 'Double Standard' For Religious Law In Mine Row

The National Congress of American Indians has urged the full Ninth Circuit to reconsider a panel decision allowing a federal land swap over the proposed Resolution Copper Mine, saying the decision misapplies an earlier circuit ruling and risks destroying an Indigenous sacred site.

Brief attached | Read full article »

TELECOMMUNICATIONS

Fla. Telecom Fined For Faulty Universal Service Reports

A Florida telecommunications provider was hit with a hefty $153,000 fine from the Federal Communications Commission on Wednesday after

U.S. Environmental Protection Agency
U.S. Forest Service
U.S. Postal Service
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court

[redacted]

the agency found that the provider repeatedly filed inaccurate universal service reports.

1 document attached | Read full article »

AT&T Wins Challenge Over Spectrum Ad's Speed Claim

An advertising watchdog has ruled in favor of AT&T Services Inc. after it challenged a Charter advertisement touting the speed of its Spectrum internet service, recommending that the TV commercial be pulled or modified.

Read full article »

Amazon Urges FCC To Allow Drone Field Sensors In 60 GHz

Amazon is asking the Federal Communications Commission to allow the use of unlicensed field sensors on drones as a safety measure as the commission weighs potential changes to the 60 gigahertz spectrum band.

Letter attached | Read full article »

CANNABIS

US Reps. Push For Study On Pot Growers' Energy Use

Two Republican congressmen are urging top energy officials to provide information about the environmental impact of the cannabis industry, saying existing reports on energy consumption from cultivation "are troubling."

Letter attached | Read full article »

Pot Farmers Could Ship To Consumers Under Interstate Bill

A Democratic member of Congress on Wednesday unveiled a new federal bill that would allow small cannabis farms to mail their products directly to customers across state lines when federal marijuana prohibition ends.

Bill attached | Read full article »

PEOPLE

Ex-FINRA, DOJ Tax Attorney Joins Carlton Fields In Miami

Carlton Fields added an of counsel to its Miami office with a diverse tax background, including serving as a federal tax prosecutor, a Financial Industry Regulatory Authority attorney and even a certified public accountant.

Read full article »

Cozen O'Connor Lobbying Firm Adds Senior Principal In Minn.

Cozen O'Connor's lobbying and public affairs firm announced on Tuesday that it has hired a Minnesota-based government relations expert, growing the group's presence in the Midwest.

Read full article »

Former NC Lieutenant Gov. Joins Michael Best In Raleigh

A former North Carolina lieutenant governor has joined Michael Best & Friedrich LLP's government relations wing as a senior advisor in its Raleigh office.

Read full article »

EXPERT ANALYSIS

Fla.'s New Appellate District Holds Precedential Opportunities

While the trial court judges in the newly created Florida Sixth District are more likely to have appellate precedent to follow, the appellate court is certain to have substantially more chances to forge its own path, say attorneys at Baker Donelson.

Read full article »

Learning From Trump And Bannon Discovery Strategies

Court-imposed sanctions on both former President Donald Trump and his former aide Steve Bannon for failing to comply with subpoenas illustrate that efforts to bar the door to valid discovery can quickly escalate, so litigants faced with challenging discovery disputes should adopt a pragmatic approach, say Mathea Bulander and Monica McCarroll at Redgrave.
Read full article »

Inside NY's Precision Approach To Cannabis Social Equity

New York's social equity approach to retail cannabis licensing learns from the challenges faced by other states, providing resources to applicants with prior cannabis-related offenses and precisely tailoring eligibility criteria to ensure those most harmed by the war on drugs have the best chance of success, says Peter Murphy at Saul Ewing.
Read full article »

Hydrogen Sector Needs More Regulatory Certainty

While recent policy developments have raised hopes about hydrogen as a clean energy technology, unlocking hydrogen's full potential will require more clarity about how its large-scale production, transport and use will be regulated on a long-term basis, say attorneys at Troutman Pepper.
Read full article »

What AML Bill Could Mean For Firms, Funds And FinCEN

If passed, an amendment within Congress' annual defense bill would expand the list of institutions subject to anti-money laundering regulations, from law firms to investment funds, creating potential rulemaking and enforcement challenges for the Financial Crimes Enforcement Network, say attorneys at Arnold & Porter.
Read full article »

Expect Greater Regulatory Scrutiny Of Crypto-Asset Activities

With its new guidance, the Federal Reserve joins the other two federal prudential banking agencies in heightening supervisory scrutiny of crypto-asset-related activities, signaling a shift in regulators' approach as market volatility rises, say attorneys at Buckley.
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LEGAL INDUSTRY

Justice Kagan Reflects On Court Legitimacy, Shadow Docket

U.S. Supreme Court Justice Elena Kagan told law students and faculty at Northwestern University Pritzker School of Law in Chicago on Wednesday that the legitimacy of a court doesn't depend on the popularity of its decisions, but whether it acts like a court.
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Fired Uber Atty Tells Jury He Lied To WilmerHale Investigators

A fired Uber in-house attorney who was given government immunity for testifying in the criminal obstruction trial of former security chief Joseph Sullivan said Wednesday that he lied to the WilmerHale lawyers hired by the company to investigate a massive undisclosed data breach to "protect" Sullivan and the rest of the security team.
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US Indicts 3 Iranians In Massive Hacking, Ransom Scheme

The U.S. Department of Justice unsealed an indictment Wednesday charging three Iranian nationals with carrying out cyberattacks on hundreds of victims, including a New Jersey town, electric utility companies in Indiana and Mississippi, and a state bar association.
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SUBJECT: Ohio Judge Temporarily Blocks 6-Week State Abortion Ban
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 15/09/2022 03:10

HEALTH

Thursday, September 15, 2022

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TOP NEWS

Ohio Judge Temporarily Blocks 6-Week State Abortion Ban

An Ohio judge temporarily blocked a state law effectively banning abortions after six weeks, ruling Wednesday that the state's constitution gives women the right to choose whether to have the procedure.

Decision attached | Read full article »

4th Circ. Questions Atty Fee Challenge In Abortion Protest Suit

The Fourth Circuit on Wednesday seemed hesitant to overturn attorney fees for abortion protesters in their constitutional challenge to a North Carolina city's picketing ordinance, asking local officials to explain why the agreement it reached to end litigation shouldn't count as a win for the sidewalk ministry.

Read full article »

Sens. Urge HHS To Beef Up Privacy Protections Post-Dobbs

Thirty U.S. Senators are pushing the U.S. Department of Health and Human Services to act swiftly to strengthen federal health privacy law to ensure that medical providers who are asked by law enforcement to turn over sensitive health information to aid in post-Dobbs abortion investigations can't do so without patients' explicit consent.

Letter attached | Read full article »

Holmes' New Trial Bid Is 'Mt. Everest' Uphill Fight, Attys Say

Convicted former Theranos CEO Elizabeth Holmes faces a "Mount Everest-type" uphill battle for a new criminal fraud trial, white collar experts tell Law360, but recent revelations that a key government witness regrets his testimony may open the door for a post-trial evidentiary hearing and an appeal that could delay her prison sentence.

Read full article »

Walmart Settles W.Va. Opioid Case As Latest Trial Looms

The West Virginia attorney general and Walmart have reached a deal to end claims that the retail giant's improper dispensing of prescription opioids fed the addiction epidemic in the state, less than two weeks before a trial is set to start against other pharmacy chains, according to a Wednesday filing.

Order attached | Read full article »

US Trustee Says Endo Can't Justify $71M In Bonus Pay

The U.S. Trustee's Office is asking a New York bankruptcy judge to reject Endo Pharmaceuticals' request to make bonus payments to its employees, saying the opioid maker has failed to justify the more than $71 million in payments.

1 document attached | Read full article »

Increase In Philly Med Mal Cases Expected After Rule Change

The Pennsylvania Supreme Court's recent decision to effectively end, after two decades, a special venue rule placing restrictions on where a medical malpractice suit can be filed will result in an uptick in cases lodged in plaintiff-friendly Philadelphia County, experts say.

Read full article »

MVP

COMPANIES IN TODAY'S NEWS

ABB Asea Brown Boveri Ltd.
Alivecor Inc.
American Arbitration Association
American Civil Liberties Union
American Civil Liberties Union of Ohio
American Immigration Council Inc.
American Immigration Lawyers Association
Angeion Group
Apple Inc.
Atrium Health
Boardwalk Pipeline Partners LP
Cigna Corp.
Cisco Systems Inc.
Curi
Dealogic LLC
Endo International PLC
Envigo International Holdings Inc.
Food Marketing Institute
Foundation for Individual Rights in Education Inc.
Freshworks Inc.
Google LLC
Ingram Micro Inc.
Instagram Inc.
International Centre for Dispute Resolution
Loews Corp.
Marvel Entertainment LLC
Medical Mutual of Ohio
Medtronic PLC
Meta Platforms Inc.
NASDAQ Inc.
New York University
Ohio State University
Pennsylvania Bar Association
Peoples Bank SB
Philadelphia Bar Association

MVP: Hooper Lundy's Mark E. Reagan
Mark E. Reagan of Hooper Lundy & Bookman PC has represented the California Association of Health Facilities on large-scale projects concerning COVID-19 pandemic management and Medicaid reimbursement, including guiding the nonprofit in litigation over quality health care for individuals who are unable to advocate for themselves, earning him a spot among Law360's 2022 Health Care MVPs.
Read full article »

POLICY & REGULATION

White House Details $2B Biotech Supply Chain Initiative
The White House's recently announced drive to advance U.S. biotechnology and biomanufacturing will cost more than $2 billion, the Biden administration said on Wednesday.
Read full article »

ENFORCEMENT & COMPLIANCE

US Indicts 3 Iranians In Massive Hacking, Ransom Scheme
The U.S. Department of Justice unsealed an indictment Wednesday charging three Iranian nationals with carrying out cyberattacks on hundreds of victims, including a New Jersey town, electric utility companies in Indiana and Mississippi, and a state bar association.
Indictment attached | Read full article »

LITIGATION

Texas Asks Justices To Help Revive Old Public Charge Rule
Texas and 13 other states urged the U.S. Supreme Court to hear their defense of the Trump administration's definition of who counts as a "public charge" for immigration purposes, which the Biden administration recently redrafted, with the states saying lower courts wrongly prevented them from having a say.
Brief attached | Read full article »

6th Circ. Overturns Dismissal Of Ohio State Sex Abuse Case
The dismissal of a series of Title IX claims by victims of sexual abuse at Ohio State University was reversed on Wednesday in a split decision by a Sixth Circuit panel, which determined the claims were not time-barred.
Opinion attached | Read full article »

Judge Won't Alter Fraud Coverage Ruling Against Therapy Co.
A Virginia federal court told a defunct child therapy practice that it will not alter its decision to relieve the insurer of covering multiple lawsuits accusing one of the practice's employees of pretending to be licensed, saying the practice has only attempted to relitigate issues decided in summary judgment.
2 documents attached | Read full article »

Fla. Panel Flips PIP Payment Judgment In Insurer's Favor
A Florida appeals court panel on Wednesday reversed part of a ruling that accused an insurer of wrongfully refusing payments for personal injury protection after a woman blamed missing a medical examination on being unable to find nearby parking.
Opinion attached | Read full article »

PTAB Questions Validity Of Patents ITC Found Apple Infringed
A Patent Trial and Appeal Board panel seemed skeptical Wednesday of arguments from AliveCor Inc. that three of its patents on wristband devices for

Planned Parenthood Federation
Rite Aid Corp.
Skullcandy Inc.
State Bar of Georgia
Trump Organization Inc.
Twilio Inc.
Twitter Inc.
Uber Technologies Inc.
Walgreens Co.
Walmart Inc.
Zimmer Biomet Holdings Inc.

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Redgrave LLP
Richards Layton
Rieders Travis
Robinson Bradshaw
Scott Elliot Smith LPA
Skadden Arps
Snell & Wilmer
Stark & Stark
Togut Segal
Tuggle Duggins
Wachtell Lipton
White & Case
White and Williams
Williams & Connolly
WilmerHale
Young Conaway

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Medicare & Medicaid Services
Delaware Court of Chancery
Executive Office for Immigration Review

measuring irregular heartbeats are "night and day different" from earlier technology that Apple says renders them invalid.
Read full article »

Patient Seeks OK On Cigna Liposuction Denial Class Deal

A woman who claimed Cigna wrongly denied patients coverage for liposuction procedures asked a California federal judge to clear a settlement over a final hurdle to resolve the case brought against the insurance giant.

Brief attached | Read full article »

Faulty Food Engendered Mass Mice Euthanasia, NC Lab Says

A North Carolina hospital has accused a major research company of sending a faulty batch of mouse food lacking necessary nutrients for the animals' survival, resulting in the deaths of several dozen test subjects and forcing researchers to flush months worth of data down the drain.

Complaint attached | Read full article »

Stockholders Sue Hearing Aid Co. In Del. Over Financing Plan

Hearing aid producer Eargo Inc. was hit Wednesday with a stockholder suit in Delaware's Court of Chancery, accusing the company of issuing convertible secured notes and lining up a rights offering that threatened to hand off control of the business with scant disclosures to investors.
Read full article »

Cannabis Partner Hid Money From $6M Judgment, Court Told

A medical cannabis industry player told a Colorado federal court that it is time to collect on the $6.4 million his former business partner owes him for breach of contract, but alleged the partner has managed to squirrel the money away in an attempt to put it beyond the reach of the court's order.

Complaint attached | Read full article »

DEALS

White & Case-Led Apollomics To Go Public Via SPAC Merger

Cancer drugmaker Apollomics Inc. said Wednesday it will merge with blank-check company Maxpro Capital Acquisition Corp., with White & Case LLP and Nelson Mullins Riley & Scarborough LLP guiding the companies on the deal, respectively.
Read full article »

EXPERT ANALYSIS

What's Next For DOJ's COVID Enforcement In Health Care

As we enter the end of the third year of the pandemic, a few fraud-related trends and risks have emerged, necessitating important steps that health care and life sciences companies should take in light of continuing U.S. Department of Justice scrutiny, say attorneys at Arnold & Porter.
Read full article »

FOIA Ruling Yields New Argument For Challenging Exemption

The Second Circuit recently became the first appellate court to address the 2016 FOIA Improvement Act's impact on a key exemption of the Freedom of Information Act, providing FOIA requestors with a new argument to challenge exemption claims that are based on confidentiality and competitive harm, and requiring courts to assess the credibility of such claims, say attorneys at Crowell & Moring.
Read full article »

Learning From Trump And Bannon Discovery Strategies

Executive Office of the President
Federal Trade Commission
Food and Drug Administration
International Trade Commission
Kanawha County, West Virginia
National Labor Relations Board
National Science Foundation
New York Attorney General's Office
Office of Foreign Assets Control
Ohio Attorney General's Office
Ohio Supreme Court
Pennsylvania Supreme Court
Texas Attorney General's Office
U.S. Attorney's Office for the Northern District of California
U.S. Bankruptcy Court for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Agriculture
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of New York
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of Colorado

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Read full article »

Indiana Federal Chief Judge To Take Senior Status Next Year

Northern District of Indiana Chief Judge Jon DeGuilio said Monday that he will take senior status next July, opening a seat for President Joe Biden to fill.

Read full article »

Senate Confirms Rhode Island Public Defender To 1st Circ.

The Senate voted Wednesday to confirm Lara E. Montecalvo, the public defender of Rhode Island, to the First Circuit.

Read full article »

Fired Uber Atty Tells Jury He Lied To WilmerHale Investigators

A fired Uber in-house attorney who was given government immunity for testifying in the criminal obstruction trial of former security chief Joseph Sullivan said Wednesday that he lied to the WilmerHale lawyers hired by the company to investigate a massive undisclosed data breach to "protect" Sullivan and the rest of the security team.

Read full article »

Pa. Bar Groups Ask 3rd Circ. To Support Atty Anti-Bias Rule

Three Pennsylvania bar associations have asked the Third Circuit to overturn a ruling by a federal judge that found a new anti-discrimination rule for lawyers violated the First Amendment, calling the decision wrongheaded and based on purely speculative arguments.

Read full article »

Del. Judge Sets Hearings About Patent Funding Info Concerns

Delaware federal Judge Colm Connolly has ordered the owners of six companies that have filed 14 patent cases, nearly all of which have been voluntarily dismissed, to appear in person to address his concerns that they are not complying with standing orders requiring disclosure of their litigation funding and ownership information.

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Read full article »

Former Gov. Cuomo Hit With Sexual Harassment Suit

A former aide whose sexual harassment allegations against New York Gov. Andrew Cuomo helped lead to his resignation sued him in Manhattan federal court Wednesday, saying he subjected her to sexual innuendo and said a pair of shorts made her look like TV icon Daisy Duke.

Read full article »

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Read full article »

DOJ Gives Attys More Leeway To Aid Migrants In Deportation

The U.S. Department of Justice on Wednesday offered more flexibility to immigration attorneys helping unrepresented immigrants in deportation proceedings, allowing lawyers to draft and file court documents without assuming the responsibilities of becoming the immigrants' "practitioner of record."

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Mich. Chief Justice Exiting Top Court To Lead Arb. Association

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SUBJECT: 26 projects selected for $1.5B in freight infrastructure grants;Plus: earmark update
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 15/09/2022 05:02

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ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today

September 15, 2022

26 FREIGHT PROJECTS SELECTED TO SHARE $1.5B OF INFRASTRUCTURE GRANTS

DANIEL C. VOCK | The U.S. Department of Transportation revealed the funding recipients on Thursday. Millions of dollars will go to cover costs like expanding truck parking, bridge and highway improvements and an interstate teardown.

STATES AND LOCALITIES SEE BIG INFUSION OF CASH FROM EARMARKS

KERY MURAKAMI | The once-tainted, but now revived process to fund congressional lawmakers' favored projects is sending hundreds of millions of dollars to state, local and tribal governments.

IT'S TIME FOR CONGRESS TO STEP UP ITS SUPPORT FOR PUBLIC LANDS COUNTIES

TODD DEVLIN | COMMENTARY | Local governments with huge swaths of federal land make important contributions to the nation's economy, but also face unique challenges. Lawmakers should act to shore up the programs they depend on.

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Protecting Communities with Resilient Solutions

No city is immune to extreme weather, but with each passing year, the number and severity of natural disasters is steadily rising. Municipalities across the country are increasingly in need of greater resiliency because power generation and distribution centers, water/wastewater facilities, and other critical infrastructure must withstand the elements. To achieve this goal, municipalities are investing in a broad range of infrastructure improvements using innovative capital recovery funding mechanisms.

Discover the Opportunities

NEW ANALYSIS LOOKS AT WHERE PEOPLE PAY THE MOST IN PROPERTY TAXES

MOLLY BOLAN | The report breaks down county level payments and offers a state-to-state comparison that takes into account property values and differences in how the taxes are assessed.

A NEW MEXICO OFFICIAL WHO JOINED THE CAPITOL ATTACKS IS BARRED FROM POLITICS

AZIZ HUQ, DAVID LANDAU AND TOM GINSBURG | COMMENTARY | The little-known law behind the removal has some potential pitfalls for democracy.

DOES A FETUS COUNT IN THE CARPOOL LANE? TEXAS'

[redacted]

[redacted] Title

ABORTION LAW CREATES NEW QUESTIONS ABOUT LEGAL PERSONHOOD

POOJA SALHOTRA | THE TEXAS TRIBUNE | A pregnant Texas woman said her fetus should count as a person in an HOV lane. That legal question is just the tip of the iceberg when it comes to the thorny question of "personhood."

COMMUNITY COLLEGES EMERGE AS KEY PLAYERS IN $1B BUILD BACK BETTER REGIONAL CHALLENGE

DANIELA ALTIMARI | Each of the 21 regional partnerships features at least one community college or technical training school.

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Discover the Opportunities

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Government Executive Media Group, 600 New Hampshire Avenue NW, Washington, DC 20037

SUBJECT: Morning Consult Health Presented by Dialysis Patient Citizens: Headof WHO Says Pandemic's End Is 'in Sight'
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 15/09/2022 06:14

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 15, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- World Health Organization Director-General Tedros Adhanom Ghebreyesus said the end of the COVID-19 pandemic is "in sight," after weekly global deaths last week reached their lowest point since March 2020 and new weekly cases simultaneously declined by 28%. (NBC News) In a long-awaited Lancet Commission report released yesterday to U.N. member states, agencies and bodies, researchers wrote that the pandemic has been "a massive global failure

[redacted]

at multiple levels," noting that "too many governments" did not adhere to norms and were influenced by misinformation, resulting in disrespect and protests "against basic public health precautions." (CNN)

- The House passed a bill that would modernize Medicare Advantage, requiring insurers in the network to opt in to electronic prior authorization programs, submit lists of items and services subject to prior authorization on a yearly basis and implement beneficiary protection rules. With more than 300 co-sponsors in the House, and backing from provider and payer groups, there's optimism among lawmakers that the bill, which is called the Improving Seniors' Timely Access to Care Act, will sail through the Senate after the midterm elections. (Modern Healthcare)

- Centers for Disease Control and Prevention Director Rochelle Walensky said during a Senate HELP Committee hearing that new monkeypox cases have slowed over the past few weeks, and while there are pockets of the country where the virus still spreads rapidly, the agency is approaching the overall slowdown "with cautious optimism." (CNBC) Lawmakers on both sides of the aisle railed against the federal government's response to the outbreak during the hearing, levying critiques over everything from the slow vaccine rollout during the initial stages of the spread to gaps in the availability of doses in hard-hit communities of color. (Politico)

- The CDC is moving forward with plans to monitor and test wastewater for polio in communities facing high risk of the disease, a move that comes after a man in Rockland County, N.Y., was diagnosed with the illness in July and the virus was subsequently detected in wastewater samples in nearby areas. (The Washington Post) The National Security Council has hosted several conversations in recent weeks with White House, CDC and Health and Human Services Department officials about polio, with the talks centering on improving vaccination rates and bolstering surveillance, two senior administration officials said. (Politico)

Worth watching today (all times local):

- **10 a.m.** Medicaid and CHIP Payment and Access Commission public meeting.

- **10 a.m.** House Science subcommittee hearing: The Fountain of Youth? The Quest for Aging Therapies.

- **10 a.m.** House Foreign Affairs subcommittee hearing: The Sustainable Development Goals and Recovery from the COVID-19 Pandemic: Implications for U.S. Policy.

- **11 a.m.** House Ways and Means Committee hearing: Preparing America's Health Care Infrastructure for the Climate Crisis.

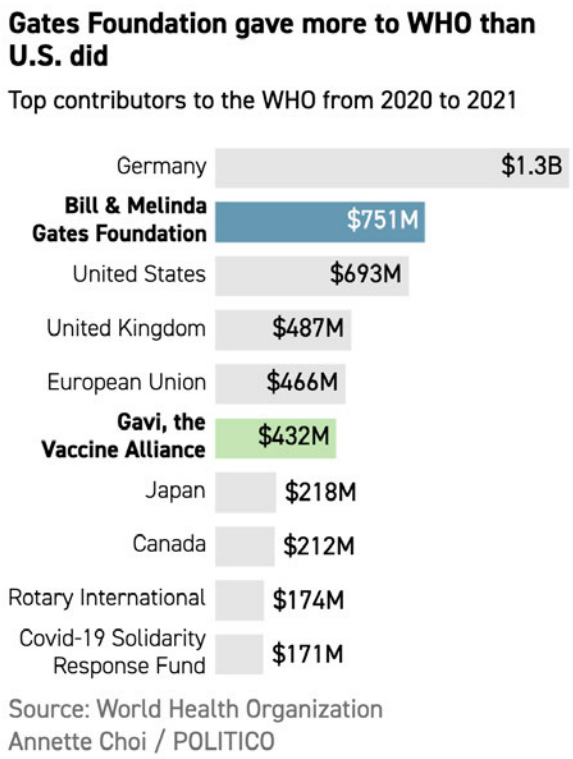
- **12:30 p.m.** Axios event on superbugs with Sen. Todd Young (R-Ind.) and the CDC's Dr. Arjun Srinivasan.

- **2 p.m.** House Veterans' Affairs Committee hearing: Examining Women Veterans' Access to the Full Spectrum of Medical Care, Including Reproductive Healthcare, Through the VA

- **6 p.m.** Stat News event: Rare Disease Research: A Prescription

CHART REVIEW

6 charts that show how money and influence shaped the world's Covid plan
Politico



PRESENTED BY DIALYSIS PATIENT CITIZENS

Support the Restore Protections for Dialysis Patients Act to Guarantee Dialysis Patients Healthcare That Fits All Their Needs

Right now, dialysis patients are being cornered into Medicare to receive proper coverage for their routine treatment, but losing protection for their families and health concerns unrelated to their dialysis. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

How Bill Gates and his partners took over the global Covid pandemic response
Erin Banco et al., Politico
Four health organizations, working closely together, spent almost $10 billion on responding to Covid across the world. But they lacked the scrutiny of governments, and fell short of their own goals, a POLITICO and WELT investigation found.

Pandemic fatigue threatens COVID-19, monkeypox funding requests
Ariel Cohen, Roll Call
"It isn't a question of authority; you have the authority. It isn't a question of money; you have been given astonishing amounts of money," Senate Health, Education, Labor and Pensions Committee ranking member Richard M. Burr, R-N.C., told top administration public health officials during a hearing Wednesday, noting the series of pandemic funding bills Congress has passed since the pandemic began in March 2020.

Johns Hopkins is reducing its COVID data tracking
Herb Scribner, Axios
Johns Hopkins University is scaling back how much and how frequently it tracks COVID-19 pandemic metrics due to a slowdown in local data reporting, the university confirmed to Axios.

Moderna open to supplying COVID vaccines to China, CEO says
Reuters
Moderna Inc has held talks with the Chinese government about supplying COVID-19 vaccines, but no decision has yet been made, CEO Stephane Bancel told Reuters on Wednesday.

Paul clashes with Fauci over child vaccinations
Nathaniel Weixel, The Hill
Sen. Rand Paul (R-Ky.) on Wednesday clashed with White House medical adviser Anthony Fauci about whether children who were previously infected with COVID-19 need to be vaccinated, the latest in his long-running feud with the nation's top infectious diseases doctor.

GENERAL

FDA warns monkeypox could mutate if antiviral drug is overused
Alexander Tin, CBS News
The monkeypox virus is only one mutation away from evading a key antiviral drug being used to treat at-risk patients, federal health officials are now warning — and they're urging doctors to be "judicious" in prescribing the sought-after treatment.

New CDC data: STD rates shot up in 2021
Alice Miranda Ollstein, Politico
Syphilis rates jumped 26 percent last year — the biggest annual increase since the Truman administration — amid a broader rise in sexually transmitted infections that worsened considerably during the Covid-19 pandemic.

HIV Vaccine Still Years Away, Former AIDS Society Head Warns
Michael Cohen, Bloomberg
The use of messenger RNA to make vaccines for the first time during the coronavirus pandemic has reinvigorated a decades-long hunt for a shot to safeguard against HIV, but the development process will still be a protracted one, according to a leading South African scientist.

Pfizer starts late-stage trial of mRNA-based flu vaccine
Reuters
Pfizer Inc said on Wednesday it had started a late-stage U.S. trial of an influenza vaccine involving 25,000 patients, among the first such studies for a messenger RNA flu shot.

Poll: Americans say politicians aren't 'informed enough' to set abortion policy
Elena Schneider, Politico
Seven in 10 Americans don't think politicians "are informed enough" about abortion to "create fair policies" — a position held by majorities of both Democrats and Republicans, according to the survey of more than 20,000 adults by The 19th, a news organization focused on gender and politics, and SurveyMonkey. A majority of Americans also said they think abortion should be legal in all or most cases, while 35 percent said abortion should be illegal in all or most cases.

Daily multivitamin potentially linked with improved cognition in older adults in new study
Jacqueline Howard, CNN
Taking a daily multivitamin might be associated with improved brain function in older adults, a new study says, and the benefit appears to be greater for those with a history of cardiovascular disease.

Anti-abortion rights groups on calls for help: "We knew this was coming."
Sarah McCammon, NPR News
With abortion now illegal or severely restricted in a growing number of states, groups that help patients travel for the procedure as well as those who oppose abortion and offer assistance with unintended pregnancies, are reporting more calls for help.

Experts Question the Role of White Mulberry in the Death of Congressman's Wife
Samantha Young, Kaiser Health News
Scientists, doctors, and pathologists are questioning the Sacramento County coroner's conclusion that Lori McClintock's death was related to white mulberry, a plant that has been used as an herbal remedy for centuries — and one that the coroner's botanical consultant called "not toxic" in a letter to her office.

Judge temporarily blocks Ohio law banning most abortions
Julie Carr Smyth, The Associated Press
A judge temporarily blocked Ohio's ban on virtually all abortions Wednesday, again pausing a law that took effect after federal abortion protections were overturned by the U.S. Supreme Court in June.

'Disgusted and angry': WVa clinic ends abortions post ban
Leah Willingham, The Associated Press
A pregnant 16-year-old girl panicked when she got a call from the only abortion clinic in West Virginia telling her that her appointment had been canceled and she needed to book one out-of-state.

Forty percent of women in military have little to no abortion access, RAND study says
Mike Brest, Washington Examiner
Roughly 80,000 of the approximately 450,000 active-duty service members serve in states that have implemented or will soon implement additional abortion restrictions, per a new paper from RAND Corporation that was released Wednesday. The other 370,000 male soldiers and their families could also be affected by the push from conservative state legislatures to curb abortion access.

Are you an active couch potato? How sitting all day can erase a workout
Gretchen Reynolds, The Washington Post

The study, which involved more than 3,700 men and women in Finland, found that many dutifully exercised for a half-hour, but then sat, almost nonstop, for another 10, 11 or even 12 hours a day. These were the study's active couch potatoes, and their blood sugar, cholesterol and body fat all were elevated.

Melanie Fontes Rainer Sworn in as HHS Civil Rights Office Head
Bloomberg Law
Melanie Fontes Rainer has been sworn in as director of the Office for Civil Rights in the US Department of Health and Human Services, the department said Wednesday.

Seth Rogen: Alzheimer's care shouldn't just be for rich guys like me
Jim Saksa, Roll Call
The actor and comedian came at Sen. Bob Casey's invite along with his wife, screenwriter and director Lauren Miller Rogen. They were joined by actress Sarah Rafferty for a short panel discussion moderated by National Domestic Workers Alliance President Ai-jen Poo on the steep financial and psychological costs of caring for a loved one with dementia. The celebrities lent their fame to the Pennsylvania Democrat in support of his bill aimed at increasing Medicaid funding for home health aides.

PAYERS

HHS requests info on explanation of benefits policy changes
Maya Goldman, Modern Healthcare
The government wants feedback on how to regulate the advanced explanation of benefits and cost estimate provisions of the surprise billing ban, several departments announced in a request for information issued Wednesday.

Medicare is found to give insufficient access to opioid addiction treatment
Andrew Joseph, Stat News
Medicare is vastly underserving older Americans with opioid use disorder, with only 18% of enrollees with the diagnosis receiving recommended medication treatment, according to a new federal oversight report.

Here's how much Blue Cross NC's value-based care program saved last year
Frank Diamond, Fierce Healthcare
Blue Cross and Blue Shield of North Carolina touted major savings thanks to improved outcomes racked up by providers and the insurer through its Blue Premier program that relies heavily on value-based healthcare.

The Affordable Care Act's biggest gender-based protections are under threat
Shefali Luthra, The 19th
The Texas-based case examines the ACA's guarantee that preventive medicine be fully covered. It could affect coverage of PrEP, breastfeeding counseling, STI screening and contraception.

PROVIDERS

House bill aims to get rid of 2023 Medicare cuts to physicians
Robert King, Fierce Healthcare
The Supporting Medicare Providers Act of 2022 takes aim at a 4.5% cut to payments that was included in the 2023 Physician Fee Schedule payment rule. Physician groups have clamored that the planned cuts are going to detrimentally affect practices, especially considering record inflation and the lingering COVID-19 pandemic.

Lawmaker requests investigation into HCA over billing practices
Rachel Cohrs, Stat News
A Democratic House lawmaker with oversight authority is calling for an investigation into the largest for-profit hospital chain in the country, HCA Healthcare.

Required Training Urged for Nursing Home Infection Specialists
Tony Pugh, Bloomberg Law

A government watchdog agency is recommending that the Biden administration establish minimum training standards for infection prevention control specialists in nursing homes.

PHARMA, BIOTECH AND DEVICES

FDA's Drug Industry Fees Fuel Concerns Over Influence
Christina Jewett, The New York Times
The pharmaceutical industry finances about 75 percent of the agency's drug division, through a controversial program that Congress must reauthorize by the end of this month.

U.S. to spend more than $2B to launch Biden's biomanufacturing initiative
Allison DeAngelis, Stat News
The federal government is pledging more than $2 billion to launch President Biden's new national biomanufacturing initiative, funding efforts to build or expand drug manufacturing sites in the U.S. and readying the raw materials needed to respond to a new pandemic.

Medical pioneers team up to launch new cell therapy biotech
Allison DeAngelis, Stat News
Medical pioneers Carl June, Bruce Levine, and Drew Weissman have teamed up to launch a new biotech that hopes to use the industry's buzziest technologies to boost the beleaguered cell therapy field. Their new venture, Capstan Therapeutics, launched Wednesday with a combined $165 million in seed and Series A financing.

Abortion Pill Maker Eyes Changed Judiciary as It Mulls New Suit
Ian Lopez, Bloomberg Law
Generic abortion pill maker GenBioPro is searching for a new court to revive its battle against state restrictions, though the company's hunt for a favorable judicial forum will prove complicated thanks to appointments from the Trump administration.

FDA, NIH Partner for Rare Neurodegenerative Disease Research
Bloomberg Law
The Food and Drug Administration and the National Institutes of Health have launched a public-private partnership for rare neurodegenerative diseases, according to a Wednesday news release.

A Message From Dialysis Patient Citizens:

Dialysis patients are in a lose-lose situation. Private insurance is forcing them to decide between coverage for their life-saving treatment and their family's health protection. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

Learn more at www.dialysispatients.org/MSP

HEALTH TECHNOLOGY

LifePoint teams up with Google Cloud on healthcare data
Annie Burky, Fierce Healthcare
Google Cloud has penned a multi-year strategic partnership with the healthcare company LifePoint Health in order to implement Google Cloud's healthcare data engine in its hospitals.

DEA Investigating ADHD Telehealth Provider Done
Rolfe Winkler, The Wall Street Journal

[redacted]

Title

U.S. Drug Enforcement Administration agents have questioned people about telehealth company Done Global Inc.'s practices for prescribing controlled substances, according to documents reviewed by The Wall Street Journal and people familiar with the inquiries.

OPINIONS, EDITORIALS AND PERSPECTIVES

Congress needs to preserve seniors' access to pharmacist care
Ilisa BG Bernstein and Paul W. Abramowitz, Stat News
Covid-19 demonstrated how quickly the United States can mobilize to produce and distribute new tests, vaccines, and treatments for a previously unknown virus. The pandemic also highlighted significant inequalities and gaps in its health care system, with many rural and underserved urban areas lacking sufficient access to care.

RESEARCH REPORTS

The gathering storm in US healthcare: How leaders can respond and thrive
Shubham Singhal and Addie Fleron, McKinsey & Co.
The decade from 2010 to 2020 marked a period of relative calm for the US healthcare industry, with national health expenditures (NHE) rising at predictably steady rates. Then the COVID-19 pandemic unleashed a prolonged period of disruption, illness, and loss that continues to wane slowly. Yet, even now, there is no rest for the weary. A gathering storm arising from labor shortages, inflation, and endemic COVID-19 challenges the industry anew. It threatens affordability and access to care for consumers, and it poses material risks to profitability for providers, payers, and other healthcare stakeholders. McKinsey research reveals the combined effects of these forces could accelerate the increase in NHE by approximately $600 billion through 2027.

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PUBLIC HEALTH WEEKLY

September 15, 2022

A Q&A with Anne Zink, ASTHO's New President

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Leveraging State and Federal Policy to Reduce Maternal Illness and Death

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THIS WEEK'S HIGHLIGHTS

ASTHO Welcomes Its 80th President | On Sept. 13 at ASTHO's annual Assembly of Members meeting, **Anne Zink, MD, FACEP (SHO-AK)** began her term as the 80th president of ASTHO. She succeeds **Nirav Shah, MD, JD, (SHO-ME)** who has held the position since January 2021. We thank Dr. Shah for his service and leadership during one of the most difficult challenges public health has faced, and we look forward to Dr. Zink's term as president. **Learn more in our latest press release**.

ASTHO Names New Board Leadership | Also this week, ASTHO announced its other newly elected leaders, including **Steven J. Stack, MD, MBA, (SHO-KY)** president-elect, and **Scott Harris, MD, MPH, (SHO-AL)** secretary-treasurer. **Visit here to learn more about ASTHO's leadership and governance.**

Inaugural DELPH Cohort Graduates | The **Diverse Executives Leading in Public Health** (DELPH) program, co-created by ASTHO and the Satcher Health Leadership Institute at Morehouse School of Medicine, celebrated the graduation of its first cohort at ASTHO's 2022 Fall Leadership Summit. Sixteen scholars completed a 10-month long program focused on fine tuning their leadership skills, expanding their public health network, and connecting with colleagues focused on growth. Meet the graduating class and learn more about their accomplishments in **the DELPH Magazine** now**.**

New Article in the American Journal of Public Health | ASTHO and the University of Washington co-authored a new article on the growing climate crisis and what it will take to get state and territorial health agencies ready to respond to the effects of climate change on public health. **Check out the full article for more.**

Public Health Stretched Thin | ASTHO CEO Michael Fraser spoke with *The Nation's Health* about the impact of the COVID-19 pandemic on the regular functions of healthcare and public health, outside of managing the pandemic itself. Many critical functions were set aside and public health is racing to make up for lost time. **Learn more about COVID-19's "health debt" now.**

BE IN THE KNOW

Thank you for being a long-time subscriber to ***Public Health Weekly***—we greatly appreciate your support! But did you know that we have more great newsletters to keep you up-to-date on the latest and greatest from ASTHO?

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LATEST ASTHO RESOURCES AND EVENTS

Report

Hiring Practices That Support State Integration of Community Health Workers

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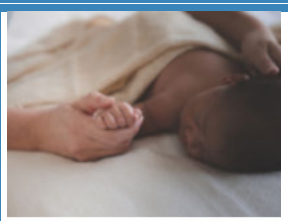

New Resource

Supporting Pregnant and Postpartum Women with Opioid Use Disorder: An Infographic Series

CHECK IT OUT

Brief

Using Medicaid Datasets to Measure Tobacco Use: A Review

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Youth Worried About Climate Change** | Rachael Banks (SHO-OR)
- **Meet ASTHO's New President** | Anne Zink (SHO-AK), ASTHO President
- **ASTHO's Outgoing President** | Nirav Shah (SHO-ME)
- **ASTHO's Impact on Public Health** | Michael Fraser, ASTHO CEO
- **Training for Diverse Public Health Pros** | Jill Miller, Alameda County Public Health Department

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PUBLIC HEALTH REVIEW PODCAST

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PUBLIC HEALTH REVIEW

- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC

LISTEN

ASTHO IN THE NEWS

- **As public health does double duty, everyday work falls behind.** | *The Nation's Health* | Michael Fraser, ASTHO CEO
- **AmeriCorps Hopes to Breathe Life into Public Health Workforce.** | *Governing* | ASTHO
- **NIAA Announces Its 12th Annual Antibiotic Symposium.** | *NIAA* | Abraham Kulungara, ASTHO
- **The Victims of a Victimless Crime: The Future of Organized Retail Crime.** | *Loss Prevention Magazine* | Marcus Plescia, ASTHO CMO
- **Biden Administration says a new COVID-19 vaccination campaign could begin within days.** | *Al Jazeera* | Marcus Plescia, ASTHO CMO

Press Room | Careers | Events | Funding

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Don't forget to share this with any friends or colleagues who would love to hear more about the latest and greatest in public health!

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Health

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SEPTEMBER 16, 2022

BY MATT BRACKEN

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TODAY'S TOP NEWS

- Case Western Reserve University School of Medicine researchers found that Americans over 65 who have had COVID-19 faced a higher risk within a year of being newly diagnosed with Alzheimer's disease. The study, which was published in the Journal of Alzheimer's Disease and analyzed electronic health records of more than 6 million people older than 65, noted that the findings do not show that COVID-19 causes Alzheimer's. (The Washington Post)

- The Centers for Disease Control and Prevention announced a new program to direct up to 50,000 doses of the Jynneos monkeypox vaccine from Bavarian Nordic A/S to hard-hit populations that have faced hurdles in accessing the shots, as data shows white men have received at least twice as many doses as Black or Hispanic men. (Axios) The Food and Drug Administration warned that Tpoxx should be prescribed to treat monkeypox judiciously since a single molecular change to the disease "could have a large impact on the antiviral activity" of the drug, while the CDC said that it should not be given to patients with healthy immune systems that are not suffering from severe symptoms. (The Associated Press)

- About 1 in 4 hospitals will not be assessed penalties for readmissions for the coming fiscal year, and those that fell short of the Medicare benchmark over the past few years will receive lower reimbursement cuts, per preliminary data from the Centers for Medicare and Medicaid Services. CMS for the first time used pandemic-era data to calculate payment adjustments, and for fiscal year 2023, 25.33% of hospitals

[redacted]

will not face readmissions penalties, up from 17.81% the previous year. (Modern Healthcare)

- A report on climate change's impact on health systems released by the House Ways and Means Committee found that medical centers across the country have battled extreme weather such as fires, flooding and heat waves, events that have resulted in compromised medical services and facility closures. Rep. Richard Neal (D-Mass.), chairman of the committee, asked CMS to issue guidance to health systems to monitor and report their carbon dioxide emissions, as the health care system accounts for roughly 10% of CO2 emitted annually in the country. (The Associated Press)

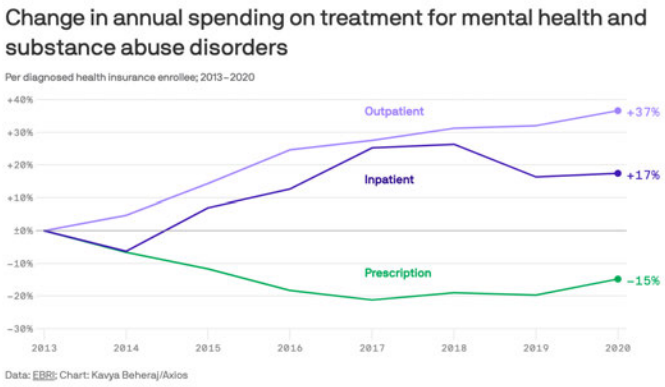
Worth watching today (all times local):

- **9:30 a.m.** Medicaid and CHIP Payment and Access Commission public meeting.

- **12 p.m.** Alliance for Health Policy event: "Strengthening and Modernizing the Public Health System."

CHART REVIEW

Mental health spending rises
Axios



Support the Restore Protections for Dialysis Patients Act to Guarantee Dialysis Patients Healthcare That Fits All Their Needs

Right now, dialysis patients are being cornered into Medicare to receive proper coverage for their routine treatment, but losing protection for their families and health concerns unrelated to their dialysis. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Joe Biden's Covid-19 tsar warns millions risk losing access to treatment
Kiran Stacey and Jamie Smyth, Financial Times
Ashish Jha says vaccines and drugs will be limited if Congress fails to approve further funding.

GSK, Regeneron Covid Antibody Drugs Unlikely to Work for Omicron, WHO Says
Marthe Fourcade, Bloomberg
The antibody drugs GSK Plc and Regeneron Pharmaceuticals Inc. developed against Covid don't appear to work for omicron and its subvariants, a panel of experts advising the World Health Organization said, recommending against the use of the medicines.

First vaccination ads for updated Covid-19 booster target adults 50 and older
Jacqueline Howard, CNN
As part of the White House's Covid-19 response plan for the fall, the US Department of Health and Human Services is debuting a video ad to encourage people to get the updated Covid-19 booster shot - especially those who are 50 and older.

These are the most common side effects to expect from your updated COVID booster
Chloe Taylor, Fortune
Both updated boosters appeared to cause mild side effects in some individuals who participated in human testing.

GENERAL

A Vaccine in Each Arm Could Be a Painful Mistake
Katherine J. Wu, The Atlantic
At a press briefing earlier this month, Ashish Jha, the White House's COVID czar, laid out some pretty lofty expectations for America's immunity this fall. "Millions" of Americans, he said, would be flocking to pharmacies for the newest version of the COVID vaccine in September and October, at the same appointment where they'd get their yearly flu shot. "It's actually a good idea," he told the press. "I really believe this is why God gave us two arms."

Biden's monkeypox adviser is managing a virus alongside conservative fascination in his Instagram feed
Eugene Daniels, Politico
Demetre Daskalakis has become caricatured as a tattooed oddity among buttoned-up bureaucrats. The truth is far different. "I wish I were that interesting," he says.

Worries over stigma are driving a push to rename monkeypox, but the process is slow
Jen Christensen, CNN
Since the beginning of the monkeypox outbreak, scientists and activists have pushed for the name of the virus and the disease to be changed to something "non-discriminatory" and "non-stigmatizing."

Healthcare plays by CVS, Walgreens and Amazon will drive more partnerships, tech investment, experts say
Heather Landi, Fierce Healthcare
CVS, Walgreens and Amazon are ramping up their focus on in-home medical services and primary care and it will cause major disruptions for more traditional brick-and-mortar providers, industry experts say.

National Cancer Institute Wants $10 Billion for Fiscal Year 2024
Jeannie Baumann, Bloomberg Law
The National Cancer Institute laid out a $10 billion spending plan for fiscal year 2024, marking one of its most ambitious budget proposals that calls for a more than 30% increase over last year's request.

Preparing for monkeypox on college campuses
Arielle Dreher, Axios
As monkeypox cases decline, public health officials are shifting their focus to college campuses, where students are returning to communal living arrangements that could sustain the outbreak.

Montana judge blocks anti-trans birth certificate law
Oriana Gonzalez, Axios
A Montana state judge on Thursday blocked a 2021 state law that would have barred transgender people from changing the gender listed on their birth certificate unless they have undergone gender-affirming surgery.

Indiana's abortion ban goes into effect, shuttering clinics
Mary Claire Molloy and Molly Hennessy-Fiske, The Washington Post
It was the last day for abortions at Women's Med clinic this week, and patients arrived anxious, hoping to get treated before a state abortion ban took effect Thursday.

Two powerful drugs are making their way into the illicit drug supply
Erika Edwards, NBC News
An animal tranquilizer called xylazine and powerful synthetic opioids called nitazenes are increasingly linked to overdoses.

California Gov. Gavin Newsom Signs Law Requiring Social Media Companies to Consider Children's Health
Meghan Bobrowsky, The Wall Street Journal
Social-media companies that operate in California will have to consider the health and well-being of children under a first-of-its-kind bill signed into law Thursday by Gov. Gavin Newsom.

PAYERS

Humana projects growth in Medicare Advantage
Bob Herman, Stat News
Humana is targeting ambitious growth of its Medicare Advantage plans and primary care clinics over the next three years, which executives said Thursday will significantly propel Humana's profitability. Humana's stock price ended the day up 8%, valuing the company at $63 billion.

UnitedHealth Beats Class Suit Over Office Surgery Facility Fees
Jacklyn Wille, Bloomberg Law
UnitedHealth Group. Inc. defeated a class action by more than 200 doctors who say they weren't paid facility fees for office-based surgeries, when a New York federal judge ruled that the insurer used reasonable payment systems and followed ERISA plan terms.

Medicare Enrollees Struggle With Opioid Abuse, Treatment Access
Tony Pugh, Bloomberg Law
More than 1 million Medicare beneficiaries were diagnosed with opioid use disorder in 2021, but fewer than 20% received medication to treat their disorder, a federal watchdog agency reported Thursday.

Court Ruling May Spur Competitive Health Plans to Bring Back Copays for Preventive Services
Harris Meyer, Kaiser Health News
Now health plans and self-insured employers — those that pay workers' and dependents' medical costs themselves — may consider imposing cost sharing for preventive services on their members and workers. That's because of a federal judge's Sept. 7 ruling in a Texas lawsuit filed by conservative groups claiming that the ACA's mandate that health plans pay the full cost of preventive services, often called first-dollar coverage, is unconstitutional.

PROVIDERS

More Than Half of US Hospitals Expect to Lose Money This Year
Lauren Coleman-Lochner, Bloomberg
More than half — 53% — of US hospitals expect to lose money this year, according to the report prepared by consulting firm Kaufman Hall for the American Hospital Association. Facilities are scrambling not only to fill jobs but to cope with sharply higher costs for labor and supplies, all while treating Covid-19 and other patients, many of whom arrive sicker because they have put off treatment.

Physician burnout higher in 2021 than 2020, study shows
Shannon Muchmore, Healthcare Dive
About 63% of physicians surveyed experienced at least one manifestation of burnout in 2021, shooting up from 38% in 2020 and representing the highest amount in a decade of recurring survey findings, according to an article published this week in Mayo Clinic Proceedings.

New Abortion Laws Jeopardize Cancer Treatment for Pregnant Patients
Charlotte Huff, Kaiser Health News
As abortion bans go into effect across a contiguous swath of the South, cancer physicians are wrestling with how new state laws will influence their discussions with pregnant patients about what treatment options they can offer.

Woman charged with bomb threat against children's hospital
The Associated Press
Federal authorities on Thursday arrested a woman accused of calling in a fake bomb threat at Boston Children's Hospital amid a barrage of harassment and threats of violence over its surgical program for transgender youths.

LGBTQ+ Americans report more discrimination at the doctor, poll finds
Orion Rummler and Jasmine Mithani, The 19th
When LGBTQ+ people go to the doctor, they are more likely to be refused medical services, blamed for their health problems and discriminated against than cisgender and heterosexual people, a new 19th News/SurveyMonkey poll has found.

Sexual assault victims billed for hospital exams that should be free
Aria Bendix, NBC News
The average cost of emergency care related to sexual violence was more than $3,500 per patient in 2019, new research shows.

PHARMA, BIOTECH AND DEVICES

'Gaming' of U.S. patent system is keeping drug prices sky high, report says
Berkeley Lovelace Jr., NBC News
Drugmakers are able to extend the patents on their drugs, keeping generics off the market, through a process known as "evergreening."

ADHD Drug Adderall Runs Low at CVS, Walgreens as Demand Soars
Ike Swetlitz, Bloomberg
Adderall, the widely used drug for attention-deficit/hyperactivity disorder, is experiencing shortages across the US, according to interviews with patients as well as major pharmacy chains that carry the pills.

Tying FDA Fees to Stopgap Bill Seen as Missed Chance for Change
Celine Castronuovo and Alex Ruoff, Bloomberg Law
Health policy advocates are wary that a push to attach FDA user fee legislation to a government funding bill will deny the agency new drug approval oversight tools and other long-sought policy changes.

Medicare's new powers to control drug prices to face lobbying and legal fights
Leslie Walker and Dan Gorenstein, NPR News
Two of the biggest battlegrounds will be a pair of new powers that lawmakers gave Medicare, the federal insurance program that covers 64 million seniors and people with disabilities. Medicare's roughly $180 billion annual drug budget accounts for more than a third of the country's total drug spending.

Swiss authorities raid Novartis offices seeking info on patents
Ed Silverman, Stat News
The Swiss Competition Commission has begun an investigation into Novartis over the possible unlawful use of a patent to block competitors for some of its medicines, the latest instance in which European authorities have probed drug companies for antitrust infractions.

Lupus patients go into remission borrowing CAR-T cancer therapy
Isabella Cueto, Stat News
CAR-T therapy, a way of amplifying a person's own immune power against a disease target, is the latest tool in this shared playbook. Half a dozen people with severe lupus have gone into remission from their disease after receiving CAR-T, a result that researchers say could usher in a new era for a whole suite of hard-to-treat autoimmune conditions.

A Message From Dialysis Patient Citizens:

Dialysis patients are in a lose-lose situation. Private insurance is forcing them to decide between coverage for their life-saving treatment and their family's health protection. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

Learn more at www.dialysispatients.org/MSP

HEALTH TECHNOLOGY

Location Data Rules Draw FTC's Attention Post-Roe
Jack Gillum and Brody Ford, Bloomberg Businessweek
The Supreme Court's June decision to overturn Roe v. Wade set off widespread concerns that location data collected and shared by smartphones could be used to prosecute people who receive or provide abortions. There's scant regulation of the industry built around the selling and buying of personal data, which IDC says generates $15 billion annually. That puts a lot of weight on the privacy protections set by location-data brokers themselves.

Period tracker Flo launches anonymous mode amid post-Roe privacy concerns
Rebecca Pifer, Healthcare Dive
Period tracking app Flo has rolled out an anonymous mode to protect users' sensitive reproductive health data months after the U.S. Supreme Court overturned Roe v. Wade.

CVS, UPMC and General Catalyst back Redesign Health's series C
Heather Landi, Fierce Healthcare
Redesign Health has built and launched 40 healthcare startups since 2018, and it nabbed $65 million in fresh funding to jump-start dozens more.

Savvier buyers threaten mental health tech's momentum
Mario Aguilar, Stat News
When the pandemic exposed long-festering problems around access to mental health care, many organizations started panic shopping for apps and virtual services to address the needs of workers. Now, there are signs that some of that sales momentum may slow down as companies take a sober look at their budgets in the face of a rocky economy.

OPINIONS, EDITORIALS AND PERSPECTIVES

The New Covid Boosters Are Amazing News
Zeynep Tufekci, The New York Times
For the first time, the United States is rolling out Covid vaccines updated to match variants that are currently dominant, as well as the original strain. This bivalent character will provide a better response not just to the most threatening variants today but probably to future variants too, because when the immune system faces different versions of the same virus it generates broader protections overall.

RESEARCH REPORTS

Clinical Effectiveness of Intravenous Racemic Ketamine Infusions in a Large Community Sample of Patients With Treatment-Resistant Depression, Suicidal Ideation, and Generalized Anxiety Symptoms
Patrick A. Oliver et al., The Journal of Clinical Psychiatry
Few studies have been published to date exploring the effectiveness of ketamine for treatment-resistant depression (TRD) in large clinical samples. We report on the clinical outcomes of a large cohort treated with ketamine as part of clinical practice.

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THE STUDIO | HARVARD T.H. CHAN SCHOOL OF PUBLIC HEALTH

FIGHTING FOR HEALTH AND JUSTICE IN THE WAKE OF SUPREME COURT SETBACKS

Today, September 16, 2022, 1-2pm ET

A Dr. Lawrence H. and Roberta Cohn Forum

Register for free to submit your questions.

Recent and anticipated Supreme Court rulings on abortion access, gun control, voting rights, environmental protection, and affirmative action are reshaping U.S. politics and policies. With midterms approaching, we've assembled leading voices in these fields to talk through the court's impact on public health and social justice. Our panelists will also explore the power of civic action — and lay out practical steps to stand up for health and justice in the face of painful setbacks.

Welcome

Michelle Williams (@HarvardChanDean)

Dean of the Faculty

Harvard T.H. Chan School of Public Health

Moderator

Dana Milbank (@milbank)

Political Columnist

The Washington Post

Speakers

Cecile Richards (@cecilerichards)

Former President of Planned Parenthood

Co-Founder of Supermajority

Marc Morial (@MARCMORIAL)

President and CEO

National Urban League

Esther Sanchez-Gomez

Attorney

Giffords Law Center to Prevent Gun Violence

Leah Stokes (@leahstokes)

Anton Vonk Associate Professor of Environmental Politics

University of California, Santa Barbara

[redacted]

[redacted] Title

Go to event page

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Boston, MA 02115

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SUBJECT: Upcoming Webinars: Out-of-Scope Activities, Patient Incentives,340B, and More
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: hborski@utah.gov
DATE: 16/09/2022 08:32

Upcoming Webinars for Health Centers

TRAINING THROUGHOUT SEPTEMBER AND OCTOBER

Cost Allocation and Indirect Cost Rates
Thursday, September 22 at 1 PM ET
Register

Is your health center allocating program costs correctly? This federal grants webinar, presented by FTLF attorney **Scott Sheffler**, will provide you with a better understanding of cost allocation methods to help you properly recover project costs from the federal government.

Providing Services Outside the Scope of Your Grant: How to Ensure Compliance
Tuesday, September 27 at 3 PM ET
Register

[redacted]

The recent *Dobbs* decision has led many health centers to question how they, as federal grant-funded organizations, can provide services that are out of scope. In this webinar, FTLF attorneys **Carrie Riley** and **Ted Waters** will use elective abortions as an example to address key areas of risk and the legal and practical considerations health centers face when deciding to establish an "other line of business."

Structuring Patient Incentive Programs to Comply with Federal Rules
Thursday, September 29 at 1 PM ET
Register

Patient incentives have long posed a challenge to health centers wishing to promote healthy behaviors while minimizing legal risks under the Beneficiary Inducement Program. In this webinar, FTLF attorney **Adam Falcone** will help you gain a better understanding of the exceptions that permit patient incentives and best practices for implementing a program.

Federal Procurement Standards
Thursday, October 13 at 1 PM ET
Register

When contracting for property and services, recipients of grants and cooperative agreements must comply with the procedures set forth in the Uniform Guidance. During this federal grants training, FTLF attorney **Scott Sheffler** will discuss the key requirements of all procurement transactions and provide strategies to efficiently operationalize these rules in day-to-day functions.

340B Compliance Implications of Recent Developments
Thursday, October 20 at 1 PM ET
Register

Drug manufacturers and pharmacy benefits managers have not backed down their pressure on 340B covered entities. This up-to-the-moment webinar presented by FTLF attorney **Jason Reddish** will cover the latest in the shifting landscape, HRSA expectations, and the future of the 340B Program.

Where Are We Now? Five Years of the CMS Emergency Preparedness Final Rule
Tuesday, October 25 at 1 PM ET
Register

Five years ago, health centers were required to become compliant with the Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers Final Rule. As we inch closer to the end of the public health emergency, now is a perfect time to reassess your emergency preparedness plans. In this webinar, FTLF attorney Molly Evans and FTLF's new Manager of Compliance and Risk Management Services **Alexander Lipovtsev** will review the current requirements for health centers and provide practical tips to ensure compliance.

Watch On-Demand: The recorded versions of all of our webinars are included in your purchase and will typically be available within seven (7) business days of the live event.

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SUBJECT: NACDD Legislative and Policy News
FROM: Elizabeth Ruth <lruth@chronicdisease.org>
TO: Elizabeth Ruth <lruth@chronicdisease.org>
DATE: 16/09/2022 12:28

There continues to be uncertainty around the path forward for a short-term continuing resolution (CR) to fund the government beyond the September 30 deadline. The bill hinges on whether Democratic leadership decides to attach an energy permitting bill championed by Senator Joe Manchin (D-WV). Permitting is the process for getting federal approval for energy projects, including oil and gas pipelines, which often undergo extensive review for environmental impact. Majority Leader Chuck Schumer (D-NY) promised to hold a vote on permitting reform in exchange for Senator Manchin's support of the Inflation Reduction Act. While there is general bipartisan support for permitting reform, some members of Congress on both sides of the aisle oppose the legislation. Some Republicans feel the reforms don't go far enough. Democrats are worried the changes could contribute to climate change and hurt the environment. Democratic leadership doesn't want to anger Senator Manchin who will continue to be a key vote, but they also want to avoid a government shutdown.

This Week's News

Gov. Dunleavy vetoes Alaska tax on vaping and increase to minimum tobacco purchase age.
Alaska Governor Mike Dunleavy vetoed legislation that would have imposed a statewide e-cigarette tax and raised the state's minimum purchasing age for tobacco products from 19 to 21. Alaskan Governors aren't permitted to veto policy provisions from bills passed by the legislature, but they have the power to veto dollar amounts from appropriation bills or entire pieces of legislation. Governor Dunleavy justified his veto by stating that it was not possible to separate the tobacco age increase from the e-cigarette tax, which he believed to be too high. The legislation, known as Senate Bill 45, passed both chambers of the legislature with strong bipartisan support.

Court ruling may spur competitive health plans to bring back copays for preventive services
Health plans and self-insured employers may consider cost sharing for preventive services because of a federal judge's September 7 ruling. District Court Judge Reed O'Connor ruled that members of the Preventive Services Task Force (PSTF) were not properly appointed under the Constitution due to them not requiring Presidential nomination and confirmation by the Senate. If the Affordable Care Act's preventive services requirement is at least partially invalidated, then the extent of health insurance coverage could vary significantly by industry and geographic location. Studies have shown that the preventive services requirement dramatically increased access to services like vaccinations, STI screenings, cancer screening, contraception, and well-child visits.

Ryan Reynolds and Rob McElhenney film their colonoscopy experiences to raise awareness
Actors Ryan Reynolds and Rob McElhenney decided to raise awareness about colon cancer by filming their colonoscopy experiences. "I would never have any medical procedure put on camera. It's not every day where you can raise awareness on something that will most definitely save lives," Reynolds said. Doctors conducting both actors' colonoscopies were able to remove polyps that could've become cancerous later in life. Regular screening, beginning at age 45, is key to preventing colorectal cancer and detecting it early.

Rise in deaths spurs effort to raise alcohol taxes
In 2020, the number of alcohol-induced deaths in the United States spiked 25 percent when compared to the previous year. This issue is particularly acute in the state of Oregon, where the rate of alcohol-induced deaths has grown by a factor of 2.5 between 1999 and 2020. Excess drinking has led some activists to support increases in alcohol taxes, which has been shown to be an effective means of lowering rates of disease and injury-related deaths.

Task force members: The key to demystifying long COVID-19 could come from studying another chronic condition
There is growing evidence of similarities between long COVID-19 and individuals diagnosed with myalgic encephalomyelitis/chronic fatigue syndrome (ME/CFS). For example, both long COVID-19 and ME/CFS patients can suffer from preload failure, which is an inability to provide enough blood to fill the heart. If health outcomes of both diseases are similar, then studying ME/CFS could help create better treatments for individuals suffering from long COVID-19.

Scientists find clues to how air pollution may trigger lung cancer
While the connection between air pollution and lung cancer has long been known, new research reveals how this specifically happens. Researchers found that air pollution triggers lung cancer in people who've never smoked because air particles can cause the body's airway cells to mutate. According to the Environmental Protection Agency, particle pollution is the mix of solid particles and liquid droplets and can be emitted in the form of smoke, soot, dust, and dirt. Common sources of particle pollution include construction sites, unpaved roads, agriculture, vehicles, and plants powered by fossil fuels.

Morehouse School of Medicine points to cost of mental health inequities
A new report released by the Satcher Health Leadership Institute at Morehouse School of Medicine found that a lack of investment in mental health resulted in 117,000 deaths and $278 billion in costs between 2016 and 2020. The report also identified underserved and underrepresented communities experiencing the brunt of these negative effects. For example, national reporting neglects the six million Americans most likely to experience poor mental health such as active military members, nursing home residents, and incarcerated individuals.

Health insurance coverage in the United States: 2021
New data from the United States Census Bureau shows that the number of Americans without health insurance fell by one million people in 2021. About 27.2 million Americans lacked health insurance in 2021 compared to 28.3 million in the previous year. Despite the COVID-19 pandemic and ensuing economic uncertainty, enhanced Affordable Care Act (ACA) subsidies and Medicaid continuous coverage provisions enacted in response to the pandemic were credited with maintaining the insured rate.

[redacted] Title

SUBJECT: Morning Consult Health Presented by Dialysis Patient Citizens:What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 18/09/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 18, 2022

BY MATT BRACKEN

Twitter Email

Good morning to you, health readers. We're more than a week into the Biden administration's fall COVID-19 booster campaign, which 16% of U.S. adults said they'd seen, read or heard "a lot" about. The same Morning Consult survey found that 56% of Americans plan to get a yearly booster, which White House officials recommended in likening the annual shot to that of the flu vaccine cadence.

Our question for the week: What share of U.S. adults say they get a flu shot every year?

A: 37%
B: 47%
C: 57%
D: 67%

You can find the answer at the bottom of the newsletter.

WHAT'S AHEAD

Dr. Anthony Fauci is joining the Center for Strategic and International Studies for a fireside chat on Monday at 1 p.m. The longtime director of the National Institute of Allergy and Infectious Diseases and President Joe Biden's chief medical adviser will discuss the state of the pandemic, the booster-shot push and the general COVID-19 outlook heading into winter. Fauci will also appear Wednesday at The Atlantic Festival.

The Clinton Global Initiative's September meeting, scheduled for Monday and Tuesday, will feature appearances from Health and Human Services Secretary Xavier Becerra, World Health Organization Director-General Tedros Adhanom Ghebreyesus, White House Office of National Drug Control Policy Director Rahul Gupta, Surgeon General Vivek Murthy and others.

The House Select Subcommittee on the Coronavirus Crisis is holding a hearing on Wednesday at 2 p.m. about long-term care in the country. Rep. James Clyburn (D-S.C.), who chairs the subcommittee, is calling academics, advocates and a front-line worker to testify about COVID-19's impact on nursing homes, which account for about a fifth of all U.S. coronavirus deaths since the onset of the pandemic.

There are two key Food and Drug Administration meetings to monitor this week: The Vaccines and Related Biological Products Advisory Committee will convene at 8:30 a.m. Thursday, while the Oncologic Drugs Advisory Committee is scheduled to meet at 9 a.m. on Thursday and Friday.

[redacted]

And finally, three events presented by media organizations to watch:

- At 1 p.m. Tuesday, Stat News hosts Dr. Kirsten Bibbins-Domingo, the new JAMA editor-in-chief, for a conversation on how she'll lead the publication.
- At 8:30 a.m. on Tuesday, The Hill is holding an event on how to unlock access to oral health care, featuring remarks from Rep. Jan Schakowsky (D-Ill.).
- At 8:30 a.m. on Wednesday, The Hill presents an event on the cost of mental health inequities, featuring Senate HELP Committee member Bill Cassidy (R-La.).

PRESENTED BY DIALYSIS PATIENT CITIZENS

Support the Restore Protections for Dialysis Patients Act to Guarantee Dialysis Patients Healthcare That Fits All Their Needs

Right now, dialysis patients are being cornered into Medicare to receive proper coverage for their routine treatment, but losing protection for their families and health concerns unrelated to their dialysis. Help restore the private insurance options that allow dialysis patients to find healthcare that is their best fit. Support S. 4750/H.R. 8594.

WEEK IN REVIEW

COVID-19: World Health Organization Director-General Tedros Adhanom Ghebreyesus said the end of the COVID-19 pandemic is "in sight," after weekly global deaths reached their lowest point since March 2020 and new weekly cases simultaneously declined by 28%.

In a long-awaited Lancet Commission report released to U.N. member states, agencies and bodies, researchers wrote that the pandemic has been "a massive global failure at multiple levels," noting that "too many governments" did not adhere to norms and were influenced by misinformation, resulting in disrespect and protests "against basic public health precautions."

Case Western Reserve University School of Medicine researchers found that Americans over 65 who have had COVID-19 faced a higher risk within a year of being newly diagnosed with Alzheimer's disease. The study, which was published in

the Journal of Alzheimer's Disease and analyzed electronic health records of more than 6 million people older than 65, noted that the findings do not show that COVID-19 causes Alzheimer's.

Reproductive rights: Sen. Lindsey Graham (R-S.C.) introduced a bill to ban abortion nationwide after 15 weeks, about three months after he said in a Fox News interview that "there's nothing in the Constitution giving the federal government the right to regulate abortion." With the midterms looming, some Republicans distanced themselves from the bill, including Senate Minority Leader Mitch McConnell (R-Ky.), who told reporters that most Senate GOP lawmakers would rather abortion "be dealt with on a state level."

A group of 30 Democratic senators led by Patty Murray of Washington asked the Biden administration in a letter to use the Health Insurance Portability and Accountability Act to bar providers and health care personnel from sharing patients' reproductive health information "without explicit consent." The lawmakers specifically want HIPAA protections applied in cases involving law enforcement and with those who pursue legal action tied to abortion.

The FDA scheduled a joint meeting for Nov. 18 to consider Perrigo Co. PLC's application to make its daily birth control pill available over the counter. If the FDA's Nonprescription Drugs Advisory Committee and Obstetrics, Reproductive, and Urologic Drugs Advisory Committee sign off on the plan, Perrigo's pill would be the first nonprescription daily birth control offering in the United States.

Payers and providers: The House passed a bill that would modernize Medicare Advantage, requiring insurers in the network to opt in to electronic prior authorization programs, submit lists of items and services subject to prior authorization on a yearly basis and implement beneficiary protection rules. With more than 300 co-sponsors in the House, and backing from provider and payer groups, there's optimism among lawmakers that the bill, which is called the Improving Seniors' Timely Access to Care Act, will sail through the Senate after the midterm elections.

More than 375 health systems, health-related companies and trade associations signed on to a letter urging Senate leaders to issue an extension of Medicare telehealth flexibilities for two years after the COVID-19 public health emergency officially ends. Amazon.com Inc., the Cleveland Clinic, CVS Health Corp., the Federation of American Hospitals, Alphabet Inc.'s Google, MedStar Health and One Medical were among the signers of the letter, which also asked Senate leadership to "push for a permanent extension."

Preliminary data released by the Centers for Medicare and Medicaid Services showed that about 1 in 4 hospitals will not be assessed penalties for readmissions for the coming fiscal year, and those that fell short of the Medicare benchmark over the past few years will receive lower reimbursement cuts. CMS for the first time used pandemic-era data to calculate payment adjustments, and for fiscal year 2023, 25.33% of hospitals will not face readmissions penalties, up from 17.81% the previous year.

The American Medical Association, the Medical Society of New Jersey and the Washington State Medical Association signed on to a class-action lawsuit against Cigna Corp., joining plaintiffs that allege that the insurer reimbursed provider claims in the third-party MultiPlan network at its lower nonparticipating providers rate. Cigna did not respond to a request for comment.

STAT OF THE WEEK

$1 billion

The amount Alphabet said it raised in new funding for its health care unit Verily Life Sciences, which is replacing its founder as the company eyes more commercialization seven years after its spinout from Google's X moonshots unit.

[redacted]

Title

THE MOST READ STORIES THIS WEEK

1) Hospitals mark up discounted cancer drugs at much as 11 times, report says
Tina Reed, Axios

2) The Federal 340B Drug Pricing Program: What It Is, and Why It's Facing Legal Challenges
The Commonwealth Fund

3) So you haven't caught COVID yet. Does that mean you're a superdodger?
Michaeleen Doucleff, NPR News

4) FDA funding negotiations heat up ahead of September deadline
Rachel Cohrs, Stat News

5) Cleveland Clinic, Amazon join call for Senate to extend telehealth pay
Maya Goldman, Modern Healthcare

6) Should Your Flu and COVID Shots Go in Different Arms?
Katherine J. Wu, The Atlantic

7) Experts urge Medicare to overhaul secretive panel that helps determine doctors' pay
Bob Herman, Stat News

8) Medicare Advantage has a marketing problem
Victoria Knight, Axios

9) One of Long COVID's Worst Symptoms Is Also Its Most Misunderstood
Ed Yong, The Atlantic

10) US Support to Go for Mental Health Crisis Teams in Oregon
The Associated Press

OTHER HEALTH NEWS

- More Than Half of US Hospitals Expect to Lose Money This Year (Bloomberg)
- How four private groups used their clout to control the global Covid response — with little oversight (Politico)
- Joe Biden's Covid-19 tsar warns millions risk losing access to treatment (Financial Times)
- Climate change jeopardizes health care services, report says (The Associated Press)
- Hospitals mark up discounted cancer drugs at much as 11 times, report says (Axios)
- U.S. monkeypox outbreak is slowing, CDC director says (CNBC)
- Biden administration officials take bipartisan flak on monkeypox response (Politico)

[redacted]

- Biden hopes ending cancer can be a 'national purpose' for US (The Associated Press)
- Biden appoints former government scientist as first leader of ARPA-H (Stat News)
- Biden Signs Order to Boost Biomanufacturing, Compete with China (Bloomberg)
- Pandemic fatigue threatens COVID-19, monkeypox funding requests (Roll Call)
- US warns monkeypox could mutate to resist antiviral drug (The Associated Press)
- CDC launches pilot to close equity gaps in monkeypox response (Axios)
- New CDC data: STD rates shot up in 2021 (Politico)
- US Support to Go for Mental Health Crisis Teams in Oregon (The Associated Press)
- Community spread of polio prompts CDC wastewater surveillance (The Washington Post)
- Biden admin officials worried about potential polio spread (Politico)

The answer to this week's quiz question is **B:** 47% of U.S. adults say they get a flu shot every year, while 8% get one every other year, 7% are inoculated every few years and 10% receive the jab less often than every few years. About 3 in 10 Americans said they never get the flu shot. Check out the full story here: The White House Is Backing Annual COVID-19 Boosters. A Majority of Americans Plan to Get Them.

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SUBJECT: Morning Consult Health Presented by the Partnership for QualityHome Healthcare: 'The Pandemic Is Over,' Biden Says
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 19/09/2022 05:59

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 19, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- President Joe Biden said in an interview with CBS' "60 Minutes" that while the country still has "a problem" with COVID-19, "the pandemic is over," comments that surprised administration officials, two senior health officials said. Biden's apparent ad-lib was delivered as the administration continues to push Congress for more funding for COVID-19 vaccines, treatments and preventive measures, and as roughly 400 Americans are still dying from the disease per day. (The Washington Post)

- Dr. Anthony Fauci said in an interview with the Financial Times that he's worried that vilification of COVID-19 vaccines by anti-vaxxers "might spill over into that kind of a negative attitude towards childhood vaccinations," leading to "avoidable and unnecessary outbreaks" of preventable diseases. (Financial Times) Dr. Francis Collins, the White House science adviser and former National Institutes of Health director, expressed similar concerns about large swaths of the public losing trust in science and eschewing vaccines, floating the idea of "a Communication Corps for the United States" to combat health-related misinformation. (Stat News)

- Moderna Inc. signed off on a request from the U.N.-backed Medicines Patent Pool to provide the French government with use of its COVID-19 vaccine as part of a World Health Organization effort to increase the development of mRNA vaccines ticketed for poorer countries facing accessibility issues. Pfizer Inc. declined a similar ask, saying in a statement that it is "impossible to support" all of the "requests to collaborate on studies and other initiatives from many different worthy sources." (Bloomberg)

- The Food and Drug Administration approved Bluebird Bio Inc.'s Skysona gene therapy, a first-of-its-kind treatment for a rare neurological disorder in boys known as cerebral adrenoleukodystrophy. Bluebird said the treatment should be available in a limited number of U.S. treatment centers by the end of the year. (Reuters)

Worth watching today (all times local):

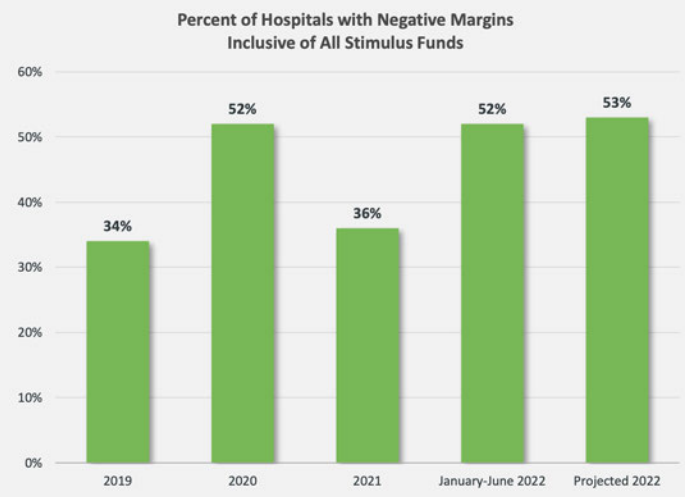
[redacted]

- **1 p.m.** Fauci discusses the winter COVID-19 outlook at a Center for Strategic and International Studies event.

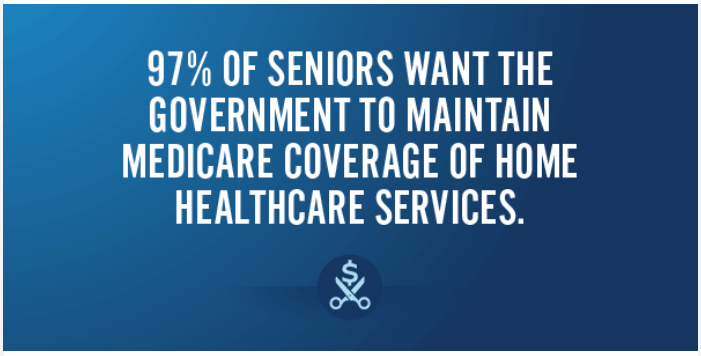
- **2:30 p.m.** Health and Human Services Secretary Xavier Becerra participates in a Clinton Global Initiative panel on reproductive and maternal health care.

CHART REVIEW

The Current State of Hospital Finances: Fall 2022 Update
KaufmanHall



PRESENTED BY THE PARTNERSHIP FOR QUALITY HOME HEALTHCARE



Polling Shows Widespread and Strong Support for Medicare Home Health. Congress Must Act to Protect Home Health from Cuts!

A recent Morning Consult poll found widespread support for Medicare home healthcare services, but proposed Medicare cuts will limit seniors' choice and force them into institutional settings. Fortunately, lawmakers can prevent these cuts from going into effect. Congress must listen to voters and quickly pass the Preserving Access to Home Health Act!

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Have researchers hit a wall in the hunt for severe Covid drugs?
Jason Mast, Stat News
Advances in treating the sickest Covid patients have stalled. Since February 2021, no new therapies for the hospitalized have emerged as decisively effective, even as over 2,000 patients continue to die daily around the globe, including 300 to 500 in the U.S.

New Boosters Test Covid-Weary Nation.Do Americans Care?
Jack Healy et al., The New York Times
The new vaccine campaign is one of the country's last remaining strategies, as masks have fallen away and quarantines have diminished. So far, the rollout is methodical but muted.

Parents hesitate to give kids under 5 covid vaccine, worrying health officials
Sabrina Malhi, The Washington Post
In June, when the Food and Drug Administration authorized emergency use of coronavirus vaccines for children younger than 5, physicians expected apprehension among parents — after all, 4 in 10 parents with young children said they would definitely not get their youngsters vaccinated, according to a July Kaiser Family Foundation survey.

America is skeptical of the 'dark horse' COVID vaccine others abroad can't get enough of
Erin Prater, Fortune
However hesitant Americans are about Novavax, for whatever reasons, the situation is quite the opposite elsewhere. The vaccine has been approved in 38 other countries, including Australia, France, Ireland, Italy, Korea, and the U.K., according to the World Health Organization. And Japan and Australia have approved the vaccine for usage as a booster dose, according to the Journal of American Medical Association.

Hundreds of Americans Will Die From COVID Today
Jacob Stern, The Atlantic
Over the past week, an average of 491 Americans have died of COVID each day, according to data compiled by The New York Times. The week before, the number was 382. The week before that, 494. And so on.

Your boss is ordering you back to the office even though they have no idea if COVID is really over
Erin Prater, Fortune
Labor Day marked the end of the total work-from-home era for many U.S. workers, with companies including Apple, Comcast, and Peloton demanding a return to the office after the long holiday weekend. The unspoken premise behind the edict was that the COVID pandemic as we know it is over—or at least a shadow of what it used to be.

GENERAL

Biden Cancer Moonshot Aims to Close Access Gaps, Speed Treatment
Jeannie Baumann, Bloomberg Law
President Joe Biden's Cancer Moonshot will pour resources into advancing equity in the health system while speeding up the time it takes for a discovery to reach the bedside, the moonshot coordinator said.

Lindsey Graham Defends Abortion Proposal Despite GOP Worries
Alex Leary, The Wall Street Journal
"I'm pro-life, even in an election year," Mr. Graham said on "Fox News Sunday." "And to those who suggest that being pro-life is losing politics, I reject that. So, listen to what I'm saying and you decide today who you're with."

White House pushes for monkeypox funding as cases fall
Nathaniel Weixel, The Hill
Monkeypox cases are declining in many areas of the country, but the Biden administration is warning that the virus still poses a danger and pushing for lawmakers to approve its multibillion-dollar funding request to combat it.

The Vaccine Loophole in Polio Eradication
Katherine J. Wu, The Atlantic
The world has been so close to eradicating polio for so long—which is exactly why the virus is staging a comeback now.

Drinking tea may lower risk of diabetes, heart disease and death
Aria Bendix, NBC News
Mounting evidence suggests that drinking several cups of tea per day has numerous health benefits, including lowering one's risk of heart disease, stroke, diabetes and overall mortality.

After abortion restrictions, Texas recasts sex education
Emmarie Huetteman, Kaiser Health News
Texas schools will teach about contraceptives, instituting the first new standards for teen sexual health education in more than 20 years.

Nicotine gummies are a 'public health crisis just waiting to happen,' FDA says
Jen Christensen, CNN
First, there were flavored cigarettes that tasted like chocolate or grape. Then came the e-cigarettes in flavors like cotton candy or gummy bear. Now, there are flavored gummies made with nicotine, and the US Food and Drug Administration isn't happy about it.

Study: Lack of Access Leads to Racial, Ethnic and Socioeconomic Disparities in Vision Health
Steven Ross Johnson, U.S. News & World Report
New research suggests a lack of access to vision care services has contributed to racial, ethnic and socioeconomic disparities in visual function among Black, Hispanic and poorer adolescents.

Senators ask Biden admin to loosen testosterone restrictions for trans people
Orion Rummler, The 19th
Current restrictions can hurt transgender patients' access to a hormone they need to maintain their health, Sens. Ed Markey and Elizabeth Warren said.

West Virginia enacts near-total abortion ban
Oriana Gonzalez, Axios
West Virginia Gov. Jim Justice (R) on Friday announced that he has signed into law a near-total abortion ban that is now enforceable in the state.

GOP Sen. Mike Rounds says he doesn't support Sen. Lindsey Graham's abortion bill
Sareen Habeshian, Axios
Republican Sen. Mike Rounds joined several other prominent Republicans in saying he won't support Sen. Lindsey Graham's (R-S.C.) new bill that would ban abortion nationwide after 15 weeks, the South Dakota senator said on CNN's "State of the Union" on Sunday.

Families destroyed by fentanyl deaths rally near the White House
Meryl Kornfield, The Washington Post
April Babcock and Virginia Krieger both lost children to the powerful synthetic opioid fentanyl and have pleaded with lawmakers and officials to ramp up enforcement along the U.S.-Mexico border to stop the flow of illicit drugs.

China Says No Touching Foreigners Skin-to-Skin After Monkeypox Case
Bloomberg
A top Chinese health official warned people against having skin-to-skin contact with foreigners to avoid contracting monkeypox, spurring a backlash among the country's dwindling expatriate community.

PAYERS

Humana to spend $550M on CenterWell clinics
Nona Tepper, Modern Healthcare
Humana will spend up to $550 million to acquire the first set of clinics it built with a private equity firm, Chief Financial Officer Susan Diamond said during a meeting with investors Thursday.

States may need up to a year to finish Medicaid redeterminations
Robert King, Fierce Healthcare
Several state insurance regulators believe it could take up to one year to fully finish redetermining eligibility for their Medicaid populations after the COVID-19 public health emergency (PHE) ends.

Data wonks struggle to glean insights from insurer info
Frank Diamond, Fierce Healthcare
Everybody knew the storm was coming. Health insurance plans in July released a blizzard of data about what they charge employers and providers for covered services. Stakeholders knew that the volume could be overwhelming.

US employers expect big increases in healthcare costs
Frank Diamond, Fierce Healthcare
Businesses continue to struggle with ever-rising healthcare costs with 7 in 10 employers expecting moderate to significant increases in what they pay for healthcare benefits over the next three years.

IRS Rule to Strengthen Obamacare Under White House Review
Sara Hansard, Bloomberg Law
A final rule to ensure that IRS regulations are consistent with "the policy to protect and strengthen" the Affordable Care Act has gone to the White House Office of Management and Budget for review.

PROVIDERS

Hospitals sending 'distress flare' after billions in projected 2022 losses
Sydney Halleman, Healthcare Dive
The report's most optimistic projections still has hospitals operating at margins 37% below pre-pandemic levels, with pessimistic projections falling to an overall margin decrease of 102%.

Private equity's drive for eye care pushes up costs
Lauren Weber, Kaiser Health News
In the past decade, private equity groups have gone from taking over a handful of practices to working with as many as 8% of the nation's ophthalmologists, said Dr. Robert E. Wiggins Jr., president of the American Academy of Ophthalmology.

Doctors Rush to Use Supreme Court Ruling to Escape Opioid Charges
Brett Kelman, Kaiser Health News
The court's unanimous ruling complicates the Department of Justice's ongoing efforts to hold irresponsible prescribers criminally liable for fueling the opioid crisis. Previously, lower courts had not considered a prescriber's intention. Until now, doctors on trial largely could not defend themselves by arguing they were acting in good faith when they wrote bad prescriptions. Now they can, attorneys say, although it is not necessarily a get-out-of-jail-free card.

PHARMA, BIOTECH AND DEVICES

Patients for Affordable Drugs taps new leader
Rachel Cohrs, Stat News
Merith Basey, who most recently led a group that promotes access to medicine by pressuring universities, took the helm of Patients for Affordable Drugs as the group is fighting to defend implementation of Democrats' major drug pricing reform package, including a brand-new Medicare drug price negotiation program.

Teva expects to start paying U.S. opioid settlement in 2023
Steven Scheer, Reuters
Teva Pharmaceutical Industries (TEVA.TA) expects to finalise an opioid settlement in the United States by year-end and start paying in 2023, its chief executive said on Sunday, while confirming he was unlikely to renew his contract next year.

Every Cure to seek new uses for generic drugs to treat rare diseases
Karen Weintraub, USA Today
Every Cure aims to raise $55 million to coordinate drug data, identify generics that might offer hope for patients with a rare disease and bring the most promising drugs through clinical trials.

Abbott Faces Competition From Heart Valve Device Cleared by FDA
Peter Loftus, The Wall Street Journal
A new heart valve repair device from Edwards Lifesciences Corp. was as effective as the market-leading device from Abbott Laboratories in a clinical study of heart-disease patients, a finding likely to intensify competition in a growing device market.

The meth crisis is worse than ever, but new treatments could be near
Lev Facher, Stat News
When it comes to meth addiction, Thomas Robey has long been at a loss. As an emergency room doctor, he treats a steady stream of patients who show up at Providence Regional Medical Center in Everett, Wash., after experiencing a methamphetamine overdose.

A Message From the Partnership for Quality Home Healthcare:

Older Americans and Medicare beneficiaries overwhelmingly prefer home healthcare, but proposed Medicare cuts will threaten their access to care. The proposed cuts will also cause overall costs of care to go up due to increased hospital readmission rates, unnecessary hospitalizations, and increased use of nursing home stays. Congress must act quickly to prevent these disastrous cuts from going into effect by passing the Preserving Access to Home Health Act. Learn more at PQHH.org/cuts.

HEALTH TECHNOLOGY

Games That Push the Brain to the Limit Get Scientists' Attention in Fight Against Dementia
Betsy Morris, The Wall Street Journal
You may be able to prevent or delay dementia with changes in diet and exercise, research has found. Now another possible tool for avoiding dementia is getting researchers' attention: specially designed videogames.

Intellia's CRISPR treatment corrects DNA of 6 patients with rare disease
Megan Molteni, Stat News
Intellia Therapeutics said Friday the first six patients to receive its CRISPR-based treatment for a genetic swelling disorder have safely had small, corrective changes made to dysfunctional DNA inside their liver cells.

OPINIONS, EDITORIALS AND PERSPECTIVES

Food may be best medicine to improve the nation's health
Bechara Choucair, Modern Healthcare

[redacted] Title

With the second Conference on Hunger, Nutrition, and Health set for Sept. 28 in Washington, D.C., the healthcare sector has a chance to meaningfully contribute to the conversation and positively impact the health of the more than 42 million Americans facing food insecurity today.

RESEARCH REPORTS

Curbing patent abuse: Tackling the root of the drug pricing crisis
The Initiative for Medicines, Access, and Knowledge
This report, the latest in I-MAK's *Overpatented, Overpriced* series, analyzes the ten top selling drugs in the United States and exposes the scale of the patent abuse problem and its impact on U.S. prescription drug spending. By demystifying these manipulative tactics, stakeholders can better understand how drugmakers block or delay competition, and policymakers can take evidence-based action to ensure that the system works better for the public and that every American has the opportunity to thrive.

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SUBJECT: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
CC: "Braden Ainsworth (DHHS)" <bainsworth@utah.gov>, "Brandi Frandsen (DHHS)" <btfrands@utah.gov>, "Rebekka Wilkinson (DHHS)" <rnwilkinson@utah.gov>, "Tyler Fisher (DHHS)" <tfisher@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "Andreas Rohrwasser (DHHS)" <arohrwasser@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Ethan Farnsworth (DHHS)" <efarnsworth@utah.gov>, "Al Romeo (DHHS)" <alromeo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
DATE: 19/09/2022 12:40

If you are on this email you have either been identified as:

- Responsible for writing a report; or
- Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

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[redacted]

[redacted]

	Title			
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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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[redacted]

[redacted]

[redacted]

SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Tyler Fisher (DHHS)" <tfisher@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: Heather Borski <hborski@utah.gov>, Taylor Hoj <thoj@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
DATE: 19/09/2022 14:32

Marc,

I see the report my program is responsible for is complete and referenced in the Google Link column, which is wonderful. I wanted to let you know that we have now hired our Epidemiology Manager for the HEART Program. This position will be responsible for this and future reports. Our Epi Manager is Taylor Hoj. I have copied Taylor on this message and he may also be reached directly at THoj@Utah.gov.

I am, of course, always happy to help however I can. Please let me know if you have any questions or if you need anything further from me.

Thank you!

Tyler

Tyler Fisher
Manager, HEART Program
HIV/STD Elimination, Analysis, Response, and Treatment
O: 801.538.6353
tfisher@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Population Health

Office Hours: 7:00 AM to 3:00 PM M-F

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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Responsible for reviewing a report

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SUBJECT: New Co-CEOs Announced to Shape the Future of Essential Access
FROM: Essential Access Health <info@essentialaccess.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 19/09/2022 14:53

[redacted]

[redacted] Title

ESSENTIAL ACCESS HEALTH ANNOUNCES NEW EXECUTIVE LEADERSHIP

Nomsa Khalfani + Amy Moy Named Co-CEOs

Nomsa Khalfani
Co-CEO / Chief Equity + Strategy Officer

Amy Moy
Co-CEO / Chief External Affairs Officer

September 19, 2022 - Essential Access Health (Essential Access) has announced that Nomsa Khalfani, PhD and Amy Moy have been appointed by the organization's Board of Directors to serve as Co-CEOs. Essential Access champions and promotes health equity and high quality sexual and reproductive health care for all across California and Hawai'i, and in states across the country. The organization's transition to a Co-CEO leadership model taps the complementary expertise and experience of two seasoned leaders to advance the organization's mission and its commitment to shaping the future of sexual and reproductive health access in a post-Roe landscape with an equity lens.

Khalfani and Moy succeed Julie Rabinovitz, who resigned as President + CEO on September 6th.

"The Co-CEO model represents the Board's confidence in Nomsa's and Amy's capabilities and shared leadership vision, and aligns with the culture of inclusion and empowerment we want to foster internally and catalyze externally at this critical juncture in sexual and reproductive health. We have a diverse and exceptionally dedicated and capable team at Essential Access and it feels only right that our 'new' leadership arises from - and represents - that diversity and talent," said Nina Kjellson, Essential Access Board Chairwoman.

"These are unprecedented times - and we are at a moment when we need to reimagine what leadership looks like, and how we engage and collaborate both within our own organizations and as a collective movement," said Khalfani. "I am proud of the work Amy and I have achieved as part of the Essential Access leadership team to date, and know together we can and will advance our vision for sexual and reproductive health access, equity, and justice for Black, Indigenous, and other people of color, those with limited resources, and others who have been historically marginalized," she added.

"I am deeply proud and honored to steward the next chapter for Essential Access with Nomsa," said Moy. "The dangerous and harmful patchwork of abortion bans and restrictions sweeping the nation has exponentially exacerbated inequities that have existed for far too long – particularly among communities of color and people with low-incomes. The new landscape demands new approaches, including centering equity, inclusion and justice from the inside out," said Moy.

ABOUT ESSENTIAL ACCESS

Essential Access was established more than fifty years ago, grounded in the belief that the ability to plan our families and futures and make informed, autonomous choices about our sexual and reproductive health are essential for overall health and well-being. The organization's 2021 – 2024 Strategic Framework and Equity Principles provide a roadmap for the organization's work over the next fifty years to advance health equity and make access to high quality, comprehensive sexual and reproductive health services and information a reality for all. You can support this work with a gift to our Ensuring Access Fund.

Nomsa Khalfani has served at Essential Access since 2014. In addition to serving as Co-CEO, she will continue to serve as the organization's Chief Strategy + Equity Officer and head of strategic programs and business development. Before joining Essential Access, Khalfani held several leadership roles at St. John's Well Child and Family Center, a network of federally qualified health centers. She brings over 20 years of experience in child welfare, public health, and health care operations and programs to her new role. Learn more.

[redacted] [redacted]

[redacted] Title

Amy Moy joined Essential Access in 2011 and will continue to serve as Chief External Affairs Officer leading the organization's federal and state policy efforts, strategic communications activities, fund development, and patient education and consumer awareness initiatives. Prior to Essential Access, Amy developed and advanced community engagement and advocacy programs at the Women's Funding Network and launched and directed the network's national campaign to end child sex trafficking in America. Before her work with Women's Funding Network, she had a 10-year career in public affairs at Planned Parenthood affiliates in California's Bay Area and New York City. Learn more.

essential access health

shaping the future of sexual + reproductive health care

SUPPORT OUR WORK

With your support Essential Access will continue to advance equity, protect and expand access to high quality comprehensive sexual and reproductive health care, train the health care workforce, and advance clinical research. Contribute to the Ensuring Access Fund today.

STAY CONNECTED

Get the latest sexual and reproductive health news by following us on Twitter and Instagram. Stay up to date by signing up for our newsletters.

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FROM: "Taylor Hoj (DHHS)" <thoj@utah.gov>
TO: "Tyler Fisher (DHHS)" <tfisher@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Heather Borski <hborski@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
DATE: 19/09/2022 15:23

Hi Marc,

As Tyler mentioned, I will be responsible for these performance measure items in the future. I reached out to DHHS Budget last month regarding this legislative item and provided them with the performance measure information. I've also taken the liberty of adding it to column L of the IMPLEMENTATION sheet in the DHHS Legislative Items Due_2022 Google Sheet document.

I will also forward to you the exchange I had with DHHS Budget about this performance measure last month, and please let me know if you have any questions or need any additional information.

Thanks,

Taylor

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> *Marc,*
>
> *I see the report my program is responsible for is complete and referenced in the Google Link column, which is wonderful. I wanted to let you know that we have now hired our Epidemiology Manager for the HEART Program. This position will be responsible for this and future reports. Our Epi Manager is Taylor Hoj. I have copied Taylor on this message and he may also be reached directly at THoj@Utah.gov.*
>
> *I am, of course, always happy to help however I can. Please let me know if you have any questions or if you need anything further from me.*
>
> *Thank you!*
>
> *Tyler*
>
> *Tyler Fisher*
> *Manager, HEART Program*
> *HIV/STD Elimination, Analysis, Response, and Treatment*
> *O: 801.538.6353*

[redacted]

tfisher@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Population Health

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Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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--
Taylor Hoj, MPH, CPH
Epidemiology Manager
HIV/STD Elimination, Analysis, Response, and Treatment (HEART) Program
O: 801-538-6670 F: 801-538-9913
thoj@utah.gov
dhhs.utah.gov

Work Schedule
Monday–Thursday: 8:00 am–5:00 pm
Friday: 8:00 am–12:00 pm

Utah Department of
Health & Human Services
Population Health

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Nate Winters (DHHS)" <natewinters@utah.gov>, Shari Watkins <swatkins@utah.gov>
DATE: 19/09/2022 15:38

Marc,
I should maybe know this better than I do.... Do all of these items require written reports? Or is a report out to the committee sufficient, if a report out is scheduled? (thinking about the item on the Culture Audit, as an example).

Thank you,
HB

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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[redacted] Title

Responsible for writing a report; or

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[redacted]

[redacted]

Title

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Marc B. Watterson
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Health & Human Services
Legislative Affairs

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Nate Winters (DHHS)" <natewinters@utah.gov>, Shari Watkins <swatkins@utah.gov>
DATE: 19/09/2022 16:16

It seems like we have submitted a report and then used that to guide our presentation.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Taylor Hoj (DHHS)" <thoj@utah.gov>
CC: "Tyler Fisher (DHHS)" <tfisher@utah.gov>, Heather Borski <hborski@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
DATE: 19/09/2022 16:19

Taylor and Tyler -

Thank you for letting us know about EPI performance measures. It seems like this one might have accidentally been assigned to OLA as all other performance measures seem to be coordinated by DFA. I have Cc'd Taylor Kauffman, the new Budget Director for DHHS, so he is aware.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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On Mon, Sep 19, 2022 at 3:24 PM Taylor Hoj (DHHS) <thoj@utah.gov> wrote:

> *Hi Marc,*
>
> *As Tyler mentioned, I will be responsible for these performance measure items in the future. I reached out to DHHS Budget last month regarding this legislative item and provided them with the performance measure information. I've also taken the liberty of adding it to column L of the IMPLEMENTATION sheet in the DHHS Legislative Items Due_2022 Google Sheet document.*
>
> *I will also forward to you the exchange I had with DHHS Budget about this performance measure last month, and please let me know if you have any questions or need any additional information.*
>
> *Thanks,*
>
> *Taylor*
>
> *On Mon, Sep 19, 2022 at 2:33 PM Tyler Fisher (DHHS) <tfisher@utah.gov> wrote:*
>
> > *Marc,*
> >
> > *I see the report my program is responsible for is complete and referenced in the Google Link column, which is wonderful. I wanted to let you know that we have now hired our Epidemiology Manager for the HEART Program. This position will be responsible for this and future reports. Our Epi Manager is Taylor Hoj. I have copied Taylor on this message and he may also be reached directly at THoj@Utah.gov.*
> >
> > *I am, of course, always happy to help however I can. Please let me know if you have any questions or if you need anything further from me.*
> >
> > *Thank you!*
> >
> > *Tyler*
> >
> > *Tyler Fisher*
> > *Manager, HEART Program*
> > *HIV/STD Elimination, Analysis, Response, and Treatment*
> > *O: 801.538.6353*

[redacted]

[redacted] Title

tfisher@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Population Health

Office Hours: 7:00 AM to 3:00 PM M-F

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Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo		
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie		
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)		

Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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--
Taylor Hoj, MPH, CPH
Epidemiology Manager
HIV/STD Elimination, Analysis, Response, and Treatment (HEART) Program
O: 801-538-6670 F: 801-538-9913
thoj@utah.gov
dhhs.utah.gov

Work Schedule
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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Taylor Hoj (DHHS)" <thoj@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Tyler Fisher (DHHS)" <tfisher@utah.gov>, Heather Borski <hborski@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
DATE: 19/09/2022 16:29

Okay, thank you! Taylor, please let me know if you need any additional information.

[redacted] Title

Best,

Taylor

On Mon, Sep 19, 2022 at 4:19 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> *Taylor and Tyler -*
>
> *Thank you for letting us know about EPI performance measures. It seems like this one might have accidentally been assigned to OLA as all other performance measures seem to be coordinated by DFA. I have Cc'd Taylor Kauffman, the new Budget Director for DHHS, so he is aware.*

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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> *On Mon, Sep 19, 2022 at 3:24 PM Taylor Hoj (DHHS) <thoj@utah.gov> wrote:*
>
> > *Hi Marc,*
> >
> > *As Tyler mentioned, I will be responsible for these performance measure items in the future. I reached out to DHHS Budget last month regarding this legislative item and provided them with the performance measure information. I've also taken the liberty of adding it to column L of the IMPLEMENTATION sheet in the DHHS Legislative Items Due_2022 Google Sheet document.*
> >
> > *I will also forward to you the exchange I had with DHHS Budget about this performance measure last month, and please let me know if you have any questions or need any additional information.*
> >
> > *Thanks,*
> >
> > *Taylor*
>
> *On Mon, Sep 19, 2022 at 2:33 PM Tyler Fisher (DHHS) <tfisher@utah.gov> wrote:*
>
> > *Marc,*
> >
> > *I see the report my program is responsible for is complete and referenced in the Google Link column, which is wonderful. I wanted to let you know that we have now hired our Epidemiology Manager for the HEART Program. This position will be responsible for this and future reports. Our Epi Manager is Taylor Hoj. I have copied Taylor on this message and he may also be reached directly at THoj@Utah.gov.*
> >
> > *I am, of course, always happy to help however I can. Please let me know if you have any questions or if you need anything further from me.*
> >
> > *Thank you!*
> >
> > *Tyler*
>
> *Tyler Fisher*
> *Manager, HEART Program*
> *HIV/STD Elimination, Analysis, Response, and Treatment*
> *O: 801.538.6353*
> *tfisher@utah.gov*
> *dhhs.utah.gov*

[redacted]

[redacted] Title

Utah Department of Health & Human Services
Population Health

Office Hours: 7:00 AM to 3:00 PM M-F

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

Responsible for writing a report; or
Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

For those reports ready for EDO review, a google doc link has been included.
For those reports that do not have a google doc included, ***these reports are due to EDO no later than this FRIDAY, September 23*** *(to give EDO at least one week for review).*

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link	Approved?
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	**Aug-22**
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%	

[redacted]

before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).				
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?		
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger		
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?		
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
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Director
Office of Legislative Affairs

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mwatterson@utah.gov

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SUBJECT: Morning Consult Health Presented by the Partnership for QualityHome Healthcare: UnitedHealth Cleared for Change Healthcare Purchase AfterDOJ Loses Antitrust Case
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 20/09/2022 06:06

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 20, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The Department of Justice's antitrust challenge to UnitedHealth Group Inc.'s $13 billion acquisition of Change Healthcare Inc. was rejected by a federal judge, who kept the full opinion under seal due to "competitively sensitive information" but promised to release a redacted version in the coming days. A UnitedHealth spokesman said the company looked forward to combining with the health technology firm "as quickly as possible," while top DOJ antitrust official Jonathan Kanter expressed disappointment in the decision and said the agency is mulling its next steps. (The Wall Street Journal)

- After President Joe Biden surprised his own health advisers in a "60 Minutes" interview by saying "the pandemic is over," administration officials working on the COVID-19 response said their policy planning would stay the course, and there's still an expectation that the emergency public health declaration will be renewed next month. (Politico) Dr. Anthony Fauci said during a Center for Strategic and International Studies event that the United States is "heading in the right direction" on COVID-19 but it's "unlikely" that the disease will be eradicated, as another variant is likely to take hold in the late fall or early winter. (Politico)

- McKesson Corp. said it will buy Rx Savings Solutions for up to $875 million, with $600 million paid upfront to the private pharmaceutical tech firm in a deal expected to close in the second half of fiscal 2023. McKesson Chief Executive Brian Tyler said the acquisition would bolster the drug distributor's "ability to help solve the most common medication challenges related to access, affordability and adherence." (Reuters)

[redacted]

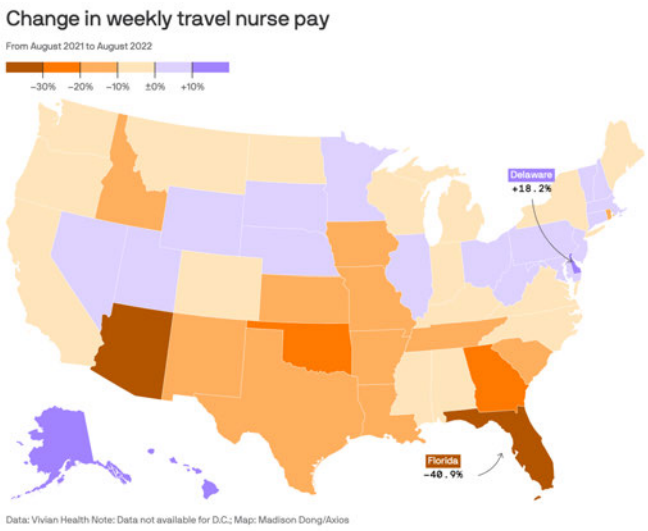
- The founders of PillPack will leave Amazon.com Inc. at the end of September, four years after the e-commerce giant bought the drug prescription startup for $753 million. The departures of TJ Parker and Elliot Cohen follow a number of major health-related moves from Amazon, including its planned purchase of One Medical operator 1LifeHealthcare Inc. and its decision to shutter its Amazon Care telehealth service at the end of 2022. (Bloomberg)

Worth watching today (all times local):

- **8:30 a.m.** The Hill event on access to oral health care, featuring Rep. Jan Schakowsky (D-Ill.).
- **1 p.m.** Stat News event with JAMA editor-in-chief Kirsten Bibbins-Domingo.
- **2:30 p.m.** Surgeon General Vivek Murthy partakes in a Clinton Global Initiative panel on the youth mental health crisis.

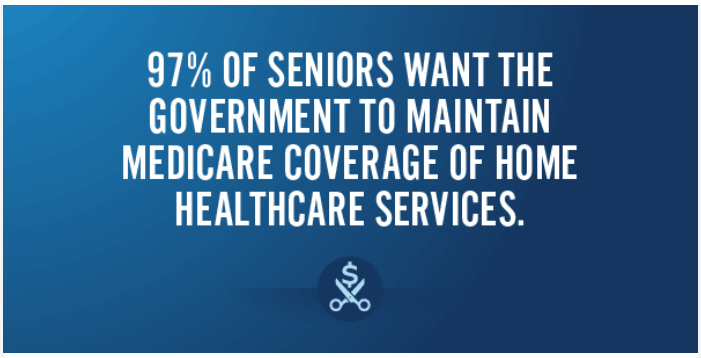
CHART REVIEW

Travel nursing pay drops 7% from last year
Axios



PRESENTED BY THE PARTNERSHIP FOR QUALITY HOME HEALTHCARE

[redacted] Title



Polling Shows Widespread and Strong Support for Medicare Home Health. Congress Must Act to Protect Home Health from Cuts!

A recent Morning Consult poll found widespread support for Medicare home healthcare services, but proposed Medicare cuts will limit seniors' choice and force them into institutional settings. Fortunately, lawmakers can prevent these cuts from going into effect. Congress must listen to voters and quickly pass the Preserving Access to Home Health Act!

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

HHS Sec: 'The president is correct' that the COVID-19 pandemic is over
Anjalee Khemlani, Yahoo Finance
U.S. Health Sec. Xavier Becerra supported a surprise comment over the weekend from President Joe Biden, who declared the pandemic over. "The president is correct," Becerra told Yahoo Finance Monday.

Covid will be a leading cause of death indefinitely in the U.S.
Aria Bendix and Shannon Pettypiece, NBC News
"It's likely, when we think of the causes of death in our society, that Covid's on the list probably forever," said Dr. Bob Wachter, the chair of the University of California, San Francisco's department of medicine.

Is the Covid-19 pandemic over? The answer is more art than science
Helen Branswell, Stat News
Reaching the end of a pandemic is not like driving out of one county into the next. There is no fixed demarcation between a pandemic and post-pandemic period, especially for the first recorded pandemic caused by a coronavirus. It's not like we know it's over if cases drop to a certain level for a prescribed length of time.

Chinese Scientists Develop Mask That Detects Covid, Flu Exposure
Low De Wei, Bloomberg
Chinese researchers have developed a mask that lets users know if they've been exposed to Covid-19 or the flu, a development that could help vulnerable populations even as the use of face coverings falls and more nations ease virus restrictions.

New York spent $250M on tech to fight Covid that no one uses
Joseph Spector, Politico
The state acquired 8,555 ventilators at a cost of $166 million and 1,179 X-ray machines for $86.4 million, state officials told POLITICO this month. And now they're stacked in warehouses across New York with no plans to distribute them or put them to any immediate use; Covid treatments have largely moved away from ventilators, and hospitals say they have plenty available to deal with their immediate needs.

GAVI financing to allow for immediate funds for next pandemic

[redacted] [redacted]

Michael Erman, Reuters
Global vaccine alliance GAVI has set up financial instruments that will allow the group to immediately access pledged donor funding if it needs to buy vaccines for future pandemics, Chief Executive Seth Berkley told Reuters.

Investors ditch vaccine stocks after Joe Biden says 'pandemic is over'
Jamie Smyth, Financial Times
Top jab makers lose combined $10bn of market value amid fears over growing public apathy.

GENERAL

'Out of control' STD situation prompts call for changes
Mike Stobbe, The Associated Press
Sharply rising cases of some sexually transmitted diseases — including a 26% rise in new syphilis infections reported last year — are prompting U.S. health officials to call for new prevention and treatment efforts.

Lack of Data Still Blunts US Response to Outbreaks
Sharon LaFraniere, The New York Times
Major data gaps, the result of decades of underinvestment in public health, have undercut the government response to the coronavirus and now to monkeypox.

J&J tries to block baby powder lawsuits by 40,000 patients. A court has question
Brian Mann, NPR News
An attorney for Johnson and Johnson faced probing questions Monday over the corporation's use of a controversial bankruptcy maneuver that has frozen tens of thousands of lawsuits linked to Johnson's baby powder.

CDC: 80 percent of pregnancy-related deaths are preventable
Chloe Folmar, The Hill
The Centers for Disease Control and Prevention (CDC) published a recent study concluding that more than 80 percent of pregnancy-related deaths that occurred in 36 U.S. states from 2017-2019 were preventable.

Night owls have higher risk of diabetes, heart disease, study says
Sandee LaMotte, CNN
If you prefer to go to bed and get up later - a sleep chronotype known as being a night owl - you may be at higher risk for type 2 diabetes and heart disease, a new study found.

Doctors want alcohol warning labels to flag cancer risks
Erin Blakemore, The Washington Post
If you drink alcohol, you've probably seen — or overlooked — warning labels on the back of bottles. But those labels haven't been updated since the late 1980s. Now, researchers say they don't adequately advertise alcohol consumption's biggest potential health consequence: cancer, including breast cancer.

The Other Abortion Pill
Patrick Adams, The Atlantic
The first one, mifepristone, blocks the hormone progesterone, which is necessary for a pregnancy to continue. The second, misoprostol, brings on contractions of the uterus that expel its contents. The combination is, according to studies conducted in the U.S., somewhere between 95 percent and 99 percent effective in ending a pregnancy and is extremely safe.

FDA warns online trend of cooking with OTC drugs can cause harm or death
Joseph Choi, The Hill
The Food and Drug Administration (FDA) is warning young people against engaging in an online trend that challenges people to cook with over-the-counter drugs, saying there are "significant risks" in using these medications incorrectly.

Push for mental health parity hits turbulence
Peter Sullivan, Axios
Senators eager to address mental health care this year are encountering stiff headwinds in a bid to ensure parity, the idea that health insurers cover behavioral

health and substance abuse at the same level as physical health.

FDA Opioid Review Will Be Led by Team at Ohio State, Califf Says
Celine Castronuovo, Bloomberg Law
Subject matter experts at Ohio State University will lead the FDA's external review into its past opioid decisions, the agency's head said Monday.

A potential connection between dementia and air pollution
Judith Graham, The Washington Post
In the past decade, a growing body of research has shown that air pollution harms older adults' brains, contributing to cognitive decline and dementia. What hasn't been clear is whether improving air quality would benefit brain health.

PAYERS

Centene to Pay $166 Million to Texas in Medicaid Drug Pricing Settlement
Andy Miller and Samantha Young, Kaiser Health News
Health insurance giant Centene Corp. has agreed to pay $165.6 million to Texas to resolve claims that it overcharged the state's Medicaid program for pharmacy services.

Hopkins may leave CareFirst network, leaving patients in the lurch
Jenna Portnoy, The Washington Post
Johns Hopkins has warned nearly 300,000 patients that their doctors, nurses and other health care providers may no longer accept CareFirst BlueCross BlueShield health insurance as soon as Dec. 5, jeopardizing patients' access to care.

Health plans' quality ratings reveal improved outcomes, care gaps
Mari Devereaux, Modern Healthcare
Medicare plans scored better in 2021 than Medicaid and commercial plans in key quality areas measured by the National Committee for Quality Assurance.

The kidney dialysis system has problems, so Medicare is jumping in
Isabella Cueto, Stat News
Chronic kidney disease, already a problem affecting millions of Americans, is only expected to become more prevalent as the country ages. For those with the disease, a transplant is the ideal treatment, but dialysis is their reality. Hundreds of thousands of Americans flock to clinics three times a week to have their blood filtered through — in the absence of a functioning kidney — a machine or their abdomen.

PROVIDERS

Healthcare saw less job loss than other industries during pandemic, research finds
Hailey Mensik, Healthcare Dive
Healthcare workers reported unemployment rates of 2.28% compared to 3.82% among non-healthcare workers just before the pandemic. During the pandemic, unemployment rates among healthcare workers rose to 3.18% while those for non-healthcare workers rose to 6.13%, according to the study.

HHS releases road map to address mental health pay parity
Robert King, Fierce Healthcare
The Department of Health and Human Services (HHS) released the road map Friday that laid out strategies for integrating mental health and substance abuse care into larger systems. A key pillar of the road map is to make it easier for people to get care, including making reforms to behavioral health financing arrangements in government programs such as Medicaid.

Abortion Doctor's Suit Against 'Complete Strangers' Tossed
Mary Anne Pazanowski, Bloomberg Law
A Texas doctor who admittedly performed an abortion that was illegal under state law must have a Texas state court determine which, if any, of three "complete strangers" can recover statutory damages against him, a federal court in Illinois ruled.

PHARMA, BIOTECH AND DEVICES

Pfizer accused of running a fellowship program that discriminates on racial grounds
Ed Silverman, Stat News
In a move reflecting simmering controversy over diversity and equity, Pfizer has been accused of running a racially discriminatory fellowship program because it "categorically excludes" white and Asian American applicants, according to a lawsuit filed by an advocacy group that includes doctors, patients, and policymakers. But some legal experts question whether the argument can succeed.

Boston Scientific Allegedly Ignored Complaints Devices Used Unnecessarily
Ike Swetlitz, Bloomberg
Boston Scientific Corp. ignored complaints from its employees that a national medical chain was performing unnecessary procedures with its devices, according to allegations contained within a federal lawsuit against the vascular clinics.

Adderall Shortages in US Spread to Two More Drug Suppliers
Ike Swetlitz, Politico
Lannett Co. and Par Pharmaceuticals, part of Endo International Plc, are the latest companies with limited supply of some doses of generic extended-release Adderall, according to a website updated Monday by the University of Utah's drug-information service, which tracks drug shortages.

House Democrat presses bill to encourage more diversity in clinical trials
Ambar Castillo, Stat News
Rep. Robin Kelly admits that the word "diversity" has scared some of her Republican colleagues away from her effort to improve representation in clinical trials.

New CRISPR startup seeks to fix diseases caused by large DNA errors
Allison DeAngelis, Stat News
Anew CRISPR startup — backed by some big names in venture capital — is planning to develop gene-editing treatments that can insert a genetic sequence of any length, at any location in the DNA strand, according to industry insiders and documents.

A Message From the Partnership for Quality Home Healthcare:

Older Americans and Medicare beneficiaries overwhelmingly prefer home healthcare, but proposed Medicare cuts will threaten their access to care. The proposed cuts will also cause overall costs of care to go up due to increased hospital readmission rates, unnecessary hospitalizations, and increased use of nursing home stays. Congress must act quickly to prevent these disastrous cuts from going into effect by passing the Preserving Access to Home Health Act. Learn more at PQHH.org/cuts.

HEALTH TECHNOLOGY

Meta Faces Mounting Questions from Congress on Health Data Privacy As Hospitals Remove Facebook Tracker
Todd Feathers and Simon Fondrie-Teitler, The Markup
Meta is facing mounting questions about its access to sensitive medical data following a Markup investigation that found the company's pixel tracking tool collecting details about patients' doctor's appointments, prescriptions, and health conditions on hospital websites.

Epic faces a crossroads as new rules put pressure on health data sharing
Casey Ross and Mohana Ravindranath, Stat News
The Wisconsin-based company's contracts now account for nearly half the nation's hospital beds, and in recent months it has jumped out to a commanding lead over No. 2 Oracle Cerner, taking away dozens of customers. More than 253 million Americans, or 77% of the population, are estimated to now have data in the company's software.

OPINIONS, EDITORIALS AND PERSPECTIVES

Biden is right. The pandemic is over.
Leana S. Wen, The Washington Post
President Biden's off-the-cuff comment during a "60 Minutes" interview that "the pandemic is over" has sparked outrage from all sides. Republicans are accusing Biden of hypocrisy as he asks Congress for more covid-19 funding, while some on the left point to the disease's continued death toll as evidence that the pandemic is nowhere near its finish line.

Preventive services can improve Americans' health, but they are now on trial
Anand Parekh, Stat News
Twelve years after the Affordable Care Act was enacted, it appears to be here to stay, fully integrated into the nation's health care system, extending coverage to more than 30 million Americans and protecting coverage against pre-existing conditions. The Supreme Court has ruled three times that the law is constitutional, and neither political party seems interested in overhauling it.

RESEARCH REPORTS

Prevalence and Risk Factors for Medical Debt and Subsequent Changes in Social Determinants of Health in the US
David U. Himmelstein et al., JAMA Network
In this cross-sectional and cohort study of survey data from 2017 to 2019, 10.8% of adults carried medical debt, including 10.5% of the privately insured, and 9.6% of residents of Medicaid-expansion states, significantly fewer than in nonexpansion states. Over 3 years, decreases in health status and coverage loss were significant risk factors associated with acquiring medical debt, which was, in turn associated with a significant 1.7-fold to 3.1-fold higher risk of worsening housing and food security.

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[redacted] Title

SUBJECT: Re: Document shared with you: "Legislative Report Drinking WhilePregnant Prevention Media and Education Campaign FY2022"
FROM: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
TO: "Al Romeo (DHHS)" <alromeo@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
CC: Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 08:20

Hi Heather & David:

I approve of this legislative report. Please let me know if you want edits, otherwise, Al will provide it to Marc.

Thank you,
Noel
Noël Taxin, M.S.
Director Division of Family Health
C: 801.580.9153
ntaxin@utah.gov
health.utah.gov/cshcn/

Utah Department of
Health & Human Services
Family Health

---------- Forwarded message ---------
From: **Al Romeo (DHHS)** <alromeo@utah.gov>
Date: Tue, Sep 20, 2022 at 8:01 AM
Subject: Re: Document shared with you: "Legislative Report Drinking While Pregnant Prevention Media and Education Campaign FY2022"
To: Noel Taxin (DHHS) <ntaxin@utah.gov>
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Thanks.
Al

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

Utah Department of
Health & Human Services
Family Health

On Mon, Sep 19, 2022 at 7:15 PM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

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> *Noël Taxin, M.S.*
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[redacted]

[redacted]

[redacted]

[redacted]

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SUBJECT: Webinar TODAY! Reducing maternal mortality in the face of new challenges to reproductive health
FROM: NIHCM Foundation <nihcm@nihcm.org>
TO: <hborski@utah.gov>
DATE: 20/09/2022 09:04

Maternal Mortality may rise in the US under new, restrictive reproductive health care laws. Are there solutions?

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NIHCM FOUNDATION

UPCOMING WEBINAR

Maternal Mortality and New Risks to Women's Reproductive Health

DATE & TIME
TODAY!
Tuesday, September 20, 2022
1:00 - 2:00 PM ET

Register

SPEAKERS

Ndidiamaka Amutah-Onukagha, PhD, MPH
Tufts University &
Center for Black Maternal Health and Reproductive Justice

Sindhu K. Srinivas, MD, MSCE

[redacted]

[redacted]

Title

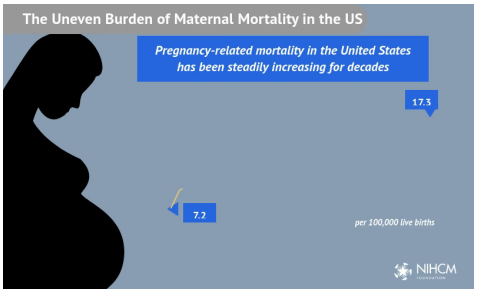
Perelman School of Medicine
University of Pennsylvania
Adam Myers, MD
Blue Cross Blue Shield Association

The United States has the highest maternal mortality rate among industrialized nations, in 2020 it was 23.8 deaths per 100,000 live births, a 14% increase from just two years prior. For every person in the US who dies because of pregnancy or childbirth, it is estimated that up to 70 more people suffer dangerous or life-threatening complications, yet two-thirds of these deaths are preventable. Many experts think the dramatic restrictions on reproductive health care emerging in many states will only increase maternal mortality rates and existing disparities. The rate for Black women is nearly three times higher than White women. This disparity can be attributed to limited access to quality health care, underlying chronic conditions, structural racism, implicit bias, and many of the social determinants of health.
This webinar will explore overall maternal mortality, the impact of changes to reproductive rights, and new approaches and possible solutions that may improve maternal health outcomes. Speakers will discuss:

- The state of the maternal mortality crisis, who is affected, and the possible impact of new laws limiting reproductive health care and new approaches to achieving health equity.
- Risks to maternal health, with a focus on high-risk pregnancies and new challenges facing physicians, midwives, and other care providers.
- Supporting equitable, high-quality reproductive health care in all communities.

Register Today

View NIHCM's Recent Infographic:
The Uneven Burden of Maternal Mortality in the US



This webinar is part of NIHCM's "Stopping the Other Pandemic: Systemic Racism and Health" series. Find out more, here.

NIHCM Foundation

Washington DC 20036-2454

Add us to your address book

SUBJECT: Re: Document shared with you: "Legislative Report Drinking WhilePregnant Prevention Media and Education Campaign FY2022"
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>

[redacted]

[redacted] Title

TO: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
CC: "Al Romeo (DHHS)" <alromeo@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 10:15

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Family Health

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Noël Taxin, M.S.

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SUBJECT: Document shared with you: "Legislative Report Drinking While PregnantPrevention Media and Education Campaign FY2022"
FROM: "Al Romeo (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: hborski@utah.gov
CC: davidlitvack@utah.gov
DATE: 20/09/2022 10:25

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SUBJECT: Re: Document shared with you: "Legislative Report Drinking WhilePregnant Prevention Media and Education Campaign FY2022"
FROM: "Al Romeo (DHHS)" <alromeo@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Noel Taxin (DHHS)" <ntaxin@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 10:26

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Thanks.
Al

Alfred Romeo, RN PhD

[redacted]

[redacted] Title

Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

Utah Department of
Health & Human Services
Family Health

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> *HB*
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> C: 801.580.9153
> ntaxin@utah.gov
> health.utah.gov/cshcn/
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> Utah Department of
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[redacted]

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[redacted]

[redacted]

[redacted]

[redacted] Title

[redacted]

SUBJECT: Re: Document shared with you: "Legislative Report Drinking WhilePregnant Prevention Media and Education Campaign FY2022"
FROM: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
TO: "Al Romeo (DHHS)" <alromeo@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 12:44

Hi Al:
Heather has made some amendments, please accept and then send to Marc.

Thank you,
Noel
Noël Taxin, M.S.
Director Division of Family Health
C: 801.580.9153
ntaxin@utah.gov
health.utah.gov/cshcn/

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Utah Department of Health & Human Services
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> > > *---------- Forwarded message ---------*
> > > *From: **Al Romeo (DHHS)** <alromeo@utah.gov>*

[redacted]

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SUBJECT: Re: Document shared with you: "Legislative Report Drinking WhilePregnant Prevention Media and Education Campaign FY2022"
FROM: "Al Romeo (DHHS)" <alromeo@utah.gov>
TO: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 12:59

Thanks for the edits. I've accepted those edits and the document is ready. I'll send it to Marc.
Thanks.
Al

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

Utah Department of
Health & Human Services
Family Health

On Tue, Sep 20, 2022 at 12:45 PM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

Hi Al:
Heather has made some amendments, please accept and then send to Marc.

Thank you,
Noel
Noël Taxin, M.S.
Director Division of Family Health
C: 801.580.9153
ntaxin@utah.gov
health.utah.gov/cshcn/

Utah Department of
Health & Human Services
Family Health

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[redacted]

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Utah Department of Health & Human Services
Family Health

On Tue, Sep 20, 2022 at 10:16 AM Heather Borski (DHHS) <hborski@utah.gov> wrote:

> *Thank you, Noel. Al, can you grant me and David access to this Google doc?*
> *HB*
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> ntaxin@utah.gov
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> Utah Department of Health & Human Services
> Family Health
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> *---------- Forwarded message ---------*
> *From: **Al Romeo (DHHS)** <alromeo@utah.gov>*
> *Date: Tue, Sep 20, 2022 at 8:01 AM*
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> *To: Noel Taxin (DHHS) <ntaxin@utah.gov>*
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Utah Department of
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Utah Department of
Health & Human Services
Family Health

On Mon, Sep 19, 2022 at 1:35 PM Al Romeo (DHHS) (via Google Docs) <drive-shares-dm-noreply@google.com> wrote:

Al Romeo (DHHS) shared a document

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because alromeo@utah.gov shared a document with you from Google Docs.

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CC: "Noel Taxin (DHHS)" <ntaxin@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
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[redacted]

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
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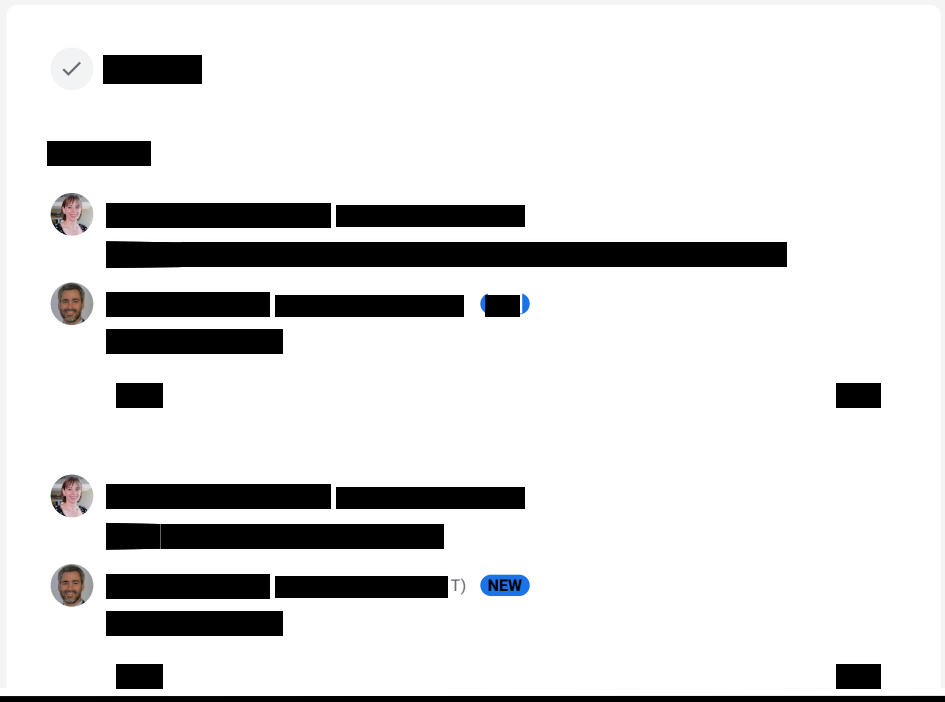
SUBJECT: Legislative Report Drinking While Pregnant Prevention Med...
FROM: "Al Romeo (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: hborski@utah.gov
DATE: 20/09/2022 13:02

NEW ACTIVITY IN THE FOLLOWING DOCUMENT

[redacted]



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[redacted]

NEW

[redacted]

[redacted] Title

[redacted] [redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are a participant in the updated items or subscribed to notifications on Legislative Report Drinking While Pregnant Prevention Media and Education Campaign FY2022. Change what Google sends you. You cannot reply to this email.

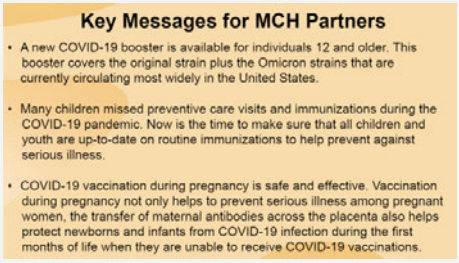
SUBJECT: New COVID-19 Boosters
FROM: "HRSA Maternal and Child Health Bureau (MCHB)" <hrsa@public.govdelivery.com>
TO: hborski@utah.gov
DATE: 20/09/2022 13:26

Help us spread these important messages

Special Message
September 20, 2022

HRSA Maternal & Child Health

Dear MCHB Partner,
As we close out summer and head into fall, I'd like your help promoting one of the most basic primary prevention strategies for MCH populations—immunization against infectious diseases. Right now, we have an important opportunity to promote routine immunizations for children and youth, as well as seasonal influenza and COVID-19 vaccines for all MCH populations.
Help us spread these important messages and ensure mothers, children, and infants have access to the immunizations they need.



COVID-19 Boosters
The CDC recently recommended the following updated mRNA COVID-19 vaccine boosters to help restore protection that has waned since previous vaccination and target more transmissible and immune-evading variants:

- The Moderna bivalent mRNA COVID-19 booster is authorized for people 18 and older.
- The Pfizer bivalent mRNA COVID-19 booster is authorized for people 12 years and up.

These boosters are referred to as "bivalent" vaccines because they target **both** the original strain of COVID-19 and the Omicron BA.4 and

[redacted] [redacted]

BA.5 subvariants currently circulating in the United States. These updated boosters will help better protect us against these and future variants that might be closely related to Omicron.

Everyone who is eligible to receive the bivalent booster – including those who are moderately and severely immunocompromised – are recommended to receive ONE dose of the booster regardless of how many doses they have received previously. Those eligible may receive the updated booster if at least 2 months have passed since their last COVID-19 dose (either the final primary series dose or the last booster).

The original (monovalent) mRNA COVID-19 vaccine boosters are no longer authorized for people aged 12 years and older and can no longer be given to them, even if they had not previously received a monovalent booster dose. Children ages 5-11 should still receive the monovalent booster (at least 5 months after their second dose).

Routine Childhood Immunizations, Seasonal Influenza, & COVID-19 Vaccination can be co-administered

COVID-19 disrupted both in-person learning and routine well-child visits for many children. As a result, tens of thousands of children and adolescents have fallen behind on receiving recommended vaccines.

Timely vaccination is critical, as immunization schedules are designed to provide children with immunity early in life before they may be exposed to life-threatening diseases. Not only do delayed or missed vaccines leave children vulnerable to illness but when vaccination rates fall even just a little, vaccine-preventable diseases can spread easily.

We know from studies conducted throughout the pandemic that receiving a COVID-19 vaccine at the same time as routine immunizations is safe. If multiple vaccines are due, giving more than one vaccine at the same visit is important because it increases the probability that an individual will be up to date with vaccines.

In addition, with both influenza and COVID-19 viruses circulating, getting both the Flu and COVID-19 vaccines is important for prevention of severe disease, hospitalization, and death. CDC recommends health care providers offer influenza and COVID-19 vaccines at the same visit, with each dose administered in separate limbs.

COVID-19 Vaccines during Pregnancy

Despite the increased risk of severe COVID-19 among pregnant women, the increased risk of pregnancy complications, and a growing body of evidence showing COVID-19 vaccination during pregnancy to be safe and effective, only 71% of pregnant women in the U.S., and only 58% of pregnant non-Hispanic Black women, were fully vaccinated as of August 27, 2022. Several factors appear to be associated with a higher likelihood of maternal COVID-19

[redacted] Title

vaccination, including recommendation from trusted health care providers, data on vaccine safety, and evidence that vaccination during pregnancy can protect the newborn babies and infants.

Protection from COVID-19 infection is especially important for infants younger than 6 months as they are at higher risk of severe illness and hospitalization than older children and unable to receive COVID-19 vaccination. A recent study found that completing a two-dose primary mRNA COVID-19 vaccine series during pregnancy can help protect babies younger than 6 months old from hospitalization due to COVID-19.

Providers should counsel patients on the benefits of COVID-19 vaccination during pregnancy for both pregnant women and their infants. The COVID-19 vaccine is safe and effective during pregnancy and can protect newborns and young infants from severe COVID-19 infections and hospitalization.

Please reach out to your Project Officer if you have any questions regarding routine immunizations or vaccination against COVID-19 or seasonal influenza. Thank you for your efforts every day to improve the health of America's mothers, children, and families.

Sincerely,

Michael D. Warren, MD, MPH, FAAP
Associate Administrator, Maternal and Child Health Bureau

MCHB prioritizes access, equity, capacity, and impact.

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Health Resources and Services Administration
5600 Fishers Lane | Rockville, MD 20857

This email was sent to hborski@utah.gov using GovDelivery Communications Cloud on behalf of: HRSA · 5600 Fishers Lane · Rockville, MD 20857

GOVDELIVERY

SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Al Romeo (DHHS)" <alromeo@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh

[redacted]

[redacted] Title

<lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 13:28

Marc,

Our report for the Drinking While Pregnant Prevention Media and Education Campaign can be found at [redacted] and a copy is attached.

Please let me know if you have questions.
Thanks.
Al

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

Utah Department of
Health & Human Services
Family Health

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

Responsible for writing a report; or
Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

For those reports ready for EDO review, a google doc link has been included.
For those reports that do not have a google doc included, ***these reports are due to EDO no later than this FRIDAY, September 23*** *(to give EDO at least one week for review).*

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link	Approved?
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	**Aug-22**
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	

[redacted]

	Title			
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
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[redacted] Title

			[redacted]	
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Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie		
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)		

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Al Romeo (DHHS)" <alromeo@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 14:00

Thank you Al!

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
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[redacted]

[redacted] Title

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On Tue, Sep 20, 2022 at 1:28 PM Al Romeo (DHHS) <alromeo@utah.gov> wrote:

Marc,

Our report for the Drinking While Pregnant Prevention Media and Education Campaign can be found at [redacted] *and a copy is attached.*

Please let me know if you have questions.
Thanks.
Al

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

Utah Department of
Health & Human Services
Family Health

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

Responsible for writing a report; or
Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

For those reports ready for EDO review, a google doc link has been included.
For those reports that do not have a google doc included, ***these reports are due to EDO no later than this FRIDAY, September 23*** *(to give EDO at least one week for review).*

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

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[redacted]

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[redacted] Title

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Al Romeo (DHHS)" <alromeo@utah.gov>, Noel Taxin <ntaxin@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 14:06

Marc, I have reviewed and edited this report.
HB

On Tue, Sep 20, 2022 at 2:00 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

[redacted]

Thank you Al!

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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> *Al*

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

Utah Department of
Health & Human Services
Family Health

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[redacted] Title

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[redacted]

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SUBJECT: Win Or Lose, China Tariffs Litigation Will Change USTR
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 21/09/2022 01:41

LAW360 PUBLIC POLICY

Wednesday, September 21, 2022 Follow

TOP NEWS

Analysis

Win Or Lose, China Tariffs Litigation Will Change USTR

As the U.S. Court of International Trade works through unprecedented litigation from thousands of importers challenging sweeping tariffs on Chinese imports, one thing is clear: The agency behind the duties will have to rethink its approach to public comments.

Read full article »

Analysis

Abortion Rights Atty, A 1st Circ. Pick, May Face Tough Hearing

Julie Rikelman defended the abortion clinic at the center of the most consequential Supreme Court cases in a generation. But on Wednesday, she'll be defending her own record to senators as she seeks confirmation to the First Circuit.

Read full article »

Six CHIPS Program Leaders Tapped By White House

The chief economist of the U.S. Department of Commerce will serve as the White House's coordinator for implementation of the CHIPS for America program while a U.S. Department of the Treasury senior adviser will direct the CHIPS Program Office, the Biden administration announced Tuesday.

Read full article »

Kansas Prof Gets Fraud Verdict Overturned In China Ties Case

A Kansas federal judge on Tuesday tossed three of the four convictions against a University of Kansas professor accused of concealing his ties to a Chinese university while receiving U.S. grants, striking the latest blow to a now-defunct Trump-era initiative aimed at rooting out economic espionage.

Order attached | Read full article »

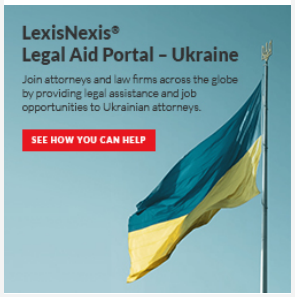
Court Officials Not Immune From Access Suit, 8th Circ. Says

The Eighth Circuit has reversed a Missouri federal court's decision to abstain from a Courthouse News Service lawsuit against local and state court officials that asks for same-day access to complaints, saying the defendants are not protected by sovereign immunity and the district court need not skip the case.

Opinion attached | Read full article »

Senate Confirms Judge Pan To Replace Jackson On DC Circ.

The Senate voted in bipartisan fashion Tuesday to elevate U.S. District Judge Florence Y. Pan to the D.C. Circuit, filling the vacancy left by now-Supreme Court Justice Ketanji Brown Jackson.



LAW FIRMS IN TODAY'S NEWS

Anthony Ostlund
ArentFox Schiff
Arnold & Porter
Bartlett LLP
Beck Redden
Benesch
Bryan Cave
Byman & Associates
Cain & Skarnulis
Chamberlain Hrdlicka
Clark Hill
Dechert LLP
Fish & Richardson
Girardi & Keese
Greenbaum Rowe
Hintze Law
Hogan Lovells
Holland & Knight
Homer Bonner
Hunton Andrews
Ifrah Law
Jomarron Lopez
Lash & Goldberg
Latham & Watkins
Lerman Senter
Lewin & Lewin
Lupkin PLLC
McDermott Will
McDowell Hetherington
Meringolo & Associates

Read full article »

Trump Tells 11th Circ. No Proof Docs Were Still Classified

Former President Donald Trump on Tuesday urged the Eleventh Circuit to uphold an injunction blocking prosecutors from reviewing classified materials seized at his Mar-a-Lago estate and said the government had not yet proven that the documents were still classified.

Response attached | Read full article »

Del. Vote-By-Mail Injunction Partially Stayed Pending Appeal

A Delaware vice chancellor who declared the state's expanded vote-by-mail law unconstitutional last week has partially stayed a permanent injunction that would have shut the program down, finding that applications for mail-in ballots and other supporting activities can continue pending an appeal ruling.

Read full article »

Newsom OKs Bill Blocking Bar's Legal Service Reform Plans

Gov. Gavin Newsom has signed a bill temporarily blocking the State Bar of California from moving forward with plans for a so-called regulatory sandbox to experiment with proposals aimed at reducing the cost and expanding the availability of legal services, such as allowing paralegals to perform limited legal work.

Read full article »

BANKING & SECURITIES

Biden Nominates 2 For FDIC's Board Of Directors

The White House announced Tuesday that it plans to fill vacancies on the Federal Deposit Insurance Corporation by nominating two Republicans — a former adviser to former FDIC Chair Jelena McWilliams and a Federal Housing Finance Agency senior attorney.

Read full article »

CEO Of Trump-Backed SPAC Can Force Fraud Arbitration

A Florida magistrate judge ruled Monday that part of a suit claiming the CEO of a blank-check company backed by former President Donald Trump robbed an investment partner of his shares in the special purpose acquisition company should be sent to arbitration under Financial Industry Regulatory Authority rules.

Order attached | Read full article »

ENERGY & ENVIRONMENTAL

11th Circ. Asks How New Law Affects Marine Base Water Suit

The Eleventh Circuit asked the federal government and residents suing over their exposure to contaminated drinking water at the Camp Lejeune military base to explain how a new law authorizing legal claims affects the litigation.

Order attached | Read full article »

FERC Says Law Backs Its Bid To Join Power Market Rule Row

Since Congress considers commissioner deadlocks in the U.S. Federal Energy Regulatory Commission to be the same as agency actions, there's no reason FERC can't intervene in the Third Circuit fight over a power market rule change, the commission told the court.

2 documents attached | Read full article »

Enviros Sue EPA For Lack of Action On Colo. Air Quality Plan

An environmental group is suing the U.S. Environmental Protection Agency to compel the

Mohrman Kaardal
Morgan Lewis
Murray Phillips & Gay
Nystrom Beckman
O'Melveny & Myers
Orrick Herrington
Parker Daniels Kibort
Paul Hastings
Petefish Immel
Pillsbury Winthrop
Proskauer Rose
Pugh Jones
Robins Kaplan
Sallah Astarita
Shearman & Sterling
Silverman Thompson
Simpson Thacher
Stack & Associates PC
Weston Garrou
Wiley Rein
Williams & Connolly
WilmerHale
Wright & Talisman

COMPANIES IN TODAY'S NEWS

American Airlines Group Inc.
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Connecticut
American Civil Liberties Union of Ohio
American Civil Liberties Union of Texas
American Hospital Association
American Immigration Lawyers Association
American Medical Association Inc.
CITIC Telecom International Holdings Ltd.
CVS Health Corp.
Change Healthcare Inc.
China Telecom Corp. Ltd.
Conference of State Bank Supervisors
Courthouse News Service Inc.
Electric Power Supply Association
Federal Bar Association
Financial Industry Regulatory Authority Inc.
George Washington University
Georgetown University
Harvard Business School
Hughes Network Systems LLC
Instagram Inc.
LinkedIn Corp.
Meta Platforms Inc.
Metro-North Commuter Railroad Co.
Microsoft Corp.
NBCUniversal Media LLC
Natural Resources Defense Council
PJM Interconnection LLC
Planned Parenthood Federation
Public Citizen Inc.
Slack Technologies Inc.
Spectrum Management Holding Co.

agency to take action on Colorado's plan to improve air quality in the Denver metro region, arguing that a "timely review … is necessary to ensure adequate protection of air quality and public health in Colorado."

Complaint attached | Read full article »

HEALTH & LIFE SCIENCES

Judge To Extend Block Of Ohio's 'Heartbeat' Abortion Law

An Ohio judge has indicated that he will extend an order allowing abortions to happen up to 22 weeks of pregnancy while blocking a law that bans them after fetal cardiac activity is detected.

Read full article »

MEDIA & ENTERTAINMENT

MyPillow, CEO Can't Ditch Smartmatic's Election Fraud Suit

A Minnesota federal judge on Monday refused to toss Smartmatic's claims against MyPillow and its CEO Mike Lindell alleging Lindell's false narrative that the voting technology provider rigged votes in the 2020 election to favor now-President Joe Biden caused its market value to plummet from $3 billion to $1 billion.

Order attached | Read full article »

FCC Republican Lauds 5th Circ. Ruling On Tech Speech

The Federal Communications Commission's senior Republican is lauding a ruling Friday by a split panel of the Fifth Circuit that upheld a Texas law tackling what he called Big Tech's efforts "to censor other peoples' political speech."

Read full article »

REAL ESTATE

Group Asks Justices To End 'Musical Chairs' In Pipeline Case

A group of landowners are asking the U.S. Supreme Court to order a trial court to take up their challenge to a private company's use of eminent domain on the $6 billion Mountain Valley Pipeline project in Virginia and West Virginia.

Petition attached | Read full article »

NYC Adult Entertainment Cos. Fight City Zoning Regulation

A group of New York City adult entertainment establishments has urged a federal judge to invalidate a city zoning regulation that restricts where they can do business, saying they are being forced out of their locations in violation of their constitutional rights.

2 documents attached | Read full article »

EMPLOYMENT & BENEFITS

Fed. Circ. Rejects VA Guidance On Partial Knee Replacements

U.S. Department of Veterans Affairs guidance excluding vets with partial knee replacements from evaluation for 100% disability benefits was arbitrary and capricious, a Federal Circuit panel ruled Tuesday, pointing to the circuit's own precedent that previously rejected the VA's interpretation.

Opinion attached | Read full article »

COMPETITION

FTC Not Done Targeting Specific Corporate Execs

U.S. Federal Trade Commission Chair Lina Khan told lawmakers Tuesday the agency is just getting

State Bar of California
The Center for Reproductive Rights Inc.
Truth Initiative
Twitter Inc.
United States Coast Guard Academy
UnitedHealth Group Inc.
Vireo Health International Inc.
Washington Post Co.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Congressional Research Service
Consumer Financial Protection Bureau
Delaware Court of Chancery
European Commission
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Housing Finance Agency
Federal Trade Commission
Illinois Department of Transportation
Information Commissioner's Office
Minnesota Department of Health
National Archives and Records Administration
National Institute of Standards and Technology
National Science Foundation
National Security Council
National Telecommunications and Information Administration
New Jersey Supreme Court
New York Attorney General's Office
Office of the Director of National Intelligence
Office of the U.S. Trade Representative
Ohio Attorney General's Office
State Bar of Texas
Texas Attorney General's Office
Texas Supreme Court
U.S. Attorney's Office for the District of Kansas
U.S. Attorney's Office for the Northern District of Illinois
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Coast Guard
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit

started targeting individual company executives in enforcement actions as it tries to overcome perceptions that corporate fines for consumer protection and antitrust violations are just the cost of doing business.

1 document attached | Read full article »

CVS Wants NY's Illegal Service Tying Claims Tossed

CVS Health Corp. has urged a New York court to toss a case from the state attorney general alleging it forces health care providers to use its subsidiary for processing claims under a federal prescription drug subsidy program, arguing that its integrated model benefits providers.

Memorandum attached | Read full article »

CYBERSECURITY & PRIVACY

DC Circ. Wary Of Chinese Telecom Appeals To FCC Orders

A D.C. Circuit panel seemed skeptical Tuesday of arguments by three telecommunication companies with ties to the Chinese government that the Federal Communications Commission was required to hold evidentiary hearings before booting them off of U.S. networks over national security concerns.

1 document attached | Read full article »

AEROSPACE & DEFENSE

Coast Guard Academy Settles Suit Over Parenthood Ban

A former cadet who said the U.S. Coast Guard Academy violated his constitutional rights when it expelled him for becoming a father has struck a deal to resolve his suit, according to a filing in Connecticut federal court.

Report attached | Read full article »

IMMIGRATION

Justices Urged To Restore Biden's Bid To Narrow ICE Ops

Nonprofits, law professors, former U.S. Department of Homeland Security officials, states and nearly a dozen municipalities have urged the U.S. Supreme Court to reinstate the Biden administration's policy that narrowed which immigrants should be targeted for removal.

8 documents attached | Read full article »

WHITE COLLAR

Ill. Senator Took Bribes From Red-Light Camera Co., Feds Say

Illinois Sen. Emil Jones III accepted a $5,000 bribe from a red-light camera company representative in exchange for his help shielding the company from a state transportation department study of similar systems, federal prosecutors claimed in charges made public Tuesday.

1 document attached | Read full article »

Bannon Ally Can't Oust 'Wall' Fraud Prosecutor, Move Retrial

A federal judge has declined to disqualify a Manhattan prosecutor or relocate a retrial in the case of a Colorado man accused of conspiring to steal from a $25 million fund to build a wall between the U.S. and Mexico.

Order attached | Read full article »

TELECOMMUNICATIONS

U.S. Court of Appeals for the Third Circuit
U.S. Department of Commerce
U.S. Department of Energy
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Veterans Affairs
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the District of Connecticut
U.S. District Court for the District of Minnesota
U.S. District Court for the Eastern District of Missouri
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
U.S. Tax Court
U.S. Uniform Law Commission
United States District Court for the District of Colorado
United States District Court for the District of Kansas
Washoe County, Nevada

FCC Chair Plans To Explore Revamp Of 12.7 GHz Band

The Federal Communications Commission will undertake an inquiry into reconfiguring part of the 12.7-13.25 gigahertz spectrum band, Chairwoman Jessica Rosenworcel said Monday.

2 documents attached | Read full article »

FCC Allows Lynk's Plan For 10 Near-Earth Satellites

The Federal Communications Commission will allow Lynk Global to deploy 10 nongeostationary satellites that will help expand universal coverage and provide connectivity in remote areas despite objections from other satellite companies over Lynk's eligibility under the small satellite process and use of the Ka-band.

Order attached | Read full article »

CANNABIS

NY Pot Regulators OK Homegrow For Medical Patients

New York state cannabis regulators on Tuesday gave final approval for rules allowing medical marijuana patients to grow their own cannabis plants.

Read full article »

Minn. Edibles Law Unfair To Medical Pot Sellers, Suit Says

A Minnesota medical cannabis company is suing the state over what it says are unconstitutional laws that allow edibles derived from hemp to be sold more freely than "chemically identical" edibles made from medical cannabis.

Complaint attached | Read full article »

PEOPLE

Holland & Knight Adds Policy Adviser From Dept. Of Energy

Holland & Knight LLP has bolstered its public policy and regulation group in Washington, D.C., with a senior policy adviser who recently served as a deputy assistant secretary for House affairs with the U.S. Department of Energy.

Read full article »

EXPERT ANALYSIS

Opinion

2 Legislative Reforms Would Address Many Immigration Woes

Congress should pass currently pending legislation to create an Article I immigration court and update the registry process — reforms that would shield immigration courts from political pressure, enable many longtime residents to cure their immigration status, and alleviate case backlogs, says retired immigration judge Dana Leigh Marks.

Read full article »

How Cos. Can Adhere To New Calif. Kids Online Privacy Law

In order to comply with a new California law aimed at protecting the well-being, data and privacy of children online, businesses must take steps to estimate the age of young users, configure default privacy settings to a higher level, and design products to mitigate risk, says Charlotte Lunday at Hintze Law.

Bill attached | Read full article »

Physician Noncompetes May Get Federal Antitrust Treatment

While interpretation and enforcement of health care noncompete agreements have traditionally been viewed as state law matters, the agreements are increasingly facing scrutiny of their anticompetitive

effects at a national level, say John Zen Jackson and Jessica Carroll at Greenbaum Rowe.
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How EU Plan Would Cut Red Tape To Boost Green Hydrogen

A recent proposal from the European Parliament would greatly simplify the requirements for production of renewable fuels including green hydrogen and green ammonia — indicating that Europe is moving toward a more flexible and business-friendly regulatory environment for the green hydrogen sector, say attorneys at Shearman.
Read full article »

Creating A Hybrid Work Policy? Be Intentional And Inclusive

The pandemic has changed expectations for the future of work forever, and as more employees demand hybrid working options, law firms must develop policies and models that are intentional, inclusive and iterative to lead the industry into the future, says Manar Morales at the Diversity & Flexibility Alliance.
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LEGAL INDUSTRY

Paul Hastings Parts Ways With Former Co-Managing Partner

Amid a leadership change-up at the law firm, U.K. Paul Hastings LLP partner Ronan O'Sullivan has left the law firm about a year after he was replaced as firmwide co-managing partner and just weeks before a new chairman takes the reins at the firm for the first time in two decades.
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LDF Launches New Initiative, Appoints DC Head

The Legal Defense Fund has both announced the launch of a new program that will pool together certain initiatives that integrate its advocacy tools, as well as the appointment of a new head at its Washington, D.C., office.
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SUBJECT: Abortion Rights Atty, A 1st Circ. Pick, May Face Tough Hearing
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 21/09/2022 03:09

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Wednesday, September 21, 2022 Follow

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Analysis

Abortion Rights Atty, A 1st Circ. Pick, May Face Tough Hearing
Julie Rikelman defended the abortion clinic at the center of the most consequential Supreme Court cases in a generation. But on Wednesday, she'll be defending her own record to senators as she seeks confirmation to the First Circuit.
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Judge To Extend Block Of Ohio's 'Heartbeat' Abortion Law
An Ohio judge has indicated that he will extend an order allowing abortions to happen up to 22 weeks of pregnancy while blocking a law that bans them after fetal cardiac activity is detected.
Read full article »

W.Va. AG Eyes $1B Opioid Haul As CVS, Walmart Pay $150M
West Virginia's attorney general on Tuesday predicted that opioid litigation settlements will ultimately funnel $1 billion into the Mountain State to alleviate rampant narcotic abuse, a forecast that coincided with CVS Pharmacy and Walmart signing deals worth nearly $150 million.
2 documents attached | Read full article »

FDA Hiding E-Cig Work 'In The Shadows,' Juul Suit Says
Vaping company Juul Labs Inc. sued the U.S. Food and Drug Administration on Tuesday in D.C. federal court in hopes of obtaining agency records that would shed light on its now-paused order requiring Juul's e-cigarettes to be pulled off the market.
Complaint attached | Read full article »

5th Circ. Affirms Toss Of Antitrust Suit Against La. Hospital

COMPANIES IN TODAY'S NEWS
Alameda County Employees' Retirement Association
Allergan PLC
American Civil Liberties Union
American Civil Liberties Union of Ohio
American Hospital Association
American Medical Association Inc.
Blue Cross and Blue Shield of Louisiana

A Fifth Circuit panel found that the former operator of a Louisiana State University-affiliated hospital fell short with its suit alleging that a competitor, Willis-Knighton Medical Center, violated antitrust law by interfering with its university partnership.

Opinion attached | Read full article »

'Excessive' Atty Fee Bid In Ranbaxy MDL Slashed By $36M

A Boston federal judge has cut $36 million from an "excessive" fee request by attorneys for two classes of plaintiffs who settled multidistrict antitrust claims against Ranbaxy Pharmaceuticals for $485 million.

Order attached | Read full article »

ENFORCEMENT & COMPLIANCE

Employment Tax Schemer Will Pay His Part Of $6M Restitution

The U.S. Department of Justice and a naturalized U.S. citizen who admitted to defrauding the IRS of more than $3.5 million in employment taxes, told a Florida federal court Tuesday that the citizen will pay his portion of the $6 million in restitution he and other co-conspirators owe the federal government.

Motion attached | Read full article »

LITIGATION

Fed. Circ. Won't Eye Novartis Case Flipped By Judge Change

The full Federal Circuit said Tuesday it won't review a decision in which a split panel initially upheld Novartis' patent on multibillion-dollar multiple sclerosis drug Gilenya, then invalidated it after a different judge joined the panel.

Order attached | Read full article »

Fed. Circ. Rejects VA Guidance On Partial Knee Replacements

U.S. Department of Veterans Affairs guidance excluding vets with partial knee replacements from evaluation for 100% disability benefits was arbitrary and capricious, a Federal Circuit panel ruled Tuesday, pointing to the circuit's own precedent that previously rejected the VA's interpretation.

Opinion attached | Read full article »

3rd Circ. Orders Jurisdiction Probe In Suit Over Fire Coverage

A Third Circuit panel said federal courts should consider the citizenship of all the members of a reciprocal insurance exchange when deciding whether diversity jurisdiction exists, sending two insurers' lawsuit over a deadly Pennsylvania nursing home fire back to the district court Tuesday.

Decision attached | Read full article »

Mylan Flags Claims Court Ruling In $50M Tax Fight At 3rd Circ.

A recent Court of Federal Claims decision supports Mylan Inc.'s challenge to a $50 million tax bill by bolstering its argument that it's entitled to deduct the costs of patent litigation suits, Mylan told the Third Circuit.

Letter attached | Read full article »

La. Hospital Loses COVID-19 Coverage Suit

A Louisiana federal judge sided with an insurer in a hospital's suit for coverage of COVID-19 pandemic losses, finding that despite a state appellate ruling favoring a restaurant in a COVID-19 coverage suit, controlling precedent still favors insurers when defining property damage.

Order attached | Read full article »

CNA Financial Corp.
CVS Health Corp.
Cigna Corp.
Courthouse News Service Inc.
Endo International PLC
Getty Images Inc.
HCA Healthcare Inc.
Horizon Blue Cross Blue Shield of New Jersey
Impax Laboratories, Inc.
Ironshore Inc.
JPMorgan Chase & Co.
JUUL Labs Inc.
Johnson Controls International PLC
Liberty Mutual Insurance Group
LinkedIn Corp.
Meijer Inc.
Microsoft Corp.
Mylan NV
NBCUniversal Media LLC
Planned Parenthood Federation
Portola Pharmaceuticals Inc.
Princeton University
Ranbaxy
STR Holdings, Inc.
Shields Health Solutions
Slack Technologies Inc.
State Bar of California
Sun Pharmaceutical Industries Ltd.
Teva Pharmaceutical Industries Ltd.
The Center for Reproductive Rights Inc.
The Kroger Co.
Truth Initiative
Twitter Inc.
Vantage Health Plan Inc.
Vireo Health International Inc.
Walgreens Boots Alliance Inc.
Walgreens Co.
Walmart Inc.
Washington Post Co.
Welsh Carson Anderson & Stowe

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Chehardy Sherman
Clark Hill
Cohen Milstein
Connell Foley
Conrad Metlitzky
Cozen O'Connor
Dechert LLP
Dugan Law Firm
Faegre Drinker
Faruqi & Faruqi
Fish & Richardson
Garwin Gerstein

Portola Pharma Investors Ink $17.5M Deal Over Stock Declines

Investors in biotechnology company Portola Pharmaceuticals Inc. have asked a San Francisco federal judge to give an initial nod to a $17.5 million deal that would end claims the company failed to acknowledge its prime drug candidate, a blood coagulant, would face stiff competition from an off-label drug used for the same purpose, hurting investors when the company revealed its struggles to sell its drug.

Motion attached | Read full article »

Ironshore, Health Provider Settle Over Malpractice Settlement

Liberty Mutual unit Ironshore Specialty Insurance Co. has reached a settlement in principle with health care provider Conemaugh Health System Inc. to resolve their coverage dispute over an underlying medical malpractice settlement, the insurer told a Pennsylvania federal court Tuesday.

2 documents attached | Read full article »

JP Morgan Chase, Ex-Worker Wrap Up Disability Bias Suit

JP Morgan Chase and an ex-worker accusing the bank of illegally failing to accommodate her mental disabilities and firing her when she complained told a Texas federal court they wanted to end the suit.

Notice attached | Read full article »

Calif. Clinic Escapes Suit Tied To Fight Over Waiting Room TV

A California appeals court has thrown out negligence claims against an urgent care clinic stemming from an altercation between patients over the waiting room's television, saying it had no duty to prevent an assault that was not foreseeable.

Opinion attached | Read full article »

Divided Wash. Panel Revives Religious Discrimination Case

A Washington state appellate panel on Tuesday revived a lawsuit accusing a state-run residential facility of failing to accommodate a nurse's beliefs by firing her for talking off religious days, finding that the nurse raised reasonable claims that the facility wouldn't suffer undue hardship in accommodating her requests.

Opinion attached | Read full article »

NC Health System Eludes Monopoly Claims In Antitrust Fight

A state court judge on Monday narrowed an antitrust suit accusing a North Carolina hospital system of driving up the cost of health care prices, finding that the affected residents have standing to sue but didn't sufficiently allege the existence of a monopoly.

Opinion attached | Read full article »

Opana Direct Buyers' Attys Seek $50M Fees After $145M Deal

Attorneys for direct purchasers of Opana ER, including Value Drug Co. and Meijer Inc., asked an Illinois federal judge Monday for a fee award of $50 million after the class reached a $145 million settlement with generic-drug maker Impax Labs to end nearly eight years of litigation over pay-for-delay allegations.

Memorandum attached | Read full article »

Princeton Wants To Ax Bias Suit Over COVID Policies

Princeton University said Tuesday that it properly fired a budget analyst for not complying with COVID-19 safety measures, telling a New Jersey federal court that she didn't back up her claims that the Ivy

Gibbons PC
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McDermott Will
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Odom & Des Roches
Orrick Herrington
Parker Poe
Paul Hastings
Paul Weiss
Phelps Dunbar
Pillsbury Winthrop
Proskauer Rose
Radice Law Firm
Reed Smith
Roberts & Kehagiaras
Roberts & Stevens
Ropes & Gray
Schnader Harrison
Sidley Austin
Silverman Thompson
Simpson Thacher
Skiermont Derby
Smith Segura
Sperling & Slater
Sunlight Law PLLC
Swift Currie
Taus Cebulash
Tucker Law Group LLC
Vlasac & Shmaruk
Wallace & Graham
Wexler Boley
White and Williams
Wiener Weiss
Wiley Rein
Williams & Connolly
WilmerHale
Zuckerman Spaeder

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Federal Communications Commission
Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
Kanawha County, West Virginia
Minnesota Department of Health

League school discriminated and retaliated against her due to her religion.

Motion attached | Read full article »

Hospital Seeks Exit From Insurer Suit Over $39M Bill

A hospital is asking a Georgia federal judge to dismiss a suit filed by an insurer looking to get out of providing nearly $38.5 million in coverage for the treatment of two burn victims.

Memorandum attached | Read full article »

CVS Wants NY's Illegal Service Tying Claims Tossed

CVS Health Corp. has urged a New York court to toss a case from the state attorney general alleging it forces health care providers to use its subsidiary for processing claims under a federal prescription drug subsidy program, arguing that its integrated model benefits providers.

Memorandum attached | Read full article »

Cigna Slams NJ Lab's 'Contempt' In COVID-19 Coverage Suit

Cigna Health and Life Insurance Co. said a radiology lab has turned over deficient patient claims information in pursuing a New Jersey federal lawsuit seeking about $1.5 million for COVID-19 services, citing the entity's allegedly "flagrant contempt" of court processes in other Garden State cases.

Letter attached | Read full article »

Fed. Contractor Says Glove Co. Hid Gov't Forced Labor Probe

AirBoss has sued a manufacturer for more than $68 million after nitrile gloves it purchased for a federal contract were seized at U.S. ports, saying the glove maker fraudulently concealed that it was under investigation for alleged forced labor issues.

Complaint attached | Read full article »

Minn. Edibles Law Unfair To Medical Pot Sellers, Suit Says

A Minnesota medical cannabis company is suing the state over what it says are unconstitutional laws that allow edibles derived from hemp to be sold more freely than "chemically identical" edibles made from medical cannabis.

Complaint attached | Read full article »

DEALS

Sidley Leading Walgreens' $1.4B Shields Health Buyout

Sidley Austin is guiding Walgreens Boots Alliance's nearly $1.4 billion slated purchase of the remaining 30% stake in specialty pharmacy Shields Health Solutions, and Walgreens' president will depart the company, according to a statement Tuesday.

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EXPERT ANALYSIS

Physician Noncompetes May Get Federal Antitrust Treatment

While interpretation and enforcement of health care noncompete agreements have traditionally been viewed as state law matters, the agreements are increasingly facing scrutiny of their anticompetitive effects at a national level, say John Zen Jackson and Jessica Carroll at Greenbaum Rowe.

Read full article »

Ransomware Payment Lessons Amid DOJ Recovery Success

The U.S. Department of Justice's recent successes clawing back ransom payments made to hacking groups provide companies an additional factor to consider when deciding whether to engage with law

National Archives and Records Administration
New Jersey Department of Health
New Jersey Supreme Court
New York Attorney General's Office
Office of the Director of National Intelligence
Ohio Attorney General's Office
State Bar of Texas
Texas Attorney General's Office
Texas Supreme Court
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Customs and Border Protection
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Veterans Affairs
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Louisiana
U.S. District Court for the Eastern District of Missouri
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Western District of Pennsylvania
U.S. Supreme Court
U.S. Tax Court
U.S. Uniform Law Commission
United States District Court for the Southern District of Georgia
Washoe County, Nevada

enforcement after experiencing a breach, whether to pay a ransom demand, and whether to try to recover the payment, says Tyler Bridegan at Wiley.
Read full article »

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The pandemic has changed expectations for the future of work forever, and as more employees demand hybrid working options, law firms must develop policies and models that are intentional, inclusive and iterative to lead the industry into the future, says Manar Morales at the Diversity & Flexibility Alliance.
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Newsom OKs Bill Blocking Bar's Legal Service Reform Plans

Gov. Gavin Newsom has signed a bill temporarily blocking the State Bar of California from moving forward with plans for a so-called regulatory sandbox to experiment with proposals aimed at reducing the cost and expanding the availability of legal services, such as allowing paralegals to perform limited legal work.
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Senate Confirms Judge Pan To Replace Jackson On DC Circ.

The Senate voted in bipartisan fashion Tuesday to elevate U.S. District Judge Florence Y. Pan to the D.C. Circuit, filling the vacancy left by now-Supreme Court Justice Ketanji Brown Jackson.
Read full article »

Trump Tells 11th Circ. No Proof Docs Were Still Classified

Former President Donald Trump on Tuesday urged the Eleventh Circuit to uphold an injunction blocking prosecutors from reviewing classified materials seized at his Mar-a-Lago estate and said the government had not yet proven that the documents were still classified.
Read full article »

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Read full article »

Court Officials Not Immune From Access Suit, 8th Circ. Says

The Eighth Circuit has reversed a Missouri federal court's decision to abstain from a Courthouse News Service lawsuit against local and state court officials that asks for same-day access to complaints, saying the defendants are not protected by sovereign immunity and the district court need not skip the case.
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FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 21/09/2022 06:07

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Health

Essential health care industry news & intel to start your day.

SEPTEMBER 21, 2022

[redacted]

Title

BY MATT BRACKEN

Twitter Email

Graham's Proposed Abortion Ban Is Divisive
Sen. Lindsey Graham's introduction of a 15-week abortion ban last week was met with groans from some Republican leaders, still smarting from a run of Democratic wins in special elections following the reversal of Roe v. Wade.

The Morning Consult/Politico survey this week underscores some reasons for the GOP consternation: The electorate is split down the middle on the South Carolinian's proposed ban, with women and independent voters more likely to oppose it.

Check out the full story here: Voters Are Divided on Lindsey Graham's 15-Week Abortion Ban.

TODAY'S TOP NEWS

- The U.S. Preventive Services Task Force recommended that all adults under 65 be screened by doctors for anxiety, the first such recommendation from the panel of medical experts that they say is intended to ensure that mental health disorders don't go untreated. The Health and Human Services Department-appointed advisory group, which pointed to a study that found that the share of U.S. adults exhibiting recent symptoms of an anxiety or depressive disorder jumped to 41.5% from 36.4% from August 2020 to February 2021, will review public comments through Oct. 17 and issue final guidance sometime after that. (The New York Times)

- The American Hospital Association and the American Medical Association dropped their lawsuit against the federal government over the implementation of Congress' surprise billing law, which alleged that the rulemaking process shifted from lawmakers' intent and favored payers during independent arbitration. AHA and AMA believe their lawsuit became unnecessary after the final rule on the No Surprises Act was released in August, though the trade groups suggested that fresh legal action could follow. (Healthcare Dive)

- Walgreens Boots Alliance Inc. will acquire an additional 30% stake in Shields Health Solutions for $1.37 billion, giving the pharmacy giant full ownership of the company that partners with providers to deliver specialty pharmacy services. Walgreens, which began building its stake in Shields in July 2019, is expected to close the deal to assume total ownership by the end of 2022. (The Wall Street Journal)

- A report from HHS' Office of Inspector General found that Medicare paid out more than $1 million in duplicate claims in 2019 to critical access hospitals and providers, and called on the Centers for Medicare and Medicaid Services to launch post-payment reviews. The watchdog report said the creation of a new claims system would "prevent and detect overpayments for professional service payments," while CMS in response said developing that kind of system "may not be appropriate at this time due to the low dollar amount of the errors." (Fierce Healthcare)

Worth watching today (all times local):

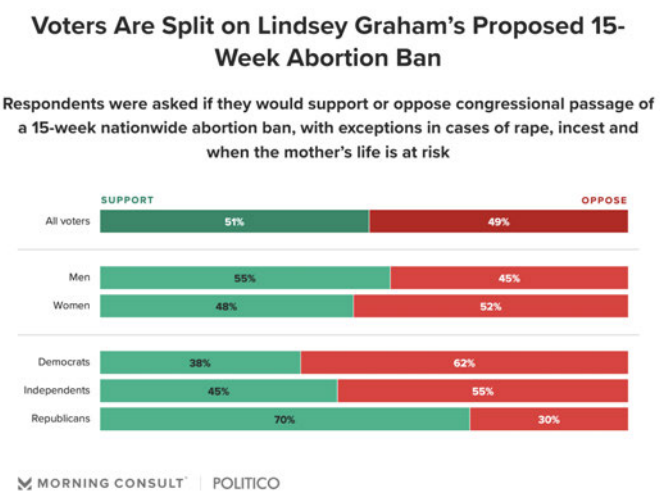
- **8:30 a.m.** The Hill event: "The Cost of Mental Health Inequities," featuring Sen. Bill Cassidy (R-La.) and Rep. Bonnie Watson Coleman (D-N.J.).

[redacted]

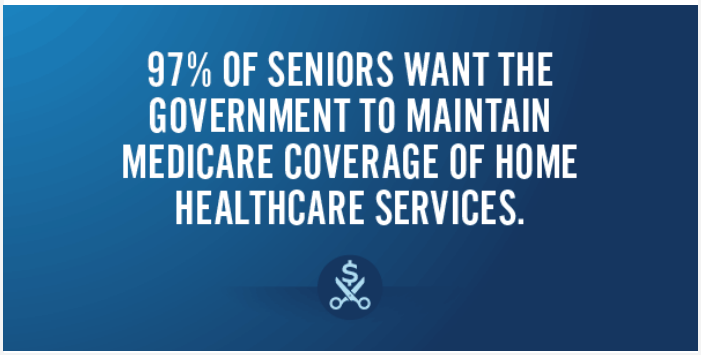
- **10 a.m.** Senate Appropriations Committee hearing: "VA's Electronic Health Record Modernization: An Update on Rollout, Cost, and Schedule."
- **12:45 p.m.** Dr. Anthony Fauci interview at The Atlantic Festival.
- **2 p.m.** House Select Subcommittee on the Coronavirus Crisis hearing: "Examining Long-Term Care in America: The Impact of the Coronavirus in Nursing Homes."
- **3 p.m.** Senate Veterans' Affairs Committee hearing: "Ensuring Veterans' Timely Access to Care in VA and the Community."

CHART REVIEW

Voters Are Divided on Lindsey Graham's 15-Week Abortion Ban
Morning Consult



PRESENTED BY THE PARTNERSHIP FOR QUALITY HOME HEALTHCARE



Polling Shows Widespread and Strong Support for Medicare Home Health. Congress Must Act to Protect Home Health from Cuts!

A recent Morning Consult poll found widespread support for Medicare home healthcare services, but proposed Medicare cuts will limit seniors' choice and force them into institutional settings. Fortunately, lawmakers can prevent these cuts from going into effect. Congress must listen to voters and quickly pass the Preserving Access to Home Health Act!

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

FDA releasing millions of Moderna boosters as states warn of shortages
Dan Diamond, The Washington Post
The federal government is releasing millions of Moderna booster shots that were delayed by the Food and Drug Administration as a result of a safety inspection at an Indiana packaging plant, even as states report shortages and encourage people to get Pfizer boosters instead.

FDA Finds Flaws at Vaccine Factory, Accepts Moderna's Assurances
Anna Edney and Angelica Peebles, Bloomberg
US inspectors found shortcomings at a Catalent Inc. factory that produces Covid-19 shots but allowed some doses to be cleared for use after receiving assurances from vaccine maker Moderna Inc.

Biden clarifies comments declaring "pandemic over"
Rebecca Falconer, Axios
Biden acknowledged at a New York City fundraiser that he was criticized for the remarks — which sparked a protest outside the White House, organized by the nonprofit MEAction Network, campaigning for long COVID sufferers. "But it basically is not where it was," Biden added.

Coronavirus origin debate looms over guidelines for risky lab research
Joel Achenbach, The Washington Post
Biosecurity advisers to the federal government are calling for tighter scrutiny of experiments with potentially dangerous viruses and other pathogens, reflecting an ongoing debate within the scientific community over the benefits and risks of such laboratory research. This contentious issue has become even more rancorous amid speculation that some kind of "lab leak" might have played a role in the origin of the coronavirus.

Long COVID might be a lot more common than we think, as symptoms linger 2 years later for 20% of survivors, new study finds
Erin Prater, Fortune
How long do long COVID symptoms linger? It's the question on the mind of millions of sufferers. Less than three years into the pandemic, answers are limited. But those in Wuhan, China—where the outbreak began in late 2019—would know best, as they've lived with the virus' repercussions the longest.

Food scheme stole $250 million meant for low-income children in "the largest pandemic fraud in the United States," feds say
CBS News
Federal authorities charged 47 people in Minnesota with conspiracy and other counts on Tuesday in what they said was a massive scheme that took advantage of the COVID-19 pandemic to steal $250 million from a federal program that provides meals to low-income children.

GENERAL

FDA report details agency fumbles during infant formula investigation that hampered response
Brenda Goodman, CNN

A perfect storm of "systemic vulnerabilities" at the US Food and Drug Administration unfolded as the agency investigated contaminated baby formula and slowed its response to the worsening formula shortage, an internal review shows.

CVS, Walmart reach $147.5 mln opioid settlement with West Virginia
Dietrich Knauth, Reuters
CVS Health Corp (CVS.N) and Walmart Inc (WMT.N) have agreed to pay $147.5 million to settle West Virginia's claims over their alleged roles in the state's opioid crisis, state attorney general Patrick Morrisey said Tuesday.

Cancer death rates continue to fall, driven by new treatments and improved screening
Kaitlin Sullivan, NBC News
Significant strides in cancer treatments, diagnostic tools and prevention strategies continue to drive down cancer death rates, according to a report published Wednesday by the American Association for Cancer Research.

New bill aims to curtail surprise medical bills for sexual assault survivors
Aria Bendix, NBC News
The new bill was introduced by Reps. Linda T. Sánchez, D-Calif.; Gwen Moore, D-Wis.; and Carol Miller, R-W.Va. It would give the departments of Labor, the Treasury, and Health and Human Services the authority to designate types of providers beyond SANEs who'd be eligible to give forensic exams that would be fully covered by private insurance, starting in 2025. The lawmakers' hope is that survivors with private insurance would not get billed for an exam, regardless of where it's performed.

FDA User Fee Lapse Would 'Devastate' Public Health, Califf Says
Jeannie Baumann et al., Bloomberg Law
The head of the FDA says he's optimistic Congress will reauthorize the agency's user fees as time dwindles for lawmakers to reach an agreement.

Anti-Trans Health Care Laws Are the Latest Republican Target
Kelsey Butler and Andre Tartar, Bloomberg
In the last year, there's been a sharp rise in the number of state bills going after transgender-related health care, a Bloomberg analysis finds.

Cooking chicken in NyQuil is dangerous, FDA says, citing video on TikTok
Minyvonne Burke, NBC News
The Food and Drug Administration has issued an update advising consumers that cooking chicken in NyQuil is dangerous and potentially harmful.

When to Get Your Flu Shot and Other Advice for This Flu Season
Alex Janin, The Wall Street Journal
A surge in cases in Australia, where winter is just wrapping up, may portend a similar rise in the coming season here as temperatures start to cool. A widespread reduction in Covid-19 precautions also points to the possibility of a more substantial flu season this year compared with the past two, which were relatively mild.

Poxviruses, outbreaks, and Ebola: A Q&A with a retiring CDC expert on bad bugs
Helen Branswell, Stat News
To outside eyes, the timing of Inger Damon's departure could be seen as odd or unfortunate, given that after years of relative obscurity, poxviruses are at the center of the world's infectious diseases radar, thanks to the ongoing monkeypox outbreak. Though the growth of case numbers had slowed, there was no sign the crisis was under control. Many challenges remain ahead.

A new study asks: Are we harming blood donors by taking blood?
Brittany Trang, Stat News
One question has plagued the field of blood donation for as long as there have been transfusions: Are we harming blood donors by taking blood from them?

Drinking certain teas is linked with lower diabetes risk
Kristen Rogers, CNN
Drinking at least four cups of any of these teas per day has been linked with a 17% lower risk of developing type 2 diabetes over an average period of 10 years, according to research published Saturday. The research, which hasn't yet been

published in a scientific journal, will be presented at the European Association for the Study of Diabetes Annual Meeting in Stockholm this week.

Coors, Mondelez, and other big food companies want to sell CBD-filled food and drinks. The FDA is staunchly opposed
Nicholas Florko, Stat News
Major food makers are ready to cash in on selling CBD-filled foods and drinks. But the Food and Drug Administration isn't having it.

PAYERS

DOJ mulls appeal of UnitedHealth-Change Healthcare ruling
Nona Tepper, Modern Healthcare
The U.S. Department of Justice is weighing whether to appeal a federal judge's decision that denied its legal challenge to UnitedHealth Group's $13 billion proposed acquisition of technology company Change Healthcare.

Youth mental health concerns grew pre-COVID, study shows
Frank Diamond, Fierce Healthcare
Younger people and children were seeking out more mental health resources even before the COVID-19 pandemic began, according to a new report from the Employee Benefit Research Institute (EBRI).

PROVIDERS

MercyOne, Genesis Health System pursuing 'strategic partnership'
Dave Muoio, Fierce Healthcare
Trinity Health's MercyOne and Genesis Health System have signed a letter of intent to explore a "strategic partnership" intended to fuel growth, support workforce efforts and ensure quality care, the nonprofit systems announced last week.

Hospitals grow apprenticeships to stabilize workforce
Alex Kacik, Modern Healthcare
For many healthcare occupations, hospitals and physician groups have not been able to recruit enough qualified workers to meet the demand. While apprenticeships are common in other industries, more health systems and physician groups are exploring or expanding these programs as they hope to boost recruitment and retention amid persistent labor shortages.

PHARMA, BIOTECH AND DEVICES

The Inflation Reduction Act aims to lower drug costs — but here's how Big Pharma could get around it
Berkeley Lovelace Jr., NBC News
The Inflation Reduction Act is set to lower drug prices for millions of people in the U.S. — but experts fear pharmaceutical companies could exploit loopholes in the bill, ultimately keeping prescription costs high for many.

FDA warns of cybersecurity risk with certain Medtronic insulin pumps
Reuters
The U.S. Food and Drug Administration on Tuesday warned that certain types of insulin pump systems manufactured by Medtronic (MDT.N) were vulnerable to cyberattacks and that hackers could potentially hamper insulin delivery by accessing the device.

Merck to start studying lower dose of HIV drug after FDA hold
Reuters
Merck & Co Inc (MRK.N) said on Tuesday it would start fresh late-stage studies of its HIV treatment, islatravir, months after the U.S. Food and Drug Administration put the trials on hold, citing safety concerns.

A dirty business: How the medical device sterilization process sickens some to heal others
Kara Hartnett, Modern Healthcare
For more than a year, medical device manufacturer Becton Dickinson has been working with government officials in Tucson, Arizona, to erect a plant that would sterilize products vital to the supply chain. But many residents in the local community don't want it.

FDA seems poised to approve a new drug for ALS, but does it work?
Jon Hamilton, NPR News
The Food and Drug Administration is likely to approve a controversial new drug for ALS by the end of the month. But it's still not clear whether the drug, called AMX0035, truly helps people with ALS, a rare and fatal neurological disorder that eventually leaves a person unable to walk, talk, swallow and breathe.

Bipartisan Insulin Bill Delayed to After Midterms, Senator Says
Alex Ruoff, Bloomberg Law
A bipartisan bill to lower the cost of insulin will only get a vote after the November midterms, the bill's main Democratic sponsor says.

Juul Sues FDA for Documents Related to Vape Product Denial Order
Celine Castronuovo, Bloomberg Law
Juul Labs Inc. is suing the Food and Drug Administration to obtain documents related to an order banning the company's vaping products from the market.

Illumina's Grail expands use of cancer detection test with life insurer deal
Deena Beasley, Reuters
Cancer detection test maker Grail, acquired by Illumina Inc (ILMN.O) last year despite ongoing antitrust challenges, on Tuesday said it would expand use of its flagship Galleri test through a new agreement with life insurer John Hancock, a division of Manulife Financial (MFC.TO).

A Message From the Partnership for Quality Home Healthcare:

Older Americans and Medicare beneficiaries overwhelmingly prefer home healthcare, but proposed Medicare cuts will threaten their access to care. The proposed cuts will also cause overall costs of care to go up due to increased hospital readmission rates, unnecessary hospitalizations, and increased use of nursing home stays. Congress must act quickly to prevent these disastrous cuts from going into effect by passing the Preserving Access to Home Health Act. Learn more at PQHH.org/cuts.

HEALTH TECHNOLOGY

Post-Dobbs data privacy law in flux as tech buoys anonymity
Annie Burky, Fierce Healthcare
Following the Supreme Court ruling that ended federal abortion protections, legislators, tech companies and users are asking how complicit tech should be in the prosecution of those seeking the procedure where it's banned. In the foggy landscape of a post-Dobbs world, eyes are turning to geolocation data, message encryption and period-tracking apps.

What's next for eased restrictions around teleheath?
Frank Diamond, Fierce Healthcare
A recent study in JAMA Health Forum looks at how patients used the technology to access providers across state lines during the COVID-19 pandemic.

[redacted] Title

New paper offers clinicians a framework for using AI in behavioral health
Anastassia Gliadkovskaya, Fierce Healthcare
Health tech developers must work with front-line clinicians when developing artificial intelligence tools, a new paper argues.

OPINIONS, EDITORIALS AND PERSPECTIVES

Who Is Still Dying From Covid? The CDC Can't Answer That
Faye Flam, Bloomberg
Joe Biden isn't the only American to think the pandemic is over. But the virus is still killing 400 to 500 people a day, and data is sketchy about how to save lives.

RESEARCH REPORTS

Bleeding Americans Dry: The Role of Big Hospital Corporations in Driving our Nation's Health Care Affordability and Quality Crisis
Families USA
The major strategy in hospitals' current business model is to generate profit by buying up other hospitals and doctor's offices to become large corporate health care systems that maximize service volumes and increase health care prices. The financial incentives of this business model are costly, and wasteful and are in direct conflict with ensuring that consumers and patients have the best health and affordable health care they deserve. This paper, the second in the series, lays out the profound misalignment between hospitals' business models and ensuring affordable, high-quality health care for our nation's families, and lays out key policy solutions.

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[redacted]

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[redacted]

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SUBJECT: Ginni Thomas Agrees To Testify To House Jan. 6 Panel
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 22/09/2022 02:20

PUBLIC POLICY

Thursday, September 22, 2022

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TOP NEWS

Ginni Thomas Agrees To Testify To House Jan. 6 Panel

Virginia "Ginni" Thomas, wife of U.S. Supreme Court Justice Clarence Thomas, has reached an agreement to testify before the House Select Committee investigating the Jan. 6 attack on the U.S. Capitol over her reported activities in the wake of the November 2020 election to overturn President Joe Biden's victory, her lawyer confirmed to Law360.
Read full article »

NY AG James Sues Trump, Alleging $250M Business Fraud

New York Attorney General Letitia James filed suit Wednesday against former President Donald Trump, his children and company executives, seeking the return of $250 million in allegedly ill-gotten gains from a 10-year scheme to defraud banks using misleading financial statements.

Complaint attached | Read full article »

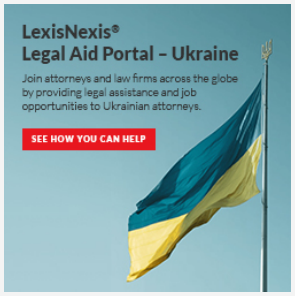
11th Circ. Allows DOJ To Access Classified Mar-A-Lago Docs

The Eleventh Circuit on Wednesday granted the U.S. Department of Justice's request for a stay of an injunction blocking prosecutors from reviewing and using classified documents seized at former President Donald Trump's Mar-a-Lago estate in the criminal investigation against him.

Opinion attached | Read full article »

Meet The Lawyers On Deck In NY V. Trump Biz Fraud Case

The New York attorney general's blockbuster fraud suit against former President Donald Trump, three of his adult children and the Trump organization will pit



LAW FIRMS IN TODAY'S NEWS

Adler Pollock
Baker & Hostetler
Ballard Spahr
Bartlett LLP
Bernstein Shur
Clausen Miller
Cleary Gottlieb
Cole Schotz
Cooley LLP
Cooper & Kirk
Covington & Burling
Cowles & Thompson
Cravath Swaine

[redacted]

some of the family's fiercest defenders against a team of seasoned prosecutors.
Read full article »

NY AG Tells 2nd Circ. Trump Can't Revive Harassment Claim

New York Attorney General Letitia James urged the Second Circuit to deny a bid by former President Donald Trump to challenge her investigation into his business dealings, arguing that Trump is trying to improperly revive his already rejected harassment claim.

Brief attached | Read full article »

NC AG Tells 4th Circ. Political Speech Law Is Unconstitutional

North Carolina Attorney General Josh Stein has asked the Fourth Circuit to find that a state statute criminalizing derogatory political speech is unconstitutional amid a threat of prosecution he and those in his campaign face over a television ad they aired in the 2020 election.

Brief attached | Read full article »

Trump Ally Tells Jury In Foreign Agent Trial: No Deal, No Crime

An attorney for private equity mogul Thomas Barrack, a onetime adviser to former President Donald Trump, told a Brooklyn federal jury on Wednesday that there is no evidence Barrack had an agreement with United Arab Emirates officials to work covertly on their behalf in the U.S.
Read full article »

Watchdog Asks State Bars To Investigate 15 'Big Lie' AGs

Legal watchdog group The 65 Project filed complaints against 15 state attorneys general on Wednesday for their past or continued involvement in amplifying former President Donald Trump's false accusations of fraud regarding his loss to President Joe Biden in the 2020 presidential election.
Read full article »

1st Circ. Pick Vows To Apply Dobbs 'Faithfully'

A veteran abortion-rights attorney nominated to the First Circuit vowed to apply the U.S. Supreme Court's recent Dobbs decision "faithfully" and pledged that she would separate her past advocacy from rulings on the bench during a Senate hearing Wednesday.
Read full article »

DC Court Nominees Face Light Scrutiny At Senate Hearing

Three D.C. Superior Court nominees and one D.C. Court of Appeals nominee breezed through a Senate nomination hearing Wednesday, facing only three broad questions about caseload management, proper judicial temperament and how they would adjust to their new positions if approved.
Read full article »

Detroit Says Census Failed To Fix Racially Biased Count

The Census Bureau compounded its continual undercounting of Detroit's Black and Hispanic population by refusing to let the city challenge the results of the most recent census, leaving Detroit with thousands of fewer residents on paper than the city claims it has, the city said in a federal suit filed Tuesday.

Complaint attached | Read full article »

BANKING & SECURITIES

DOJ Quietly OKs West Coast Bank Merger, With Branch Sales

A pair of West Coast banks have announced that they inked a deal with the U.S. Department of Justice, paving the way to combining their collective $50 billion in assets provided they sell 10 branches,

Crowe & Dunlevy
Davis Wright
Dewey & LeBoeuf
Duane Morris LLP
Faegre Drinker
Fink Bressack
Fischetti & Malgieri
Fragomen Del Rey
Friedman Kaplan
GableGotwals
Habba Madaio
Higgins Cavanagh
Hogan Lovells
Ifrah Law
Irell & Manella
Katten Muchin
Kerkonian Dajani
Kirkland & Ellis
Kobre & Kim
Latham & Watkins
Law Offices of Alan S. Futerfas
Lynn Pinker
Mayer Brown
Mei & Mark
Mintz Levin
Morgan Lewis
Motley Rice
O'Melveny & Myers
Potter Anderson
Preti Flaherty
Quinn Emanuel
Saul Ewing
Schaerr Jaffe
Schroeter Goldmark
Silverman Thompson
Simpson Thacher
Skadden Arps
Snell & Wilmer
Stearns Weaver
Steptoe & Johnson LLP
Venable LLP
Wachtell Lipton
Whiteford Taylor
Willkie Farr
WilmerHale
Wilson Sonsini
Winston & Strawn
Womble Bond
Wright Close

COMPANIES IN TODAY'S NEWS

ASOS PLC
Abbott Laboratories
Acreage Holdings Inc.
AgFeed Industries Inc.
Altria Group Inc.
Amazon.com Inc.
American Chemistry Council Inc.
American Trucking Associations Inc.
Amgen Inc.
Amneal Pharmaceuticals LLC
Assertio Holdings Inc.
Associated Press
Association of Home Appliance Manufacturers
Bank of America Corp.
Boy Scouts of America
Brooklyn Law School
Cable News Network Inc.
California Western School of Law
Center for Biological Diversity
Change Healthcare Inc.

although the DOJ has not yet made a statement about the agreement.
Read full article »

Bank CEOs Pushed On Capital, Climate And More In Hill Visit

House lawmakers grilled chief executives of the nation's largest banks about capital standards, climate risk regulation and other hot-button topics in a wide-ranging Wednesday hearing, which kicked off with scrutiny of Wells Fargo's progress in putting its past scandals behind it.
Read full article »

CFTC Wants Election-Betting Firm's Suit Moved To DC

The U.S. Commodity Futures Trading Commission asked a Texas federal judge on Tuesday to move a suit accusing it of illegally shutting down an election-betting platform to the District of Columbia, arguing that none of the claims in the suit have anything to do with Texas and that the choice to file the case there "was not based on convenience or efficiency."

Motion attached | Read full article »

ENERGY & ENVIRONMENTAL

Manchin Unveils Permitting Reform To Reluctant Congress

Sen. Joe Manchin on Wednesday released his plan for legislation that would ease the permitting process for infrastructure projects like oil and gas pipelines and electricity transmission lines, but it faces an uncertain future in the divided Congress.

Bill attached | Read full article »

Senate Passes Global Treaty To Cut Hydrofluorocarbons' Use

The U.S. Senate on Wednesday achieved a climate change milestone with a bipartisan vote to ratify an international treaty aimed at reducing the use of hydrofluorocarbons, which have strong global warming effects.

1 document attached | Read full article »

Energy Dept. Will Conduct Efficiency Reviews To Settle Suit

The U.S. Department of Energy will review energy efficiency standards for consumer and commercial products as early as next year to settle litigation from environmental advocacy groups and 17 states alleging the agency dodged its responsibilities to evaluate dozens of products.

1 document attached | Read full article »

HEALTH & LIFE SCIENCES

Ariz. Gov. Asks 9th Circ. To Revive Suit Over COVID Funds

Arizona Gov. Doug Ducey told the Ninth Circuit that the federal government went too far in restricting how the state could use pandemic relief funds, arguing a lower court misread the American Rescue Plan Act when tossing the governor's suit.

Brief attached | Read full article »

IP & TECHNOLOGY

CBD Tea Co. Ditches Trademark Appeal In Fed. Circ.

A CBD beverage manufacturer that wanted to register a trademark for its product has told the Federal Circuit that it has dropped its appeal against the U.S. Patent and Trademark Office.

Motion attached | Read full article »

IP Luminaries Launch Group To Promote, Defend Innovation

Chevron Corp.
Citigroup Inc.
Colony Capital Inc.
Columbia Banking System Inc.
Computer & Communications Industry Association
Conduent Inc.
Consumer Federation of America
Cornell University
Cumberland Farms Inc.
Depomed Inc.
Earthjustice
EchoStar Corp.
Electronic Frontier Foundation
FedEx Corp.
Federation Internationale de Football Association
Forever 21
George Washington University
Getty Images Inc.
Google LLC
Halliburton Co.
Hikma Pharmaceuticals PLC
Hong Kong Exchanges and Clearing
Indivior PLC
Instagram Inc.
International Cannabis Bar Association
Iridium Communications Inc.
JPMorgan Chase & Co.
JUUL Labs Inc.
Johnson & Johnson
Keurig Dr Pepper Inc.
LinkedIn Corp.
Massachusetts Institute of Technology
Meta Platforms Inc.
Monsanto Co.
Morgan Stanley
Mylan NV
National Cable & Telecommunications Association
National Immigration Law Center
Natural Resources Defense Council
New York University
Optum Inc.
Public Citizen Inc.
Public Co. Accounting Oversight Board
Purdue Pharma LP
Sam's Club
Sierra Club
Sikh Coalition
Space Exploration Technologies Corp.
Tellabs, Inc.
Tesla Inc.
The Center for Reproductive Rights Inc.
The New York Times Co.
TikTok Inc.
Truist Financial Corp.
Trump Organization Inc.
Twitter Inc.
U.S. Bancorp
U.S. Chamber of Commerce
UCLA School of Law
Umpqua Holdings Corporation

Two former directors of the U.S. Patent and Trademark Office and two former Federal Circuit judges are leading a new group launched Thursday that aims to "change the narrative" around intellectual property, by informing policymakers and the public about how it drives innovation.
Read full article »

MEDIA & ENTERTAINMENT

Fla. Appeals 11th Circ. Bar On Social Media Law To High Court

Florida on Wednesday appealed an Eleventh Circuit injunction halting enforcement of a state law prohibiting social media companies from blocking political candidates, urging the U.S. Supreme Court to review the "irreconcilable divide" now that the Fifth Circuit has upheld a similar Texas law.

Petition attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

Rhode Island Truck Tolls Struck Down As Discriminatory

A Rhode Island federal judge on Wednesday blocked a first-of-its-kind state truck tolling program, saying it unconstitutionally interferes with interstate commerce and unfairly singled out large commercial truckers, in a blow to the state's efforts to shore up funding to replace hundreds of deficient bridges.

Order attached | Read full article »

REAL ESTATE

Illinois Justices Mull Condo Sellers' Ability To Sue Over Fees

A management company urged the Illinois Supreme Court Wednesday to reject the finding of two lower courts that a state law governing condominiums allows condo unit sellers to sue property managers over allegedly excessive fees they charged for providing the sellers documents they were required to disclose to prospective buyers.
Read full article »

COMPETITION

UnitedHealth-Change Judge Outlines Why DOJ Lost

The U.S. Department of Justice's challenge to UnitedHealth's $13.8 billion bid for Change Healthcare failed at almost every turn, leaving a D.C. federal judge unconvinced that United would "uproot" its business model or that a planned divestiture could not stand on its own, according to the opinion unsealed Wednesday.

Opinion attached | Read full article »

Canadian Enforcer Says Competition Can Help Environment

The head of Canada's competition agency pushed back against arguments that environmental concerns should play no role in antitrust enforcement, arguing during a summit in Ottawa that the green transition will need to grapple with competitive forces.
Read full article »

CYBERSECURITY & PRIVACY

Denmark Is Latest To Deem Use Of Google Analytics Unlawful

Denmark's data protection regulator has become the fourth national authority to find that the way companies are currently using Google Analytics violates European Union law that requires heightened protections for personal data that is transferred outside the bloc.
Read full article »

United Teachers of Dade
UnitedHealth Group Inc.
Universal Music Group NV
University of Virginia
Walmart Inc.
Wells Fargo & Co.
Xerox Holdings Corp.
YouTube Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Indian Affairs
Commodity Futures Trading Commission
Competition and Markets Authority
Consumer Financial Protection Bureau
Delaware Court of Chancery
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Judicial Center
Federal Law Enforcement Training Center
Federal Reserve System
Federal Trade Commission
Florida Attorney General's Office
Food and Agriculture Organization
Food and Drug Administration
Government Accountability Office
Illinois Supreme Court
Internal Revenue Service
International Monetary Fund
Judicial Conference of the United States
Maine Attorney General's Office
Makah Tribe
Mille Lacs Band of Ojibwe
National Archives and Records Administration
National Park Service
National Security Agency
New York Attorney General's Office
New York City Council
Office of the Comptroller of the Currency
Office of the Director of National Intelligence
Office of the U.S. Trade Representative
Oklahoma Supreme Court
Rhode Island Attorney General's Office
Rhode Island Department of Transportation
Texas Supreme Court
U.S. Agency for International Development
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Eastern District of New York

California Rep. Urges FTC Investigation Into Fog Data Science

A California lawmaker is calling on the Federal Trade Commission to investigate a Virginia-based company for allegedly purchasing troves of consumer geolocation data gathered from millions of mobile devices and selling it to law enforcement agencies across the country.

Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Opioid MDL Attys To Get 'Much More Aggressive' As Talks Lag

Months of talks with drug companies poised to become the next big targets in multidistrict opioid litigation haven't yielded major progress, and a "much more aggressive" approach is needed, one of the highest-ranking attorneys for MDL plaintiffs said Wednesday.

15 documents attached | Read full article »

COMMERCIAL CONTRACTS

Texas Supreme Court Mulls $4M Walmart Contract Dispute

The Texas Supreme Court questioned whether a Conduent Inc. unit should have warned Walmart Inc. about planned maintenance to a system that processes food benefits transactions, asking attorneys Wednesday about Conduent's obligations to the retailer without a contract.

Read full article »

AEROSPACE & DEFENSE

Sikhs Denied 2nd Bid To Start Marine Training With Beards

A D.C. federal judge has refused to allow three Sikhs to start basic training with uncut hair and beards pending an appeal over related U.S. Marine Corps policy, saying doing so could negatively affect the Marines' "national security mission."

Memorandum attached | Read full article »

INTERNATIONAL TRADE

Biden Unveils $2.9B Food Aid In UN Speech

The United States will commit an additional $2.9 billion toward global food security this year, President Joe Biden announced during his remarks at the United Nations General Assembly on Wednesday, decrying Russia for "pumping out lies" about the crisis' cause.

Read full article »

Tai Talks WTO Dispute Reform At G20 Trade Meeting

U.S. Trade Representative Katherine Tai on Wednesday gathered officials from six countries on the sidelines of the G20 Trade, Investment and Industry Ministerial Meeting in Bali to promote the U.S. push to overhaul dispute resolution at the World Trade Organization.

Read full article »

IMMIGRATION

DHS, ICE Sued For Sitting On Docs That Could Expose Abuse

The University of Washington's human rights center sued the U.S. Department of Homeland Security and U.S. Immigration and Customs Enforcement in Seattle federal court for failing to provide documents that could shed light on reports that detained immigrants are enduring medical neglect, sexual assault, beatings and long periods without food.

Complaint attached | Read full article »

NATIVE AMERICAN

U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Census Bureau
U.S. Coast Guard
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Energy
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of State
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of Rhode Island
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Texas
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency
U.S. Immigration and Customs Enforcement
U.S. Marine Corps
U.S. Patent and Trademark Office
U.S. Postal Service
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United Nations
United States District Court for the Northern District of Ohio
World Bank Group
World Trade Organization

Lawmakers Press FCC On Lagging Tribal Spectrum Access
The Senate Committee on Indian Affairs urged the Federal Communications Commission to improve its communications with tribal nations on how to best access spectrum during Wednesday's roundtable, including updating the programs for the 2.5 gigahertz band and providing more flexibility for spectrum access funding.
Read full article »

BIA Names Makah Tribe Member To Lead Justice Services
The U.S. Department of the Interior's Bureau of Indian Affairs said Wednesday that it has tapped a member of the Makah Tribe in the Pacific Northwest to help uphold tribal sovereignty by leading the BIA's Office of Justice Services.
Read full article »

TELECOMMUNICATIONS

Tech Lawyers Closely Watch High Court Ruling's FCC Impact
A trio of technology lawyers said Wednesday they are closely watching how a blockbuster environmental ruling at the U.S. Supreme Court affects the Federal Communications Commission as cases bubble up through the courts testing the "major questions" doctrine, which curtails the traditional deference courts give to regulatory agencies.
Read full article »

Satellite Operators Seek Waiver Option In Space Debris Rule
Multiple satellite operators urged the Federal Communications Commission to make some changes to a draft rule on reducing space debris, saying potential waivers to meeting a proposed five-year deadline to de-orbit old spacecraft may be advisable.
Letter attached | Read full article »

CANNABIS

1st Circ. Declines To Review Pot Interstate Commerce Ruling
The full First Circuit on Wednesday declined to review a split panel decision that found the dormant commerce clause of the U.S. Constitution applies to the federally illegal medical marijuana industry.
Order attached | Read full article »

Okla. High Court Says No Pot Legalization Vote In November
The Oklahoma Supreme Court unanimously ruled Wednesday that voters would get a chance to decide whether to legalize adult-use marijuana — but it would not happen at the general election in November.
2 documents attached | Read full article »

'NJWeedman' Pot Law Fight Rightly Tossed, 3rd Circ. Told
The state of New Jersey urged the Third Circuit not to revive a lawsuit challenging voter-approved marijuana legalization efforts brought by the advocate "NJWeedman," saying he did not prove he had standing to pursue the challenge.
Brief attached | Read full article »

EXPERT ANALYSIS

Opinion
Cannabis Legalization Must Address Monopoly Dangers
As lawmakers consider federal cannabis legalization, they must beware the potential dangers to public

health and social equity posed by large marijuana conglomerates — and prioritize anti-monopoly principles, say Shaleen Title at Parabola Center for Law and Policy and Matt Stoller at the American Economic Liberties Project.
Read full article »

The Potential Fallout Of Changing FCC's Broadband Definition

Federal Communications Commission Chairwoman Jessica Rosenworcel's recent proposal would be the first update to FCC broadband standards in many years, and could have a significant effect on FCC internet policies, including whether it will reinstate its network neutrality rules, say J.G. Harrington and Henry Wendel at Cooley.
Read full article »

Anticipating Expansion Of FTC's Section 5 Antitrust Authority

The Federal Trade Commission is considering implementing rulemaking to clarify the conduct that it will consider an antitrust violation under Section 5, a move that could expand the agency's reach with consequential results for businesses and individuals, say attorneys at Duane Morris.
Read full article »

What New Colo. Noncompete Law Means For Employers

Mary Will and Jill Zender at Faegre Drinker discuss key elements of a newly effective Colorado law that adds further restrictions to the use of worker noncompete agreements, explain what types of contracts are still permissible in the state, and share employer compliance tips.
Read full article »

The Pros And Cons Of US-China Auditing Oversight Deal

A recent agreement between the Public Company Accounting Oversight Board and Chinese securities regulators opens the door for U.S.-listed companies audited by China-based accounting firms to continue trading on U.S. exchanges, but may also increase companies' enforcement risk, say attorneys at Morgan Lewis.
Read full article »

How SEC's Climate Proposal Could Affect Litigation Risk

The U.S. Securities and Exchange Commission's proposed rule on climate-related disclosures could increase companies' risk of being targeted by litigation — but there are also a number of legal obstacles that could limit plaintiffs' ability to prove their claims and establish damages, say attorneys at Cleary.
Read full article »

Key Adaptations For Law Firms Amid Quiet Quitting Movement

While quiet quitting may not be sustainable at law firms with billable hour requirements, there are specific steps law firms should take to maintain engagement and otherwise respond to the trend's underlying message that associates won't spend all their waking hours at work if they don't feel it's worthwhile, says Meredith Kahan at Whiteford Taylor.
Read full article »

LEGAL INDUSTRY

Mass Tort Cases Expose Bankruptcy Courts To New Threats

A New Jersey bankruptcy judge recently revealed that he and his staff have been receiving threats and harassment relating to a talc mass tort case, laying bare how exposed bankruptcy courts are as they are called upon to address societal ills instead of mere financial distress, experts say.
Read full article »

Fragomen Chair Passes Torch As Client Engagement Evolves

Fragomen, Del Rey, Bernsen & Loewy LLP, an international provider of immigration-related legal services, announced a change in leadership at its highest levels Wednesday with the selection of two executive committee members to take over as chairs from name partner Austin Fragomen.
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Read full article »

After 12-Year Run, SEC Senior Counsel Moves To Katten In DC

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Read full article »

Disbarred Atty Testifies He Bribed FBI Agent To Evade Probes

A disbarred Beverly Hills attorney testifying in an ex-FBI agent's bribery trial told a California federal jury Wednesday that he paid the agent $10,000 per month in exchange for accessing restricted law enforcement information to see if he was being investigated for his illegal credit card schemes and marijuana growing operation.
Read full article »

Musk Says Twitter Using 'Suspect' Tactics To Hold Back Docs

Elon Musk says Twitter Inc. is improperly asserting privilege on "an eye-popping 7,220 documents" he has sought during litigation over his $44 billion taken-back offer to buy the social media giant, asking the Delaware Chancery Court to grant a "wholesale waiver" of privilege.
Read full article »

'Stranded' Martha's Vineyard Migrants Can Sue Anonymously

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SUBJECT: 1st Circ. Pick Vows To Apply Dobbs 'Faithfully'
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 22/09/2022 02:55

LAW360 HEALTH

Thursday, September 22, 2022 Follow

TOP NEWS

1st Circ. Pick Vows To Apply Dobbs 'Faithfully'
A veteran abortion-rights attorney nominated to the First Circuit vowed to apply the U.S. Supreme Court's recent Dobbs decision "faithfully" and pledged that she would separate her past advocacy from rulings on the bench during a Senate hearing Wednesday.
Read full article »

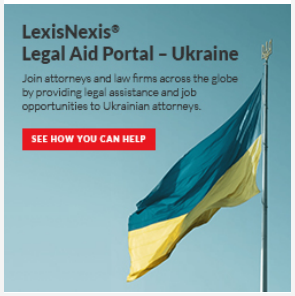
Opioid MDL Attys To Get 'Much More Aggressive' As Talks Lag
Months of talks with drug companies poised to become the next big targets in multidistrict opioid litigation haven't yielded major progress, and a "much more aggressive" approach is needed, one of the highest-ranking attorneys for MDL plaintiffs said Wednesday.
15 documents attached | Read full article »

UnitedHealth-Change Judge Outlines Why DOJ Lost
The U.S. Department of Justice's challenge to UnitedHealth's $13.8 billion bid for Change Healthcare failed at almost every turn, leaving a D.C. federal judge unconvinced that United would "uproot" its business model or that a planned divestiture could not stand on its own, according to the opinion unsealed Wednesday.
Opinion attached | Read full article »

Feds Call Holmes' New Trial Bids 'Ploy' To Delay Sentencing
Federal prosecutors opposed former Theranos CEO Elizabeth Holmes' new trial requests Wednesday, filing three back-to-back response briefs in California federal court that argued no new evidence has been discovered since Holmes was convicted of fraud and conspiracy, and calling Holmes' arguments "a ploy to delay her inevitable sentencing."
3 documents attached | Read full article »

Audit Lays Out Ways DOJ Could Better Fight COVID Aid Fraud
The U.S. Department of Justice's inspector general said federal attorneys need to improve information sharing and coordination so they can prosecute pandemic fraudsters that have taken advantage of the "sheer magnitude" of COVID relief money to rip off the federal government, according to an audit released Wednesday.
Report attached | Read full article »

Mass Tort Cases Expose Bankruptcy Courts To New Threats
A New Jersey bankruptcy judge recently revealed that he and his staff have been receiving threats and harassment relating to a talc mass tort case, laying



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Getty Images Inc.
Hikma Pharmaceuticals PLC
Indivior PLC
JPMorgan Chase & Co.
Johnson & Johnson
Kronos Inc.
LinkedIn Corp.
Massachusetts Institute of Technology
Morgan Stanley

[redacted]

bare how exposed bankruptcy courts are as they are called upon to address societal ills instead of mere financial distress, experts say.
Read full article »

Tort Report: 'Take-Home COVID' Liability On Tap In Calif.

The latest in the "take-home COVID" case in California over whether employers can be sued for the infection of a worker's relative and a $42 million medical malpractice verdict in Illinois lead Law360's Tort Report, which compiles recent personal injury and medical malpractice news that may have flown under the radar.
Read full article »

POLICY & REGULATION

California Rep. Urges FTC Investigation Into Fog Data Science

A California lawmaker is calling on the Federal Trade Commission to investigate a Virginia-based company for allegedly purchasing troves of consumer geolocation data gathered from millions of mobile devices and selling it to law enforcement agencies across the country.
Read full article »

LITIGATION

11th Circ. Won't Rehear Doctor's VA Age Bias Suit

The Eleventh Circuit has rejected a bid from a doctor who requested to have his suit reheard for the third time in a case he filed against the U.S. Department of Veterans Affairs alleging the agency did not grant him employment because of his age, gender and prior employment dispute.

Order attached | Read full article »

United Sanctioned For Late Evidence In Surprise Billing Suit

A California federal judge sanctioned United Behavioral Health on Wednesday and barred it from using tens of thousands of pieces of evidence produced after a discovery cutoff date, finding the late submissions were unjustified and harmful to a proposed class of patients alleging the insurer lowballed out-of-network claim reimbursements.

Order attached | Read full article »

Wake Forest Baptist Must Face Suit Over $2B Retirement Plan

Wake Forest University's academic health system must face a lawsuit accusing it of mismanaging its $2 billion employee retirement plan, with a North Carolina federal judge rejecting the health system's motion to dismiss the suit Wednesday.

Order attached | Read full article »

Pa. Judge Trims Wage Claims From Kronos Hack Suit

A Pennsylvania federal judge on Wednesday dismissed allegations that payroll management firms Kronos Inc. and UKG Inc. were responsible for underpaying a hospital worker after their software froze during a ransomware attack.

Opinion attached | Read full article »

Ga. Justices Won't Review Toss Of Health System's CON Case

The Supreme Court of Georgia has declined to take on a case that a health system brought against the Peach State's health commissioner in an attempt to force an investigation into the allegedly illegal expansion of a rival surgery center.

1 document attached | Read full article »

Ohio Hospital Must Face Suit Over Patient Infection Death

Mylan NV
National Immigration Law Center
New York University
Optum Inc.
Oshkosh Corp.
Purdue Pharma LP
Retrophin Inc.
Space Exploration Technologies Corp.
Tesla Inc.
The Center for Reproductive Rights Inc.
The New York Times Co.
TikTok Inc.
Trihealth Inc.
Trump Organization Inc.
Twitter Inc.
U.S. Chamber of Commerce
UCLA School of Law
UKG Inc.
United Teachers of Dade
UnitedHealth Group Inc.
Universal Music Group NV
University of Pittsburgh Medical Center
University of Virginia
Wells Fargo & Co.
West Penn Allegheny Health System Inc.

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Fried Frank
Friedman Kaplan
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Law Office of John D. Cline
Law Offices of Alan S. Futerfas
Macey Swanson
Martin LLP
Mayer Brown
Morgan Lewis
Morris Manning
Motley Rice
Napoli Shkolnik
Parker Hudson
Phelps Dunbar
Polsinelli PC
Potter Anderson

An Ohio appeals court on Wednesday revived claims against Trihealth Inc. and Bethesda Hospital Inc. that a patient died as a result of an infection contracted during heart surgery, finding that the trial court was wrong to determine at this stage that the suit is a medical claim subject to a four-year statute of limitations.

Opinion attached | Read full article »

Paper Wants More Of UPMC Wiretap Hearing Record Unsealed

The Pittsburgh Post-Gazette wants a Pennsylvania state court judge to review transcripts of a hearing over whether a star University of Pittsburgh Medical Center surgeon was illegally recorded discussing his use of an opioid-addiction treatment drug, and to unseal any parts of the hearing not related to the contents of the disputed recording.

Motion attached | Read full article »

Eli Lilly Seeks Exit From Workers' 401(k) Fees Class Action

Eli Lilly and Co. urged an Indiana federal judge to toss a class action alleging fiduciaries of the company's 401(k) plan unlawfully permitted excessive recordkeeping fees, saying the plan is properly run in accordance with the Employee Retirement Income Security Act.

2 documents attached | Read full article »

EXPERT ANALYSIS

2nd Circ. Shkreli Atty Ruling Guides On 401(k) Garnishment

The Second Circuit's recent holding that the government could garnish the 401(k) accounts of Martin Shkreli's co-conspirator attorney shows that those facing criminal charges should prepare for the possibility that their retirement accounts may be subject to garnishment in order to satisfy restitution orders, say Brea Croteau and Edward Novak at Polsinelli.

Opinion attached | Read full article »

Key Adaptations For Law Firms Amid Quiet Quitting Movement

While quiet quitting may not be sustainable at law firms with billable hour requirements, there are specific steps law firms should take to maintain engagement and otherwise respond to the trend's underlying message that associates won't spend all their waking hours at work if they don't feel it's worthwhile, says Meredith Kahan at Whiteford Taylor.

Read full article »

LEGAL INDUSTRY

11th Circ. Allows DOJ To Access Classified Mar-A-Lago Docs

The Eleventh Circuit on Wednesday granted the U.S. Department of Justice's request for a stay of an injunction blocking prosecutors from reviewing and using classified documents seized at former President Donald Trump's Mar-a-Lago estate in the criminal investigation against him.

Read full article »

NY AG James Sues Trump, Alleging $250M Business Fraud

New York Attorney General Letitia James filed suit Wednesday against former President Donald Trump,

Quinn Emanuel
Rendigs Fry
Robinson Bradshaw
Saul Ewing
Schaerr Jaffe
Schroeter Goldmark
Sheppard Mullin
Shook Hardy
Sidley Austin
Silverman Thompson
Simpson Thacher
Skadden Arps
Venable LLP
Wachtell Lipton
Walcheske & Luzi
Whiteford Taylor
Williams & Connolly
WilmerHale
Wilson Sonsini
Winston & Strawn

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Supreme Court
Commodity Futures Trading Commission
Delaware Court of Chancery
Executive Office for U.S. Attorneys
Federal Bureau of Investigation
Federal Judicial Center
Federal Trade Commission
Georgia Supreme Court
Internal Revenue Service
Judicial Conference of the United States
National Archives and Records Administration
New York Attorney General's Office
New York City Council
Office of the Director of National Intelligence
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Middle District of Florida
U.S. Attorney's Office for the Northern District of California
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of State
U.S. Department of Veterans Affairs
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of Florida

his children and company executives, seeking the return of $250 million in allegedly ill-gotten gains from a 10-year scheme to defraud banks using misleading financial statements.
Read full article »

Meet The Lawyers On Deck In NY V. Trump Biz Fraud Case

The New York attorney general's blockbuster fraud suit against former President Donald Trump, three of his adult children and the Trump organization will pit some of the family's fiercest defenders against a team of seasoned prosecutors.
Read full article »

NY AG Tells 2nd Circ. Trump Can't Revive Harassment Claim

New York Attorney General Letitia James urged the Second Circuit to deny a bid by former President Donald Trump to challenge her investigation into his business dealings, arguing that Trump is trying to improperly revive his already rejected harassment claim.
Read full article »

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Read full article »

Ginni Thomas Agrees To Testify To House Jan. 6 Panel

Virginia "Ginni" Thomas, wife of U.S. Supreme Court Justice Clarence Thomas, has reached an agreement to testify before the House Select Committee investigating the Jan. 6 attack on the U.S. Capitol over her reported activities in the wake of the November 2020 election to overturn President Joe Biden's victory, her lawyer confirmed to Law360.
Read full article »

DC Court Nominees Face Light Scrutiny At Senate Hearing

Three D.C. Superior Court nominees and one D.C. Court of Appeals nominee breezed through a Senate nomination hearing Wednesday, facing only three broad questions about caseload management, proper judicial temperament and how they would adjust to their new positions if approved.
Read full article »

After 12-Year Run, SEC Senior Counsel Moves To Katten In DC

Katten Muchin Rosenman LLP has bolstered its securities litigation practice in Washington, D.C., with a partner who brings more than a decade of experience in the enforcement division of the U.S. Securities and Exchange Commission, the firm announced on Wednesday.
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U.S. Patent and Trademark Office
U.S. Postal Service
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Northern District of Ohio
United States District Court for the Southern District of Indiana
World Trade Organization

IP Luminaries Launch Group To Promote, Defend Innovation

Two former directors of the U.S. Patent and Trademark Office and two former Federal Circuit judges are leading a new group launched Thursday that aims to "change the narrative" around intellectual property, by informing policymakers and the public about how it drives innovation.

Read full article »

Watchdog Asks State Bars To Investigate 15 'Big Lie' AGs

Legal watchdog group The 65 Project filed complaints against 15 state attorneys general on Wednesday for their past or continued involvement in amplifying former President Donald Trump's false accusations of fraud regarding his loss to President Joe Biden in the 2020 presidential election.

Read full article »

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SUBJECT: Morning Consult Health Presented by the Partnership for QualityHome Healthcare: HHS Watchdog Recommends Changes to FDA's Emergency UseAuthorization Process

FROM: Morning Consult <reply@em.morningconsult.com>

TO: hborski@utah.gov

DATE: 22/09/2022 05:54

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

[redacted]

Title

SEPTEMBER 22, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The Health and Human Services Department's Office of Inspector General said in a report that the Food and Drug Administration's emergency use authorization policies resulted in quality issues and false results with COVID-19 tests that quickly hit the market during the early stages of the pandemic. The HHS watchdog said the government should overhaul its EUA strategy before another pandemic occurs, advocating for a "coordinated federal effort to determine a federal testing strategy" that involves stakeholder feedback, improved communication practices with testing labs, more specific guidance on test validation and additional FDA support throughout the process. (Modern Healthcare)

- The reformulated COVID-19 boosters from Moderna Inc. and Pfizer Inc.-BioNTech SE are expected to be available for children by the middle of next month, per the Centers for Disease Control and Prevention, with a recommendation from the agency coming as soon as early October provided the shots are authorized by the FDA. The Pfizer bivalent vaccine would be available for children ages 5-11, while Moderna's booster is expected to be used in kids between 6 and 17, the CDC said. (Reuters)

- Dr. Anthony Fauci said during an interview at The Atlantic Festival that President Joe Biden's declaration that "the pandemic is over" was "semantics" and that he actually intended to convey that "we're in a much better place with regard to the fulminant stage of the pandemic." Fauci said the country is in a new phase where vaccines and antiviral treatments ensure that there aren't sudden surges in the death toll, even as case counts and hospitalization rates seesaw. (The Atlantic)

- HHS Secretary Xavier Becerra declared a public health emergency in Puerto Rico after the island was battered by Hurricane Fiona last weekend and continues to deal with flooding, power outages and other fallout from the storm. HHS' National Disaster Medical System has sent 15 people to Puerto Rico, while another 10 from the agency's management team are also on the island, moves that come after Biden issued an emergency declaration and charged the Federal Emergency Management Agency and the Department of Homeland Security with overseeing disaster relief. (The Hill)

Worth watching today (all times local):

- **8:30 a.m.** FDA meeting of the Vaccines and Related Biological Products Advisory Committee.

- **9 a.m.** FDA meeting of the Oncologic Drugs Advisory Committee.

- **10 a.m.** AEI event: "Access to Obesity Care in the US: Coverage in a New Era of Treatments."

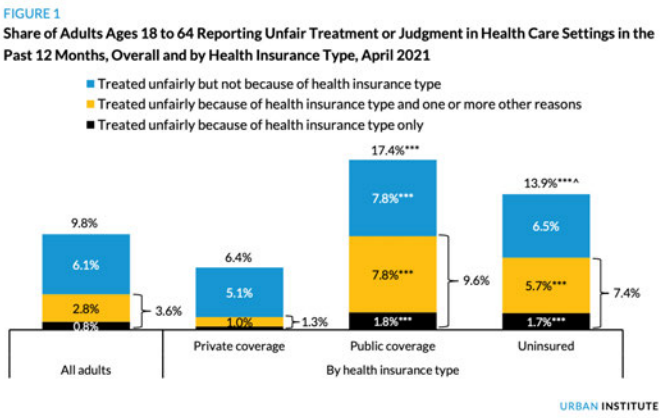
[redacted]

- **11:30 a.m.** Washington Post Live event: "The real cost of unpaid caregiving and impact of the pandemic."

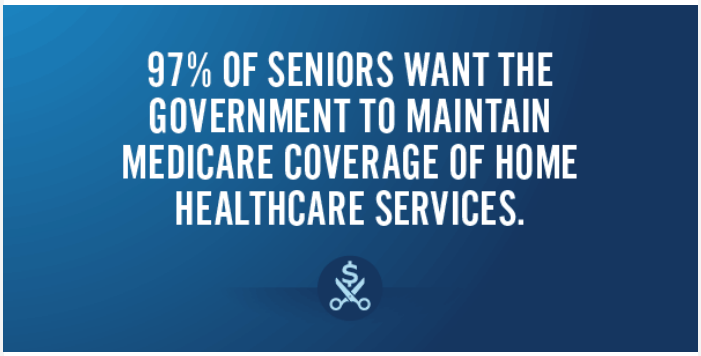
- **12:30 p.m.** Axios event: "The Nation's Mental Health Crisis," featuring Substance Abuse and Mental Health Services Administration Administrator Miriam E. Delphin-Rittmon.

CHART REVIEW

Publicly Insured and Uninsured Patients Are More Likely Than Other Patients to Be Treated Unfairly in Health Care Settings Because of Their Coverage Type
Urban Institute and Robert Wood Johnson Foundation



PRESENTED BY THE PARTNERSHIP FOR QUALITY HOME HEALTHCARE



Polling Shows Widespread and Strong Support for Medicare Home Health. Congress Must Act to Protect Home Health from Cuts!

A recent Morning Consult poll found widespread support for Medicare home healthcare services, but proposed Medicare cuts will limit seniors' choice and force them into institutional settings. Fortunately, lawmakers can prevent these cuts from going into effect. Congress must listen to voters and quickly pass the Preserving Access to Home Health Act!

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Scientists were worried about a particular variant this fall. They didn't expect its offspring
Erin Prater, Fortune
Omicron spawn BA.2.75, dubbed "Centaurus," seemed like the COVID variant to watch this summer—one with the potential to wreak unprecedented havoc later in the year.

Talk of Covid's End Sparks Fight Over Funding, Emergency Powers
Alex Ruoff and Ian Lopez, Bloomberg Law
The latest phase of the Covid pandemic is shaping up to be the hardest for the Biden administration as the White House faces uphill battles getting new funds and public interest for its booster campaign.

Covid Still Kills, but the Demographics of Its Victims Are Shifting
Phillip Reese, Kaiser Health News
As California settles into a third year of pandemic, covid-19 continues to pose a serious threat of death. But the number of people dying — and the demographics of those falling victim — has shifted notably from the first two years.

Moderna exec: 'eager' to collaborate with China on supplying COVID vaccines
Reuters
Moderna Inc (MRNA.O) Chief Medical Officer Paul Burton said on Wednesday the company is "eager" to collaborate with China on supplying its mRNA-based COVID-19 vaccines to the country.

Federal judge strikes down Biden administration's Head Start vaccine, mask mandate
Joseph Choi, The Hill
A federal judge in Louisiana on Wednesday struck down a mandate from the Biden administration that required staffers at Head Start child care facilities to be vaccinated and to wear masks.

GENERAL

Senate bill aims to narrow mental health workforce shortage
Robert King, Fierce Healthcare
The discussion draft (PDF), released Thursday by the Senate Finance Committee, is part of a larger effort by the panel to reform mental health. The legislation would also boost bonus payments for mental health providers that offer care to underserved communities.

WHO: World "off track" in goal to reduce deaths from chronic diseases
Han Chen, Axios
The World Health Organization warned in a report Wednesday that most countries are "far off track" in their efforts to reduce premature deaths from noncommunicable diseases (NCDs), such as cancer, diabetes and cardiovascular diseases.

With overdoses rising, a push for syringe service programs
Sandhya Raman, Roll Call
Experts say the spike in overdoses and diseases related to sharing needles means it's time to revoke a longtime ban restricting federal funds for syringe exchanges. But lawmakers in both parties remain resistant to allowing taxpayer dollars to go toward clean needles and syringes for drug use.

What happens when you don't get enough sleep? Blood samples show heart risks.
Linda Carroll, NBC News
Cutting sleep short on a regular basis may harm immune stem cells, potentially increasing the risk of inflammatory disorders and heart disease, a small new study suggests.

Why mosquitoes were the vaccinators in a new malaria vaccine trial
Max Barnhart, NPR News
"We use the mosquitoes like they're 1,000 small flying syringes," explains University of Washington, Seattle physician and scientist Dr. Sean Murphy, lead author on a paper in Science Translational Medicine released on August 24 detailing the vaccine trials.

The Fatal Error of an Ancient, HIV-Like Virus
Katherine J. Wu, The Atlantic
Many, many millions of years ago, an HIV-like virus wriggled its way into the genome of a floofy, bulgy-eyed lemur, and got permanently stuck.

Monkeypox has worsened stigma of skin conditions like eczema, psoriasis
Amanda Morris, The Washington Post
A cashier with psoriasis received daily complaints from customers at work. A traveler with eczema was escorted off a flight and questioned by airline employees. A commuter with small, benign tumors on her body was unknowingly filmed and scrutinized on social media. All of them were singled out because people mistakenly believed they had monkeypox.

To contain monkeypox, colleges must step up outreach to LGBTQ+ students, experts say
Nadra Nittle, The 19th
Multiple colleges and universities have reported monkeypox cases, but the resources they have to fight the virus aren't equal.

Wisconsin's governor eyes statewide vote on 'criminal' abortion ban
Zach Schonfeld, The Hill
Wisconsin Gov. Tony Evers (D) on Wednesday called a special session of the state legislature for October in an effort to enable voters to repeal the state's 1849 abortion ban through a referendum.

Abortion looms over 2022 state ballots
Oriana Gonzalez and Victoria Knight, Axios
Five forthcoming state ballot initiatives on abortion rights could add fissures to the fractured post-Roe landscape and the evolving patchwork of reproductive health policies.

Death Is Anything but a Dying Business as Private Equity Cashes In
Markian Hawryluk, Kaiser Health News
Private equity firms are investing in health care from cradle to grave, and in that latter category quite literally. A small but growing percentage of the funeral home industry — and the broader death care market — is being gobbled up by private equity-backed firms attracted by high profit margins, predictable income, and the eventual deaths of tens of millions of baby boomers.

PAYERS

Medicare Mental Health Bills Get Boost From House Committee
Tony Pugh, Bloomberg Law
The House Ways and Means Committee advanced a package of legislative proposals designed to improve Medicare coverage of mental health services during a markup hearing Wednesday.

UnitedHealthcare expands fitness partnership with Peloton
Paige Minemyer, Fierce Healthcare
UnitedHealthcare is expanding its relationship with Peloton, making its fitness services available to as many as 10 million members.

Maternal health disparities exist across coverage types: study
Paige Minemyer, Fierce Healthcare
Women of color are at higher risk of maternal health complications, and those disparities persist regardless of whether they are enrolled in commercial health plans or Medicaid coverage, a new study found.

PROVIDERS

Patients Suffered at For-Profit Nursing Homes Early in Pandemic, Congress Says
Lauren Coleman-Lochner, Bloomberg
The report by the House of Representatives' Select Subcommittee on the Coronavirus Crisis examined five for-profit chains operating about 850 homes with 80,000 residents during the early months of the pandemic, drawing on complaints filed against the companies. About 70% of nursing homes in the US are run by for-profit operators.

Galvanized by Dobbs, more doctors are distributing abortion pills by mail
Ruth Reader, Politico
Doctors at online and brick and mortar primary care companies are slowly starting to prescribe medication abortion pills via telemedicine in states where it's still legal following the Supreme Court's Dobbs decision ending the constitutional right to the procedure.

Rural hospitals face funding cliff
Arielle Dreher, Axios
Rural hospitals that weathered the pandemic are facing a funding cliff, in danger of losing some $600 million in Medicare funding at the end of this month unless Congress intervenes.

HHS Publishes National Strategy to Support Family Caregivers
Bloomberg Law
The US Department of Health and Human Services has released the 2022 National Strategy to Support Family Caregivers through the Administration for Community Living, according to a Wednesday news release.

Envision Healthcare teeters on the brink of bankruptcy
Bob Herman, Stat News
Envision Healthcare, the large chain of outpatient surgery centers and physician staffing services for hospitals, is on the cusp of bankruptcy and likely will run out of cash by the end of next year.

PHARMA, BIOTECH AND DEVICES

Adderall shortage in US spreads to two more drug suppliers, impacting consumer demand
Natalie Neysa Alund, USA Today
A growing U.S. shortage of Adderall, a prescription drug taken to treat attention deficit hyperactivity disorder, has spread to two more makers of the drug.

FDA warns of cybersecurity risk with certain Medtronic insulin pumps
Reuters
The U.S. Food and Drug Administration on Tuesday warned that certain types of insulin pump systems manufactured by Medtronic (MDT.N) were vulnerable to cyberattacks and that hackers could potentially hamper insulin delivery by accessing the device.

Novartis to take U.S. drug patent case to Supreme Court
Reuters
Novartis AG (NOVN.S) plans to ask the U.S. Supreme court to uphold the validity of a patent it holds on the dosing regimen for multiple sclerosis drug Gilenya after suffering a setback in a federal appeals court ruling, the Swiss drugmaker said on Wednesday.

Biogen says ALS drug shows clinical benefit in new data analysis
Mrinalika Roy, Reuters
Longer-term use and early initiation of Biogen Inc's (BIIB.O) experimental treatment for an inherited form of amyotrophic lateral sclerosis (ALS) was effective in slowing disease progression, according to a new analysis by the company published on Wednesday.

Medical device, drugmakers assess operations after Hurricane Fiona
Lauren Berryman and Kara Hartnett, Modern Healthcare
As Hurricane Fiona reached Puerto Rico late Sunday night, flooding the archipelago and tipping its battered energy grid into a blackout, healthcare industry leaders and government agencies were bracing for impact.

'Poison Pill' Threats Blamed for Medical Innovation Bill Delay
Alex Ruoff and Jeannie Baumann, Bloomberg Law
Partisan bickering is holding up a biomedical innovation bill in the House, the legislation's main Democratic sponsor said.

A Message From the Partnership for Quality Home Healthcare:

Older Americans and Medicare beneficiaries overwhelmingly prefer home healthcare, but proposed Medicare cuts will threaten their access to care. The proposed cuts will also cause overall costs of care to go up due to increased hospital readmission rates, unnecessary hospitalizations, and increased use of nursing home stays. Congress must act quickly to prevent these disastrous cuts from going into effect by passing the Preserving Access to Home Health Act. Learn more at PQHH.org/cuts.

HEALTH TECHNOLOGY

Genetic Tests Create Treatment Opportunities and Confusion for Breast Cancer Patients
Michelle Andrews, Kaiser Health News
The past decade has witnessed a rapid expansion of genetic tests, including new instruments to inform patients who have been diagnosed with breast cancer about the risk of recurrence and to guide their treatment.

After early wins, CRISPR gene editing is about to get a lot harder
Jason Mast, Stat News
The short history of CRISPR gene editing in humans has, with rare exception, been a history of triumphant progress: A patient apparently cured of sickle cell in 2019, six patients with toxic DNA knocked out of their livers last year, another six patients with a different strand of toxic liver DNA knocked out last week.

Researchers show they can quickly turn CAR-T cells on and off
Jonathan Wosen, Stat News
Researchers reported Wednesday that they could quickly and reliably turn CAR-T cells on and off in cancer patients, giving scientists an unprecedented level of control over this potent — but at times dangerous — oncology therapy.

OPINIONS, EDITORIALS AND PERSPECTIVES

CDC Oversells the 'Bivalent' Covid Shot
Paul A. Offit, The Wall Street Journal
The Centers for Disease Control and Prevention recommends that everyone over 12 receive a "bivalent" Covid-19 vaccine as a booster dose. But only a select group are likely to benefit, and the evidence to date doesn't support the view that a bivalent vaccine containing omicron or its subvariants is better than the monovalent vaccine. The CDC risks eroding the public's trust by overselling the new shot.

[redacted]

Title

RESEARCH REPORTS

Caregiving in a Pandemic: Health-Related Socioeconomic Vulnerabilities Among Women Caregivers Early in the COVID-19 Pandemic
Kelly Boyd et al., The Annals of Family Medicine
The coronavirus disease 2019 (COVID-19) pandemic increased risk of incident and worsening HRSVs for caregivers more than for non-caregivers. COVID-19 response and recovery efforts should target caregivers to reduce modifiable HRSVs and promote the health of caregivers and those who depend on them.

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September 22, 2022

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TOP STORIES

US records steady decline in cancer death rates

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(Pixabay)

US cancer death rates continue to drop in recent years driven by declines in smoking rates and improvements in cancer diagnosis and treatment, according to a report from the American Association for Cancer Research. The number of cancer survivors nationwide jumped from 3 million in 1971 to 18 million this year, and the overall five-year survival rate for all cancers rose from 49% in the mid-1970s to almost 70% between 2011 and 2017. **Full Story:** CNN (9/21)

Noncommunicable diseases account for 74% of global deaths

A World Health Organization report showed noncommunicable diseases kill 41 million people worldwide annually, surpassing the toll of infectious diseases and killing someone younger than 70 every two seconds. Noncommunicable diseases, most of which are preventable, account for 74% of global deaths, and among the top killers are cardiovascular diseases, cancers, chronic respiratory diseases and diabetes. **Full Story:** Voice of America (9/21), Forbes (tiered subscription model) (9/21)

Streamline Post-Acute Care Coordination

Post-acute spending in Medicare totalled $60B in 2020. With 80 million Americans enrolling in Medicare by 2030, it is critical health plans begin taking action now. Learn how Real Time's post-acute analytics solution streamlines care coordination without disrupting workflows. **Learn More.**

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PROVIDERS & SUPPLIERS

Report: US hospital prices jump as much as 31% since 2015

(Christopher Furlong/Getty Images)

A report from patient advocacy group Families USA found that hospital prices in the US have risen by up to 31% since 2015, increasing more than fourfold over the pace of employee wage growth. The paper calls for greater competition in the sector and improved transparency to make hospital care more affordable. **Full Story:** RevCycle Intelligence (9/21)

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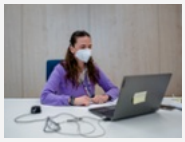
MEDICAL UPDATE

Out-of-state telehealth visits common among Medicare beneficiaries


(NurPhoto/Getty Images)

Five percent of telehealth visits in the first half of last year covered by Medicare were between a patient in one state and a clinician in another, according to a study in JAMA Health Forum. One-third of beneficiaries who had a telehealth visit in the study period lived within 15 miles of a state border, those beneficiaries accounted for 57.2% of out-of-state visits, and a previous study found most patients with an out-of-state visit had previously seen the clinician in person. **Full Story:** Medscape (free registration) (9/20)

Study links certain foods to lower mortality risk in T2D

(Pixabay)

A systematic review and meta-analysis presented at the European Association for the Study of Diabetes' annual conference found people with type 2 diabetes whose diets were rich in whole grains, fish, fiber and omega-3 polyunsaturated fatty acids had a lower all-cause mortality risk than T2D patients who consumed low amounts of the foods and nutrients. However, the research also revealed knowledge gaps, and researcher Janett Barbaresko said more studies are needed. **Full Story:** Medscape (free registration) (9/20)

The rise of the virtual-first health plan

The dramatic increase in telemedicine use seen early in the pandemic also fueled the rise of virtual-first health plans, an emerging model that is testing flexible, consumer-centric care for the digital health era. **Register for this industry roundtable.**

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TOUCHPOINTS PODCAST

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The whole-person mindset

Health plans increasingly underscore the importance of whole-person care and a holistic approach to health. Susan Beaton of Wellframe and Dominick Bizzarro of MVP Health Care discuss what this idea means and how health insurers can integrate a whole-member mindset into their plans to meet the physical, behavioral and experiential needs of members, wherever they are. **Listen now.**

EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

Advocates call for collaboration on collection of race data

Collaboration among health care professionals, state agencies and health insurers is needed to improve collection, validation and exchange of data on race, ethnicity and language to develop targeted interventions, according to an article in Health Affairs. The authors suggested establishing a clinical and business case for improving REL data systems, establishing consensus around standard data collection and validation methods, developing training and education programs, and providing technical assistance where needed. **Full Story:** EHR Intelligence (9/19)

Humana to offer implicit bias, cultural humility training

Humana has teamed up with Chartis Just Health Collective to offer cultural humility and implicit bias training to its network of primary care providers in South Florida and Texas, as part of its broader efforts to advance health equity and whole-person care. The pilot program, which will start next month, aims to upskill providers to allow them to address the needs of more diverse patient populations and give them the ability to recognize implicit bias, cultural humility and their impact on health equity. **Full Story:** Health Payer Intelligence (9/15)

Most pregnancy-related deaths could be avoided

The CDC's Maternal Mortality Review Committees found that from 2017 to 2019, more than eight out of 10 pregnancy-related deaths in the US could have been prevented, including those related to mental health conditions, heart disease, hemorrhaging, blood clots, infection and cardiomyopathy. The panel said better access to insurance coverage for prenatal and postnatal care, removal of transportation barriers, and better referral and care coordination systems are needed. **Full Story:** Axios (9/20)

Getting to Clean, Actionable Data

The key to providing effective healthcare is data, but if there's one word to describe the state of healthcare data today, it's "messy." A clinical data integration strategy helps payers successfully integrate disparate data and choose an effective data management solution.

Read the Gartner newsletter.

[redacted] Title

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HEALTH INSURANCE PROVIDER COMPANY NEWS

- **AHIP: New Study - Medicare Advantage Costs Less than Original Medicare**
- **Alignment Healthcare Rebrands as Alignment Health and Scales its Revolutionary Approach to Medicare Advantage with a "New Era of Aging"**
- **CareSource: Caregiver respite program honored with state-wide award**
- **CVS Health reports progress against goal to reduce suicide attempts among Aetna members 20% by 2025**
- **Three L.A. Care Leaders to Speak at the 2022 Los Angeles State of Reform Health Policy Conference**
- **Point32Health and Cortica Team Up to Transform the Quality of Care for Children with Autism and Other Developmental Differences**
- **Sunflower Health Plan Encourages Flu Vaccination and Education During Upcoming Flu Season**

Chase's New Normal with Finger Prosthesis

"It is important to learn new skills after hand trauma," he explains. "After a loss is the best time to explore something new because there is no benchmark of success to meet. You have to find your new normal in the little things."

Read his full story here.

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SOLUTIONS PROVIDER NEWS

- **Wolters Kluwer Names Chris Sullivan Vice President Commercial Segment for Clinical Effectiveness**
- **Zelis Completes Acquisition of Payer Compass**

PHARMA NEWS

CDC: New COVID-19 boosters for kids expected next month

The CDC expects to recommend the use of updated COVID-19 vaccine boosters for children as young as 5 by early to mid-October if they receive authorization from the FDA. Pediatric bivalent vaccines made by Pfizer/BioNTech and Moderna target the original virus as well as circulating variants, and they are expected to be available by the middle of next month. **Full Story:** Reuters (9/21)

POLICY WATCH

OIG: Changes to EUA policies will improve test quality

HHS' Office of Inspector General urged the FDA to revise its emergency use authorization submission policy to ensure better quality and availability of tests for future outbreaks of infectious diseases. The OIG reviewed the agency's processes involving authorization of COVID-19 tests early in the pandemic, and it found the FDA's policies allowed for rapid release of tests but also enabled poor-quality tests to reach the market. **Full Story:** Reuters (9/21)

[redacted]

AHIP NEWS

Webinar: Pharmacist-led virtual care - register today.

Join us on Tuesday, Oct. 4 from 1 to 2 p.m. ET for "Pharmacist-Led, Patient-Centered Virtual Care Model" as Cureatr discusses their virtual care model and how their clinical pharmacists can help organizations improve HEDIS and STARS ratings by decreasing the number of hospital readmissions. Learn how Cureatr's practitioners work hand-in-hand with patients to improve outcomes.

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PUBLIC HEALTH WEEKLY

September 22, 2022

Improving Health Equity With Data State and Territorial Health Policies

[redacted]

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Strengthening Emergency Preparedness Efforts

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THIS WEEK'S HIGHLIGHTS

SepticSmart Week 2022 | Each third week of September, EPA's **Decentralized Wastewater Management Memorandum of Understanding Partnership** commemorates SepticSmart Week, an opportunity for health agencies at all jurisdictional levels to share educational resources about onsite wastewater treatment system upkeep. This year, ASTHO has commemorated the 10th anniversary of the occasion by signing a proclamation. **Read the proclamation** and learn more about septic care and safety.

New Healthy Aging Learning Module | ASTHO has a new module available designed to support public health agencies in integrating healthy aging into public health frameworks and support partners that serve older adults. Take advantage of this self-paced resource and **register here**.

First Issue of the DELPH Magazine | In honor of the inaugural cohort of the Diverse Executives Leading in Public Health (DELPH) program, ASTHO has a new publication available. The DELPH Magazine features detailed profiles of the cohort and insightful think pieces from leaders at ASTHO and Satcher Health Leadership Institute at Morehouse School of Medicine. Check out the full issue of **the DELPH Magazine** now**.**

Insight and Inspiration | ASTHO has a new upcoming webinar as part of Insight and Inspiration, a series designed to motivate public health professionals and develop their leadership skills. **Stephen Shedletzky**, executive coach and one of Simon Sinek's master trainers, will present Sinek's Golden Circle framework and help attendees identify the WHY that drives their work. **Learn more and register here.**

LATEST ASTHO RESOURCES AND EVENTS

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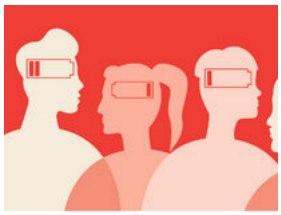

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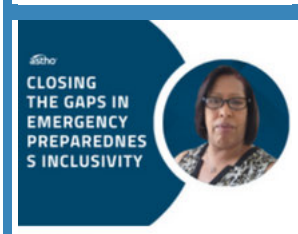

Video

Partnering with the Autism Community on Inclusive Emergency Preparedness

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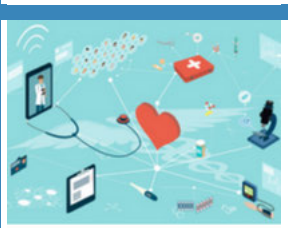

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THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **ACEs Legislative Scan** | Jonathan Purtle, New York University School of Global Public Health
- **Managing Septic Grants** | Lance Gregory, Virginia Department of Health
- **ASTHO's New President-Elect** | Steven Stack (SHO-KY)
- **Maternal Health Crisis Blueprint** | Jamila Perritt, Physicians for Reproductive Health
- **New PH Job Website** | Joanne Pearsol, ASTHO

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PUBLIC HEALTH REVIEW PODCAST

- **Improving Health Equity With Data** | Nicole Alexander-Scott (alumni-RI) | Harry Chen (alumni-VT) | Anna Bradley, MS, Montana Department of Public Health and Human Services
- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network

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PUBLIC HEALTH REVIEW

ASTHO IN THE NEWS

- **Assessing the Global COVID-19 Response: Hard Lessons for the U.S.** | *Governing* | Michael Fraser, ASTHO CEO
- **Lack of Data Still Blunts US Response to Outbreaks.** | *The New York Times* | Anne Zink (SHO-AK), ASTHO president
- **FDA releasing millions of Moderna boosters as states warn of shortages.** | *The Washington Post* | Marcus Plescia, ASTHO CMO

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• **Parents hesitate to give kids under 5 COVID-19 vaccine, worrying health officials. |** *The Washington Post* | Kimberlee Wyche-Etheridge, ASTHO staff
• **COVID-19 testing providers scale back despite worries of another winter surge. |** *NBC News* | Marcus Plescia, ASTHO CMO

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FYI

Brett McIff, PhD, PAPHS
Physical Activity Coordinator
Healthy Environments Active Living (HEAL) Program
O: 801.538.6530
Bmciff@utah.gov
https://heal.health.utah.gov/

Utah Department of Health & Human Services
Population Health

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From: **DNPAO Media Monitor** <CommHealthMediaMonitor@fhi360.org>
Date: Thu, Sep 22, 2022 at 8:37 AM
Subject: DNPAO Media Monitor 9-22-2022
To: <bmciff@utah.gov>

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DNPAO Daily Media Monitor
September 22, 2022
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Access to Healthy Food

Living in a food desert means less nutritious options for this local family

9/21/2022 — DeFuniak Springs, FL

A food desert is a geographic area where residents may have low income and low access to healthy foods, mainly due to a lack of grocery stores. Between Escambia, Santa Rosa, Okaloosa, and Walton counties, 24 geographic areas are identified as food deserts, affecting over 102,000 Northwest Floridians.

Read full article here.

Giant's Healthy Living Program brought to Ward 8 in southeast D.C.

9/21/2022 — Washington, DC

Giant food store is sponsoring a Healthy Living Program for local, and distant community members in the Congress Heights Wellness Space in the store on Alabama Avenue SE in Ward 8. The 4-week course to wellness instructed by nutritionist Alexandra Brown, provides guidance and solutions to residents' health needs, offering lessons on food and lifestyle, budgeting tips, health goals, and more. Each week is dedicated to a specific focus; and provides an open dialogue allowing attendees to ask personal questions specific to their health goals and challenges.

Read full article here.

Wisconsin districts seek solutions as school lunch quality comes under fire

9/21/2022 — Kenosha, WI

When Sadie Perez entered Indian Trail High School and Academy on a November morning, school work was not on her mind. Instead, the then-junior was focused on an upcoming speech to the Kenosha School Board. She planned to bring a pressing concern to their next meeting — bad lunches. Like the majority of schools in Wisconsin, the Kenosha Unified School District offered free meals to students during the 2021-22 academic year. But Perez and other students started to notice smaller portions, what appeared to be undercooked meat and fruit and vegetables covered with dark spots.

Read full article here.

Major expansion coming for program that offers schools "10 Cents a Meal" to serve Michigan produce

9/22/2022 — Michigan

Michigan schools and early childhood education centers will see a major expansion of state incentives to buy and serve Michigan-grown produce in the coming fiscal year.

Read full article here.

Food for thought: DCSD puts emphasis on local food for all ages

9/21/2022 — Decorah, IA

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SUBJECT: The US recorded a steady decline in cancer death rates ... Babiesin the womb liked carrots, didn't like kale ... Holiday shopping dealsstarted early ... "Chucky"-inspired beer became a thing

FROM: "While You Were Working SmartBrief" <wyww@smartbrief.com>

[redacted]

Title

TO: hborski@utah.gov
DATE: 22/09/2022 14:02

For anyone familiar with school lunches, especially for those who grew up in the era of flash-freezing and Sysco domination, eating in the cafeteria wasn't always a bountiful source of what many would call "good food." It wasn't fresh, it wasn't natural, and it certainly wasn't local.

Read full article here.

Phillips High School: An oasis in a food desert

9/21/2022 — Bear Creek, AL

Many families from Bear Creek and surrounding areas recently received 46 pounds of food each thanks to the Supplemental Nutrition Assistance Program-Education (SNAP-Ed), the West Alabama Food Bank (WAFB) of Northport and Phillips High School.

Read full article here.

Created for **hborski@utah.gov** | Web Version

September 22, 2022

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...e. And it's tempting to assume kids have no problem staying active. After all, there is gym class in school, recess for the younger ones and organized sports -- lots of organized sports. But children, and especially teenagers, are far less active

Discover Personal Loans

How to Budget Your Money Wisely in 3 Steps

Some say the secret to building wealth isn't how much you make, but how much you save

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9/21/2022 — Colorado

A new study has revealed the top 10 states with the lowest self-reported obesity rates amongst American adults, and Colorado takes the crown! This may come as unsurprising news to many Coloradans, who take advantage of our many days of sunshine and our plentiful parks and trails.

Read full article here.

THIS HAPPENED

The US recorded a steady decline in cancer death rates

(Pixabay)

Why it matters: If you're a regular reader of WYWW, you know that cancer has had an outsized impact on several editors' lives, so this is welcome news. US cancer death rates continue to drop in recent years, driven by declines in smoking rates and improvements in cancer diagnosis and treatment, according to a report from the American Association for Cancer Research. The number of cancer survivors nationwide jumped from 3 million in 1971 to 18 million this year, and the overall five-year survival rate for all cancers rose from 49% in the mid-1970s to almost 70% between 2011 and 2017. Disparities still exist among historically underrepresented populations, and greater use of e-cigarettes threaten to unwind some of the progress, so the AACR is calling for increased funding for the National Institutes of Health and the National Cancer Institute. **Full Story:** CBS News (9/22), CNN (9/21)

If you have a community news story that you would like to see included in the report, please send the link to commhealthmediamonitor@fhi360.org.

The Webb Telescope captured sharp images of Neptune

Why it matters: Astronomers using NASA's James Webb Space Telescope saw jaw-dropping images of the ice giant Neptune, the best photos taken of the planet since 1989. Infrared instruments on the telescope allowed it to get images of the planet's rings, dust bands and half of its 14 moons. Some of the pictures returned from the telescope indicated that Neptune's atmosphere may be warming. Researchers couldn't contain their excitement: Planetary scientist Heidi Hammel said on Twitter that she "ugly-cried" when she saw the first images from the telescope. **Full Story:** NBC News (9/21)

Babies in the womb liked carrots, didn't like kale

Why it matters: Researchers in England split 70 pregnant women into two groups -- one that took a capsule of kale powder, and the other a capsule of carrot powder, shortly before undergoing an ultrasound scan. They then analyzed the ultrasound scans frame by frame to gauge the fetuses' reactions. The kale capsule elicited an expression that looked like crying twice as often as its carrot counterpart or no capsule, and the fetuses also appeared to laugh two times as often after the carrot capsule, compared with a kale capsule or no capsule. I might have the same reaction when it comes to kale vs. carrots, myself.
Full Story: The Guardian (London) (9/22)

Holiday shopping deals started early

Why it matters: In an effort to head off the effects that rising inflation is having on shoppers, Target and Walmart said today that they will start holiday sales and price matching sooner this year. The retail giants will expand their discounts and sales offerings and also lengthen their windows for returning gifts. Analysts are expecting a significantly slower holiday season than last year's. **Full Story:** ABC News/The Associated Press (9/22)

FOR YOUR DINING PLEASURE

Queen Elizabeth II's recipe for pancakes was shared

Why it matters: A note from the former monarch of the UK, who died Sept. 8, to then-US President Dwight D. Eisenhower in 1960 that included a recipe for "drop scones" (better known as pancakes stateside) was recently posted on Reddit. If you do decide to try your hand at whipping them up, you might want to invite some friends: The recipe serves 16 people. Or, if you prefer to make a smaller batch, you can follow the queen's advice to Ike: "[W]hen there are fewer people, I generally put in less flour and milk, but use the other ingredients as stated." **Full Story:** Food Network (9/21)

THE DAGGER BALL

Starting Lineup figures made a comeback

Why it matters: Throwbacks seem to hold a special place in sports fans' hearts (think retro sneakers and uniforms, for starters), so this move makes perfect sense. The NBA is teaming with toymaker Hasbro to bring back Starting Lineup figures (remember these from the late 1980s?) of some of its current star players, including Stephen Curry, Luka Doncic, LeBron James and Trae Young. The toys are a little more advanced -- and expensive -- than their predecessors: The current figures come with accessories, a trading card and a code for an NFT trading card, and retail for $49.99 each. **Full Story:** The Post-Standard (Syracuse, N.Y.) (9/22)

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YOUR FUTURE

...Might include holographic phone calls
Installation (9/21)

...Will include fewer travel restrictions in Japan
The Associated Press (9/22)

...Could include your Tesla being recalled
Reuters (9/22)

JUST BECAUSE

Hopscotch lovers kept on hopping ... and hopping

Why it matters: If hopscotch was a favorite game of yours as a child, head to Chatfield State Park in Littleton, Colo., where you'll find the world's longest hopscotch course, stretching more than 4.37 miles and setting a mark recognized by Guinness World Records. Putting the course together took six days.
Full Story: KRDO-TV (Colorado Springs, Colo.) (9/20), KMGH-TV (Denver) (9/20)

HAPPY HOUR FUN

"Chucky"-inspired beer became a thing

(Elysian Brewing Co./YouTube)

Why it matters: Elysian Brewing partnered with Syfy and USA Network to celebrate the second season of "Chucky" with a limited-edition "Chucky: A Killer Wit Beer" that's being sold at select bars and stores, accompanied by a QR code that unlocks an augmented reality experience starring the scary doll. A 60-second spot shows Chucky (of "Child's Play" horror movie fame) terrorizing one of the brand's employees at its brewery before disappearing into a vat of the new pumpkin beer. **Full Story:** Ad Age (tiered subscription model) (9/21), Adweek (9/21)

WYWW PLAYLIST

"Basketball" by Kurtis Blow

You can jam this and other tunes on our WYWW playlist.

ENJOY THE VIEW

Tampa, Fla.

(Robyn Felix)

Robyn Felix took this picture of the Henry B. Plant Museum on Museum Day last Saturday. I hope others followed Robyn's lead and visited a museum! **Full Story:** Flickr (9/22)

ABOUT THE EDITORS

Doug Harris

In addition to contributing to WYWW, I edit health care newsletters and write and edit custom health care content for SmartBrief.

I'm the official pancake expert in the house, so perhaps I'll give the queen's recipe a whirl. I'll definitely less flour and milk, though.

If you like WYWW, hate WYWW, or want to share a story, song or photo, drop me a line.

Thomas Pynchon

[redacted] Title

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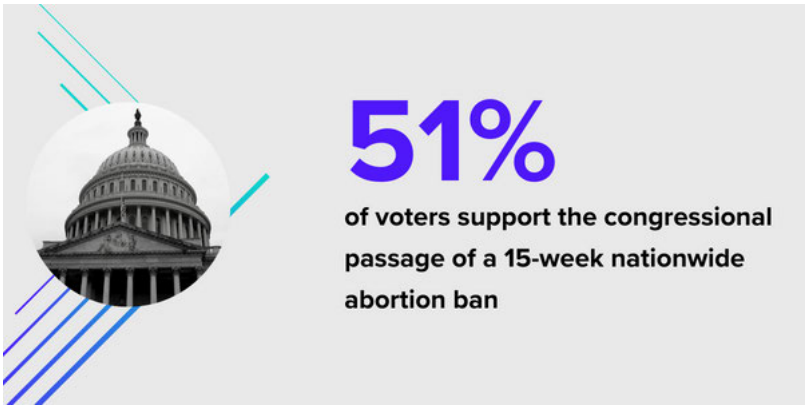
SUBJECT: Our Best Intel: September 22, 2022
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 22/09/2022 16:02

MORNING CONSULT

September 22, 2022 | View Online

Our Best Intel

[redacted]



HEALTH

Voters Are Divided on Lindsey Graham's 15-Week Abortion Ban

The introduction of Sen. Lindsey Graham's bill last week to ban doctors across the country from performing abortions after 15 weeks of pregnancy seemingly blindsided the South Carolina Republican's colleagues, with the GOP already playing defense on the issue following a string of post-Roe v. Wade special election wins for Democrats.

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Sustainability Report

Morning Consult's Sustainability Report — part of our larger "What Sustainability Means to Consumers" project — gathers the view of 2,210 U.S. adults on what actions sustainable consumers expect from the brands they purchase from. Download now.

WEBINAR

State of Industries Webinar

Join the Morning Consult Industry Analysis team on Wednesday, October 5th at 12 PM ET as we discuss the trends happening across consumer banking, retail and e-commerce, food and beverage, and travel and hospitality. Register here.

WHAT WE'RE TRACKING

[redacted]

Title

Global Leader Approval

Liz Truss, Prime Minister of the U.K. makes her tracking debut with a net approval rating of -12. Learn more.

Global Vaccine

The U.S. (70%) is still behind only Russia (45%) for vaccination rate among tracked countries. Learn more.

Smart Finances

One in 4 U.S. adults are not confident they will be able to afford all of their normal expenses this month. Learn more.

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FROM OUR NEWSROOM

SPORTS

MLB Fans Support Adding a Pitch Clock to Speed Up Games: The 2022 MLB postseason begins in a few weeks, but the league is already looking to improve the product for 2023. New rule changes will make America's pastime look different on the field next year, and a large segment of the league's fans support the changes, according to new Morning Consult data. Read more.

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SUBJECT: Breaking Down The DOJ's American-JetBlue Antitrust Trial
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 23/09/2022 02:12

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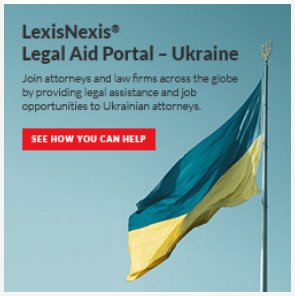
Friday, September 23, 2022 Follow

TOP NEWS

Analysis

Breaking Down The DOJ's American-JetBlue Antitrust Trial

American Airlines and JetBlue's highly anticipated showdown with the Biden administration in an upcoming antitrust trial stands to affect how intensely competition enforcers scrutinize future airline combinations, code-share agreements and joint



[redacted]

ventures. Here, Law360 takes a closer look at the case.
Read full article »

1st Post-Dobbs Abortion Ban Is Blocked In Indiana

An Indiana state court judge said that the Hoosier State can't enforce a near-total ban on abortion while pro-choice advocates fight the law, the latest in a legal saga in the wake of the U.S. Supreme Court's Dobbs decision.

Order attached | Read full article »

2nd Circ. Overturns NRA's Free Speech Win

The Second Circuit found Thursday that an investigation into insurers partnered with the National Rifle Association and a former New York official's statements advising NRA-affiliated businesses to assess their reputational risks did not violate the gun advocacy group's constitutional rights.

Opinion attached | Read full article »

9th Circ. Revives Trump-Era Endangered Species Rollbacks

A series of measures that the Trump administration took to weaken the Endangered Species Act are in effect again, at least temporarily, after the Ninth Circuit found that a California federal judge "clearly erred" in voiding those policies this summer without weighing their legal merits.

Order attached | Read full article »

Special Master Orders Trump To Back Up Planted Docs Claim

The court-appointed special master overseeing the review of documents seized from former President Donald Trump's Mar-a-Lago estate ordered Trump on Thursday to back up claims he has made outside court that the FBI planted evidence at the property during the search.

1 document attached | Read full article »

Pa. Judge Torn Over Need For Fast Ruling On 'Curing' Votes

A Pennsylvania appellate judge weighing Republicans' challenge to counties that allow voters to fix or replace defective mail-in ballots is in a race across a tightrope, with voters' right to have their ballots counted on one side and trust in the electoral system on the other, she indicated during arguments Thursday.
Read full article »

Jan. 6 Rioter Who Testified Before Congress Avoids Prison

A D.C. federal judge sentenced an Ohio man who participated in the 2021 attack on the U.S. Capitol to probation Thursday, citing the defendant's July testimony before the House Select Committee investigating the riot as evidence of his remorse.
Read full article »

Ex-Miss. Welfare Head Reaches Plea Deal In Favre Fraud Case

A former Mississippi Department of Human Services official pled guilty Thursday to federal charges in a multimillion-dollar welfare fraud scandal, a case that also involves retired Pro Football Hall of Fame quarterback Brett Favre and the family of professional wrestling star Ted DiBiase.

Notice attached | Read full article »

CIVIL RIGHTS

NY Judge Who Pointed Gun At Black Litigant Faces Removal

A New York judge accused of pointing a gun at an unarmed Black defendant in court and then bragging about the incident while describing the man as "built

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like a football player" should be removed from office, the state ethics watchdog announced Thursday in calling the action "unjustified."

1 document attached | Read full article »

Texas Justices Mull If Payment To Exoneree Ends His Suit, Too

Texas' high court debated the meaning of the word "bring" on Thursday as it explored whether payments received by an exoneree under a Lone Star State law for wrongful convictions are tantamount to a settlement in his ongoing civil rights lawsuit against the city of Houston and Harris County.

Read full article »

FAMU Students Claim Florida Deliberately Underfunds HBCUs

A group of Florida A&M University students filed a proposed class action Thursday, accusing the state of deliberately underfunding its historically Black colleges and universities, preventing them from reaching parity with other institutions in the state.

Complaint attached | Read full article »

BANKING & SECURITIES

PCAOB Chair Puts Year-End Deadline On Chinese Audits

Public Company Accounting Oversight Board Chair Erica Williams said Thursday that U.S. investors will know before the year is out if the Chinese government has upheld its commitment to providing full and unobstructed access to U.S. auditors sent to review the financial records of Chinese companies.

Read full article »

US Reps. Introduce Credit Card Competition Act

Reps. Peter Welch, D-Vt., and Lance Gooden, R-Texas, have introduced a bill that aims to bolster competition in the credit card industry and lower transaction costs for small businesses.

Bill attached | Read full article »

GOP Sens. Call On Bank CEOs To Buck 'Uber-Woke' Pressure

Chief executives of the nation's biggest banks got an earful during a Senate hearing on Thursday as Republicans urged them to stand up against the "uber woke," and Democrats pushed for more aggressive action to eliminate overdraft fees and compensate mobile payment fraud victims.

Read full article »

ENERGY & ENVIRONMENTAL

Calif. High Court Keeps In Place Finding Bees Are Legally Fish

The California Supreme Court on Wednesday declined to review an appellate court's finding that the Golden State can protect bumblebees under the state Endangered Species Act's definition of fish, but issued a statement cautioning the public not to read too much into the justices' decision.

4 documents attached | Read full article »

EPA GC Tells Attorneys To Expect Climate Action

The U.S. Environmental Protection Agency's top lawyer on Thursday said the U.S. Supreme Court's recent ruling limiting the federal government's power to regulate greenhouse gases from existing power plants will not stop the agency from making "significant" climate change-related regulatory changes.

Read full article »

NYC Comptroller Presses BlackRock On Climate Pledge

New York City Comptroller Brad Lander pressed BlackRock Inc., the largest asset manager for three city pension funds, about why it has appeared to be

Vorys
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COMPANIES IN TODAY'S NEWS

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Gucci Group NV
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Institutional Shareholder Services Inc.
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National Hockey League
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backing down from its decarbonization commitments under Republican pressure.

Letter attached | Read full article »

Green Groups Blast FERC Power Market Plan Approvals

Clean energy groups petitioned the D.C. Circuit on Wednesday to vacate a series of Federal Energy Regulatory Commission orders approving a plan by Southeastern utilities to establish a regional electricity market, saying it would create "opportunities for market power abuse and manipulation."

Brief attached | Read full article »

HEALTH & LIFE SCIENCES

Rutgers Defeats Challenge To COVID-19 Vaccine Mandate

A New Jersey federal judge on Thursday tossed a lawsuit from Rutgers University students and an anti-vaccine group challenging the institution's COVID-19 vaccine mandate, finding that the school was permitted to implement the policy to help curb the spread of the disease.

Opinion attached | Read full article »

IP & TECHNOLOGY

Vidal Says PTAB Issued Sanctions 31 Times For IPR Abuse

The Patent Trial and Appeal Board can and does sanction parties for "abuse" of its procedural rules, and has done so 31 times over the last decade, U.S. Patent and Trademark Office Director Kathi Vidal told senators in a letter Wednesday.

Letter attached | Read full article »

EMPLOYMENT & BENEFITS

DHS Revokes Trump-Era Work Limits For Asylum-Seekers

The U.S. Department of Homeland Security on Thursday published a final rule revoking two Trump-era regulations that curbed the ability for asylum-seekers to get work permits, officially returning to provisions set in place before the rules took effect.

Read full article »

Trucking Company Can Join AB 5 Fight, Judge Says

A trucking trade association will be able to intervene in a lawsuit challenging California's Assembly Bill 5, a California federal judge ruled in an order docketed Thursday, saying that the law could impact the group's members the most.

Order attached | Read full article »

Ill. Justices Block Ex-Lawmakers' Suit Over Pay Cuts

Illinois' top court on Thursday slammed the door on former Republican lawmakers who claimed their salaries were unlawfully reduced under statutes that eliminated annual cost-of-living adjustments and required them to take furlough days, saying they've "slept on their rights" by waiting nearly a decade to sue after the laws were first passed.

Opinion attached | Read full article »

NYC Defends Fast-Food Just Cause Law At 2nd Circ.

A law making it tougher for New York City fast-food restaurants to fire workers neither encroaches on federal labor law nor unfairly boosts local businesses over national chains, the city told the Second Circuit, urging the court to reject an industry challenge.

Brief attached | Read full article »

North American Electric Reliability Corp.
Omya AG
Owner-Operator Independent Drivers Association Inc.
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Metlakatla Indian Community
Mississippi Department of Human Services
National Archives and Records Administration
National Marine Fisheries Service
National Railroad Passenger Corp.

COMPETITION

FTC's Bedoya Says Antitrust Cares Too Much About Efficiency

Federal Trade Commission member Alvaro M. Bedoya said Thursday that antitrust enforcement has been too concerned with how efficient companies are and needs to do more to promote fairness in the economy, especially for small businesses and rural America.

Read full article »

7th Circ. Mulls If Chicago's $1B Meter Deal Created Monopoly

A Seventh Circuit judge on Thursday said she was "dubious" of two Chicagoans' claim that an investment entity led by Morgan Stanley & Co. has monopoly power over Chicago's parking meter system after striking a controversial $1.16 billion, 75-year contract with the city.

Read full article »

Sen. Judiciary Advances Journalism Competition Bill With Fix

The Senate Judiciary Committee voted Thursday to advance a bill that would allow certain journalism outlets to collectively negotiate with major tech companies over payment for their content after adopting an amendment barring content moderation issues from the talks.

Read full article »

CYBERSECURITY & PRIVACY

FERC Officials Are Lukewarm Over Grid Cybersecurity Perks

The Federal Energy Regulatory Commission on Thursday unveiled a congressionally mandated plan to pay utilities for beefing up their cybersecurity defenses, but several commissioners expressed concern over its potential effectiveness and price tag.

Proposed Rule attached | Read full article »

CONSUMER PROTECTION

9th Circ. Says Hydroponic Food Can Use 'Organic' Labels

The Ninth Circuit on Thursday upheld a finding that the U.S. Department of Agriculture may continue to allow hydroponic growers to label their goods as "organic," rejecting arguments by traditional organic farmers that hydroponically grown foods can't be organic under the Organic Foods Production Act.

Opinion attached | Read full article »

FTC Won't Let Amazon, Execs Out Of Widened Prime Probe

The Federal Trade Commission has largely refused to scrap what Amazon has deemed to be "unreasonable" demands in the commission's probe into Prime enrollment and cancellation policies or to excuse its founder Jeff Bezos and CEO Andy Jassy from testifying.

2 documents attached | Read full article »

AEROSPACE & DEFENSE

Class Settlement For Foreign Soldiers OK'd In Discharge Suit

A D.C. federal judge on Thursday approved a settlement agreement between the U.S. Army and a cohort of skilled foreign-born military recruits who had accused the Army of discharging them without proper notice.

Order attached | Read full article »

INTERNATIONAL TRADE

Navajo Nation
New Jersey Department of Environmental Protection
New Jersey Legislature
New Jersey Supreme Court
Office of Foreign Assets Control
Office of National Drug Control Policy
Ohio Supreme Court
Pennsylvania Attorney General's Office
Pennsylvania Department of State
Pennsylvania Supreme Court
Texas Attorney General's Office
Texas Supreme Court
U.S. Army
U.S. Attorney's Office
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Education
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the District of New Jersey
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of Mississippi
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission

[redacted]

Title

Russia Market Economy Review Moves To Rubber Probe

The U.S. Department of Commerce will shift its current review of Russia's free market status, which ran in tandem with a now-concluded probe of fertilizer imports, to an ongoing inquiry into rubber imports, according to a notice posted Thursday.

Notice attached | Read full article »

Death In Custody Spurs Blacklisting Of Iran's 'Morality Police'

The U.S. Treasury Department announced new sanctions on Thursday against Iran's Guidance Patrol, frequently referred to as the "morality police," following the death of 22-year-old Mahsa Amini at a reeducation center, which has spurred national protests.

Read full article »

TAX

Pa. Judge Strikes Down Pittsburgh's Nonresident 'Jock Tax'

A Pennsylvania judge struck down Pittsburgh's fee on nonresident professional athletes, finding that it violates the state constitution's uniformity clause by imposing higher tax burdens on players who live outside the city than those who reside in it.

Decision attached | Read full article »

NATIVE AMERICAN

Navajo Nation Citizen Confirmed By Senate As IHS Director

A Navajo Nation citizen has been confirmed by the full U.S. Senate to lead the Indian Health Service at the U.S. Department of Health and Human Services, becoming the department's most senior official in charge of developing health care policy for Indigenous people.

Read full article »

Alaska Asks 9th Circ. To Rehear Tribal Fishing Rights Suit

Alaska is asking the Ninth Circuit to reconsider a Native tribe's bid to expand its fishing rights, arguing that the appeals court earlier this month wrongly accepted a "one-sided" narrative that the tribe has fished in off-reservation waters since at least the late 19th century.

Motion attached | Read full article »

TELECOMMUNICATIONS

FCC Fines Stations $3.4M Over Children's TV Ads

The Federal Communications Committee hit Nexstar Media Group, Sinclair Broadcast Group and 19 other broadcast licensees with a combined $3.4 million fine Wednesday for repeatedly airing Hot Wheels commercials during a Hot Wheels-themed show created for children.

2 documents attached | Read full article »

FCC Mulls Revamp Of TTY Mandate For Deaf Services

The Federal Communications Commission asked for comments Thursday on a T-Mobile Accessibility petition that proposed throwing out a rule that requires teletypewriters used by hearing- or speech-impaired consumers to be capable of communication with the American Standard Code for Information Interchange.

2 documents attached | Read full article »

CANNABIS

U.S. Senate
U.S. Supreme Court
United States District Court for the District of Vermont
Washington State Liquor and Cannabis Board

[redacted]

DOJ Says Pot Still Illegal, Even If Fed Law Not Enforced

The U.S. Department of Justice is urging a Florida federal court to throw out a suit challenging a DOJ rule that medical cannabis users don't have Second Amendment rights, saying that even if the federal government is not currently spending money to prosecute federal laws against cannabis, the possession of it is still a federal crime.

Response attached | Read full article »

Seattle Free Cannabis Licenses Aim For 'Social Equity'

People living in high-poverty areas or who have been convicted of a drug offense are now eligible for cost-free cannabis licenses from the city of Seattle allowing them to engage in a cannabis business.

Read full article »

Calif. Regulators Seek $128M In Penalties From Illegal Pot Biz

California's cannabis regulator asked a state judge on Wednesday to grant a summary judgment award of $128 million in penalties from a group of unlicensed pot product makers who had effectively admitted to the unlawful activity in court.

Motion attached | Read full article »

EXPERT ANALYSIS

Biden Order's New Lens Puts Foreign Transactions In Focus

President Joe Biden's landmark executive order on national security factors that will be considered by the Committee on Foreign Investment in the United States provides a new perspective for parties addressing questions and concerns on transactions, and reaffirms the role of CFIUS in national security, say attorneys at Simpson Thacher.

Read full article »

SEC's 'Regulation By Enforcement' Vision Coming Into Focus

Remarks by U.S. Securities and Exchange Commission leadership at the recent SEC Speaks conference suggest that the commission's "regulation by enforcement" strategy has important implications for market participants on many different fronts, say attorneys at Perkins Coie.

Read full article »

How New FCC Rule Will Improve Telecom Options For Tenants

A new Federal Communications Commission rule that takes effect Sept. 26 will give American tenants newfound access to competitive telecom services, promote consumer choice and help alleviate the anti-competitive effects of revenue sharing agreements, say John Reardon and Emily Edwards at Kutak Rock.

Read full article »

Fla. Evidence Code Update Lowers Burden For Image Use

Florida's recent evidence code change permits judicial notice of images and certain other graphics, a hugely meaningful development for litigants across a wide range of practice areas, though the effect will likely be immediately felt in property insurance cases, say Eve Cann and David Levin at Baker Donelson.

Read full article »

What Del. Officer Exculpation Law Means For D&O Insurance

Following a recent Delaware code amendment to allow corporate exculpation of officers, businesses considering whether to update their articles of incorporation accordingly should factor in the potential benefits respecting the availability and cost of directors and officers insurance, say Bryan Coffey and Peter Gillon at Pillsbury.

Read full article »

PTAB Director Review Under Vidal: The First 6 Months

In her first six months in office, U.S. Patent and Trademark Office Director Kathi Vidal has displayed a practical approach that refocuses proceedings to the merits of invalidity challenges and the statutory goal of restoring confidence in patent quality, say Harper Batts and Fred Qiu at Sheppard Mullin.

Read full article »

Worker Misclassification Poses Large Perils For NJ Cos.

Considering the New Jersey Legislature's and governor's recent focus on worker misclassification — as well as the state supreme court's recent interpretation of the so-called ABC test — the dangers of noncompliance for businesses that use independent contractors cannot be understated, say Brent Bouma and Peter Shapiro at Lewis Brisbois.

Read full article »

3rd Circ. Decision Highlights Enviro Law Notice Requirements

The Third Circuit's recent dismissal of Shark River Cleanup Coalition v. Township of Wall is a reminder of an important but often overlooked aspect of citizen suits brought under environmental laws like the Clean Water Act: Plaintiffs' failure to comply with statutory notice requirements can have significant consequences, says Charles Dennen at Archer.

Opinion attached | Read full article »

LEGAL INDUSTRY

Tom Girardi's Treasures Going Once, Twice, Sold At Auction

It is often said that you can't judge a man before walking a mile in his shoes, and one lucky bidder can now do just that in disgraced attorney Tom Girardi's shaded brown crocodile Gucci Oxfords, thanks to an auction Wednesday of items from his Southern California mansion.

Read full article »

Kreindler Sanctioned Over Deposition Leak In 9/11 MDL

A New York federal magistrate judge has sanctioned Kreindler & Kreindler LLP and its former consultant over the leak of a deposition from multidistrict litigation over the 9/11 attacks, saying it was deliberately leaked to "embarrass" defendant Saudi Arabia.

Read full article »

Covington Welcomes Back Antitrust Pro After Stretch At DOJ

A former Covington & Burling LLP associate is returning to the firm's Washington, D.C., office as a partner after spending nearly four years focused on matters related to competition and technology at the U.S. Department of Justice, the firm announced Wednesday.

Read full article »

Former Ga. Judge Sees Mediation Boom In New Legal Venture

As the state continues to deal with case backlogs as a result of the COVID-19 pandemic, a recently retired Georgia Superior Court judge said he's seen an explosion in demand for mediation services at his newly launched multi-practice law firm.

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SUBJECT: 'Stay In Your Lane,' Pa. Panel Tells Judge In Ivermectin Case
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 23/09/2022 02:38

LAW360 HEALTH

Friday, September 23, 2022 Follow

TOP NEWS

'Stay In Your Lane,' Pa. Panel Tells Judge In Ivermectin Case
A Pennsylvania state appeals court in a precedential ruling Thursday told a county judge to "stay in your lane," overturning an injunction forcing a University of Pittsburgh Medical Center hospital to administer ivermectin to a COVID-19 patient at the request of his power of attorney.
Opinion attached | Read full article »

1st Post-Dobbs Abortion Ban Is Blocked In Indiana
An Indiana state court judge said that the Hoosier State can't enforce a near-total ban on abortion while pro-choice advocates fight the law, the latest in a legal saga in the wake of the U.S. Supreme Court's Dobbs decision.
Order attached | Read full article »

'Kobe Stopper' Latest To Take Plea In NBA Health Fraud Case
A former Portland Trail Blazers forward nicknamed "the Kobe Stopper" for his purportedly strong defense on the late Los Angeles Lakers star is the latest ex-NBA player to admit his role in a sweeping scheme to defraud the league's health care plan.
Read full article »

N.C. Hospital Fends Off Some Claims In Surprise-Billing Suit
A state court judge has dismissed a portion of a proposed class action over alleged surprise billing practices at a North Carolina hospital, finding the facility did not owe its patients a fiduciary duty and isn't subject to a powerful state consumer protection law.
Opinion attached | Read full article »

Sofia Vergara's Ex-Fiancé Can't Revive Pre-Embryo Suit
Sofia Vergara's ex-fiancé Nick Loeb can't use the couple's cryopreserved pre-embryos, a California

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Abbott Laboratories
AdventHealth
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Atlantic Health System Inc.
Biogen Inc.
California Attorney Lending
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Direct General Corp.
Fred Meyer Inc.
Fresenius Kabi AG
General Electric Co.
George Washington University
Gerber Products Co.
Google LLC
Gucci Group NV
Harris Teeter Supermarkets, Inc.
Instagram Inc.

appeals court affirmed Thursday, finding that Loeb didn't show he signed a contract governing the pre-embryos under duress, but rather "at most" was "too embarrassed and humiliated" to voice his desire for sole control over them.

Opinion attached | Read full article »

FTC's Bedoya Says Antitrust Cares Too Much About Efficiency

Federal Trade Commission member Alvaro M. Bedoya said Thursday that antitrust enforcement has been too concerned with how efficient companies are and needs to do more to promote fairness in the economy, especially for small businesses and rural America.

Read full article »

POLICY & REGULATION

Navajo Nation Citizen Confirmed By Senate As IHS Director

A Navajo Nation citizen has been confirmed by the full U.S. Senate to lead the Indian Health Service at the U.S. Department of Health and Human Services, becoming the department's most senior official in charge of developing health care policy for Indigenous people.

Read full article »

ENFORCEMENT & COMPLIANCE

VP Cops To Prescription Forgery In Medicare Fraud Cover-Up

The 28-year-old vice president of operations at two North Carolina health care companies pled guilty to helping forge prescriptions for unnecessary medical equipment in an attempt to cover up Medicare fraud, prosecutors said.

Read full article »

LITIGATION

Rutgers Defeats Challenge To COVID-19 Vaccine Mandate

A New Jersey federal judge on Thursday tossed a lawsuit from Rutgers University students and an anti-vaccine group challenging the institution's COVID-19 vaccine mandate, finding that the school was permitted to implement the policy to help curb the spread of the disease.

Opinion attached | Read full article »

Aetna Defends Bid To End Class In Benefits Clawback Suit

Aetna Life Insurance Co. has criticized arguments from a class of policyholders alleging the company clawed back disability benefits, asserting in its attempt to decertify the class that the lead plaintiff had ignored new Third Circuit precedent that alters the legal landscape for such claims.

Response attached | Read full article »

Viatris Investor Can Take Merger Suit Back To State Court

A proposed class action accusing pharmaceutical company Viatris of misleading investors about its plans to pay dividends following its creation in a 2020 merger should not have left state court, a Pennsylvania federal judge reasoned in a decision remanding the case.

Order attached | Read full article »

Fla. Panel Reinstates Radiology Co.'s Unpaid Claim Fight

A Florida appellate panel reinstated a radiology provider's suit against an insurer over unpaid medical bills, finding that a lower court was wrong to rely on a separate judgment declaring an auto policy void as the basis for granting dismissal.

KPMG International
Ladenburg Thalmann Financial Services Inc
LinkedIn Corp.
Los Angeles Lakers
Meta Platforms Inc.
Microsoft Corp.
Mylan NV
New York State Bar Association
New York University
Ollie's Bargain Outlet Inc.
Peloton Interactive Inc.
Pfizer Inc.
Planned Parenthood Federation
Portland Trail Blazers
Snap Inc.
State Bar of California
StubHub Inc.
Sutter Health
The Kroger Co.
Uber Technologies Inc.
University of Georgia
University of Pittsburgh Medical Center
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Migliaccio & Rathod
Nexsen Pruet
Pena & Soma
Pietragallo Gordon

Opinion attached | Read full article »

DOJ Says Pot Still Illegal, Even If Fed Law Not Enforced

The U.S. Department of Justice is urging a Florida federal court to throw out a suit challenging a DOJ rule that medical cannabis users don't have Second Amendment rights, saying that even if the federal government is not currently spending money to prosecute federal laws against cannabis, the possession of it is still a federal crime.

Response attached | Read full article »

Chicago Urges Court Not To Revive Genetic Bias Damages Bid

The city of Chicago told an Illinois federal judge that workers cannot restore claims for cash damages in their suit alleging that a city wellness program violated federal genetic discrimination law, saying the workers' bid to reinstate the claims is untimely and baseless.

Response attached | Read full article »

Kroger Accused of Selling Toxic Metal-Laced Baby Food

Parents from three states launched proposed class claims that said baby food distributed and sold by the Kroger Co. contained harmful levels of heavy metals and that they were misled because such information was not on the packaging.

Complaint attached | Read full article »

Transplant Co. Hit With Investor Suit Over Bundling Probe

Executives and directors at CareDx Inc. opened the organ transplant services company up to federal probes and liability by improperly bundling expensive testing services with the at-home blood drawing service it launched in response to the COVID-19 pandemic, a shareholder suit alleges.

Complaint attached | Read full article »

NJ Health Network Launches TM Suit Over Initials Use

Atlantic Health System Inc. on Thursday accused a consultant in a trademark infringement lawsuit of using initials already associated with the prominent New Jersey hospital and health care network to confuse customers into thinking the two are affiliated.

2 documents attached | Read full article »

DEALS

Life Sciences-Focused Blank-Check Firm DMB Pulls $75M IPO

DMB Acquisition Corp., the third special purpose acquisition company formed by life sciences-focused investment bank LifeSci Capital LLC, withdrew plans Thursday for a $75 million initial public offering, marking the latest setback for the SPAC market.

Read full article »

PEOPLE

Longtime Federal Prosecutor Joins Troutman Pepper In Philly

A former federal prosecutor has left the U.S. Attorney's Office after more than two decades to return to the private sector as part of Troutman Pepper's litigation team in Philadelphia.

Read full article »

Peloton Compliance Chief Leaves For Snap Inc.

Veteran attorney Lance Lanciault, former head of compliance at Peloton Interactive Inc. and onetime chief ethics and compliance officer at Walmart Inc., has joined Snapchat owner Snap Inc. in a similar role.

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National Archives and Records Administration
Navajo Nation
Office of National Drug Control Policy
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U.S. Attorney's Office for the Eastern District of North Carolina
U.S. Attorney's Office for the Eastern District of Pennsylvania
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the District of Columbia
U.S. District Court for the District of Idaho
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of North Carolina
U.S. District Court for the Middle District of Pennsylvania
U.S. District Court for the Northern District of California
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U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Pennsylvania
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Southern District of Ohio

EXPERT ANALYSIS

EU Regulation Highlights AI Issues For Digital Health Cos.

As the regulation of artificial intelligence is high on the agenda for EU and U.K. policymakers and regulators, and likely imminent in the U.S., now is the time for providers in the digital health space to consider how compliance may need to change, and safeguard their position in the market, say Chris Eastham and Olivia Morgan at Fieldfisher.

Read full article »

What DOJ Enforcement Shift Means For Life Sciences Cos.

Though monitoring life science company compliance has historically been the domain of the U.S. Department of Health and Human Services, recent trends suggest that the U.S. Department of Justice may be assuming a primary role going forward, raising interesting questions for the industry, say attorneys at Skadden.

Read full article »

Weighing Risk And Reward Of Cooperating In FCA Civil Cases

While the practical but ill-defined benefits of self-disclosing corporate misconduct can make it difficult to decide whether to cooperate in civil False Claims Act investigations, unpacking the incentives in the U.S. Department of Justice cooperation guidelines and comparing outcomes in recent cases can help companies strategize, say Ellen London at London & Stout and former U.S. Assistant Attorney Li Yu.

Read full article »

FTC Privacy Suit Tests Agency's Regulatory Authority

The Federal Trade Commission's recent lawsuit against Kochava — which the agency claims is unlawfully selling geolocation information — pits an issue of great public concern against the statutory limits of the FTC's authority and the ability of the president to authorize executive agency action, say attorneys at McDermott.

Complaint attached | Read full article »

LEGAL INDUSTRY

Tom Girardi's Treasures Going Once, Twice, Sold At Auction

It is often said that you can't judge a man before walking a mile in his shoes, and one lucky bidder can now do just that in disgraced attorney Tom Girardi's shaded brown crocodile Gucci Oxfords, thanks to an auction Wednesday of items from his Southern California mansion.

Read full article »

Special Master Orders Trump To Back Up Planted Docs Claim

The court-appointed special master overseeing the review of documents seized from former President Donald Trump's Mar-a-Lago estate ordered Trump on Thursday to back up claims he has made outside court that the FBI planted evidence at the property during the search.

Read full article »

NY Judge Who Pointed Gun At Black Litigant Faces Removal

A New York judge accused of pointing a gun at an unarmed Black defendant in court and then bragging about the incident while describing the man as "built

like a football player" should be removed from office, the state ethics watchdog announced Thursday in calling the action "unjustified."
Read full article »

Kreindler Sanctioned Over Deposition Leak In 9/11 MDL

A New York federal magistrate judge has sanctioned Kreindler & Kreindler LLP and its former consultant over the leak of a deposition from multidistrict litigation over the 9/11 attacks, saying it was deliberately leaked to "embarrass" defendant Saudi Arabia.
Read full article »

Jan. 6 Rioter Who Testified Before Congress Avoids Prison

A D.C. federal judge sentenced an Ohio man who participated in the 2021 attack on the U.S. Capitol to probation Thursday, citing the defendant's July testimony before the House Select Committee investigating the riot as evidence of his remorse.
Read full article »

Covington Welcomes Back Antitrust Pro After Stretch At DOJ

A former Covington & Burling LLP associate is returning to the firm's Washington, D.C., office as a partner after spending nearly four years focused on matters related to competition and technology at the U.S. Department of Justice, the firm announced Wednesday.
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Former Ga. Judge Sees Mediation Boom In New Legal Venture

As the state continues to deal with case backlogs as a result of the COVID-19 pandemic, a recently retired Georgia Superior Court judge said he's seen an explosion in demand for mediation services at his newly launched multi-practice law firm.
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SUBJECT: Morning Consult Health Presented by the Partnership for QualityHome Healthcare: Senate HELP Leaders Reach Deal on FDA User Fee Bill
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 23/09/2022 05:57

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

[redacted]

Title

SEPTEMBER 23, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- Senate Health, Education, Labor and Pensions Committee ranking member Richard Burr (R-N.C.) reached an agreement with Sen. Patty Murray (D-Wash.), the committee chair, on a five-year reauthorization of the Food and Drug Administration's user fee programs, a "practically clean" bill, per Burr, which includes some policy riders that he did not specify. (Roll Call) Two sources familiar with the discussions said Senate Minority Leader Mitch McConnell (R-Ky.) will push for a totally clean five-year user fee bill, blocking the riders from being attached to the short-term government funding bill, which Congress is planning to consider next week. (Politico Pro)

- Sen. Roger Marshall (R-Kan.) has moved to force a vote in the chamber on ending the COVID-19 national emergency declaration, citing President Joe Biden's comments that "the pandemic is over" while the administration pushes for billions in fresh funding. (The Wall Street Journal) The Biden administration, meanwhile, is scaling back its target for COVID-19 vaccine donations as global demand for the shots sags, amending its deal with Pfizer Inc. to secure 600 million vaccine doses by the end of 2022 instead of 1 billion. (Bloomberg)

- Maria Van Kerkhove, the World Health Organization's COVID-19 technical lead, said cutbacks to testing and surveillance of the virus by governments around the world have made it increasingly challenging to track new variants. WHO Director-General Tedros Adhanom Ghebreyesus said that while the pandemic's "end is in sight," there remains a "risk of more dangerous variants emerging." (CNBC)

- In a 56-40 vote, the Senate confirmed Arati Prabhakar as director of the White House Office of Science and Technology Policy, making her the first woman, person of color and immigrant to hold the position. Prabhakar, who previously led the Defense Advanced Research Projects Agency, will also assume the Cabinet-level position of Biden's science adviser, stepping in for former National Institutes of Health Director Francis Collins, who served in the role on an interim basis. (Bloomberg Law)

Worth watching today (all times local):

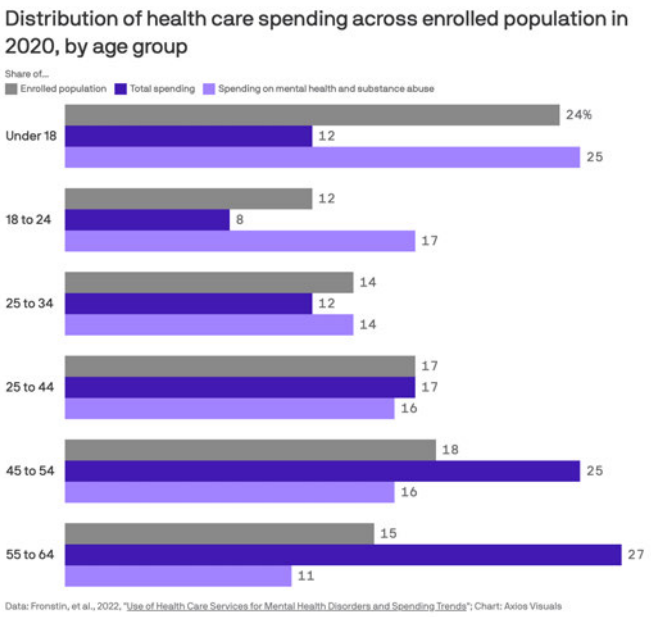
- **9 a.m.** FDA meeting of the Oncologic Drugs Advisory Committee.

- **1 p.m.** Harvard T.H. Chan School of Public Health event: "Long COVID: The search for answers," featuring Assistant Secretary for Health Rachel Levine.

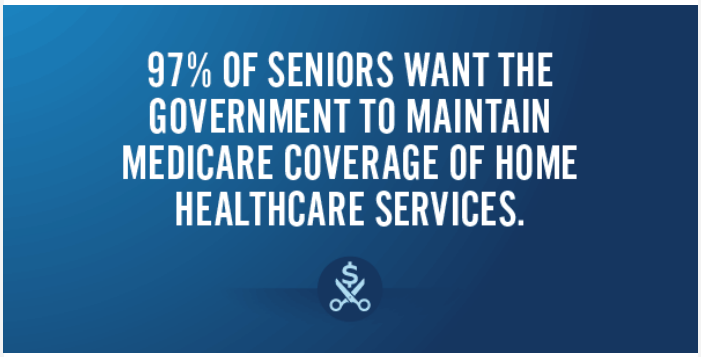
CHART REVIEW

Young people are driving a rise in mental health spending
Axios

[redacted]



PRESENTED BY THE PARTNERSHIP FOR QUALITY HOME HEALTHCARE



Polling Shows Widespread and Strong Support for Medicare Home Health. Congress Must Act to Protect Home Health from Cuts!

A recent Morning Consult poll found widespread support for Medicare home healthcare services, but proposed Medicare cuts will limit seniors' choice and force them into institutional settings. Fortunately, lawmakers can prevent these cuts from going into effect. Congress must listen to voters and quickly pass the Preserving Access to Home Health Act!

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Pfizer Will Begin Distribution Of 6 Million Paxlovid Treatments To Low-And-Middle Income Countries
Arianna Johnson, Forbes

Pfizer has begun providing 132 low- and-middle-income, Global Fund-eligible countries with six million Paxlovid treatment courses. Initially announced in May, the shipment is part of Global Fund's Covid-19 Response Mechanism, the independent financing company's main avenue for providing Covid tests, treatment and equipment to these countries.

COVID raises risk of long-term brain injury, large U.S. study finds
Julie Steenhuysen, Reuters
People who had COVID-19 are at higher risk for a host of brain injuries a year later compared with people who were never infected by the coronavirus, a finding that could affect millions of Americans, U.S. researchers reported on Thursday.

Covid 19 Infection Linked to More Type 1 Diabetes in Kids and Teens
Dong Lyu, Bloomberg
Covid-19 in children and teens appeared to raise the risk of developing diabetes in two studies that didn't settle the debate about whether the coronavirus can trigger the chronic condition.

4.4M Americans Roll up Sleeves for Omicron-Targeted Boosters
Carla K. Johnson, The Associated Press
U.S. health officials say 4.4 million Americans have rolled up their sleeves for the updated COVID-19 booster shot. The Centers for Disease Control and Prevention posted the count Thursday as public health experts bemoaned President Joe Biden's recent remark that "the pandemic is over."

Moderna Covid-19 Booster Shortage Leads to Fewer Appointments at Pharmacies
Peter Loftus, The Wall Street Journal
Some U.S. pharmacies and other vaccine providers are offering the new Covid-19 booster shot only from Pfizer Inc. and BioNTech SE, after a manufacturing-quality problem at a contract manufacturer caused a shortage of Moderna Inc.'s new booster shot.

Why COVID Is Still Worse Than Flu
Sarah Zhang, The Atlantic
When is the pandemic "over"? In the early days of 2020, we envisioned it ending with the novel coronavirus going away entirely. When this became impossible, we hoped instead for elimination: If enough people got vaccinated, herd immunity might largely stop the virus from spreading. When this too became impossible, we accepted that the virus would still circulate but imagined that it could become, optimistically, like one of the four coronaviruses that cause common colds or, pessimistically, like something more severe, akin to the flu.

Why Omicron Might Stick Around
Carl Zimmer, The New York Times
Where is Pi? Last year, the World Health Organization began assigning Greek letters to worrying new variants of the coronavirus. The organization started with Alpha and swiftly worked its way through the Greek alphabet in the months that followed. When Omicron arrived in November, it was the 13th named variant in less than a year.

Some Who Rushed to Covid-19 Vaccine Hold Off on Boosters
Jared S. Hopkins, The Wall Street Journal
Health authorities encouraging retooled Covid-19 boosters are facing resistance from an unlikely corner: people who had embraced vaccines earlier in the pandemic.

New analysis supports Paxlovid use
Tina Reed, Axios
Here's one more data point to consider in the back-and-forth about Pfizer's antiviral pill Paxlovid: A new analysis found it can meaningfully reduce COVID hospitalizations and deaths, even in those younger than 65.

New global initiative aims to hasten long COVID research
Anastassia Gliadkovskaya, Fierce Healthcare
The Long Covid Research Initiative (LCRI), part of the nonprofit PolyBio Research Foundation, is run by a team of about a dozen volunteers and thus far has amassed a roster of two dozen researchers and clinicians. While its efforts have been

ongoing for the better part of the year, a formal announcement about the LCRI was made in early September.

GENERAL

Biden to announce $1.5 billion to fight U.S. opioid crisis
Ahmed Aboulenein, Reuters
U.S. President Joe Biden will announce on Friday nearly $1.5 billion to fund access to medications for opioid overdoses, sanctions against traffickers, and increased funding for law enforcement, the White House said.

DOJ: States can't penalize VA doctors and nurses for legal abortions
Jacob Knutson, Axios
States cannot impose civil or criminal penalties on Department of Veterans Affairs doctors and nurses who provide abortion services that are allowed by federal law, a Department of Justice task force said in a new memo released Thursday.

White House: GOP abortion ban would mean a nationwide crisis
Colleen Long, The Associated Press
The White House and the American College of Obstetricians and Gynecologists say a Republican-led proposal to ban abortion nationwide after 15 weeks would endanger the health of women and have severe consequences for physicians.

COVID, Roe v Wade decision threaten cancer progress, scientists say
Eileen Drage O'Reilly, Axios
The great strides in cancer survivability seen in recent decades could be undercut by fallout from the pandemic, the overturning of Roe v. Wade, and continued disparities in health care access, scientists warn.

VA performs its first abortion weeks after saying it would in certain cases
Courtney Kube and Minyvonne Burke, NBC News
The VA medical system performed its first abortion, weeks after an interim final rule was announced that allowed it to provide the service in the case of incest, rape, or when the life of the mother was in jeopardy.

RAND: Drug treatment admissions fell 24% in 2020
Robert King, Fierce Healthcare
Drug treatment program admissions declined by 24% in 2020 due to the pandemic as overdose deaths have surged, a new study found.

Judge temporarily blocks Indiana's near-total abortion ban
Oriana Gonzalez, Axios
A judge in Indiana on Thursday temporarily blocked a near-total abortion ban in the state that had been in effect for a week.

PAYERS

Humana, CVS Circle Cano Health as Potential Buyers
Laura Cooper and Dana Cimilluca, The Wall Street Journal
Humana Inc. and other possible buyers are circling Cano Health Inc., according to people familiar with the situation, as healthcare heavyweights scramble to snap up primary-care providers.

Providers urge CMS to change policy for split visit payment
Maya Goldman, Modern Healthcare
Providers want the Centers for Medicare and Medicaid Services to change a forthcoming policy on reimbursement for hospital visits when both a physicians and non-physician providers see patients.

Medicaid coverage for some children might end soon, experts warn
Frank Diamond, Fierce Healthcare
The number of children without healthcare coverage could increase come next year as a congressional emergency provision to deal with the COVID-19 pandemic ends.

Shakeup with Optum's health data licensing sparks outcry among scientists
Casey Ross, Stat News
A move by Optum to change longstanding practices for licensing data to academic institutions has sparked an outcry among researchers, who argue the move will make accessing data so costly and difficult that universities will scale back their research programs.

PROVIDERS

Moody's: Envision Healthcare at risk for bankruptcy, loan defaults
Caroline Hudson, Modern Healthcare
Moody's Investors Service added to Envision Healthcare's financial woes by downgrading the outpatient surgery and physician staffing company's debt on Wednesday.

Buy and Bust: After Platinum Health Took Control of Noble Sites, All Hospital Workers Were Fired
Sarah Jane Tribble, Kaiser Health News
Noble Health, a three-year-old private equity-backed startup, had acquired Audrain and nearby Callaway Community Hospital during the pandemic. In March, it suspended all hospital services and later furloughed 181 employees, state records show.

Surprise billing lawsuit from Texas doctors
Maya Goldman, Modern Healthcare
The Texas Medical Association filed its second lawsuit against the federal government's surprise billing arbitration process Thursday.

PHARMA, BIOTECH AND DEVICES

White House casts drug pricing law as way to extend cancer patients' lives
Rachel Cohrs, Stat News
A new analysis by the Council of Economic Advisers focused on the new law capping Medicare patients' out-of-pocket costs for pharmacy drugs at $2,000 per year, starting in 2025. Over 449,000 current Medicare enrollees with a prior cancer diagnosis would save an average of nearly $1,600 per year on prescription drugs because of the out-of-pocket cap. Right now, there's no limit on patients' out-of-pocket costs.

House GOP eyes repeal of Dems' drug pricing law
Peter Sullivan and Victoria Knight, Axios
Some key House Republicans are calling for the repeal of Democrats' newly-passed drug pricing measure if the GOP flips control of one or both chambers of Congress next year.

Opioid-Reversal Drug Access to Ease Under Relaxed FDA Rules
Celine Castronuovo, Bloomberg Law
Harm reduction programs distributing the opioid-reversal drug naloxone are exempt from certain federal product tracing requirements in an effort to better expand supply, the FDA said Thursday.

Antibiotic Prescribing Gets Fresh Look After Covid-Era Setbacks
Celine Castronuovo, Bloomberg Law
The CDC is devoting funding to dozens of local health departments for programs to stop improper antibiotic prescribing following the rise in deadly bacterial and fungal infections during the Covid-19 pandemic.

NIH launches next stage of its 'human genome project' for the brain
Jonathan Wosen, Stat News
The National Institutes of Health on Thursday announced more than $600 million in fresh funding for an expansive and ongoing push to unravel the mysteries of the human brain, bankrolling efforts to create a detailed map of the whole brain, and devise new ways to target therapeutics and other molecules to specific brain cell populations.

FDA Clashes With Swedish Biotech Seeking to Resume Cancer Drug Sale
Joseph Walker, The Wall Street Journal
The Food and Drug Administration is in a standoff with the Swedish biotech Oncopeptides AB over whether the company should be able to sell its anticancer drug, after a clinical trial indicated the therapy might harm patients.

Alzheimer's drug trial brings pivotal test of maligned brain plaque theory
Jamie Smyth, Financial Times
Study of Eisai treatment will be one of last chances to prove amyloid hypothesis, say experts.

A Message From the Partnership for Quality Home Healthcare:

Older Americans and Medicare beneficiaries overwhelmingly prefer home healthcare, but proposed Medicare cuts will threaten their access to care. The proposed cuts will also cause overall costs of care to go up due to increased hospital readmission rates, unnecessary hospitalizations, and increased use of nursing home stays. Congress must act quickly to prevent these disastrous cuts from going into effect by passing the Preserving Access to Home Health Act. Learn more at PQHH.org/cuts.

HEALTH TECHNOLOGY

Health apps share your concerns with advertisers. HIPAA can't stop it.
Tatum Hunter and Jeremy B. Merrill, The Washington Post
Digital health care has its advantages. Privacy isn't one of them. In a nation with millions of uninsured families and a shortage of health professionals, many of us turn to health-care apps and websites for accessible information or even potential treatment. But when you fire up a symptom-checker or digital therapy app, you might be unknowingly sharing your concerns with more than just the app maker.

Oracle plans to 'rewrite' VA's Cerner EHR system in 2023
Heather Landi, Fierce Healthcare
Tech giant Oracle promised lawmakers this week that it would revamp the beleaguered Cerner computer system being deployed at Veterans Affairs hospitals.

New details on Apple Watch study emphasize Medicaid enrollment
Mario Aguilar, Stat News
Newly published details about a high-profile Apple Watch study call it "a priority" to recruit Medicaid patients — a population not usually considered the target for Apple's pricey products.

OPINIONS, EDITORIALS AND PERSPECTIVES

Market share isn't the only metric for biosimilars' success
Jeff Baldetti, Stat News
Market share is often held up as the most relevant metric for the success of a biosimilar class. I believe there are other metrics, like cost savings or signs of greater patient access, that should also be used to define biosimilars' successes or failures.

RESEARCH REPORTS

[Biosimilar Savings Among People With Employer-Sponsored Insurance Not Keeping Pace With Savings in Medicare]
Jessica Chang and Aditi Sen, Health Care Cost Institute
Biologic drugs include a range of life-saving medications to treat cancer, diabetes, rheumatoid arthritis, retinal diseases, and many other conditions. Unlike "small molecule" drugs (e.g., statins), which can generally be taken at home, biologics are typically infusions or injections which require administration by a physician or other clinician in a hospital or physician's office. While just 2% of Americans use a biologic drug, the cost of these drugs to patients and insurers has drawn increasing attention from policymakers.

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SUBJECT: Why cancer death rates are continuing to fall
FROM: Prevent Cancer Foundation <pcf@preventcancer.org>
TO: hborski@utah.gov
DATE: 23/09/2022 08:01

THE WEEKLY

TOP HEADLINES IN CANCER PREVENTION

Did you get this email from a friend? Sign up to get *The Weekly* sent directly to your inbox **here**.

September 23, 2022

Cancer death rates continue to fall, driven by new treatments and improved screening

WEDNESDAY, September 23 (*NBC*) — Significant strides in cancer treatments, diagnostic tools and prevention strategies continue to drive down cancer death rates, according to a report published Wednesday by the American Association for Cancer Research.

Death rates from cancer have been falling over the past two decades, particularly sharply in recent years, the group's annual Cancer Progress Report found. As a result, there are now more than 18 million cancer survivors in the U.S. — up from 3 million in 1971.

In Other News

JUUL SUES FDA OVER DOCUMENTS SUPPORTING E-CIGARETTE BAN

September 20, *Axios*

DOCTORS WANT ALCOHOL WARNING LABELS TO FLAG CANCER RISKS

September 19, *The Washington Post*

CANCER PROGRESS THREATENED BY PANDEMIC AND ROE DECISION, REPORT SAYS

September 22, *Axios*

A WOMAN SAID SHE WAS 34 WEEKS PREGNANT WHEN A BURNING SENSATION IN HER ARMPIT WAS DIAGNOSED AS A CLOGGED MILK DUCT. IT WAS STAGE 4 BREAST CANCER.

September 22, *Yahoo! News*

Foundation News

[redacted]

Title

1,700 miles and counting for cancer prevention

Water is spraying from the fountain at Point State Park. Clouds dot the blue skies in Pittsburgh and our team of four riders are brimming with excitement. I press the red button on my phone screen, and we are live, sharing our departure with folks that follow us on social media. There is a high school field trip next to where we are standing. Some of the kids with big smiles get into our camera shot and the ride begins.

Over the next five days, we traveled on our bikes from the Steel City to the nation's capital—a 340-mile trek on gravel and dirt paths that meander through the beautiful countryside of Western Pennsylvania and Maryland. That was 2021. This year, our journey on two-wheels begins September 29th. Five days has been trimmed to four and our group of four cyclists has grown to eight.

Read more.

Prevent Cancer Foundation | 333 John Carlyle Street, Suite 635, Alexandria, VA 22314

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Sent by pcf@preventcancer.org

SUBJECT: NACDD Legislative and Policy News
FROM: Elizabeth Ruth <lruth@chronicdisease.org>
TO: Elizabeth Ruth <lruth@chronicdisease.org>
DATE: 23/09/2022 12:58

[redacted]

With the September 30 funding deadline just a week away, lawmakers are inching toward a continuing resolution (CR) that would fund the government at current levels until mid-December. Legislators have reached a bipartisan agreement to include the $11.7 billion in Ukraine aid requested by President Biden. Senator Richard Burr (R-NC) also said that a measure extending Food and Drug Administration (FDA) user fees will be attached to the CR, but Senate Minority Leader Mitch McConnell (R-KY) indicated that his party will oppose user fee reauthorization if it has any additional attachments. Senator Joe Manchin's (D-WV) energy permitting reform proposal is the main roadblock to achieving a funding deal. Senator Roy Blunt (R-MO), a senior member of the Senate Appropriations Committee, said that Manchin's proposal will likely be removed from the upcoming CR. It is anticipated that legislative text for the CR will be released sometime next week.

Additional Updates from Cornerstone Government Affairs: The latest intel on the negotiations on the continuing resolution (CR) is it will not be finalized until at least September 29th. Senators Manchin and Schumer struck a deal to include permitting reform with the CR, but it is unclear if everyone needed will fall in line to make it happen. A group of liberal House members and Senator Markey have come out in opposition. The reform would make changes to the permitting system of fossil and renewable energy projects. No agreement as of Tuesday on if the House or Senate will initiate the proceedings, but if permitting reform continues to be a challenge on the vote count, then it would very likely the House will take the lead. Additional aid for Ukraine, disaster relief money for Mississippi, and FDA user fees are high on the list to possibly be included in the CR. If the user fee agreements are not extended soon, the FDA will have to begin sending out layoff notices to employees. COVID-19 and Monkeypox funding will likely not be included but are still in the mix. The proposed CR is projected to run to December 16th.

This Week's News

For the first time, US task force proposes recommendation to screen for anxiety in adults

The United States Preventive Services Task Force (USPSTF) now recommends that adults under the age of 65 should be screened for anxiety. The USPSTF defines anxiety as "greater duration or intensity of a stress response over everyday events." The recommendation coincides with a surge in cases of anxiety and depression caused by the COVID-19 pandemic.

Cancer death rates continue to fall, driven by new treatments and improved screening

The American Association for Cancer Research (AACR) released its annual Cancer Progress Report, which documents cancer incidence, mortality, survivorship statistics, and the latest medical research. The report found that the cancer mortality rate declined by 2.3 percent between 2016 and 2019 and that 18 million Americans with a history of cancer are living longer and fuller lives compared to previous years. AACR credits advances in cancer research, early screening, and Food and Drug Administration (FDA) support of 18 anticancer therapeutics for improvements in cancer treatment in the United States. However, the report also highlighted areas for improvement like the need for reducing health disparities amongst historically underserved communities.

4 out 5 pregnancy-related deaths in the US are preventable, CDC finds

According to data collected by the CDC, over 80 percent of pregnancy-related deaths between 2017 and 2019 were preventable. The leading underlying causes of death included depression, substance abuse, excessive bleeding, cardiac conditions, and infection. The CDC's recommendations to reduce preventable pregnancy-related deaths are to increase access to health insurance and remove barriers to transportation to care.

Losing weight could help protect your knees from arthritis

A recent study published in *Arthritis and Rheumatology* found that weight loss helps prevent the progression of knee osteoarthritis. Study participants who managed to drop from one body mass index category to another – from "overweight" to "healthy weight" – lowered their risk of developing osteoarthritis by 22 percent. Even participants who lost less weight "achieved protection against structural degeneration of the knee." According to the CDC, over 32 million U.S. adults suffer from some form of osteoarthritis.

Hemp-derived delta-8 skirts marijuana laws and raises health concerns

Delta-8 tetrahydrocannabinol (THC), an artificial cannabinoid legalized through the 2018 Farm Bill, has raised significant health concerns. The FDA has issued warnings about "serious health risks" and has received over 100 reports of people losing consciousness, vomiting, and hallucinating. From January 2021 to February 2022, national poison control centers received over 2,300 calls related to delta-8 and 70 percent of such calls required users to be evaluated at a healthcare facility.

[redacted] Title

SUBJECT: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
CC: "Paul Ray (DHHS)" <pray@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 23/09/2022 17:41

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> The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.
> The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.
> Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention

Here are the reports ready for your review:

Report	Code	Who is Writing	Current Status	Approved?
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	**8/1/2022 (Heard in August SSA)**
Suicide technical assistance program--technical assistance to health care organizations in the preceding year	62A-15-121(5)	Brent Kelsey (Carol Ruddell)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
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[redacted]

[redacted]

	Title			
oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.				
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HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]	
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker	[redacted]	
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Bree Barbeau	[redacted]	
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	[redacted]	
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	[redacted]	(Guy reports issues with getting voluntary da from providers)
Psychotropic medication oversight	80-2-503.5	Tonya Myrup	Psychotropic Medication Oversight Panel	
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]	
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]	

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

[redacted]

[redacted] Title

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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FROM: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 23/09/2022 23:50

SUID Legislative Report

[redacted]

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention
The legislative report under 26-7-14 is required every other year starting in 2021. The last report was for 2021 so the next report is not due until 2023. Additionally, there is no new information to provide from the last report. I have attached the report that was submitted last year, below.

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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Office of Legislative Affairs
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CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 24/09/2022 14:47

Thanks Teresa

On Fri, Sep 23, 2022, 11:51 PM Teresa Brechlin (DHHS) <tbrechlin@utah.gov> wrote:

SUID Legislative Report

[redacted]

[redacted] Title

[redacted]

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention
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Office of Legislative Affairs
C: 385.321.6473
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dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
DATE: 24/09/2022 18:28

Teresa, thank you. Can you please grant edit access to this document?
HB

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DATE: 24/09/2022 18:38

Marc, I tried to get into and would like to make edits in several of these reports, and they aren't set up to provide edit or comment access---are you able to fix this? (like the SUID report, the first tobacco item (compliance checks), the birth certificate report, and the AI/AN report---there may be others that I didn't try)

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SUBJECT: Morning Consult Health Presented by the Partnership for QualityHome Healthcare: What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 25/09/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 25, 2022

BY MATT BRACKEN

Twitter Email

Good morning to you, health readers. Here's hoping that you're enjoying the first full week of fall and that your alma mater is also on track for greatness this season. (The previous sentence does not apply to those of you who support a program coached by a man who is increasingly indistinguishable from Steven Seagal).

Now for some business: Sen. Lindsey Graham (R-S.C.) touted his nationwide 15-week abortion ban on "Fox & Friends" last week, stating clearly that "this is not a states' rights issue." Regular Fox News watchers will note that Graham's comments are quite a bit different from what he has previously said on the network, telling Martha MacCallum in June that "all of us in the conservative world have believed that there's nothing in the Constitution giving the federal government the right to regulate abortion."

This about-face brings us to our quiz question for the week: What share of Republican voters think the federal government should set U.S. abortion policy?

A: 23%
B: 31%
C: 39%

[redacted]

D: 47%

You can find the answer at the bottom of the newsletter.

WHAT'S AHEAD

The White House Conference on Hunger, Nutrition and Health is scheduled for Wednesday, the first U.S. event of its kind since 1969. The Biden administration will unveil a national strategy to meet its goal of ending hunger and increasing healthy eating and physical activity by 2030. The list of speakers includes President Joe Biden, Health and Human Services Secretary Xavier Becerra, Agriculture Secretary Tom Vilsack, Chef José Andrés and more.

Stat News is hosting an event on the barriers to making breakthrough drugs on Wednesday at 1 p.m. BioNTech SE Chief Operating Officer Sierk Poetting will discuss the drugmaker's plans to bring mRNA technology to the world, including manufacturing goals in Africa and the challenges presented by personalized mRNA cancer vaccines. BioMarin Pharmaceutical Inc. Chief Technology Officer C. Greg Guyer will follow with a discussion about the company's hemophilia gene therapy and the challenges it faces in manufacturing Roctavian.

The Medicare Payment Advisory Commission is holding a virtual public meeting on Thursday and Friday. The agenda will cover the following: support for safety-net clinicians; addressing nursing facility staffing; delivering congressionally mandated reports on the expansion of telehealth and the valuation of a prototype design for a post-acute care prospective payment system; providing analysis of Part D data on drug rebates and discounts; and answering a congressional request on Medicare and inpatient psychiatric facility care.

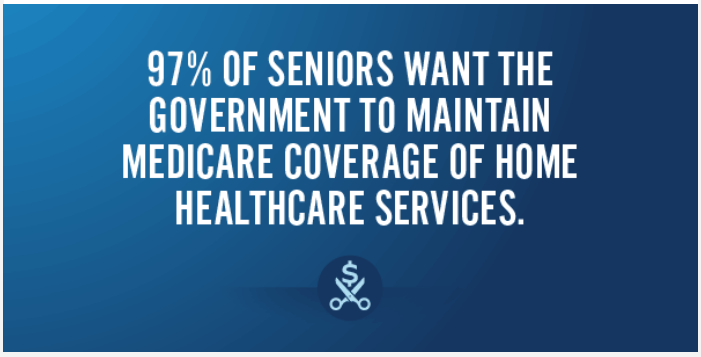
It's a light week for hearings on Capitol Hill, but there are two to watch:

- House Oversight Committee hearing at 10 a.m. Thursday: "Examining the Harm to Patients from Abortion Restrictions and the Threat of a National Abortion Ban."

- House Veterans' Affairs Committee hearing at 10 a.m. Thursday: "Veteran Suicide Prevention: Capitalizing on What Works and Increasing Innovative Approaches."

And finally, one earnings announcement to watch: Rite Aid Corp. will reveal its fiscal year 2023 second-quarter earnings on Thursday.

PRESENTED BY THE PARTNERSHIP FOR QUALITY HOME HEALTHCARE



[redacted] Title

Polling Shows Widespread and Strong Support for Medicare Home Health. Congress Must Act to Protect Home Health from Cuts!

A recent Morning Consult poll found widespread support for Medicare home healthcare services, but proposed Medicare cuts will limit seniors' choice and force them into institutional settings. Fortunately, lawmakers can prevent these cuts from going into effect. Congress must listen to voters and quickly pass the Preserving Access to Home Health Act!

WEEK IN REVIEW

The pandemic has ended (or has it?): Biden said in an interview with CBS' "60 Minutes" that while the country still has "a problem" with COVID-19, "the pandemic is over," comments that surprised administration officials, two senior health officials said. Despite Biden's ad-lib, officials working on the COVID-19 response said their policy planning would stay the course, and there's still an expectation that the emergency public health declaration will be renewed next month.

Dr. Anthony Fauci said during an interview at The Atlantic Festival that Biden's declaration was "semantics" and that he actually intended to convey that "we're in a much better place with regard to the fulminant stage of the pandemic." Fauci said during a Center for Strategic and International Studies event that the United States is "heading in the right direction" on COVID-19 but it's "unlikely" that the disease will be eradicated, as another variant is likely to take hold in the late fall or early winter.

Sen. Roger Marshall (R-Kan.) moved to force a vote in the chamber on ending the COVID-19 national emergency declaration, citing Biden's comments while the administration pushes for billions in fresh funding.

In the courtroom: The Department of Justice's antitrust challenge to UnitedHealth Group Inc.'s $13 billion acquisition of Change Healthcare Inc. was rejected by a federal judge, who kept the full opinion under seal due to "competitively sensitive information" but promised to release a redacted version.

The American Hospital Association and the American Medical Association dropped their lawsuit against the federal government over the implementation of Congress' surprise billing law, which alleged that the rulemaking process shifted from lawmakers' intent and favored payers during independent arbitration.

Biden administration: HHS' Office of Inspector General said in a report that the Food and Drug Administration's emergency use authorization policies resulted in quality issues and false results with COVID-19 tests that quickly hit the market during the early stages of the pandemic. The HHS watchdog said the government should overhaul its EUA strategy before another pandemic occurs.

Senate Health, Education, Labor and Pensions Committee ranking member Richard Burr (R-N.C.) reached an agreement with Sen. Patty Murray (D-Wash.), the committee chair, on a five-year reauthorization of the FDA's user fee programs, a "practically clean" bill, per Burr, which includes some policy riders that he did not specify. Two sources familiar with the discussions said Senate Minority Leader Mitch McConnell (R-Ky.) will push for a totally clean five-year user fee bill, blocking the riders from being attached to the short-term government funding bill, which Congress is planning to consider this week.

The U.S. Preventive Services Task Force recommended that all adults under 65 be screened by doctors for anxiety, the first such recommendation from the panel of medical experts that they say is intended to ensure that mental health disorders don't go untreated. The HHS-appointed advisory group will review public comments through Oct. 17 and issue final guidance sometime after that.

[redacted]

In a 56-40 vote, the Senate confirmed Arati Prabhakar as director of the White House Office of Science and Technology Policy, making her the first woman, person of color and immigrant to hold the position. Prabhakar, who previously led the Defense Advanced Research Projects Agency, will also assume the Cabinet-level position of Biden's science adviser, stepping in for former National Institutes of Health Director Francis Collins, who served in the role on an interim basis.

COVID-19 vaccines: The reformulated COVID-19 boosters from Moderna Inc. and Pfizer Inc.-BioNTech are expected to be available for children by the middle of next month, per the Centers for Disease Control and Prevention, with a recommendation from the agency coming as soon as early October provided the shots are authorized by the FDA.

The Biden administration is scaling back its target for COVID-19 vaccine donations as global demand for the shots sags, amending its deal with Pfizer to secure 600 million vaccine doses by the end of 2022 instead of 1 billion.

Moderna signed off on a request from the U.N.-backed Medicines Patent Pool to provide the French government with use of its COVID-19 vaccine as part of a World Health Organization effort to increase the development of mRNA vaccines ticketed for poorer countries facing accessibility issues. Pfizer declined a similar ask.

STAT OF THE WEEK

30%

The additional stake Walgreens Boots Alliance Inc. will acquire in Shields Health Solutions, paying $1.37 billion to give the pharmacy giant full ownership of the company that partners with providers to deliver specialty pharmacy services. Walgreens, which began building its stake in Shields in July 2019, is expected to close the deal to assume total ownership by the end of 2022.

THE MOST READ STORIES THIS WEEK

1) Covid Still Kills, but the Demographics of Its Victims Are Shifting
Phillip Reese, Kaiser Health News

2) Senate bill aims to narrow mental health workforce shortage by expanding GME slots
Robert King, Fierce Healthcare

3) Scientists were worried about a particular COVID variant this fall. They didn't expect its offspring
Erin Prater, Fortune

4) The Inflation Reduction Act aims to lower drug costs — but here's how Big Pharma could get around it
Berkeley Lovelace Jr., NBC News

5) The Current State of Hospital Finances: Fall 2022 Update
KaufmanHall

6) OIG: Medicare Part B overpaid critical access hospitals and docs for same services
Robert King, Fierce Healthcare

7) Doctor, hospital lobbies move to dismiss lawsuit over surprise billing ban
Samantha Liss, Healthcare Dive

8) Push for mental health parity hits turbulence
Peter Sullivan, Axios

9) Biden's claim that 'pandemic is over' complicates efforts to secure funding

Dan Diamond, The Washington Post

10) FDA's authorization process compromised COVID-19 tests in 2020
Maya Goldman, Modern Healthcare

OTHER HEALTH NEWS

- 'Disaster to disaster': Underinvestment in public health systems obstructs response to Covid, monkeypox, Walensky says (Stat News)
- Omicron Boosters for Children Could Be Coming Soon (Bloomberg)
- WHO warns ability to identify new Covid variants is diminishing as testing declines (CNBC)
- DOJ: States can't penalize VA doctors and nurses for legal abortions (Axios)
- Humana, CVS Circle Cano Health as Potential Buyers (The Wall Street Journal)
- Biden to announce $1.5 billion to fight U.S. opioid crisis (Reuters)
- COVID raises risk of long-term brain injury, large U.S. study finds (Reuters)
- FDA releasing millions of Moderna boosters as states warn of shortages (The Washington Post)
- 'I'm deeply concerned': Francis Collins on trust in science, how Covid communications failed, and his current obsession (Stat News)
- Anthony Fauci warns Covid politics could harm childhood vaccination efforts (Financial Times)
- HHS declares public health emergency in Puerto Rico following Hurricane Fiona (The Hill)
- FDA report details agency fumbles during infant formula investigation that hampered response (CNN)
- CVS, Walmart reach $147.5 mln opioid settlement with West Virginia (Reuters)
- U.S. FDA approves bluebird bio's gene therapy for a rare neurological disorder (Reuters)
- OIG: Medicare Part B overpaid critical access hospitals and docs for same services (Fierce Healthcare)
- McKesson to buy pharma tech firm Rx Savings for up to $875 mln (Reuters)

- Amazon PillPack Founders to Leave in Latest Health-Care Shakeup (Bloomberg)

The answer to this week's quiz question is **A:** 23% of GOP voters think U.S. abortion policy should be decided by the federal government, while 58% believe it should fall to the states. Check out the full story here: Voters Are Divided on Lindsey Graham's 15-Week Abortion Ban.

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 25/09/2022 07:35

Same. Please grant access to these reports so we can do the necessary review as quickly as possible given the timeline.

Have these reports gone through PAE for review for editing? There are several line edits I find myself making. It would be good to have a line editor review these reports. If they don't have that capability, let me know. We may need to find an editor in the department.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 24, 2022 at 6:38 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

> *Marc, I tried to get into and would like to make edits in several of these reports, and they aren't set up to provide edit or comment access---are you able to fix this? (like the SUID report, the first tobacco item (compliance checks), the birth certificate report, and the AI/AN report---there may be others that I didn't try)*
>
> *Thank you,*
> *HB*

[redacted] Title

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

EDO -

Below is a table of the latest batch of Legislative Required Reports. Please conclude your review by COB next Friday (September 30th) so I can turn them into the legislature on time.

We are still waiting for the links to three reports. I have Cc'd those staff and their immediate supervisors so they can reply to this thread with those links once they are ready for EDO review. The three reports are:

> *The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.*
> *The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.*
> *Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention*

Here are the reports ready for your review:

Report	Code	Who is Writing	Current Status	Approve
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	**8/1/202 (Heard i August**
Suicide technical assistance program--technical assistance to health care organizations in the preceding year	62A-15-121(5)	Brent Kelsey (Carol Ruddell)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states	HB 7	John Curless and Ashley Moretz?		

[redacted]

[redacted]

Title			
have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.			
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Winters/Kendal Woffinden	[redacted]
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker	[redacted]
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Bree Barbeau	[redacted]
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	[redacted]
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	[redacted] (Guy rep issues w getting voluntar from provider
Psychotropic medication oversight	80-2-503.5	Tonya Myrup	Psychotropic Medication Oversight Panel
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

[redacted]

[redacted] Title

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SUBJECT: FCC Aims To Cut Satellite Debris, But Can It Regulate Space?
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 26/09/2022 02:24

LAW360 PUBLIC POLICY

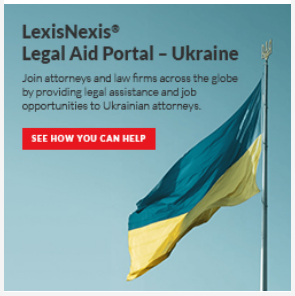
Monday, September 26, 2022 Follow

TOP NEWS

Analysis
FCC Aims To Cut Satellite Debris, But Can It Regulate Space?
The Federal Communications Commission's plan to narrow the time frame for de-orbiting defunct satellites by 20 years has support from industry experts who call it a necessary step to fuel space innovation, but it's also raising questions about the extent of FCC authority to regulate activities in space.
1 document attached | Read full article »

Analysis
6 Key Reasons Why M&A Deals Are Falling Apart
In the world of mergers and acquisitions, the word "definitive" isn't always, well, definitive. Deals can fall apart for an array of reasons, even in the best of times. But currently, a confluence of economic, geopolitical and regulatory factors is leading some market players to rethink things.
Read full article »

9th Circ. Revives Fight Allowing Water For Trout Migration
A dispute over securing more water from Twitchell Dam in California to protect an endangered trout species is heading back to a federal court in the state after the Ninth Circuit found Friday that the operation of the dam violated the Endangered Species Act.
Opinion attached | Read full article »



LAW FIRMS IN TODAY'S NEWS
AG Law
Akin Gump
Aqua Terra Aeris LLP
ArentFox Schiff
Armstrong Teasdale

[redacted]

6th Circ. Told FCC's Universal Service Fund Unconstitutional

Free market advocates challenging the constitutionality of the Federal Communications Commission's fund for providing universal communication services have told the Sixth Circuit that the fees collected for the fund are among the "most regressive taxes in America."

Brief attached | Read full article »

10 States Back Sen. Graham's Stay Bid In Ga. Election Probe

Ten states filed an amicus brief in the Eleventh Circuit on Thursday supporting the bid by Sen. Lindsey Graham, R-S.C., for a stay of his testimony in a Georgia election fraud investigation until an appeal over the scope of his immunity is resolved.

Brief attached | Read full article »

'I Lost A Lot': Breyer Opens Up On 'Frustrating' Last Term

Newly retired Justice Stephen Breyer spoke about his "very frustrating" final term on the U.S. Supreme Court in a sit-down with CNN to be aired Sunday, adding that he was particularly "sorry" about the conservative majority's decision to overturn Roe v. Wade.

Read full article »

BANKING & SECURITIES

DC Circ. Denies Citigroup Whistleblower's Award Challenge

The D.C. Circuit on Friday denied a request to review the U.S. Securities and Exchange Commission's decision to split an $18.9 million award between a whistleblower and his co-worker, whose submitted information led to the agency's enforcement action and $189 million settlement with Citigroup, finding that the co-worker is eligible for the award because he was a joint whistleblower.

Opinion attached | Read full article »

Crypto-Focused Bank Gets GOP Backing In Fight With Fed

Republican U.S. lawmakers, the state of Wyoming and two of its state legislators have weighed in on a cryptocurrency-focused bank's lawsuit against the Federal Reserve, urging a federal court to preserve the bank's accusations that the central bank illegally slow-walked its application for access to critical payment services.

3 documents attached | Read full article »

Treasury Official Says US Digital Dollar 'Could Take Years'

The U.S. Treasury Department's top domestic finance official suggested that the U.S. is nowhere near issuing a central bank digital currency, saying it "could take years" to develop the necessary underlying technology.

Read full article »

Republicans Say CFPB, SEC Must Reckon With EPA Ruling

House Republicans are calling on the U.S. Securities and Exchange Commission and Consumer Financial Protection Bureau to provide legal justifications for numerous regulatory initiatives on their dockets, saying a recent U.S. Supreme Court decision "casts doubt" on the agencies' authority to proceed.

2 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

9th Circ. Ruling Backs Tossing Of Wind Farm Suit, Feds Say

The Ninth Circuit must toss a bid by two California ranchers and their conservation group to revive their

Baker Donelson
Ballard Spahr
Boyden Gray & Associates
Bracewell LLP
Brodies LLP
Bryan Cave
Burges Salmon
Cadwalader Wickersham
Chatham & Baricevic
Clarke Willmott
Clyde & Co
Covington & Burling
Cravath Swaine
DAC Beachcroft
DLA Piper
Davis Polk
Davis Wright
Dechert LLP
Driscoll Firm LLC
Eversheds Sutherland
Faegre Drinker
Fish & Richardson
Freeths LLP
Gibson Dunn
Greenberg Traurig
Hausfeld LLP
Hirst Applegate
Hogan McDaniel
Hyman Phelps
John Monroe Law PC
Jomarron Lopez
Jones Day
Kilpatrick Townsend
King & Spalding
Kirkland & Ellis
Kobre & Kim
Kohn Kohn
Latham & Watkins
Law Offices of Stephan C. Volker
Law Offices of Terry T. Campo
Maslon LLP
McDermott Will
Michelmores LLP
Milberg Coleman
Miles & Stockbridge
Mishcon de Reya
MoloLamken
Morgan Lewis
Morris Nichols
Neal Gerber
Nelson Mullins
Norton Rose
PCB Byrne
Paul Hastings
Paul Weiss
Penningtons Manches
Perkins Coie
Potter Anderson
Procopio Cory
Quinn Emanuel
Raines Feldman
Richards Layton
Ropes & Gray
Rosling King
Sandberg Phoenix
Sher Tremonte
Skadden Arps
Snell & Wilmer
Steptoe & Johnson LLP
Stinson LLP
Sycamore Law
Thompson Hine
Varnum LLP
Wachtell Lipton
Whiteford Taylor

environmental challenge to a planned wind farm on tribal land following a decision earlier this month dismissing an "indistinguishable" Oregon challenge to irrigation decisions, the federal government has argued.

1 document attached | Read full article »

MEDIA & ENTERTAINMENT

Cable Group Wants Binding Conditions On $8.6B Tegna Deal

The cable industry's largest trade group has urged the Federal Communications Commission to put binding conditions on a pending approval of broadcast company Tegna's $8.6 billion plan to go private, insisting that the stipulations will ensure the company doesn't get unfair leverage during retransmission consent talks.

Letter attached | Read full article »

COMPETITION

Feature

FTC's Noah Phillips Reflects On Tenure At Changing Agency

Commissioner Noah Joshua Phillips will soon leave the Federal Trade Commission, having declared his plans to depart sometime this fall and capping off four-and-a-half years at the agency under Trump-era Chairman Joseph Simons, acting Chairwoman Rebecca Kelly Slaughter and now Chair Lina Khan.

Read full article »

Delaware Court Refuses To Block Sugar Deal

A Delaware federal judge on Friday refused to block U.S. Sugar Corp.'s $315 million acquisition of Imperial Sugar, rejecting a merger challenge from the U.S. Department of Justice over concerns about the supply of refined sugar in the Southeast.

1 document attached | Read full article »

CYBERSECURITY & PRIVACY

Analysis

3 Questions As Feds Flesh Out New Breach Reporting Rules

Federal officials have a bevy of questions to answer as they fine-tune new rules that will require critical infrastructure entities to report cyber incidents, including which businesses will be covered and how they will incentivize companies to comply.

Read full article »

US Agencies Need Top-Level Privacy Officials, GAO Says

Multiple federal agencies have delegated privacy protection duties to officials already tasked with demanding responsibilities, impeding agency efforts to protect sensitive personal data, according to a new report from the Government Accountability Office.

Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

11th Circ. Affirms Toss Of Gun Shop's Case Over ATF Search

The Eleventh Circuit on Thursday affirmed the dismissal of a suit brought by a gun accessory shop in Georgia over a raid of its warehouse, ruling that the business has an adequate legal remedy in a related civil forfeiture proceeding.

Opinion attached | Read full article »

INTERNATIONAL TRADE

'Morality Police' Protests Spur US To Aid Iran Internet Access

Williams & Connolly
Williams Porter
Willkie Farr
Wilson Sonsini
Winston & Strawn
Withersworldwide
Wright Lindsey

COMPANIES IN TODAY'S NEWS

7-Eleven Inc.
A.P. Moller-Maersk
Actelion Ltd.
Amazon.com Inc.
American Bar Association
American International Group Inc.
American Trucking Associations Inc.
Amgen Inc.
Apollo Global Management LLC
Apple Inc.
ArcelorMittal
Astellas Pharma Inc.
BlackRock Inc.
Bolt Financial Inc.
Booz Allen Hamilton Holding Corp.
Boy Scouts of America
Burford Capital LLC
CBS Corp.
CBS Interactive Inc.
Cable News Network Inc.
Change Healthcare Inc.
Chicago Bar Association
Citigroup Inc.
Computer & Communications Industry Association
Cox Media Group Inc.
DISH Network Corp.
Deloitte Touche Tohmatsu Ltd.
Dialpad Inc.
Ethiopian Airlines Enterprise
Gilead Sciences Inc.
Goodyear Tire & Rubber Co.
Google LLC
HSBC Holdings PLC
Harbour Litigation Funding Ltd.
Hess Corp.
Hulu LLC
Imperial Sugar Co.
Imperial Sugar Company
Instagram Inc.
Intelligent Energy Inc.
Investments Ltd.
Johnson & Johnson
LVMH Group
London Stock Exchange Group PLC
Louis Dreyfus Holding BV
Major Lindsey & Africa LLC
Mariner Health Central Inc.
Mechel
Mediterranean Shipping Co. SA
Meta Platforms Inc.
Morgan Stanley
NVIDIA Corp.
National Collegiate Athletic Association
National Federation of Independent Business
Netflix Inc.
NewAge Inc.

The U.S. Department of the Treasury on Friday issued guidance easing sanctions to allow technology companies to offer Iranians access to the internet after a 22-year-old woman's death in police custody sparked protests around the country.
Read full article »

Big Tech Wants DST Removed In US-Kenya Trade Deal

The U.S. Trade Representative should seek commitments from Kenya's government to remove the country's digital services tax and not pursue unilateral measures during ongoing negotiations, a lobbying group representing companies such as Google, Amazon and Facebook said.
4 documents attached | Read full article »
TAX

Planned Corporate Tax Rise Scrapped In Revised UK Budget

The U.K. will scrap a planned rise in corporate tax, the country's new Chancellor of the Exchequer said on Friday, as part of measures that he said will boost business investment and increase economic growth.
1 document attached | Read full article »
WHITE COLLAR

Ill. Sen. Pleads Not Guilty To Taking Camera Co. Rep's Bribes

Illinois Sen. Emil Jones III pled not guilty Friday to charges that he accepted a $5,000 bribe from a red-light camera company representative in exchange for his help protecting the firm from state studies into similar systems.
Read full article »
NATIVE AMERICAN

Narragansett Tribe Fights RI's Bid To Escape Highway Suit

The Narragansett Indian Tribe urged a D.C. federal judge to reject Rhode Island's bid to escape claims in the tribe's suit seeking $30 million for the destruction of cultural sites amid construction of a highway bridge, saying the state colluded with the Federal Highway Administration to violate federal law.
Memorandum attached | Read full article »
TELECOMMUNICATIONS

Illinois Judge Cancels City's Streaming Service Fees Suit

An Illinois federal judge on Friday permanently tossed a St. Louis suburb's lawsuit seeking fees from Netflix, Hulu, Amazon, YouTube and eight other video streaming services for operating within its boundaries, ruling the city had no authority under state law to bring its claims.
Order attached | Read full article »
CANNABIS

Ark. Supreme Court OKs Pot Legalization Question

Arkansans will get to decide whether to legalize recreational marijuana in the general election this November after the state Supreme Court on Thursday reversed state officials' decision not to certify the referendum.
2 documents attached | Read full article »
PEOPLE

Senate Commerce Committee Deputy Joins Baker Donelson

News Corp.
Nike Inc.
Pfizer Inc.
Public Citizen Inc.
Shell PLC
SolarWinds Corp.
Solicitors Regulation Authority Ltd.
Space Exploration Technologies Corp.
Spotify Technology SA
Standard General LP
TPC Group Inc.
Target Corp.
Tegna Inc.
Terra-Gen LLC
Tesla Inc.
The Boeing Co.
The DIRECTV Group, Inc.
The Travelers Cos. Inc.
Twitter Inc.
U.S. Sugar Corp.
UnitedHealth Group Inc.
Universal Service Administrative Co.
University of Toledo
YouTube Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arkansas Supreme Court
Bureau of Indian Affairs
Bureau of Reclamation
Committee on Foreign Investment in the United States
Consumer Financial Protection Bureau
Delaware Court of Chancery
Energy Information Administration
Executive Office of the President
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Highway Administration
Federal Reserve Bank of Kansas City
Federal Reserve System
Federal Trade Commission
Financial Crimes Enforcement Network
Food and Drug Administration
Government Accountability Office
HM Revenue & Customs
House of Commons of the United Kingdom
Illinois Department of Transportation
Kumeyaay Nation
Narragansett Indian Tribe
National Aeronautics and Space Administration
National Health Service
New York Attorney General's Office
New York City Police Department

The former deputy policy director and team leader for aviation for the U.S. Senate Committee on Commerce, Science and Transportation is the new senior public policy adviser in Baker Donelson Bearman Caldwell & Berkowitz PC's government relations and public policy group.
Read full article »

EXPERT ANALYSIS

Opinion

The Equal Rights Amendment Should Be Published Today

Reports of the Equal Rights Amendment's early demise due to a purported deadline set by Congress are false, and failure to publish this prohibition against sex-based discrimination as part of the U.S. Constitution has pernicious consequences that will continue to infest federal jurisprudence until publication occurs, says attorney Michele Thorne.
Read full article »

AML Regulation Of Lawyers Is Imminent And Controversial

The U.S. House of Representatives' recently passed National Defense Authorization Act subjects lawyers engaged in certain financial-related activities to anti-money laundering regulation under the Bank Secrecy Act, which could pit lawyers against clients in ways harmful to the rule of law and administration of justice, says Jeremy Glicksman at the Nassau County District Attorney's Office in New York.
Read full article »

Opinion

FERC Proposal Conflicts With 'Major Questions' Doctrine

Federal Energy Regulatory Commission Chairman Richard Glick's recent claim that FERC retains the right to evaluate the greenhouse gas emissions of natural gas projects flies in the face of the so-called major questions doctrine laid out by the U.S. Supreme Court earlier this year, says attorney Terry Campo.
Read full article »

Pfizer Kickback Ruling Shows Drug Copay Program Risks

The Second Circuit recently held that Pfizer's proposed copay assistance program for a costly heart treatment would violate the Anti-Kickback Statute, reminding drug companies that copay programs involving government beneficiaries are highly risky — even if they improve patient access to necessary medications, say Sophia Gaulkin and Alan Kirschenbaum at Hyman Phelps.
2 documents attached | Read full article »

LEGAL INDUSTRY

How Calif. Court Reporter Shift Will Impact Family Law Cases

Legal experts say a decision by the country's largest unified trial court to no longer provide official court reporters in family law and probate cases as of Nov. 14 could harm California's most at-risk and disadvantaged litigants.
Read full article »

Analysis

Funders Eye Equity Stakes In UK Law Firms

Private financiers are increasingly looking at taking equity stakes in law firms using alternative business structures, in a bid to deliver hefty returns for their investors.

Occupational Safety and Health Administration
Office of Foreign Assets Control
Rhode Island Department of Transportation
U.S. Agency for International Development
U.S. Army
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Northern District of Georgia
U.S. Attorney's Office for the Northern District of Illinois
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the District of Delaware
U.S. Bankruptcy Court for the District of Puerto Rico
U.S. Bankruptcy Court for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the Eastern District of New York
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of Illinois
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House of Representatives

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U.S. Office of Personnel Management
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
Wyoming Attorney General's Office

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SUBJECT: Jury Says LabCorp Owes $272M For Infringing Prenatal Test IP
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 26/09/2022 02:41

LAW360 HEALTH

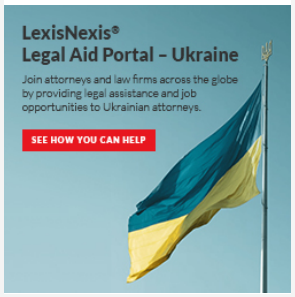
Monday, September 26, 2022 Follow

TOP NEWS

Jury Says LabCorp Owes $272M For Infringing Prenatal Test IP

A federal jury in Waco, Texas, found on Friday afternoon that LabCorp, one of the largest chains of clinical lab providers in the world, owes more than $272 million to a small Maryland biotech business for willfully infringing a patent covering a method of testing for genetic disorders during pregnancy.

Read full article »



Equally Split Full 4th Circ. Affirms Toss Of Allergan FCA Case

An evenly split full Fourth Circuit on Friday upheld the dismissal of a whistleblower's False Claims Act case alleging Allergan overcharged Medicaid by more than $680 million by failing to offer its best

prices, after a district court found Allergan's actions were "objectively reasonable."

Order attached | Read full article »

'I Lost A Lot': Breyer Opens Up On 'Frustrating' Last Term

Newly retired Justice Stephen Breyer spoke about his "very frustrating" final term on the U.S. Supreme Court in a sit-down with CNN to be aired Sunday, adding that he was particularly "sorry" about the conservative majority's decision to overturn Roe v. Wade.

Read full article »

Group Backs Swisher High Court Bid Over Revived Verdict

The Washington Legal Foundation has thrown its support behind tobacco company Swisher as it petitions the U.S. Supreme Court to take up a case being brought by a rival, arguing that the Ninth Circuit lacked jurisdiction to revive a $9 million jury verdict.

2 documents attached | Read full article »

Stockholders Reach Far For Damages In Chancery Opioid Suit

An attorney for stockholders suing AmerisourceBergen Corp.'s top executives and directors to recover damages for the company in the wake of the opioid epidemic told a Delaware vice chancellor Friday that damage claims could stretch back several years.

Read full article »

5 Parity Cases Benefits Lawyers Should Watch

A group of lawsuits percolating up through the courts from patients who say insurers violated federal law by skimping on coverage for mental health and substance use disorder treatments will shed light on what such cases need to survive and what remedies plaintiffs can win, attorneys say.

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POLICY & REGULATION

Analysis

3 Questions As Feds Flesh Out New Breach Reporting Rules

Federal officials have a bevy of questions to answer as they fine-tune new rules that will require critical infrastructure entities to report cyber incidents, including which businesses will be covered and how they will incentivize companies to comply.

Read full article »

LITIGATION

9th Circ. Overturns Insurer's Win In ERISA Benefits Suit

The Ninth Circuit reversed a lower court's decision upholding a Hartford unit's termination of long-term disability coverage to a medical device technician who left work due to back pain, saying the insurer didn't do enough to fully investigate the worker's job duties.

Memorandum attached | Read full article »

NC Live-In Staff Win Conditional Cert. In FLSA Suit

A proposed class of workers won conditional certification on Friday for an overtime wages collective action against a nonprofit that provides housing for people with intellectual disabilities.

2 documents attached | Read full article »

Judge Cuts Some Of Atum's Claims In Gene Therapy IP Row

A Massachusetts federal judge has trimmed biotechnology company Atum's fraud and mismanagement counterclaims in rival SalioGen's trade secrets suit against it over genomics

COMPANIES IN TODAY'S NEWS

7-Eleven Inc.
A.P. Moller-Maersk
AbbVie Inc.
Actelion Ltd.
Alcatel Lucent SA
Allergan PLC
Amazon.com Inc.
American Bar Association
American International Group Inc.
American Trucking Associations Inc.
AmerisourceBergen Corp.
Amgen Inc.
Apple Inc.
ArcelorMittal
Astellas Pharma Inc.
BlackRock Inc.
Boy Scouts of America
Burford Capital LLC
Cable News Network Inc.
Candela Corp.
Cardinal Health Inc.
Change Healthcare Inc.
Chicago Bar Association
Cigna Corp.
Deloitte Touche Tohmatsu Ltd.
Dialpad Inc.
Ethiopian Airlines Enterprise
Forest Laboratories Inc.
Gilead Sciences Inc.
Goodyear Tire & Rubber Co.
Google LLC
HSBC Holdings PLC
Harbour Litigation Funding Ltd.
Hess Corp.
Instagram Inc.
Intelligent Energy Inc.
Investments Ltd.
Johnson & Johnson
Katz Properties LLC
London Stock Exchange Group PLC
Major Lindsey & Africa LLC
Mariner Health Central Inc.
McKesson Corp.
Mechel
Mediterranean Shipping Co. SA
Meta Platforms Inc.
Microsoft Corp.
Morgan Stanley
MultiPlan Inc.
National Collegiate Athletic Association
NewAge Inc.
News Corp.
Nike Inc.
Nokia Siemens Networks BV
Pfizer Inc.

technology, but allowed Atum's arguments over the ownership of those trade secrets to proceed since a substantial controversy exists.

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Ga. Judge Dismisses Ethylene Oxide Exposure Case

A Georgia federal judge granted a win Friday to a medical sterilization business in a 23-plaintiff case alleging various injuries caused by exposure to the chemical ethylene oxide, but left the door open for all but three claimants to try again with more specificity.

Order attached | Read full article »

Cleveland Orchestra Settles Transgender Worker's Suit

The Cleveland Orchestra on Friday settled a lawsuit filed by a transgender employee after it agreed to cover medical care associated with her gender-affirming surgery, something it previously refused.

1 document attached | Read full article »

Fla. Appeals Court Says Doctor 'Split Hairs' Opposing Expert

A Florida appeals court on Friday revived a woman's claims that she suffered permanent eye damage when her ophthalmologist misdiagnosed her following nasal surgery, saying the doctor "split hairs" by arguing that the woman's expert didn't operate in the same specialty.

Opinion attached | Read full article »

UK Litigation Roundup: Here's What You Missed In London

The past week in London has seen investors in a Disney film financing scheme look for a fairytale ending against HSBC, a scuppered Forex company sue a card payments provider in a breach of contract claim, and Boots Opticians eye up a commercial contracts claim against NHS England. Here, Law360 looks at these and other new claims in the U.K.

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EXPERT ANALYSIS

Pfizer Kickback Ruling Shows Drug Copay Program Risks

The Second Circuit recently held that Pfizer's proposed copay assistance program for a costly heart treatment would violate the Anti-Kickback Statute, reminding drug companies that copay programs involving government beneficiaries are highly risky — even if they improve patient access to necessary medications, say Sophia Gaulkin and Alan Kirschenbaum at Hyman Phelps.

2 documents attached | Read full article »

Opinion

The Equal Rights Amendment Should Be Published Today

Reports of the Equal Rights Amendment's early demise due to a purported deadline set by Congress are false, and failure to publish this prohibition against sex-based discrimination as part of the U.S. Constitution has pernicious consequences that will

Quest Diagnostics Inc.
Safeco Insurance Co.
Safeway Inc.
Shell PLC
SolarWinds Corp.
Solicitors Regulation Authority Ltd.
Space Exploration Technologies Corp.
Spotify Technology SA
Supervalu Inc.
Swisher International Inc.
TPC Group Inc.
Target Corp.
Tesla Inc.
The Boeing Co.
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Clarke Willmott
Clyde & Co
Cook & Connelly
DAC Beachcroft
DLA Piper
Dacus Law Firm
Davis Polk
Davis Wright
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Edelson PC
Epperson & Rich
Eversheds Sutherland
Faegre Drinker
Fish & Richardson
Fleming & Nelson
Freeths LLP
Gaw Poe
Gibbons Law Group
Gibson Dunn
Goldstein & Russell
Greenberg Traurig
Hach Rose Schirripa
Hausfeld LLP
Hyman Phelps
Jomarron Lopez
Jones Day
Kantor & Kantor
Keating Muething
Kessler Topaz
Kilpatrick Townsend
Kirkland & Ellis
Kobre & Kim
Latham & Watkins
Levi & Korsinsky
Michelmores LLP

continue to infest federal jurisprudence until publication occurs, says attorney Michele Thorne.
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AML Regulation Of Lawyers Is Imminent And Controversial

The U.S. House of Representatives' recently passed National Defense Authorization Act subjects lawyers engaged in certain financial-related activities to anti-money laundering regulation under the Bank Secrecy Act, which could pit lawyers against clients in ways harmful to the rule of law and administration of justice, says Jeremy Glicksman at the Nassau County District Attorney's Office in New York.
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LEGAL INDUSTRY

How Calif. Court Reporter Shift Will Impact Family Law Cases

Legal experts say a decision by the country's largest unified trial court to no longer provide official court reporters in family law and probate cases as of Nov. 14 could harm California's most at-risk and disadvantaged litigants.
Read full article »

Analysis

Funders Eye Equity Stakes In UK Law Firms

Private financiers are increasingly looking at taking equity stakes in law firms using alternative business structures, in a bid to deliver hefty returns for their investors.
Read full article »

Feds Want Up To 2 Years For Atty Who Threw Molotov Cocktail

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Federal Bureau of Investigation
Federal Trade Commission
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U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the District of Maryland
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the District of Delaware
U.S. Bankruptcy Court for the District of Puerto Rico
U.S. Bankruptcy Court for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Tenth Circuit

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U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Delaware
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of North Carolina
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of New York
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SUBJECT: Morning Consult Health Presented by CVS Health: BidenAdministration Commits $1.5 Billion to Battle Opioid Crisis
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 26/09/2022 06:32

MORNING CONSULT

[redacted]

Title

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 26, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The White House announced that it would award $1.5 billion in grants to localities battling the opioid crisis, including more than $104 million in funding earmarked to support rural communities, a move that comes after the Centers for Disease Control and Prevention reported a 15% uptick in overdose-related deaths last year. As part of his fiscal-year 2023 budget, President Joe Biden called for $42.5 billion in funding for National Drug Control Agencies, an increase of $3.2 billion compared to the prior year. (CNBC)

- Senate Finance Committee Chair Ron Wyden (D-Ore.) told Fierce Healthcare that he's eyeing legislation that would penalize insurers for running so-called ghost networks, in which providers are listed in networks but don't actually offer care. Wyden didn't offer additional details on what the legislation might ultimately look like, but noted that he's in touch with fellow lawmakers about the issue and is aiming to pull something together before the end of 2022. (Fierce Healthcare)

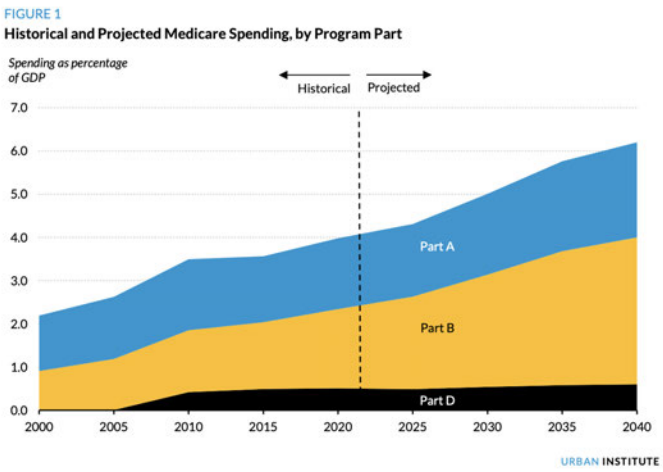
- The CDC amended guidance on masking in hospitals and nursing homes, saying that facilities that aren't located in communities with "high" levels of COVID-19 transmission can "choose not to require" doctors, patients and visitors to wear a mask. Per the CDC's Community Transmission benchmarks, 73% of U.S. counties are currently considered to face high risk levels. (CBS News)

- After Roe v. Wade's reversal, Arizona must now follow an 1864 law, enacted before it became a state and blocked since 1973, that prohibits all abortions except when the mother's life is in danger, Pima County Superior Court Judge Kellie Johnson ruled, with the ban taking effect immediately. (Politico) The White House responded to the decision, with press secretary Karine Jean-Pierre saying the judge's ruling would result in potentially "catastrophic, dangerous and unacceptable" consequences, setting Arizona women back "more than a century." (The Hill)

CHART REVIEW

The Medicare Financing Conundrum
Urban Institute

[redacted]



PRESENTED BY CVS HEALTH

Let This Sink In: We Have an Adolescent Suicide Crisis

Suicide is the second leading cause of death among individuals between the ages of 10 and 34. But it doesn't have to be.

CVS Health has a bold goal to reduce suicide attempts 20 percent among Aetna members by the year 2025. Through evidence-based prevention, intervention and public education, CVS Health is saving lives and bringing hope to our communities. Learn more.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

After covid-19, WHO's Tedros plans for the next pandemic
Adam Taylor, The Washington Post
Tedros arrives in Washington on Monday, where he will meet senior U.S. officials to push for more coronavirus assistance. At 57, he is the first African to lead the WHO, the top United Nations body dedicated to global health, and was recently reelected to a second term with bold plans to reform the system.

US Seeks to Secure Medical Supply Chain in Covid-19 Fight
Iain Marlow, Bloomberg

The Biden administration will help set up a clearinghouse of medical supplies with other nations to fight Covid-19, and will expand a "test-to-treat" program in 10 countries to distribute therapeutic drugs, a senior State Department official said.

'The tools are getting picked off': An ever-mutating mix of COVID variants means fewer and less effective treatments this fall
Erin Prater, Fortune
The pandemic might be over in the minds of some. But like it or not, COVID is ramping up for a fall wave—one likely to be fueled by multiple variants, experts say, as the virus mutates and spreads exponentially.

'Blood on your hands' if world steps back on tackling COVID now, WHO official says
Jennifer Rigby, Reuters
If rich nations think the pandemic is over, they should help lower-income countries reach that point too, a senior World Health Organization official told Reuters.

Pfizer CEO Albert Bourla tests positive for Covid-19 again
Carma Hassan, CNN
The CEO said he did not get the updated Covid-19 booster shot yet because he is waiting for three months after his previous Covid-19 infection. He tested positive for Covid-19 in August.

Covid-19 Vaccine Rollout Carries Lessons for Pharma Supply Chains, Says Pfizer Executive
Liz Young, The Wall Street Journal
The concentrated effort to develop, manufacture and distribute vaccines as the Covid-19 pandemic began to rage across the world highlighted the importance of the supply chain and helped set a model for how lifesaving medicines will be rolled out in the future, a Pfizer Inc. executive said.

Ivermectin Treatment Order Overturned by Pennsylvania Court
Mary Anne Pazanowski, Bloomberg Law
A Pennsylvania trial judge improperly ordered a hospital to provide ivermectin treatment for a elderly patient dying of Covid-19, an appeals court in the state said.

Covid-19 Has Changed Funeral Business Forever
Dominique Mosbergen, The Wall Street Journal
Covid-19 has killed more than one million people in the U.S. As new Covid-19 cases drop, hundreds of people continue to die of the disease each day. The toll has generated a surge in business for funeral homes, along with challenges that morticians said prompted the industry to become more nimble and responsive. Many funeral directors added services including virtual events and outdoor gatherings. Others struggled to retain burned-out or traumatized staff.

GENERAL

Biden Abortion Policy Angers GOP as Democrats Urge More Action
Stephanie Armour, The Wall Street Journal
Three months after the U.S. Supreme Court overturned Roe v. Wade, the Biden administration has made a series of moves aimed at protecting access to abortion that has angered opponents of legalized abortion and left supporters urging the federal government to do more.

Monkeypox Appears to Recede, but Risks and Uncertainties Linger
Apoorva Mandavilli, The New York Times
Nearly four months after the first report of monkeypox in the United States, the virus is showing promising signs of retreat, easing fears that it may spill over into populations of older adults, pregnant women and young children.

Frozen embryos linked to increased risk of hypertensive disorders during pregnancy, study finds
Kaitlin Sullivan, NBC News
Undergoing in vitro fertilization using frozen embryos is linked to a greater risk of hypertensive disorders, including preeclampsia, during pregnancy, according to research published Monday in the journal Hypertension.

"You're not alone": Suicide attempts among teen girls increased 50% during pandemic, CDC finds
Meg Oliver and Nic Cutrona, CBS News
Suicide is the third leading cause of death among people aged 15 to 24 in the U.S., according to the Centers for Disease Control and Prevention. Since 2019, the number of teenage girls who have been suicidal has increased 50%, according to the CDC.

Life after monkeypox: Men describe an uncertain road to recovery
Benjamin Ryan, NBC News
During the four months of the monkeypox outbreak, health care providers, researchers and an anxious public have scrambled to determine how the virus transmits, how to prevent it and how the infection plays out in the body.

Doctors urge more research into little-known STI linked to infertility in men and women
Caroline Hopkins, NBC News
Scientists have known for decades about mycoplasma genitalium, or M. genitalium or M. gen., a sexually-transmitted infection that may cause genital pain, bleeding and swelling, and has been linked to infertility and miscarriage. However, it wasn't until 2019 that the first Food and Drug Administration-approved test for M. gen. became commercially available. Many cases may be going undiagnosed and untreated, doctors warn.

Embedded Bias: How Medical Records Sow Discrimination
Darius Tahir, Kaiser Health News
Doctors often send signals of their appraisals of patients' personas. Researchers are increasingly finding that doctors can transmit prejudice under the guise of objective descriptions. Clinicians who later read those purportedly objective descriptions can be misled and deliver substandard care.

PAYERS

Insurer report on Medicare Advantage savings is misleading, experts say
Bob Herman, Stat News
The health insurance industry is continuing its campaign to convince the public that Medicare Advantage saves taxpayers money, but experts say federal data still concludes the exact opposite — and that the program as currently designed is a drain on Medicare's trust fund.

Medicaid Funding Rules for States Get Fresh Look From HHS
Tony Pugh, Bloomberg Law
The Biden administration is reopening a public comment period on the requirements that states must follow to secure a temporary increase in federal matching funds for their Medicaid programs under the Families First Coronavirus Response Act.

Judge: DOJ's challenge to United-Change deal had 'serious flaws'
Paige Minemyer, Fierce Healthcare
The federal government's case against the UnitedHealth Group bid to buy Change Healthcare merger faced "serious flaws," a judge has ruled.

PROVIDERS

They Were Entitled to Free Care. Hospitals Hounded Them to Pay.
Jessica Silver-Greenberg and Katie Thomas, The New York Times
With the help of a consulting firm, the Providence hospital system trained staff to wring money out of patients, even those eligible for free care.

How a Hospital Chain Used a Poor Neighborhood to Turn Huge Profits
Katie Thomas and Jessica Silver-Greenberg, The New York Times
Bon Secours Mercy Health, a major nonprofit health system, used the poverty of Richmond Community Hospital's patients to tap into a lucrative federal drug program.

Violence against emergency room physicians is on the rise, survey finds
Hailey Mensik, Healthcare Dive
Violence against physicians in emergency centers is surging, mirroring attacks against healthcare workers in general, according to a poll conducted by the American College of Emergency Physicians.

CommonSpirit Health reports $1.85B net loss for FY22
Dave Muoio, Fierce Healthcare
The Catholic healthcare giant said Friday it saw a nearly $1.3 billion operating loss (-3.8% operating margin) and a $1.85 billion net loss across the full year. During the previous fiscal year, it had brought in almost $1 billion in operating income (3% operating margin) and experienced a $5.45 billion net gain.

Texas Medical Association lobs new surprise billing lawsuit
Robert King, Fierce Healthcare
The lawsuit shows that provider groups are not mollified by a revised rule issued by the Biden administration last month. The association charged the new rule, which revises a 2021 regulation, still tilts an arbitration process for out-of-network charges too far in payers' favor.

More psychotherapists are incorporating religion into their practices
Richard Schiffman, The Washington Post
"Americans' mental health is at the lowest point in history," said David H. Rosmarin, an associate professor at Harvard Medical School. "People are feeling more isolated than ever. They are less connected to each other and also to something spiritual. It's a big problem."

Seniors home health care crisis deepened by covid labor shortage
Christopher Rowland, The Washington Post
While more elderly seek home care to age in place, low-wage workers are finding easier jobs with equal or better pay in retail and restaurants.

Not-for-profit health systems navigate lower cash reserves
Caroline Hudson, Modern Healthcare
Days cash on hand at not-for-profit hospital systems is trending downward as the sector recalibrates after last year's higher-than-normal balances.

PHARMA, BIOTECH AND DEVICES

GSK Will Be Helmed by Two Women as Drugmaker Hires Brown as CFO
Marthe Fourcade, Bloomberg
GSK Plc hired Julie Brown as chief financial officer to work alongside Chief Executive Officer Emma Walmsley, putting two women in charge of the UK drugmaker — a milestone in an industry dominated by men.

Skip Amgen-Sanofi Cholesterol Drug Fight, DOJ Tells High Court
Jay-Anne B. Casuga, Bloomberg Law
The US Supreme Court should decline to take up Amgen Inc.'s long-running patent dispute with Sanofi and Regeneron Pharmaceuticals Inc. regarding their rival cholesterol drugs Repatha and Praluent, the solicitor general said in closely watched litigation over antibody-based medicine.

CDC announces $90M to improve innovation and pathogen genomics
Genomeweb
The US Centers for Disease Control and Prevention announced on Friday that it has established a Pathogen Genomics Centers of Excellence (PGCoE) network with $90 million in funding support to five laboratories and their academic partners.

Multimillion-dollar gene therapies offer hope to patients, but huge cost concerns
Caitlin Owens, Axios
The era of multimillion-dollar gene therapies has arrived, providing a ray of hope to patients with debilitating diseases — but also presenting huge affordability challenges.

Biotech turns to novel viruses to break through gene therapy's limits

Jason Mast, Stat News
The fluorescent orange sticker atop the white machine reads "BIOHAZARD," but it's a bit of a misnomer. Although Earth abounds with pathogens that can maim, kill, paralyze, and poison, the specimens inside this machine — being pipetted left and right behind glass for sequencing — are probably the most innocuous human virus you will ever encounter.

What is rainbow fentanyl? Colorful pills drive new warnings about deadliest drug in the United States
Jacqueline Howard, CNN
Rainbow fentanyl comes in bright colors and can be used in the form of pills or powder that contain illicit fentanyl, a powerful synthetic opioid, making them extremely addictive and potentially deadly if someone overdoses while trying to achieve a high off of the drugs.

A Message From CVS Health:

Addressing Our Nation's Youth Mental Health Crisis

From self-esteem issues to bullying and social dynamics to social media, our teenagers are facing a variety of challenges that are directly impacting their mental health.

In recognition of Suicide Prevention Month in September, CVS Health continues to prioritize intervention, resources and support to manage suicidal thoughts and prevent suicide attempts, especially among adolescents. Learn more about CVS Health's efforts to reduce suicide.

HEALTH TECHNOLOGY

ADA, tech companies team to prevent diabetic foot amputations
Heather Landi, Fierce Healthcare
Virtual care management company Podimetrics and the ADA are leading an initiative to reduce the number of unnecessary amputations that happen every year in the U.S.

How state abortion bans complicate telehealth abortions
Farah Yousry, NPR News
Medication abortions work for most people who are under 11 weeks pregnant, and research suggests medication abortion via telemedicine is safe and effective. Yet many states have enacted legislation to ban or limit access to telehealth abortions.

OPINIONS, EDITORIALS AND PERSPECTIVES

Unprepared for the Big One
Seth Berkley, Politico
Covid-19 may have been the biggest global health crisis in a century, but in so many ways it could have been worse, much worse. Despite the scale and suffering — with the pandemic not yet over and at least 15 million people dead, nearly 600 million people infected (possibly more than Spanish flu) and at a cost to the global economy of at least $11 trillion and counting — we still got lucky.

RESEARCH REPORTS

Racial and Ethnic Disparities in Drug Overdose Deaths in the US During the

COVID-19 Pandemic

Beth Han et al., JAMA Network Open

Recent reports highlighted racial and ethnic differences in US drug overdose deaths from 1999 to 2020. Overdose deaths increased 37.2% from February 2020 to August 2021 and were predominantly associated with synthetic opioids other than methadone (primarily fentanyl or analogs) and methamphetamine. Yet data are lacking regarding racial and ethnic disparities in overdose death rates within specific sex-age combinations before and during the COVID-19 pandemic (since March 2020).

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DATE: 26/09/2022 08:16

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September 26, 2022

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TOP STORIES

US records lowest COVID-19 case levels since April

(Patrick T. Fallon/Getty Images)

The US seven-day average for newly reported COVID-19 cases fell 10.6% to 54,186 as of Wednesday, the lowest since April, while the weekly average for COVID-19 deaths dropped 12.2% to 347, according to the CDC. The seven-day average for COVID-19 hospitalizations fell 9.9% to 3,971 for the week ending Sept. 20, and 7% of US communities had high levels of COVID-19 as of Thursday, down 6.3 percentage points from the previous week. **Full Story:** Becker's Hospital Review (9/23)

Administration to distribute $1.5B to combat opioid epidemic

The Biden administration said it will distribute $1.5 billion to states and territories through HHS' Substance Abuse and Mental Health Services Administration as part of efforts to combat the opioid overdose epidemic and support people in recovery. More than $104 million will go to rural areas for opioid overdose prevention and treatment initiatives, $20.5 million will be used to expand access to recovery programs, and $12 million will be put toward law enforcement programs in areas of high drug trafficking. **Full Story:** The Hill (9/23)

Denying Defeat: Jeanie's Road to Approval

Born with limb difference, Jeanie pushed herself in the first 25 years of her life without prosthesis to the point where her fingers and hands just gave out. **Read her story** and the trials she overcame to receive insurance approval for her life-changing devices.

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PROVIDERS & SUPPLIERS

EHR meaningful use linked to better patient outcomes

A study published in the Journal for Healthcare Quality found health systems that successfully met the CMS meaningful use guidelines for electronic health records performed better in improving quality of care and reducing patient mortality rates compared with hospitals that didn't meet meaningful use EHR requirements or those hospitals that have yet to implement EHRs or have partially implemented the technology. The findings, which included data from over 5 million patients in 300 US hospitals, "highlights the importance of using electronic health records in a way that promotes interoperability to streamline processes, speed up decision-making, reduce wasted time, and ultimately improve patient health outcomes," study lead author Kate Trout said.
Full Story: HealthLeaders Media (9/21)

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MEDICAL UPDATE

Study: Healthful habits may reduce mortality risks for former smokers

(Pixabay)

Former smokers who adopt healthful lifestyle habits, including diet and exercise, may reduce their risk of early death, National Cancer Institute researchers reported in JAMA Network Open. People who had the highest healthful lifestyle adherence scores had a 24% decreased risk of death from cancer, a 28% lower risk of dying from cardiovascular disease and 30% lower risk of death from respiratory disease, compared with those who had the lowest adherence scores. **Full Story:** United Press International (9/22)

Study predicts T1D prevalence could double by 2040

An analysis of data from the Type 1 Diabetes Index predicted the number of people with type 1 diabetes worldwide could double by 2040, according to a study presented at the European Association for the Study of Diabetes 2022 Annual Meeting and published in The Lancet Diabetes & Endocrinology. Data showed about 8.4 million people were living with type 1 diabetes in 2021, and an additional 3.7 million died prematurely from the disease. **Full Story:** Medscape (free registration) (9/22)

Women's Mental Health & Access to Medical Care

Thought-leadership discussion on women's mental health and the unique treatment considerations in achieving optimal outcomes. Learn about the nuances of post-partum health and the impacts of restricted medical and reproductive care on women's mental health.
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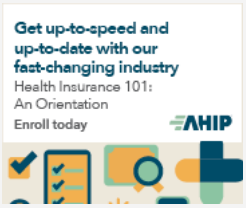
Price transparency in vision insurance

Much of the attention around price transparency in healthcare has been on hospitals, health systems, and health plan organizations. But some vision retailers have been ahead of the curve in their space, and the simplified, digital-first experiences and up-front pricing they offer are showing more traditional optical retailers and vision insurers what's possible—and what consumers want. **Read more.**

EMERGING TRENDS

Pediatric melatonin ingestion raises concerns

Data indicate that pediatric melatonin ingestions rose 530% in the US from 2012 to 2021, with the vast majority unintentional and some resulting in ICU admission, and the American Academy of Sleep Medicine has called for parents to consult a health professional before letting children have sleep aid supplements including melatonin. AASM Public Safety Committee Vice Chair Dr. Muhammad Adeel Rishi said melatonin's availability in appealing chewable-tablet and gummy forms makes it more likely for children to overdose, but there is little evidence it can help healthy children or adults get to sleep faster.
Full Story: Healio (free registration) (9/22)



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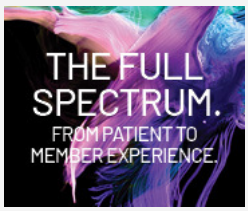

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PHARMA NEWS

Rollout slow for variant-targeting COVID-19 boosters

(NurPhoto/Getty Images)

The CDC said 4.4 million people in the US have received the Omicron-targeting COVID-19 booster shot since it was approved by the FDA and CDC three weeks ago. The federal government ordered 171 million doses of the bivalent booster for autumn, but Dr. Anthony Fauci, President Joe Biden's chief medical adviser, said half of vaccinated people in the US have not gotten their first booster dose, let alone a second. **Full Story:** The Associated Press (9/22)

Moderna seeks pediatric EUA for new COVID-19 booster shot

Moderna said on Twitter that it is seeking emergency use authorization from the FDA for a smaller dose of its authorized COVID-19 bivalent booster vaccine for use in children as young as 6 years old. The company also said an application will be filed later this year for children ages 6 months old to 6 years.
Full Story: The Hill (9/23)

Study evaluates oseltamivir for youths hospitalized with flu

A study published in JAMA Pediatrics found that early oseltamivir use was associated with shorter hospital stay and lower odds of seven-day readmission, transfer to the intensive care unit, use of extracorporeal membrane oxygenation and in-hospital mortality. Researchers noted that the findings support the recommendations by the American Academy of Pediatrics and Infectious Diseases Society of America for oseltamivir use in children hospitalized with influenza. **Full Story:** Contemporary Pediatrics (9/22)

POLICY WATCH

HHS OKs postpartum coverage extension in N.C.

HHS approved North Carolina's request to extend Medicaid and Children's Health Insurance Program coverage to 12 months after pregnancy. North Carolina is one of 24 states that have extended coverage, and the extensions are expected to affect 361,000 people annually. **Full Story:** Becker's Payer Issues (9/23)

AHIP NEWS

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SUBJECT: Re: Legislative Alert: Federal Home Visiting Reauthorization BillMoves Forward
FROM: "Elizabeth VanSant-Webb (DHHS)" <elizabethvw@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>

[redacted] Title

CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 26/09/2022 12:18

Happy to provide any updates, Tracy. I'd say just keep your fingers crossed that this is what passes in December. Anything past December will be MUCH more difficult to get through Congress, as most home visiting champions are retiring.

Heather asked a couple of other questions in chat today, so I'll provide my responses here so everyone can reference them later as needed (but don't hesitate to ask at any time! I can easily pull this information again):

Match Requirement:
If we are able to count our current funding, which is $522,000 annually, we will be fine to meet these requirements until FY2026. We would need $597,396 (or an increase of $75,396) by FY2026 and $987,752 by FY2027 (with a total increase from current funding levels of $390,356). However, based on this current bill, this would require us to shift our standard of service provision to meet the MIECHV standard (with the same required performance measures). That's definitely possible and since the match won't be required for a few years, we have a great running start. It will take work on our end to do, but the payoffs will be great in the long run, as we'll then be able to have a more robust picture of the impacts of visiting across the state (i.e. I want to do this anyway, regardless of home visiting's funding future).

Who is best served by/benefits from home visiting?
It's important to remember that we must reference the evidence-base for home visiting (otherwise, we cannot guarantee the amazing outcomes and ROI that makes this a compelling service/intervention--it then would not fall under my program, as it would be more broad case management). I would suggest we move forward with the definition MIECHV uses, since we'll need to increase all service provision to this standard as a result of the match requirement:

Pregnant parents or families with a child age 5 and younger

Priority should be given to families that meet at least one (1) of the following MIECHV Eligibility Criteria:

- Low income (at or below 100% of the Federal Poverty Level)
- Pregnant and under the age of 21
- History of child abuse or neglect, or history of interactions with child welfare services
- History of substance abuse or in need of substance abuse treatment
- Tobacco use
- Low student achievement
- A child with developmental delays or disability
- A household member who is serving or has served in the U.S. armed forces

If the Home Visiting Program has an open caseload for enrollment, priority should be given to those who meet multiple MIECHV Eligibility Criteria.

The various home visiting models use more nuanced definitions, but I suggest we leave that to our contractors to work through, as they receive targeted technical assistance from model implementation specialists.

Optimal Coverage:

Currently, we have funding and capacity to serve 2.6% of children under 5 living in poverty in Utah (611 families). If we could reach, at minimum, 10% of these children (2,317), I'd say we'd be doing a great job!

However, because home visiting is a long-term intervention (2+ years, depending on the model), families only have to qualify (or meet the definition above) at the time of enrollment. Ideally, we should see changes to income and stressors over time, which would actually increase the need.

We would also need to increase our intake and referral processes to account for expansion--we have to find these families somewhere and we need to strengthen our early childhood infrastructure to do this. I'm already talking to Help Me Grow Utah about how they can support this.

Estimated Costs & ROI:

The following are current annual costs for PAT and NFP. Many programs supplement with local tax dollars, so adjustments for inflation are likely needed:

- PAT: $5,880 per family
- NFP: $6,935 per family

The cost to serve 10% of children under 5 living in poverty in Utah would be around $15.5 million.

With the proposed formula in MIECHV reauthorization, by FY2027, we would have $8.375 million--this would enable us to serve approximately 1,300 families, or 5.5% of children under 5 living in poverty in Utah.

While 5.5% may be sufficient, the ROI for home visiting is very strong ($5.70 in savings for every $1 of taxpayer dollars spent). As a result, we should push to get closer to that 10%.

- ROI for 5.5% (current projected funding): $47.738 million
- ROI for 10%: $88.35 million

Side note: As home visiting expands, the team at the state level will need to expand as well to ensure we're able to conduct appropriate contract monitoring processes. I currently have 2 program specialists positions on my team. If we are to expand into each LHD, I would estimate we need 5-6.

Other Considerations:
While Heather didn't ask about this, I want to share some very important considerations to keep in mind for any home visiting expansion conversations that I may not be a part of:

[redacted]

Voluntary Participation: Participation in evidence-based home visiting services requires at least 2 year commitment from families to ensure outcomes (depending upon the home visiting model used)--if families feel pressure to participate, this undermines the relationship-based approach of the service, thus undermining the ability of home visitors to impact parent, child, and family outcomes.

Sustainable funding is critical: I understand this is not always a guarantee for grand-funded work, but short-term or one-time funding undercuts contractors' ability to implement the model with fidelity, thus compromising the outcomes guaranteed by the evidence-base.

A bit of a history lesson: Utah received one-time competitive federal funding for home visiting back in 2014-ish. This had disastrous impacts for the field--programs had to close, people lost jobs, and stakeholder confidence in DOH and OHV was badly damaged (I still hear concerns about this 6 years later and am continuing to repair relationships across the state from this. Some LHDs have said they will never work with home visiting again!). This was a learning on the federal government's part as well and they no longer provide short-term funding for home visiting. Each MIECHV reauthorization is in 5-year increments and it is now exclusively formula-based and doesn't vary more than 5% each year to ensure sustainability of service provision. We should approach any funding opportunities for home visiting with the same mindfulness.

Let me know if you have any further questions.
Elizabeth

On Sun, Sep 25, 2022 at 7:00 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Elizabeth,

Thank you for the great overview of the proposal. That's very helpful.

If there are any important changes to the proposal as this moves through Congress, please let Noel know so she can keep us in the loop. We often don't know about issues without staff like you elevating these discussions. You are the expert and the closest to the information.

Thanks again!
Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Sep 23, 2022 at 9:31 AM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

Good morning,

I've been following the development of this bill closely and I've been waiting for you all to ask for my thoughts! Overall, this bill is really really great! Here are some quick bullet points of how this will impact Utah:

Maintenance of Effort: *The maintenance of effort requirements will continue. However, this will be based on the past MOE, which is $0. This is incredibly beneficial for Utah, as the MOE requirement will be set for 5 years (the entire period of reauthorization).*

Needs Assessment: *We will not need to update the needs assessment. While the current needs assessment quickly became outdated (it was completed in 2020), I believe we have sufficient data in other areas of DFH to help inform home visiting expansion. I've been in conversations with the DRP program manager about how we can plug in one of their epidemiologists into our work a bit more!*

Reduction of administrative burden: *The intense levels of administrative work and reporting for MIECHV is unlike many other federal grants. It's becoming a common complaint amongst MIECHV awardees and some states are starting to turn down this funding as a result. In this bill, they'll be working to reduce the hours by at least 15%. This has incredible implications for Utah's home visiting team and the DFH finance team. Currently the admin work impedes our ability to fully dive into the significant amount of data we have to really push toward more meaningful outcomes.*

Virtual Home Visiting: *As we've all learned virtual services are here to stay, but the current rules last only until the public health emergency ends. This means that we will be able to better serve families in the ways that they want and better accommodate their needs and schedules.*

Match requirements: *This is a big shift! Currently we do not have a match requirement for MIECHV. This proposal is 25% (or for every $3 in federal funds, the state must spend $1), but it's tiered up over time (I'll explain below what that looks like for Utah). Regardless of whether this bill is passed or not, a match is very likely in the future for MIECHV. The following is not public, but was made available to state home visiting administrators via a membership organization called the Association of State and Tribal Home Visiting Initiatives (ASTHVI--we're a member):*

It's unclear if the match can be any state funds.

Any match will likely need to be for home visiting provided at the MIECHV standard of service provision (this includes all the data collection, screening, and reporting).

- *While this is a concern for some state administrators, I think this is actually a good thing. It will allow us to better report on the same metrics across the state to have a better sense of where we are. Currently, we collect very little data for state-funded home visiting.*

New funding in this upcoming federal fiscal year will likely count for the match requirement.

- *This is great timing with all of the conversations happening with home visiting in the state right now!*

How much funding and what's Utah's share?: *I received a memo from the Congressional Research Service, via ASTHVI, regarding the estimates of program funding with this current proposal. Again, I was told this is not publicly available, but okay to share it within my agency. Let me know if you'd like to see the full 11 page document, but here's the summary for us:*

FY2021: (for comparison, this is our current annual award amount--MIECHV awards have 2 years of availability)

- *$3.162 million*

FY2023:

- *Base Amount: $4.451 million*
- *Match: $0*
- *Required match spending from Utah: $0*
- *Total: $4.451 million*

*FY2024: *match requirement starts**

- *Base Amount: $4.451 million*
- *Match: $776,000*
- *Required match spending from Utah: $258,758*
- *Total: $5.227 million*

FY2025:

- *Base Amount: $4.451 million*
- *Match: $1.195 million*
- *Required match spending from Utah: $398,264*
- *Total: $5.646 million*

FY2026:

- *Base Amount: $4.451 million*
- *Match: $1.792 million*
- *Required match spending from Utah: $597,396*
- *Total: $6.243 million*

FY2027:

- *Base Amount: $4.451 million*
- *Match: $2.936 million*
- *Required match spending from Utah: $987,752*
- *Total: $7.387 million*

Let me know if you have any more questions after reading through all of this. Happy to answer any and all that arise for you!

Elizabeth

On Fri, Sep 23, 2022 at 7:29 AM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

> *Good morning:*
> *Please respond to Tracy and team.*
> *Thank you,*
> *Noël*
>
> *Sent from my iPhone*
>
> *Begin forwarded message:*
>
> ***From:** "Tracy Gruber (DHHS)" <tracygruber@utah.gov>*
> ***Date:** September 22, 2022 at 9:01:08 PM MDT*
> ***To:** "Noel Taxin (DHHS)" <ntaxin@utah.gov>*
> ***Cc:** "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>*
> ***Subject: Fwd: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward***

[redacted] Title

Please share your thoughts on this legislation when the Home Visiting Team has time to review it. Given the budget cycle for the state, we may need to determine whether we would need additional MOE from Utah to try to draw down Utah's full allotment. Do you know how much Utah is eligible to receive with this new proposal?

Thanks.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: ***ASTHO*** *<pr@astho.org>*
Date: Thu, Sep 22, 2022 at 10:13 AM
Subject: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward
To: <tracygruber@utah.gov>

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LEGISLATIVE ALERT

Sept. 22, 2022

Federal Home Visiting Reauthorization Bill Moves Forward

This week, leaders in both the House Ways and Means Committee and Energy and Commerce Committee introduced the Jackie Walorski Maternal and Child Home Visiting Reauthorization Act (H.R. 8876), which reauthorizes the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program. The bill passed out of the House Ways and Means Committee by a vote of 41-0 with one abstention.

It is essential to note that the MIECHV program is a mandatory program, and this bill proposes significant changes to its overall funding. After a careful review by the ASTHO government affairs team, we strongly encourage that state legislative staff and maternal and child health teams carefully review the bill text and summary. This legislation is complex with new maintenance of effort, state matching requirements for a new grant program, and changes to an administrative cap that could uniquely impact state and territorial federal home visiting programs.

The press release, summary of the legislation, section-by-section summary, and bill text are available for review.

Outlook: The full House of Representatives will consider the bill, then move it to the Senate. Offsetting the program's costs is yet to be addressed and is a priority for Congress. However, this legislation was approved with broad bipartisan support, and the government affairs team believes it may be signed into law before the end of the calendar year. Funding for the current MIECHV program expires at the end of the month. Advocates expect Congress to approve a short-term extension of MIECHV as part of the continuing resolution bill that needs to pass before Sept. 30.

Questions: Considering this bill proposes changes to the MIECHV program, if S/THOs have any questions or concerns, please contact Carolyn McCoy.

Detailed Summary:
Currently, the MIECHV program receives approximately $400 million per year.

- This legislation proposes an increase in base funding to $500 million for FY23-FY27. The minimum base grant for an entity is $1 million.
- Starting in FY24-FY27, federal matching grant funds—in addition to base funding—are available to every eligible entity, guided by a formula that will focus on the number of

[redacted]

children under five in poverty if they comply with specific statutory requirements on an increasing scale:
  - FY24 $50 million.
  - FY25 $100 million.
  - FY26 $150 million.
  - FY27 $300 million.
- To draw down its full allotment of federal matching grant funds, an entity must provide non-federal funds above their maintenance of effort requirement such that 25% of the total spending consists of non-federal funds.
  - Unobligated matching funds can be redistributed to another entity that can contribute to the non-federal matching funds.
  - The ASTHO government affairs team recommends carefully reviewing the legislation to see what funds can contribute to this new matching requirement.
- New maintenance of effort requirement for states and territories is based on the lesser total of non-federal funds expended in 2019 or 2021. The entity is not eligible for base or matching grants if this is not met.
  - The secretary may allow a grace period for an entity to come into compliance.
- Phased-in additional federal matching funding starting in FY24 is part of the requirement for entities to be eligible for the new federal matching grants, which requires a 25% state match (i.e., for every $1 in state funds, there is a $3 federal contribution). The non-federal matching funds are not applied to the maintenance of effort requirement.
  - The minimum state matching funds are as follows:
    - FY23: Federal matching funds are not required.
    - FY24: $776,000.
    - FY25: $1,000,000.
    - FY26: $1,500,000.
    - FY27: $2,000,000.
  - If a state cannot reach the required amount, the secretary of HHS can proportionately reduce the federal matching amount for that fiscal year.
- Limits state administrative spending to 10% of grants and an exception for not more than 5% at the discretion of the secretary of HHS.
  - This applies to an entity that directly provides home visits to families and not through a sub-recipient.
  - The entity is expanding services to a new community and has been providing services for fewer than three years.
- Allows limited ability to conduct virtual home visits and requires entities to demonstrate that they have met specific conditions. Service delivery models must include at least one in-person visit a year to qualify for federal funding.
- Doubles the tribal set-aside (from 3% to 6%) starting in FY23.
- Dedicated funding (2% set aside) for workforce support, retention, and case management.
- Set aside funding for research, evaluation, administration, and technical assistance.
- Establishes an outcomes dashboard and annual report to Congress on the program.
- Requires HHS to work with partners to reduce administrative burden.
- Maintains a strong focus on evidence-based home visiting models and practices.

###

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Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of
Health & Human Services
Family Health

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 26/09/2022 13:36

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted] Title

Utah Department of Health & Human Services
Legislative Affairs

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[redacted]

[redacted]

Title

[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 26/09/2022 15:42

Just to round back on this, I worked with PIO to get permission to edit the Reports Template. Along with a few minor formatting items, we've added a note to the page to remind staff about font size/line spacing and let them know about the expected workflow of reviews before these get to EDO. Hopefully this clarity with mean less items for us to address during our reviews.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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[redacted]

[redacted] Title

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[redacted]

Title

[redacted]

Mon[redacted]

[redacted]

SUBJECT: Abortion Justice + Contraceptive Equity for ALL!
FROM: Essential Access Health <myan@essentialaccess.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 26/09/2022 17:31

essential access health

[redacted]

[redacted] Title

Today is World Contraception Day and the beginning of Abortion Justice Week. These commemorations are an opportunity to celebrate and uplift the essential role that contraception and abortion play in our everyday lives, and recommit to doing everything possible to ensure access to abortion and birth control for ALL.

The Supreme Court's harmful decision to overturn the constitutional right to abortion has exponentially exacerbated sexual and reproductive health inequities that have existed for decades. More than 21 million people currently lack access to abortion in their home states – with people with low-incomes, communities of color, and people living in rural areas disproportionately impacted. This is devastating and unacceptable, and we will not stop until this immoral injustice is corrected.

At the same time, we must do everything possible to ensure equitable access to birth control – that means being able to get the method that meets an individual's unique personal and health needs, when they need it.

To address health inequities and challenges to access that remain, Essential Access Health will continue to:

- Advocate for sexual and reproductive health, equity, and justice. Learn more here and stay up-to-date on our work as a Steering Committee member of the California Future of Abortion Council;
- Support our statewide Title X family planning provider networks in California and Hawai'i and continue to fight to increase Title X funding at the federal level;
- Expand access points to abortion services through our Medication Abortion Access Program;
- Increase access to quality contraceptive care through telehealth + other innovative care models;
- Uplift reproductive justice partners and abortion funds across the country;
- Enhance the capacity of the health care work force to provide comprehensive, high quality, and patient-centered sexual + reproductive health services; and
- Help bring new contraceptive methods and reproductive health technologies to market through our Research Center.

You can help us keep this critical work moving forward by making a donation to our Ensuring Access Fund. Your support will help ensure that everyone – regardless of income, zip code, race, sexual orientation, or health coverage or immigration status – has the freedom to access the sexual and reproductive care they want and need.

essential access health

shaping the future of sexual + reproductive health care

Support Our Work

With your support Essential Access will continue to advance equity, protect and expand access to high quality comprehensive sexual and reproductive health care, train the health care workforce, and advance clinical research. Contribute to the Ensuring Access Fund today.

Stay Connected

Get the latest sexual and reproductive health news by following us on Instagram and Twitter. Encourage your friends and colleagues to follow us as well!

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SUBJECT: Pelosi, Others Tell Justices Law Allows Nursing Home Suits
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 27/09/2022 02:14

LAW360 HEALTH

Tuesday, September 27, 2022 Follow

[redacted]

TOP NEWS

Pelosi, Others Tell Justices Law Allows Nursing Home Suits

More than two dozen groups, including a group of members of Congress led by Speaker of the House Nancy Pelosi, have thrown their support behind a nursing home resident pursuing a negligent care suit under the Federal Nursing Home Reform Act, urging the U.S. Supreme Court to affirm the Seventh Circuit's greenlight of the suit.

Brief attached | Read full article »

Biogen Finalizes $900M Deal To End Feds' Kickback Claims

A Massachusetts federal judge gave the final green light Monday to a deal that will see Biogen Inc. pay $900 million to settle decade-old claims with the federal government, as well as several states, that the company paid illegal kickbacks to doctors and other health care professionals.

Order attached | Read full article »

DaVita Can't Dodge No-Poach Claims, Ill. Judge Says

An Illinois federal judge ruled Monday that DaVita and other health care providers can't dodge claims that they instituted no-poach agreements with competitors to suppress employees' wages, but dismissed UnitedHealth Group from the litigation after finding that there was no allegation that the company was involved in the antitrust agreements.

Opinion attached | Read full article »

Ex-NFL Running Back Wins $28.5M NY Med Mal Verdict

A New York state court jury on Friday awarded a former New York Giants running back $28.5 million in his medical malpractice suit against New York's Hospital for Special Surgery and the hospital's late chief of the orthopedic trauma service for allegedly botching the player's ankle reconstruction surgery, according to his counsel.

Read full article »

NBA Health Fraud Prosecutors Misled Grand Jury, Court Told

Attorneys for three former NBA players charged in a sweeping set of indictments alleging they submitted false invoices to defraud the league's health plan claim federal prosecutors in New York misunderstood the plan's structure and misled the grand jury.

3 documents attached | Read full article »

Stay Mulled In Del. Suit Targeting Walmart Opioid Damages

Attorneys for Walmart stockholders were pressed by a Delaware vice chancellor Monday to explain why their massive opioid prescription oversight failure suit against the company shouldn't be stayed while pending U.S. Department of Justice action moves forward.

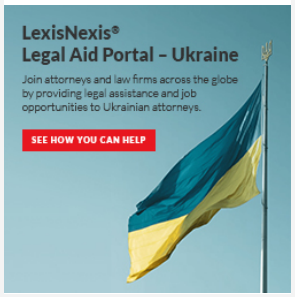
Read full article »

LITIGATION

Mich. Court Revives Cancer Treatment Malpractice Suit

The Michigan Court of Appeals has reinstated a cancer patient's medical malpractice suit alleging negligent treatment that led to the removal of several organs, ruling that his request to add new defendants to the suit paused the statute of limitations.

Opinion attached | Read full article »



COMPANIES IN TODAY'S NEWS

AVX Corp.
American Civil Liberties Union
American Senior Communities LLC
AmerisourceBergen Corp.
BV Investment Partners
Biogen Inc.
Bitfury Group Ltd.
BlackRock Inc.
Bumble Inc.
Carenet Healthcare Services
Convey Health Solutions Inc.
DaVita Inc.
DocuSign Inc.
Faraday & Future Inc.
Guess Inc.
Health & Hospital Corp. of Marion County
Hospital for Special Surgery
Kyocera Corporation
LexisNexis Group Inc.
LinkedIn Corp.
MFS Investment Management
Madison Realty Capital
Major Lindsey & Africa LLC
Meta Platforms Inc.
Netflix Inc.
New York Giants
Nexant Inc.
Planned Parenthood Federation
Promontory Financial Group LLC
RELX PLC
Sage Therapeutics Inc.
Santander Consumer USA Inc.
Seattle Seahawks
Simon Property Group Inc.
Solicitors Regulation Authority Ltd.
South Carolina Bar
Surgical Care Affiliates Inc.
Tenet Healthcare Corp.
Tesla Inc.
The Blackstone Group LP
TikTok Inc.
Twitter Inc.

Deputy Fights To Claw Back Costs For Gender-Affirming Care

A deputy sheriff who convinced a Georgia federal judge to rule that a county's refusal to cover gender transition surgery was illegal told the court that Anthem Blue Cross Blue Shield must cover the expenses she has already incurred for her gender-affirming treatment.

2 documents attached | Read full article »

Asset Manager Wrongly Nixed Long-COVID Benefits, Suit Says

A Massachusetts investment management employee who contracted COVID-19 and suffered debilitating long-term symptoms for more than a year is seeking back pay after his disability payments were canceled during his recovery, according to a federal complaint.

Complaint attached | Read full article »

Biotech Firm Says Competitor Spread Lies About Gender Test

An Ohio biotechnology firm on Monday accused its competitor in a lawsuit of scaring away potential customers by spreading lies about a product that predicts the sex of a baby as early as seven weeks into pregnancy.

Complaint attached | Read full article »

Catching Up With Delaware's Chancery Court

The First State's court of equity took on a lot last week, roundly rejecting a shareholder's settlement, putting a deal for a cellphone tower builder on hold, highlighting a gap in a board's accountability for sexual harassment, and denying a famous billionaire a do-over in discovery. Get ready for the week ahead by catching up on what you missed in your weekly wrap-up of news from the Delaware Chancery Court.

Read full article »

REAL ESTATE

Real Estate Rumors: Target, Bond Vet, Allen Schwartz

Target is reportedly leasing space on South Vermont Avenue in Los Angeles, Bond Vet is said to be taking 5,121 square feet in New York, and Allen Schwartz has reportedly sold a Los Angeles mansion for $16 million.

Read full article »

EXPERT ANALYSIS

An Associate's Guide To Rebounding After A Layoff

Law firm associates laid off due to economic conditions can recuperate and move forward by practicing self-care, identifying key skills to leverage during the job search, engaging in self-reflection and more, say Kate Sheikh at Major Lindsey and wellness consultant Jarrett Green.

Read full article »

PRACTICAL GUIDANCE

Considerations For Interstate Travel For Abortion Post-Dobbs

Due to the patchwork of state laws regarding the legality of abortion following the U.S. Supreme Court's Dobbs v. Jackson Women's Health Organization decision, it's important to consider the state of current and potential laws about traveling for abortion services, say Virginia Bell Flynn and Tina Safi Felahi at Troutman Pepper.

Read full article »

United Parcel Service Inc.
UnitedHealth Group Inc.
University of California Irvine
University of Southern California
Walgreens Co.
Walmart Inc.
Washington & Lee University
Western Milling LLC
Zendesk Inc.

LAW FIRMS IN TODAY'S NEWS

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Arnold & Porter
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Berman Tabacco
Bernstein Litowitz
Block & Leviton
Butler Snow LLP
Cooper Barton & Cooper
Cravath Swaine
Elarbee Thompson
Fine Kaplan
Finger & Slanina
Friedman Kaplan
George Sink PA
Gibson Dunn
Greene LLP
Hall Matson
Hogan Lovells
Johnson Fistel
Jones Day
K&L Gates
Katten Muchin
Kean Miller
Keller Postman
Kesselman Brantly
Kessler Topaz
Kirkland & Ellis
Kobre & Kim
Labaton Sucharow
Latham & Watkins
Law Office of Katherine Sullivan
Lewis Brisbois
Lieff Cabraser
Mason LLP
McDermott Will
McDonald Hopkins
McKeen & Associates
Merson Law PLLC
Milbank LLP
Milberg Coleman
Morgan Lewis
Nussbaum Law Group PC
Potter Anderson
Quinn Emanuel
Richards Layton
Rigrodsky Law
Ropes & Gray
Scharf Banks
Sher Tremonte
Sidley Austin
Skadden Arps
Troutman Pepper
Vigorito Barker
Wachtell Lipton
White & Case
Willkie Farr
Wilson Sonsini
Young Conaway

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Medicare & Medicaid Services
Delaware Court of Chancery

LEGAL INDUSTRY

Lewis Brisbois Sues Lewis Brisbois In Texas Name Spat
Lewis Brisbois, the 1,600-lawyer BigLaw behemoth that's been around since the Carter administration, is suing Lewis Brisbois, a "mediation and related services" business registered in May to a UPS Store address outside Houston.
Read full article »

Analysis

UK Plan To Boost Penalties For Lawyers Sparks Concern
The U.K. government's second economic crime bill of the year sent shockwaves through the British legal profession, with leading trade bodies warning the proposal to eliminate fining caps would harm attorneys.
Read full article »

Jones Day Adds Former OCC Atty To Financial Markets Team
Jones Day said Monday that it has welcomed a former senior deputy comptroller and chief counsel for the U.S. Office of the Comptroller of the Currency to its financial markets practice.
Read full article »

Atty's Challenge To Del. Bench Balance Rule Moves Forward
A Delaware federal judge on Friday refused to toss an attorney's second challenge of the state's requirement that its three top courts have a balance between major political parties on their benches, saying the political independent has standing because he's shown a "tangible" and "sincere" interest in pursuing a judgeship.
Read full article »

SC Atty Charged In Jan. 6 Riot Pleads Guilty To Misdemeanor
A South Carolina attorney facing legal ethics proceedings in his home state after being charged in the U.S. Capitol riot on Jan. 6, 2021, has pled guilty to a misdemeanor.
Read full article »

Twitter CEO, Musk Depositions No-Go For Now In $44B Suit
Widely anticipated depositions of Twitter CEO Parag Agrawal and Tesla CEO Elon Musk never got off the ground on Monday, the latest twist in the run-up to a five-day trial in Delaware starting Oct. 17 on Twitter's attempt to force Musk to close on a $44 billion take-private deal.
Read full article »

'Inventing Anna' Faux Socialite At Odds With Her Ex-Attorney
Convicted New York scammer Anna Sorokin is seeking a special court proceeding to punish her former attorney for allegedly refusing to turn over files and personal property to her new lawyers.
Read full article »

'6th Sense' Not Enough For FBI Database Search, Agent Says
An FBI agent testifying in former colleague Babak Broumand's bribery trial told jurors Monday that Broumand, accused of running database searches for a now-convicted attorney and others, wouldn't be allowed to conduct searches because of a "sixth sense" or an uneasy feeling about a suspect's behavior at a party.
Read full article »

Kean Miller Must Face File Clerk's Pro Se Discrimination Suit
A federal judge in Louisiana on Monday shot down arguments from Kean Miller LLP that a former file clerk had waited too long to file a suit alleging she was subjected to racial discrimination during her tenure with the firm.

Equal Employment Opportunity Commission
Executive Office for Immigration Review
Federal Bureau of Investigation
Federal Housing Administration
Federal Labor Relations Authority
Federal Trade Commission
Food and Drug Administration
House of Commons of the United Kingdom
National Crime Agency
Office of the Comptroller of the Currency
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the District of Massachusetts
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Louisiana
U.S. District Court for the Middle District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. Drug Enforcement Administration
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Southern District of Ohio

Read full article »

Agency Says DC Circ. Can't Save Immigration Judges Union

The Federal Labor Relations Authority urged the D.C. Circuit to deny a request from immigration judges seeking review of the FLRA's 2020 decision barring their unionization, saying the decision was not a final agency action that falls under the court's jurisdiction.

Read full article »

JOBS

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Bass, Berry & Sims
-, -

Health Care Regulatory & Transactional Attorney
Moore & Van Allen, PLLC
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Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

SUBJECT: Atty's Challenge To Del. Bench Balance Rule Moves Forward
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 27/09/2022 02:39

LAW360 PUBLIC POLICY

Tuesday, September 27, 2022 Follow

TOP NEWS

Atty's Challenge To Del. Bench Balance Rule Moves Forward

A Delaware federal judge on Friday refused to toss an attorney's second challenge of the state's requirement that its three top courts have a balance between major political parties on their benches, saying the political independent has standing because he's shown a "tangible" and "sincere" interest in pursuing a judgeship.

Opinion attached | Read full article »

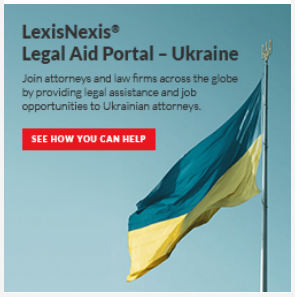
Lawmakers, Police Tell DC Circ. Trump Must Face Riot Suits

Former President Donald Trump acted outside his presidential duties when he spoke to supporters ahead of the Jan. 6, 2021, insurrection at the U.S. Capitol and is not immune from three lawsuits seeking to hold him liable for the attack, lawmakers and police officers have told the D.C. Circuit.

Brief attached | Read full article »

Texas Courts Can Craft Local Rules Without Justice Approval

The Supreme Court of Texas has changed the way individual courts can craft local rules, stripping a requirement that they be approved by the high court and instead simply requiring that the rules be



LAW FIRMS IN TODAY'S NEWS
Actuate Law
Arnold & Porter

published on the Office of Court Administration website.

Order attached | Read full article »

Lawmakers Urge NC Justices To Reinstate Congressional Map

State legislators have said they are at risk of being stripped of redistricting powers in a legal battle over the fate of North Carolina's voter maps, telling the state's highest court their redrawn congressional districts should pass constitutional muster.

Brief attached | Read full article »

PG&E Faces Federal Criminal Probe Into Mosquito Fire

PG&E Corp. is facing a federal criminal investigation of the utility's potential role in causing a major and ongoing Northern California wildfire, according to a public filing the company made Monday with the U.S. Securities and Exchange Commission.

1 document attached | Read full article »

BANKING & SECURITIES

DC Judge Pares Back CFPB's Trump-Era Mortgage Data Rule

A D.C. federal judge on Friday rejected as "arbitrary" a U.S. Consumer Financial Protection Bureau rule made during the Trump administration that increased the number of banks exempt from reporting home mortgage data.

Decision attached | Read full article »

CFPB Moves To Formally Scrap Trump-Era Innovation Policies

The Consumer Financial Protection Bureau confirmed Monday that it is letting its no-action letter and compliance sandbox policies lapse at the end of the month, as part of a previously announced shift from its prior approach to promoting innovation during the Trump administration.

Notice attached | Read full article »

Homebuilder Must Pay SEC $1.5M To End Insider Trading Case

A federal judge in Arizona ordered a mobile home company to pay $1.5 million to settle a 2017 insider trading claim brought by the U.S. Securities and Exchange Commission.

Order attached | Read full article »

Chamber Seeks Early Win Over SEC In Proxy Rules Dispute

Business groups including the U.S. Chamber of Commerce asked a federal judge to grant them an early win in their bid to undo the U.S. Securities and Exchange Commission's partial rollback of Trump-era proxy voting rules, claiming the agency's hastiness violated federal law.

Memorandum attached | Read full article »

ENERGY & ENVIRONMENTAL

EPA Asks 9th Circ. For Leave To Revisit Paraquat Approval

The U.S. Environmental Protection Agency has asked the Ninth Circuit to allow it to review its decision to reapprove the use of the herbicide paraquat, so it can consider claims raised in a lawsuit filed by environmental, health and farmworker advocacy groups.

Motion attached | Read full article »

Ex-NJ Gov. James Florio, Enviro Law Trailblazer, Dies

Former New Jersey Gov. James J. Florio, a partner with Florio Perrucci Steinhardt Cappelli Tipton &

Baker & Hostetler
Ballard Spahr
Binnall Law Group
Butler Snow LLP
Cadwalader Wickersham
CalebAndonian
Chiesa Shahinian
Cohen Milstein
Consovoy McCarthy
Cooper & Kirk
Crowell & Moring
Elias Law Group LLP
Fine Kaplan
Finger & Slanina
Florio Perrucci
Friedman Kaplan
George Sink PA
Gibson Dunn
Hogan Lovells
Jenner & Block
Jones Day
Jones Walker
K&L Gates
KaiserDillon
Kean Miller
Keller Postman
Kellogg Hansen
Kesselman Brantly
Kirkland & Ellis
Kobre & Kim
Latham & Watkins
Lewis Brisbois
Lieff Cabraser
Mason LLP
McDermott Will
Meyer Walker
Milberg Coleman
Morgan Lewis
Nelson Mullins
Newmeyer & Dillion
Nussbaum Law Group PC
Osborn Maledon
Patrick Malone & Associates
Patterson Harkavy
Perkins Coie
Potter Anderson
Quinn Emanuel
Rittgers & Rittgers
Robinson Bradshaw
Sacks Tierney
Scharf Banks
Shearman & Sterling
Sidley Austin
Skadden Arps
Sullivan & Cromwell
Troutman Pepper
Wachtell Lipton
Waller Lansden
Weil Gotshal
White & Case
Wilson Sonsini
Wukela Law Firm
Young Conaway

COMPANIES IN TODAY'S NEWS

3M Co.
AT&T Inc.
Abbott Laboratories
Alphabet Inc.
Amazon.com Inc.
American Civil Liberties Union
American Petroleum Institute
Inc.
American Senior Communities LLC
Analog Devices Inc.

Taylor LLC and congressman and state assemblyman whose role in shaping public policy led to the federal environmental clean-up law holding polluters accountable, died Sunday, his law partner said.

Read full article »

Oil Lease Sale Backers Paint 'Distorted Picture,' DC Circ. Told

The D.C. Circuit shouldn't revive an offshore drilling lease sale struck down by a trial court, environmentalists and a Native American nonprofit said, because the planned sale to Shell, Chevron and others would have treated the Gulf of Mexico as a "sacrifice zone of fossil fuels available for extraction."

Brief attached | Read full article »

HEALTH & LIFE SCIENCES

Pelosi, Others Tell Justices Law Allows Nursing Home Suits

More than two dozen groups, including a group of members of Congress led by Speaker of the House Nancy Pelosi, have thrown their support behind a nursing home resident pursuing a negligent care suit under the Federal Nursing Home Reform Act, urging the U.S. Supreme Court to affirm the Seventh Circuit's greenlight of the suit.

Brief attached | Read full article »

IP & TECHNOLOGY

Women At Ford, GE Outliers In Top Cos.' Wide IP Gender Gap

The percentage of patents by women inventors at Ford, GE and AT&T surpasses the percentage of women in technical jobs there, a ratio more than two dozen top innovating companies couldn't match, according to a new analysis from a law professor and key political adviser.

1 document attached | Read full article »

MEDIA & ENTERTAINMENT

Hike In NJ Casino Payments Shouldn't Be Paused, Court Told

A nonprofit organization has called on a New Jersey state judge to reject the state's bid to pause his ruling invalidating a state law amendment that cut the annual payments Atlantic City casinos make to local government entities, arguing that collecting the extra funds may prove difficult if the decision is put on hold.

Motion attached | Read full article »

EMPLOYMENT & BENEFITS

DaVita Can't Dodge No-Poach Claims, Ill. Judge Says

An Illinois federal judge ruled Monday that DaVita and other health care providers can't dodge claims that they instituted no-poach agreements with competitors to suppress employees' wages, but dismissed UnitedHealth Group from the litigation after finding that there was no allegation that the company was involved in the antitrust agreements.

Opinion attached | Read full article »

COMPETITION

Meta Pushes FTC Bias Defense In VR Merger Case

Meta Platforms Inc. has shot back against a bid by the Federal Trade Commission to cut some of its defenses against the agency's challenge of a virtual reality fitness app acquisition, contending they are

Apple Inc.
Bank Policy Institute
Bank of America Corp.
Bitfury Group Ltd.
BlackRock Inc.
BlockFi Inc.
Booz Allen Hamilton Holding Corp.
Business Roundtable
CAIS
California Rural Legal Assistance Foundation Inc.
Caterpillar Inc.
Cavco Industries Inc.
Chevron Corp.
Cisco Systems Inc.
DaVita Inc.
Deere & Co.
Earthjustice
Exxon Mobil Corp.
FanDuel Inc.
Florida Power & Light Co.
Ford Motor Co.
General Electric Co.
Glass Lewis & Co. LLC
Google LLC
Health & Hospital Corp. of Marion County
Honeywell International Inc.
Instagram Inc.
Institutional Shareholder Services Inc.
Intel Corp.
International Business Machines Corp.
LexisNexis Group Inc.
LinkedIn Corp.
Lockheed Martin Corp.
Major Lindsey & Africa LLC
Massachusetts Institute of Technology
Meta Platforms Inc.
Microsoft Corp.
Mississippi Center for Justice
National Association for the Advancement of Colored People
National Association of Manufacturers
Natural Gas Services Group Inc.
Netflix Inc.
North American Securities Administrators Association
Oracle Corp.
Organization for Economic Cooperation and Development
PG&E Corp.
PayActiv Inc.
Planned Parenthood Federation
Promontory Financial Group LLC
Public Citizen Inc.
QUALCOMM Inc.
RELX PLC
Raytheon Technologies Corp.
Skyline Corporation
Solicitors Regulation Authority Ltd.
South Carolina Bar
Southern Coalition for Social Justice
Surgical Care Affiliates Inc.
Syngenta AG

necessary to show that bias displayed by the commission's chair taints the entire proceedings.

3 documents attached | Read full article »

New USDA Rules Aim To Boost Meatpacking Competition

The White House announced two new efforts from the U.S. Department of Agriculture on Monday that aim to encourage competition in the meat and poultry industry, as well as protect farmers from prejudice and retaliatory practices.

Read full article »

Booz Allen Says DOJ Way Off Base On Antitrust Allegations

The U.S. Department of Justice "has not come close" to establishing that Booz Allen Hamilton's planned $440 million merger with EverWatch violates antitrust law, the companies said in a joint brief prompted by a preliminary injunction hearing earlier this month.

2 documents attached | Read full article »

CYBERSECURITY & PRIVACY

Convicted Pol Can't Search Juror's Cellphone, 6th Circ. Says

A former Cincinnati City Council member convicted of bribery and attempted extortion cannot conduct a forensic examination of the electronic devices belonging to a juror who posted about the trial on Facebook, the Sixth Circuit ruled Friday.

Opinion attached | Read full article »

Newsom Vetoes Calif. Crypto Regulation Bill As 'Premature'

California Gov. Gavin Newsom has vetoed a bill that would have regulated digital financial asset companies in the Golden State, calling the proposal "premature" in light of his administration's recent research and outreach on regulatory approaches, as well as "forthcoming federal actions."

1 document attached | Read full article »

NY, Calif. Sue Crypto Platform Over Unregistered Sales

New York, California and six other states sued cryptocurrency platform Nexo Inc. in their various state courts Monday for allegedly failing to register as a securities broker and then lying to investigators about its status.

Complaint attached | Read full article »

INTERNATIONAL TRADE

Feds Say Iranian Plane Violated Russian Export Curbs

The U.S. Department of Commerce on Monday added an Iranian-owned plane to a list of aircraft that may have flown into Russian airspace in violation of the Biden administration's controls on the transfer of sensitive technology to Russia.

Read full article »

Crédit Agricole Units Pay $1M For Allegedly Skirting Sanctions

Two Crédit Agricole Corp. wealth management subsidiaries have agreed to pay more than $1.1 million to end the Office of Foreign Assets Control's claims they allowed clients to conduct illegal transactions in sanctioned jurisdictions including Cuba, Syria, Crimea and Iran, the U.S. Treasury Department announced Monday.

2 documents attached | Read full article »

TAX

Swiss Voters Narrowly Reject Scrapping Bond Tax

Tenet Healthcare Corp.
Tesla Inc.
Texas Instruments Inc.
The Boeing Co.
The Geo Group Inc.
The Procter & Gamble Co.
TikTok Inc.
Twitter Inc.
U.S. Chamber of Commerce
United Parcel Service Inc.
UnitedHealth Group Inc.
University of California Irvine
University of Southern California
Washington & Lee University

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arizona Department of Water Resources
Bureau of Indian Affairs
Bureau of Industry and Security
Bureau of Ocean Energy Management
Bureau of Reclamation
California Attorney General's Office
California Department of Justice
Centers for Medicare & Medicaid Services
Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Delaware Court of Chancery
Equal Employment Opportunity Commission
European Commission
European Union
Executive Office for Immigration Review
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Labor Relations Authority
Federal Trade Commission
Food and Drug Administration
House of Commons of the United Kingdom
International Telecommunication Union
National Crime Agency
National Security Agency
Navajo Nation
New Jersey Attorney General's Office
New Jersey Department of Environmental Protection
New Jersey Legislature
New York Attorney General's Office
North Carolina General Assembly
Office of Foreign Assets Control
Office of the Comptroller of the Currency
Texas Supreme Court
U.S. Attorney's Office for the Central District of California

Swiss voters narrowly rejected eliminating the country's withholding tax on bond interest, voting down a proposal that was backed by business and the government but criticized by opponents as supporting the wealthy.
Read full article »

IMMIGRATION

Private Prison Ban Unconstitutional, En Banc 9th Circ. Says

The Ninth Circuit on Monday tossed a lower court decision that refused to preliminarily block a California law banning private immigration detention facilities, saying the federal government and a private prison company are likely to prevail on their claim that the statute violates the supremacy clause of the Constitution.

Opinion attached | Read full article »

WHITE COLLAR

Feds Say Trio Used NJ Deli To Serve Up $100M Fraud Scheme

Federal authorities charged three men Monday with running a market manipulation scheme involving a small New Jersey deli, saying the trio allegedly took control of the outstanding shares of two companies and then artificially inflated the share prices through manipulative trading techniques for personal gain.

2 documents attached | Read full article »

NATIVE AMERICAN

Navajo Nation Urges High Court To Pass On Water Suit

Navajo leaders want the U.S. Supreme Court to uphold their tribe's right to a share of water from the federally managed Colorado River, arguing that a pair of 19th-century treaties confer on the government a duty to supply their hyper-arid reservation with water for agricultural purposes.

2 documents attached | Read full article »

TELECOMMUNICATIONS

Tech Needs To Pay 'Fair Share,' FCC Republican Tells EU

The Federal Communications Commission's senior Republican told European officials Monday that technology firms must chip in to expand high-speed networks.
Read full article »

Fla. Utility Calls For Sharing Of Public Safety Spectrum

Florida's top utility is urging the Federal Communications Commission to open up a spectrum band primarily reserved for public safety to crucial infrastructure uses, saying their purposes are largely complementary to how those airwaves are currently used.

Letter attached | Read full article »

CANNABIS

SC Farmer Sues State Agencies Over Hemp Farm Raid

A South Carolina hemp farmer has claimed in a federal lawsuit that nearly three dozen state officials, including the attorney general, conspired to violate his constitutional rights when law enforcement officers seized and destroyed his crop.

Complaint attached | Read full article »

EXPERT ANALYSIS

U.S. Attorney's Office for the District of Maryland
U.S. Attorney's Office for the Southern District of Ohio
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Arizona
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the District of Maryland
U.S. District Court for the District of New Jersey
U.S. District Court for the District of South Carolina
U.S. District Court for the Eastern District of Louisiana
U.S. District Court for the Middle District of Tennessee
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. Environmental Protection Agency
U.S. Forest Service
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court

[redacted] Title

SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 27/09/2022 05:27

Thank you!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Sep 26, 2022 at 3:43 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> *Just to round back on this, I worked with PIO to get permission to edit the Reports Template. Along with a few minor formatting items, we've added a note to the page to remind staff about font size/line spacing and let them know about the expected workflow of reviews before these get to EDO. Hopefully this clarity with mean less items for us to address during our reviews.*
>
> *Marc B. Watterson*
> *Director*
> *Office of Legislative Affairs*
> *C: 385.321.6473*
> *mwatterson@utah.gov*
>
> *dhhs.utah.gov*
>
> Utah Department of Health & Human Services Legislative Affairs
>
> ********** IMPORTANT MESSAGE **********
> *This message, including any attachments, may contain confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, delete this message, including from trash, and notify me by telephone or email.*
>
> *If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.*
>
> *On Mon, Sep 26, 2022 at 1:36 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:*
>
> > *My apologies. I thought when I sent the original email that it had a pop-up to give everyone access. I'll go through and do that now.*
> >
> > *Tracy, to your question, it is my understanding that the assigned Comms team members should also be part of the OU review process. We will build that into the PowerDMS system once we get that up and going. I'll also emphasize that with ELT.*
> >
> > *Marc B. Watterson*
> > *Director*
> > *Office of Legislative Affairs*
> > *C: 385.321.6473*
> > *mwatterson@utah.gov*
> >
> > *dhhs.utah.gov*
> >
> > Utah Department of Health & Human Services Legislative Affairs
> >
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[redacted]

[redacted] Title

On Sat, Sep 24, 2022 at 6:38 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

Marc, I tried to get into and would like to make edits in several of these reports, and they aren't set up to provide edit or comment access---are you able to fix this? (like the SUID report, the first tobacco item (compliance checks), the birth certificate report, and the AI/AN report---there may be others that I didn't try)

Thank you,
HB

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

EDO -

Below is a table of the latest batch of Legislative Required Reports. Please conclude your review by COB next Friday (September 30th) so I can turn them into the legislature on time.

We are still waiting for the links to three reports. I have Cc'd those staff and their immediate supervisors so they can reply to this thread with those links once they are ready for EDO review. The three reports are:

> *The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.*
> *The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.*
> *Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention*

Here are the reports ready for your review:

Report	Code	Who is Writing	Current Status	App
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	8/1, (He Aug
Suicide technical assistance program--technical assistance to health care organizations in the preceding year	62A-15-121(5)	Brent Kelsey (Carol Ruddell)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a	HB 7	Andreas Rohrwasser (DHHS) and	[redacted]	

[redacted]

Title				
structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.		Chris Otto (DEQ)		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless and Ashley Moretz?		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Winters/Kenda Woffinden	[redacted]	
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]	
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker	[redacted]	
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Bree Barbeau	[redacted]	
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	[redacted]	
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	[redacted]	(Gu issu gett volu fron prov
Psychotropic medication oversight	80-2-503.5	Tonya Myrup	Psychotropic Medication Oversight Panel	
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]	
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]	

Marc B. Watterson
Director
Office of Legislative Affairs

C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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SUBJECT: Fwd: Introduction
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 27/09/2022 05:39

Good morning.

Please have those involved in family planning review this proposed legislation from Rep. Moore as soon as possible.

The idea is to allow Utah access to these funds even though our state has a law on the books requiring parental consent.

Thank you!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted] Title

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Mon, Sep 26, 2022 at 2:09 PM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Hey Tracy,

We've got some text for you on this. Would your team be able to review? This, implemented, should ameliorate any issues with Utah becoming an award recipient while also reimplementing some pro-life protections from the prior administration.

Let me know if your team has thoughts or any concerns that as written Utah would still not be able to access funds.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Wednesday, September 7, 2022 at 9:20 PM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Will,

The following is the response we received from DHHS staff:

Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Sep 7, 2022 at 6:24 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> *Will,*
>
> *That sounds great!*
>
> *I am not sure about PPU ability to access these funds. I will follow up with our staff.*
>
> *Tracy*
> *Tracy S. Gruber*
> *Executive Director*
> *O: 435.772.6550*
> *tracygruber@utah.gov*

Utah Department of Health & Human Services

[redacted]

On Tue, Sep 6, 2022 at 8:13 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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***From:** Tracy Gruber (DHHS) <tracygruber@utah.gov>*
***Date:** Saturday, September 3, 2022 at 11:33 AM*
***To:** Derrick, Will <Will.Derrick@mail.house.gov>*
***Cc:** Gordon Larsen <gordonlarsen@utah.gov>*
***Subject:** Re: Introduction*
Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project
*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Derrick,

I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the

following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."

As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.

More to come next week. Enjoy your weekend!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> *Hey Tracy,*
>
> *I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.*
>
> *Kindly,*
>
> *Will Derrick*
> *Legislative Assistant*
> *Congressman Blake Moore (UT-01)*
> *will.derrick@mail.house.gov*
>
> *Sign up for our weekly newsletter!*

***From:** Derrick, Will <Will.Derrick@mail.house.gov>*
***Date:** Friday, August 19, 2022 at 9:09 AM*
***To:** Tracy Gruber (DHHS) <tracygruber@utah.gov>*
***Cc:** Gordon Larsen <gordonlarsen@utah.gov>*
***Subject:** Re: Introduction*
That would be tremendous. Thank you, Tracy.

***From:** Tracy Gruber (DHHS) <tracygruber@utah.gov>*
***Date:** Friday, August 19, 2022 at 8:13 AM*
***To:** Derrick, Will <Will.Derrick@mail.house.gov>*
***Cc:** Gordon Larsen <gordonlarsen@utah.gov>*
***Subject:** Re: Introduction*
Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> *Hey there,*
>
> *Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.*
>
> *Kindly,*

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: *Tracy Gruber (DHHS) <tracygruber@utah.gov>*
Date: *Thursday, August 18, 2022 at 12:07 PM*
To: *Gordon Larsen <gordonlarsen@utah.gov>*
Cc: *Derrick, Will <Will.Derrick@mail.house.gov>*
Subject: *Re: Introduction*
Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted].

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

> *Will,*
>
> *Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.*
>
> *I'm flexible next week, particularly next Tuesday.*
>
> *Thanks in advance for your help!*
>
> *Gordon*

On Thu, Aug 18, 2022 at 8:26 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> *Hey Gordon,*
>
> *Picking up this convo from last year –*
>
> *I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of "family planning" in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.*
>
> *Kindly,*
>
> *Will Derrick*
> *Legislative Assistant*
> *Congressman Blake Moore (UT-01)*
> *will.derrick@mail.house.gov*
>
> *Sign up for our weekly newsletter!*
>
> ***From:*** *Gordon Larsen <gordonlarsen@utah.gov>*
> ***Date:*** *Thursday, June 17, 2021 at 11:34 AM*
> ***To:*** *Derrick, Will <Will.Derrick@mail.house.gov>*
> ***Subject:*** *Re: Introduction*
> *Hi Will,*

[redacted]

Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?

And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

Gordon

On Thu, Jun 17, 2021 at 8:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> *Hey there,*
>
> *My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?*
>
> *On a more specific note, my understanding is that the Utah Department of Health may have applied for a Title X Family Planning Grant last year. I know that Utah would have to be granted an exemption to accommodate state law mandating minors have parental consent to access contraceptive services. I was curious if there was a contact at the Utah Department of Health I could connect with to discuss if the Department plans to apply again. Do you know of anyone I could chat with on this topic?*
>
> *Thank you so much for your help. I hope to connect soon!*
>
> *Kindly,*
>
> *Will Derrick*
> *Junior Legislative Assistant*
> *Congressman Blake Moore (UT-01)*
> *will.derrick@mail.house.gov*
>
> *Sign up for our weekly newsletter!*

--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

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[redacted] Title

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SUBJECT: Re: Legislative Alert: Federal Home Visiting Reauthorization BillMoves Forward
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Elizabeth VanSant-Webb (DHHS)" <elizabethvw@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 27/09/2022 05:44

Thank you Elizabeth! This is incredibly helpful.

When I oversaw the Intergenerational Poverty Initiative, home visiting was a prime policy recommendation we supported each year but it just continually eroded and fewer and fewer families were able to receive the services and attain the benefits of this evidence-based intervention. I look forward to discussing this further.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Sep 26, 2022 at 12:19 PM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

> *Happy to provide any updates, Tracy. I'd say just keep your fingers crossed that this is what passes in December. Anything past December will be MUCH more difficult to get through Congress, as most home visiting champions are retiring.*
>
> *Heather asked a couple of other questions in chat today, so I'll provide my responses here so everyone can reference them later as needed (but don't hesitate to ask at any time! I can easily pull this information again):*
>
> ***Match Requirement:***
> *If we are able to count our current funding, which is $522,000 annually, we will be fine to meet these requirements until FY2026. We would need $597,396 (or an increase of $75,396) by FY2026 and $987,752 by FY2027 (with a total increase from current funding levels of $390,356). However, based on this current bill, this would require us to shift our standard of service provision to meet the MIECHV standard (with the same required performance measures). That's definitely possible and since the match won't be required for a few years, we have a great running start. It will take work on our end to do, but the payoffs will be great in the long run, as we'll then be able to have a more robust picture of the impacts of visiting across the state (i.e. I want to do this anyway, regardless of home visiting's funding future).*
>
> ***Who is best served by/benefits from home visiting?***
> *It's important to remember that we must reference the evidence-base for home visiting (otherwise, we cannot guarantee the amazing outcomes and ROI that makes this a compelling service/intervention--it then would not fall under my program, as it would be more broad case management). I would suggest we move forward with the definition MIECHV uses, since we'll need to increase all service provision to this standard as a result of the match requirement:*
>
> *Pregnant parents or families with a child age 5 and younger*
> *Priority should be given to families that meet at least one (1) of the following MIECHV Eligibility Criteria:*
> *Low income (at or below 100% of the Federal Poverty Level)*
> *Pregnant and under the age of 21*
> *History of child abuse or neglect, or history of interactions with child welfare services*
> *History of substance abuse or in need of substance abuse treatment*
> *Tobacco use*
> *Low student achievement*
> *A child with developmental delays or disability*
> *A household member who is serving or has served in the U.S. armed forces*
> *If the Home Visiting Program has an open caseload for enrollment, priority should be given to those who meet multiple MIECHV Eligibility Criteria.*

[redacted]

The various home visiting models use more nuanced definitions, but I suggest we leave that to our contractors to work through, as they receive targeted technical assistance from model implementation specialists.

Optimal Coverage:

Currently, we have funding and capacity to serve 2.6% of children under 5 living in poverty in Utah (611 families). If we could reach, at minimum, 10% of these children (2,317), I'd say we'd be doing a great job!
However, because home visiting is a long-term intervention (2+ years, depending on the model), families only have to qualify (or meet the definition above) at the time of enrollment. Ideally, we should see changes to income and stressors over time, which would actually increase the need.
We would also need to increase our intake and referral processes to account for expansion--we have to find these families somewhere and we need to strengthen our early childhood infrastructure to do this. I'm already talking to Help Me Grow Utah about how they can support this.

Estimated Costs & ROI:

The following are current annual costs for PAT and NFP. Many programs supplement with local tax dollars, so adjustments for inflation are likely needed:
PAT: $5,880 per family
NFP: $6,935 per family
The cost to serve 10% of children under 5 living in poverty in Utah would be around $15.5 million.
With the proposed formula in MIECHV reauthorization, by FY2027, we would have $8.375 million--this would enable us to serve approximately 1,300 families, or 5.5% of children under 5 living in poverty in Utah.
While 5.5% may be sufficient, the ROI for home visiting is very strong ($5.70 in savings for every $1 of taxpayer dollars spent). As a result, we should push to get closer to that 10%.
ROI for 5.5% (current projected funding): $47.738 million
ROI for 10%: $88.35 million
Side note: As home visiting expands, the team at the state level will need to expand as well to ensure we're able to conduct appropriate contract monitoring processes. I currently have 2 program specialists positions on my team. If we are to expand into each LHD, I would estimate we need 5-6.

Other Considerations:

While Heather didn't ask about this, I want to share some very important considerations to keep in mind for any home visiting expansion conversations that I may not be a part of:

Voluntary Participation: *Participation in evidence-based home visiting services requires at least 2 year commitment from families to ensure outcomes (depending upon the home visiting model used)--if families feel pressure to participate, this undermines the relationship-based approach of the service, thus undermining the ability of home visitors to impact parent, child, and family outcomes.*
Sustainable funding is critical: *I understand this is not always a guarantee for grand-funded work, but short-term or one-time funding undercuts contractors' ability to implement the model with fidelity, thus compromising the outcomes guaranteed by the evidence-base.*
A bit of a history lesson: Utah received one-time competitive federal funding for home visiting back in 2014-ish. This had disastrous impacts for the field--programs had to close, people lost jobs, and stakeholder confidence in DOH and OHV was badly damaged (I still hear concerns about this 6 years later and am continuing to repair relationships across the state from this. Some LHDs have said they will never work with home visiting again!). This was a learning on the federal government's part as well and they no longer provide short-term funding for home visiting. Each MIECHV reauthorization is in 5-year increments and it is now exclusively formula-based and doesn't vary more than 5% each year to ensure sustainability of service provision. We should approach any funding opportunities for home visiting with the same mindfulness.

Let me know if you have any further questions.
Elizabeth

On Sun, Sep 25, 2022 at 7:00 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Elizabeth,

Thank you for the great overview of the proposal. That's very helpful.

If there are any important changes to the proposal as this moves through Congress, please let Noel know so she can keep us in the loop. We often don't know about issues without staff like you elevating these discussions. You are the expert and the closest to the information.

Thanks again!
Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted] Title

Utah Department of Health & Human Services

On Fri, Sep 23, 2022 at 9:31 AM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

Good morning,

I've been following the development of this bill closely and I've been waiting for you all to ask for my thoughts! Overall, this bill is really really great! Here are some quick bullet points of how this will impact Utah:

Maintenance of Effort: *The maintenance of effort requirements will continue. However, this will be based on the past MOE, which is $0. This is incredibly beneficial for Utah, as the MOE requirement will be set for 5 years (the entire period of reauthorization).*

Needs Assessment: *We will not need to update the needs assessment. While the current needs assessment quickly became outdated (it was completed in 2020), I believe we have sufficient data in other areas of DFH to help inform home visiting expansion. I've been in conversations with the DRP program manager about how we can plug in one of their epidemiologists into our work a bit more!*

Reduction of administrative burden: *The intense levels of administrative work and reporting for MIECHV is unlike many other federal grants. It's becoming a common complaint amongst MIECHV awardees and some states are starting to turn down this funding as a result. In this bill, they'll be working to reduce the hours by at least 15%. This has incredible implications for Utah's home visiting team and the DFH finance team. Currently the admin work impedes our ability to fully dive into the significant amount of data we have to really push toward more meaningful outcomes.*

Virtual Home Visiting: *As we've all learned virtual services are here to stay, but the current rules last only until the public health emergency ends. This means that we will be able to better serve families in the ways that they want and better accommodate their needs and schedules.*

Match requirements: *This is a big shift! Currently we do not have a match requirement for MIECHV. This proposal is 25% (or for every $3 in federal funds, the state must spend $1), but it's tiered up over time (I'll explain below what that looks like for Utah). Regardless of whether this bill is passed or not, a match is very likely in the future for MIECHV. The following is not public, but was made available to state home visiting administrators via a membership organization called the Association of State and Tribal Home Visiting Initiatives (ASTHVI--we're a member):*

It's unclear if the match can be any state funds.

Any match will likely need to be for home visiting provided at the MIECHV standard of service provision (this includes all the data collection, screening, and reporting).

- *While this is a concern for some state administrators, I think this is actually a good thing. It will allow us to better report on the same metrics across the state to have a better sense of where we are. Currently, we collect very little data for state-funded home visiting.*

New funding in this upcoming federal fiscal year will likely count for the match requirement.

- *This is great timing with all of the conversations happening with home visiting in the state right now!*

How much funding and what's Utah's share?: *I received a memo from the Congressional Research Service, via ASTHVI, regarding the estimates of program funding with this current proposal. Again, I was told this is not publicly available, but okay to share it within my agency. Let me know if you'd like to see the full 11 page document, but here's the summary for us:*

FY2021: (for comparison, this is our current annual award amount--MIECHV awards have 2 years of availability)

- *$3.162 million*

FY2023:

- *Base Amount: $4.451 million*
- *Match: $0*
- *Required match spending from Utah: $0*
- *Total: $4.451 million*

*FY2024: *match requirement starts**

- *Base Amount: $4.451 million*
- *Match: $776,000*
- *Required match spending from Utah: $258,758*
- *Total: $5.227 million*

FY2025:

- *Base Amount: $4.451 million*
- *Match: $1.195 million*
- *Required match spending from Utah: $398,264*
- *Total: $5.646 million*

FY2026:

[redacted]

- *Base Amount: $4.451 million*
- *Match: $1.792 million*
- *Required match spending from Utah: $597,396*
- *Total: $6.243 million*

FY2027:

- *Base Amount: $4.451 million*
- *Match: $2.936 million*
- *Required match spending from Utah: $987,752*
- *Total: $7.387 million*

Let me know if you have any more questions after reading through all of this. Happy to answer any and all that arise for you!

Elizabeth

On Fri, Sep 23, 2022 at 7:29 AM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

> *Good morning:*
> *Please respond to Tracy and team.*
> *Thank you,*
> *Noël*
>
> *Sent from my iPhone*
>
> *Begin forwarded message:*
>
> ***From:** "Tracy Gruber (DHHS)" <tracygruber@utah.gov>*
> ***Date:** September 22, 2022 at 9:01:08 PM MDT*
> ***To:** "Noel Taxin (DHHS)" <ntaxin@utah.gov>*
> ***Cc:** "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>*
> ***Subject: Fwd: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward***
>
> *Please share your thoughts on this legislation when the Home Visiting Team has time to review it. Given the budget cycle for the state, we may need to determine whether we would need additional MOE from Utah to try to draw down Utah's full allotment. Do you know how much Utah is eligible to receive with this new proposal?*
>
> *Thanks.*
> *Tracy*
> ***Tracy S. Gruber***
> *Executive Director*
> *O: 435.772.6550*
> *tracygruber@utah.gov*
>
> Utah Department of Health & Human Services
>
> *---------- Forwarded message ---------*
> *From: **ASTHO** <pr@astho.org>*
> *Date: Thu, Sep 22, 2022 at 10:13 AM*
> *Subject: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward*
> *To: <tracygruber@utah.gov>*

View this email in your browser.

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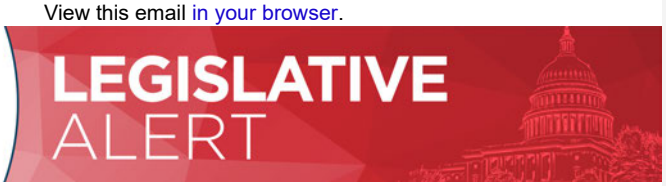

Sept. 22, 2022

Federal Home Visiting Reauthorization Bill Moves Forward

This week, leaders in both the House Ways and Means Committee and Energy and Commerce Committee introduced the Jackie Walorski Maternal and Child Home Visiting Reauthorization Act (H.R. 8876), which reauthorizes the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program. The bill passed out of the House Ways and Means Committee by a vote of 41-0 with one abstention.

It is essential to note that the MIECHV program is a mandatory program, and this bill proposes significant changes to its overall funding. After a careful review by the ASTHO government affairs team, we strongly encourage that state legislative staff and maternal and child health teams carefully review the bill text and summary. This legislation is complex with new maintenance of effort, state matching requirements for a new grant program, and changes to an administrative cap that could uniquely impact state and territorial federal home visiting programs.

The press release, summary of the legislation, section-by-section summary, and bill text are available for review.

Outlook: The full House of Representatives will consider the bill, then move it to the Senate. Offsetting the program's costs is yet to be addressed and is a priority for Congress. However, this legislation was approved with broad bipartisan support, and the government affairs team believes it may be signed into law before the end of the calendar year. Funding for the current MIECHV program expires at the end of the month. Advocates expect Congress to approve a short-term extension of MIECHV as part of the continuing resolution bill that needs to pass before Sept. 30.

Questions: Considering this bill proposes changes to the MIECHV program, if S/THOs have any questions or concerns, please contact Carolyn McCoy.

Detailed Summary:
Currently, the MIECHV program receives approximately $400 million per year.

- This legislation proposes an increase in base funding to $500 million for FY23-FY27. The minimum base grant for an entity is $1 million.
- Starting in FY24-FY27, federal matching grant funds—in addition to base funding—are available to every eligible entity, guided by a formula that will focus on the number of children under five in poverty if they comply with specific statutory requirements on an increasing scale:
  - FY24 $50 million.
  - FY25 $100 million.
  - FY26 $150 million.
  - FY27 $300 million.
- To draw down its full allotment of federal matching grant funds, an entity must provide non-federal funds above their maintenance of effort requirement such that 25% of the total spending consists of non-federal funds.
  - Unobligated matching funds can be redistributed to another entity that can contribute to the non-federal matching funds.
  - The ASTHO government affairs team recommends carefully reviewing the legislation to see what funds can contribute to this new matching requirement.
- New maintenance of effort requirement for states and territories is based on the lesser total of non-federal funds expended in 2019 or 2021. The entity is not eligible for base or matching grants if this is not met.
  - The secretary may allow a grace period for an entity to come into compliance.
- Phased-in additional federal matching funding starting in FY24 is part of the requirement for entities to be eligible for the new federal matching grants, which requires a 25% state match (i.e., for every $1 in state funds, there is a $3 federal contribution). The non-federal matching funds are not applied to the maintenance of effort requirement.
  - The minimum state matching funds are as follows:
    - FY23: Federal matching funds are not required.
    - FY24: $776,000.
    - FY25: $1,000,000.
    - FY26: $1,500,000.
    - FY27: $2,000,000.
  - If a state cannot reach the required amount, the secretary of HHS can proportionately reduce the federal matching amount for that fiscal year.
- Limits state administrative spending to 10% of grants and an exception for not more than 5% at the discretion of the secretary of HHS.
  - This applies to an entity that directly provides home visits to families and not through a sub-recipient.
  - The entity is expanding services to a new community and has been providing services for fewer than three years.
- Allows limited ability to conduct virtual home visits and requires entities to demonstrate that they have met specific conditions. Service delivery models must include at least one in-

person visit a year to qualify for federal funding.
- Doubles the tribal set-aside (from 3% to 6%) starting in FY23.
- Dedicated funding (2% set aside) for workforce support, retention, and case management.
- Set aside funding for research, evaluation, administration, and technical assistance.
- Establishes an outcomes dashboard and annual report to Congress on the program.
- Requires HHS to work with partners to reduce administrative burden.
- Maintains a strong focus on evidence-based home visiting models and practices.

###

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of Health & Human Services
Family Health

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)

[redacted] Title

Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of
Health & Human Services
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[redacted]

[redacted] Title

[redacted]

SUBJECT: Providing Out of Scope Services
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: hborski@utah.gov
DATE: 27/09/2022 09:16

Webinar

Providing Services Outside the Scope of Your Grant: How to Ensure Compliance

Tuesday, September 27 at 3 PM ET

WEBINAR FOR HEALTH CENTERS

The recent *Dobbs* decision has led many health centers to question how they, as federal grant-funded organizations, can provide services that are out of scope. As health centers explore separate business lines, they need to consider a number of factors to ensure they stay in compliance with their federal funding agreements.

In this webinar **today at 3 PM ET**, FTLF attorneys **Carrie Riley** and **Ted Waters** will use elective abortions as an example to address:

[redacted]

- Creating boundaries between business lines and funding streams
- Compliance with cost allocation principles and other grant-related rules
- Key areas of risk and common pitfalls
- Additional legal and practical considerations health centers face when deciding to establish an "other line of business"

Register

UPCOMING HEALTH CENTER WEBINARS

Structuring Patient Incentive Programs to Comply with Federal Rules
Thursday, September 29 at 1 PM ET
Register

Patient incentives have long posed a challenge to health centers wishing to promote healthy behaviors while minimizing legal risks under the Beneficiary Inducement Program. In this webinar, FTLF attorney **Adam Falcone** will help you gain a better understanding of the exceptions that permit patient incentives and best practices for implementing a program.

340B Compliance Implications of Recent Developments
Thursday, October 20 at 1 PM ET
Register

Drug manufacturers and pharmacy benefits managers have not backed down their pressure on 340B covered entities. This up-to-the-moment webinar presented by FTLF attorney **Jason Reddish** will cover the latest in the shifting landscape, HRSA expectations, and the future of the 340B Program.

Where Are We Now? Five Years of the CMS Emergency Preparedness Final Rule
Tuesday, October 25 at 1 PM ET
Register

Five years ago, health centers were required to become compliant with the Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers Final Rule. As we inch closer to the end of the public health emergency, now is a perfect time to reassess your emergency preparedness plans. In this webinar, FTLF attorney **Molly Evans** and FTLF's new Manager of Compliance and Risk Management Services **Alexander Lipovtsev** will review the current requirements for health centers and provide practical tips to ensure compliance.

Medical Marijuana: Health Center Compliance Amidst State Law Changes
Tuesday, November 1 at 1 PM ET
Register

What should a health center physician do when asked to sign a medical marijuana verification form? As Section 330 grantees and look-alikes, health centers are bound by federal laws regarding marijuana, even though it may be legal in your state. Throughout this webinar, FTLF attorneys **Molly Evans** and **Mindy Pava** will review the federal Controlled Substances Act and how it applies to situations health centers frequently encounter.

Implementing Affiliations within the Bounds of HRSA Restrictions: Exploring the Range of Opportunities
Thursday, November 3 at 1 PM ET
Register

[redacted]

Title

Corporate consolidations can present many opportunities for health centers, including cost savings and expansion of services. When exploring potential mergers, acquisitions, or other affiliations, health centers are bound by HRSA restrictions. During this training, FTLF attorney **Carrie Riley** will answer frequently asked questions and provides strategic considerations for health centers contemplating affiliations.

It's All About Access: Discrimination Law Basics for Health Centers
Thursday, November 17 at 1 PM ET
Register

Health centers must comply with multiple disability rights laws, including the Americans with Disabilities Act (ADA), the Rehabilitation Act of 1973, and Section 1557 of the Affordable Care Act (ACA), which prohibits discrimination in federal healthcare programs. On this webinar, FTLF attorney **Kathy Ghiladi** will discuss how your health center can support and complement the disabilities rights movement while complying with federal law.

Watch On-Demand: The recorded versions of all of our webinars are included in your purchase and will typically be available within seven (7) business days of the live event.

Continuing Professional Education (CPE) credits in Specialized Knowledge and Applications are available for our live webinars and workshops. Check out the Continuing Education tab of any FTLF training or read more about CPE credits here.

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SUBJECT: Morning Consult Health Presented by CVS Health: Democrats Said toConcede FDA Funding Fight, Back GOP's Clean User Fee Agreement
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 27/09/2022 10:27

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 27, 2022

BY MATT BRACKEN

Twitter Email

[redacted]

[redacted] Title

We apologize for the delay in newsletters today, which are due to a technical issue.

TODAY'S TOP NEWS

- Democrats will agree to Republican demands and sign off on a five-year reauthorization of Food and Drug Administration user fee programs without any additional policy riders attached, four congressional aides said, though lawmakers will revisit a handful of FDA programs with short-term extensions in mid-December. (Stat News) The FDA agreement is included in Senate Democrats' short-term government funding bill, but previous Biden administration requests for $22 billion to combat COVID-19 and $4 billion to fight monkeypox were left on the cutting-room floor. (Bloomberg)

- Ahead of tomorrow's White House Conference on Hunger, Nutrition and Health, the Biden administration released its national strategy for ending hunger by 2030, a plan that calls on health officials and Congress to work together on providing access to healthy and free school meals to at least 9 million more children by 2032. Other elements of the strategy include an FDA push to require front-of-package labeling on food items and an expansion of the Centers for Disease Control and Prevention's Physical Activity and Nutrition Program beyond the 16 states where it has already been implemented. (The Hill)

- The Department of Justice said Biogen Inc. will pay $900 million to settle allegations that it provided doctors with kickbacks to entice them to prescribe the company's drugs. Michael Bawduniak, a former Biogen employee who filed a federal lawsuit against the company in 2012 under the False Claims Act, will receive roughly $250 million, the DOJ said. (CNBC)

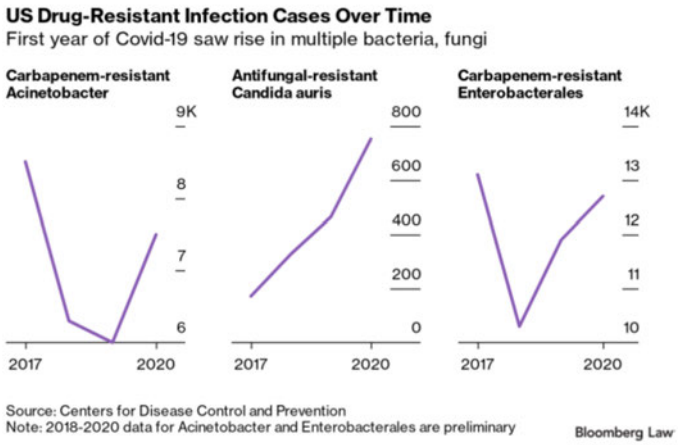
- Pfizer Inc. and BioNTech SE said they submitted their request for emergency use authorization to the FDA for their reformulated COVID-19 booster for kids between 5 and 11. The submission comes days after Moderna Inc. asked the FDA to grant EUA for its updated shot for adolescents ages 12 to 17 and for children ages 6 to 11. (CNN)

Worth watching today (all times local):

- **2 p.m.** U.S. News & World Report webinar: "Battling Burnout While Building the Health Workforce of the Future."

CHART REVIEW

Antibiotics Misused During Covid Get New Look as Infections Rise
Bloomberg Law



PRESENTED BY CVS HEALTH

Let This Sink In: We Have an Adolescent Suicide Crisis

Suicide is the second leading cause of death among individuals between the ages of 10 and 34. But it doesn't have to be.

CVS Health has a bold goal to reduce suicide attempts 20 percent among Aetna members by the year 2025. Through evidence-based prevention, intervention and public education, CVS Health is saving lives and bringing hope to our communities. Learn more.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Pharmacies urge Biden to keep COVID emergency powers in place
Frank Diamond, Fierce Healthcare
The National Association of Chain Drug Stores (NACDS) wants the White House to keep the Public Readiness and Emergency Preparedness (PREP) Act in place until October 2024. PREP provides liability protection to pharmacists, pharmacy technicians and pharmacy interns, according to a letter sent last week by Steven C. Anderson, NACDS president and CEO.

Long COVID Has Forced the U.S. to Take Chronic Fatigue Syndrome Seriously
Ed Yong, The Atlantic

Only a couple dozen doctors specialize in chronic fatigue syndrome (ME/CFS). Now their knowledge could be crucial to treating millions more patients.

HHS offers limited supply of COVID-19 treatment for uninsured
Lauren Berryman, Modern Healthcare
The initiative will give uninsured and underinsured Americans no-cost access to bebtelovimab, a monoclonal antibody treatment that reached the commercial market last month. HHS will resupply the drug at no cost to providers that use it to treat patients who lack adequate health coverage. HHS estimates these supplies will last until next September. Medicare, Medicaid and most private health insurance plans cover monoclonal antibody treatment.

Former Health Official Bright to Leave Pandemic Prevention Post
Madison Muller, Bloomberg
Rick Bright, a former US health official who condemned the Trump administration's Covid-19 response, is leaving a Rockefeller Foundation pandemic prevention effort just over a year and a half after being tapped to lead it.

U.S. FDA clears additional lots of Moderna's Covid booster amid shortage
Reuters
The U.S. Food and Drug Administration said on Monday it has authorized an additional five batches of Moderna Inc's (MRNA.O) updated Covid booster shots made at a Catalent facility in Indiana, after it deemed them safe for use.

Five covid questions scientists still can't answer
Mark Johnson, The Washington Post
Since a new coronavirus launched the global pandemic that has now killed more than 6.5 million people — 16 percent of them in the United States alone — scientists in record numbers have devoted themselves full time to unraveling its mysteries.

The COVID-19 Booster's Public Relations Problem
Robin Fields, ProPublica
With a new coronavirus booster rolling out, a leading expert on vaccines explains how public health leaders have struggled to set expectations for the COVID-19 vaccine and convey clearly who benefits from each additional shot.

Canada ending all COVID-19 restrictions at border as of Oct. 1
Julia Mueller, The Hill
Canada is lifting its testing, quarantine and vaccination requirements at the border, a step in rolling back pandemic restrictions designed to stave off the spread of COVID-19, the government announced Monday.

GENERAL

Biden's hunger and nutrition goals confront November realities
Meredith Lee Hill, Politico
"The critical question is: Is there going to be continued passion and commitment to actually implement the [White House] plan?" said Dariush Mozaffarian, a cardiologist and professor of nutrition at Tufts University who co-chaired an external task force that provided recommendations for the conference, along with chef and humanitarian José Andrés, who the White House has announced as a key speaker for the event.

How effective is egg-freezing? New study reveals 2 major lessons.
Chloe Taylor, Fortune
Only around one in three of those who choose to freeze their eggs will wind up having a child after going through the entire process, the study finds—and that success rate drops drastically for older women.

When's the Perfect Time to Get a Flu Shot?
Katherine J. Wu, The Atlantic
For about 60 years, health authorities in the United States have been championing a routine for at least some sector of the public: a yearly flu shot. That recommendation now applies to every American over the age of six months, and for many of us, flu vaccines have become a fixture of fall.

Insider Q&A: FDA official on vaping's "promise or peril"
Matthew Perrone, The Associated Press
There's been no honeymoon period for the Food and Drug Administration's new tobacco chief, Brian King, the public health scientist now responsible for regulating the nation's multibillion-dollar cigarette and vaping industry.

University of Idaho may stop providing birth control under new abortion law
Caroline Kitchener and Susan Svrluga, The Washington Post
University employees were also advised not to speak in support of abortion at work. If an employee appears to promote abortion, counsel in favor of abortion, or refer a student for an abortion procedure, they could face a felony conviction and be permanently barred from all future state employment, according to an email obtained by The Washington Post.

Teen interest in long-lasting birth control soars after Roe
Heather Hollingsworth and Arleigh Rodgers, The Associated Press
Experts say the U.S. Supreme Court's June ruling appears to be accelerating a trend of increased birth control use among teens, including long-acting reversible forms like intrauterine devices and implants. Appointments have surged and Planned Parenthood has been flooded with questions as doctors report demand even among teens who aren't sexually active.

Texas Abortion Laws Violate Right to Travel, Democratic AGs Say
Holly Barker, Bloomberg Law
Twenty-one Democratic state attorneys general are looking to join the fight in Texas over the right to travel out of state to obtain, provide, or facilitate lawful abortion-related services.

Arizona abortion clinics send women to other states
Jonathan J. Cooper and Terry Tang, The Associated Press
When an Arizona judge ruled last week that prosecutors can resume enforcing a near-total ban on abortion that dates to the Civil War, it fell to the staff at Camelback Family Planning to break the news to the women scheduled for appointments in the coming weeks.

PAYERS

The Supreme Court's latest health care tempest
Adriel Bettelheim and Caitlin Owens, Axios
A Supreme Court case that takes up Medicaid recipients' ability to sue providers is providing a new battleground over patients' rights and could potentially open the door to erosion of the program's benefits.

Health Plan Shake-Up Could Disrupt Coverage for Low-Income Californians
Bernard J. Wolfson, Kaiser Health News
Almost 2 million of California's poorest and most medically fragile residents may have to switch health insurers as a result of a new strategy by the state to improve care in its Medicaid program.

PROVIDERS

Nursing homes data released by Biden administration shows ownership
Ken Alltucker, USA Today
Federal data released Monday shows ownership of about 15,000 nursing homes nationwide, information that will allow state regulators, researchers and the public to better track common owners.

Watchdog finds fewer Medicare improper payments to hospitals
Robert King, Fierce Healthcare
Acute care hospitals generated $39.3 million in Medicare Part B improper payments over four years but faced a steep drop after the federal government implemented new tools to root out such errors.

Hospitals' Empath Units Replace the ER for Mental Health Patients
John Tozzi, Bloomberg Businessweek
With mental health treatment in short supply, Americans experiencing a psychiatric crisis frequently land in a hospital emergency room—brought in by the police or loved ones—and usually stay there until they can be safely discharged or transferred. That means patients can spend hours or even days stuck on a gurney until a spot opens in a psych ward, the only other setting deemed appropriate.

'It is sinking us even further': Monkeypox stretches STI clinics to the brink
Andrew Joseph, Stat News
At Open Door Health, an LGBTQ+ community clinic in Providence, R.I., a standard test for a sexually transmitted infection might take 15 minutes. Testing for monkeypox — between authorizing the test and donning and doffing PPE — has dragged up to an hour. Insurance reimbursement doesn't cover all that added time.

PHARMA, BIOTECH AND DEVICES

Mark Cuban Considering Leaving Shark Tank As He Bets His Legacy On Low-Cost Drugs
Jemima McEvoy, Forbes
Blockchain, basketball, Broadcast.com: Mark Cuban has never lost his passion for disruption. Now the billionaire entrepreneur has an ambitious plan to take on Big Pharma and lower the cost of prescription drugs once and for all. And, after 13 seasons, this savvy shark may finally be ready to leave the tank.

Hospital procedures have remained steady since H2 in boost for medtechs, survey finds
Elise Reuter, MedTech Dive
Hospitals are experiencing fewer cancelations and staffing levels have improved since the first half of 2022, which "bodes well for medtech in general," according to a survey by Evercore ISI.

Bias in medical device results raises patient safety concerns
Kara Hartnett, Modern Healthcare
Racial biases continue to be exposed in medical devices clinicians commonly use to evaluate patients. From thermometers to oximeters to X-rays, people of color receive the most inconsistent results, and it's bad for their health.

New book recounts the FDA's 'unholy birth'
Erin Blakemore, The Washington Post
Decades ago, people could hawk dangerous patent medicines and promise benefits — even when their concoctions might have catastrophic consequences. Then, several tragedies struck, killing and maiming children and adults in the name of health. Afterward, the United States created the Food and Drug Administration, the federal agency that today oversees and regulates prescription drugs, medical devices and other products.

Illegal Drug Sales on Social Media Platforms Spark GOP Backlash
Maria Curi, Bloomberg Law
Lawmakers are urging TikTok, Snapchat, and Instagram to more aggressively combat the sale of illegal drugs on their platforms.

Recession Fears Save Pharma From Drug-Pricing Concerns
David Wainer, The Wall Street Journal
Under ordinary circumstances, the pharma industry would look like a bad place to park your money right now.

Gray Areas in Patent Review Denials Catch Agency Director's Eye
Kelcee Griffis, Bloomberg Law
US Patent and Trademark Office Director Kathi Vidal has wielded a US Supreme Court-granted power to audit her agency's patent validity decisions nearly a dozen times since taking the agency's helm in April, and practitioners say she's giving initial patent review denials a particularly close look.

A Message From CVS Health:

Addressing Our Nation's Youth Mental Health Crisis

From self-esteem issues to bullying and social dynamics to social media, our teenagers are facing a variety of challenges that are directly impacting their mental health.

In recognition of Suicide Prevention Month in September, CVS Health continues to prioritize intervention, resources and support to manage suicidal thoughts and prevent suicide attempts, especially among adolescents. Learn more about CVS Health's efforts to reduce suicide.

HEALTH TECHNOLOGY

Google's Low-Tech Plan to Solve the Opioid Crisis
Mark Bergen, Bloomberg Businessweek
A rehab clinic in Ohio meant to highlight the company's futuristic approach to medicine has instead shown the value of old-school care.

Google and Fitbit launch new cloud tools to help hospitals use wearables
Mario Aguilar, Stat News
The offering, called Device Connect for Fitbit, is one of the first joint public initiatives since Google acquired Fitbit for $2.1 billion in 2021. The effort underscores the health care opportunities created by the union, pulling from Google's data crunching expertise and Fitbit's wearables know-how to reduce the technical burden required to stand up patient monitoring, research, and other programs using the company's devices.

Overworked and ready for expansion: FDA's cell and gene therapy office preps to add about 100 new positions
Zachary Brennan, Endpoints News
Housed within the FDA's Center for Biologics Evaluation and Research, the once-tiny Office of Tissues and Advanced Therapies, which regulates all cell and gene therapy products, has been pummeled with a workload that now includes more than 3,000 active INDs.

OPINIONS, EDITORIALS AND PERSPECTIVES

Progress on HPV Vaccines Is Too Important to Lose
Lisa Jarvis, Bloomberg
HPV vaccinations among teens in the US dropped precipitously during the early pandemic, a disappointing reversal for shots that can prevent more than 33,000 cases of cancer each year. Worse, efforts to get vaccinations back on track could be stymied by legal challenges.

Where Are All Our Post-Covid Patients?
Daniela J. Lamas, The New York Times
Two years ago, during the worst of the Covid pandemic, my colleagues and I told ourselves what now seems like a naïve story.

RESEARCH REPORTS

A Comparison of Substance Use Disorders Before and During the COVID-19 Pandemic
FAIR Health
During the COVID-19 pandemic, drug overdose deaths have increased. At the same time, access to and utilization of substance use disorder treatment services

[redacted] Title

have decreased. In this report, drawing on the nation's largest repository of private healthcare claims, FAIR Health analyzes substance use disorders and overdoses prior to the COVID-19 pandemic as compared to during the pandemic. Trends in the percentage of patients with a substance use disorder or overdose diagnosis are analyzed, as well as such aspects as age, gender, incidence, relevant substances, states, preexisting mental health conditions, venues of care and provider specialties.

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DATE: 27/09/2022 13:22

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Jerry Edwards
Financial Manager II
Phone: 801.557.8260
jedwards@utah.gov

Utah Department of
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DATE: 27/09/2022 17:19

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INTERVIEW

Engineering the Transition to Net-Zero

In an interview, NAE President John Anderson discusses the national and global transition to net-zero carbon emissions and how engineers — and NAE in particular — can support that shift. Energy Transitions is the theme of NAE's annual meeting this year, taking place Oct. 2-3.

INTERVIEW

Exploring the Future of Particle Physics

Maria Spiropulu and Michael Turner — co-chairs of a National Academies study underway to assess key science questions that will drive research in the field of elementary particle physics for the next decade and beyond — discuss the study, community engagement, and the field's relevance to everyday life.

ANNOUNCEMENT

NAM's Healthy Longevity Global Competition

During its Global Innovator Summit, NAM's Healthy Longevity Global Competition named 25 award winners for 2022. It also announced the extension of its international Catalyst Awards through 2025, adding three annual cycles to seed innovative ideas with the potential to dramatically improve health as people age.

CONFERENCE

Emmitt Smith and Christopher Cassidy Discuss Scenario Planning at TRB Conference

Scenario planning is somewhat, but not fully, incorporated into transportation planning processes. TRB's Conference on Scenario Planning in Transportation is an opportunity to explore the method across sectors and public policy areas, as well as identify barriers to using the approach.

Additional News

[redacted]

- Report Release Webinar: Protecting U.S. Technological Advantage
- Launch Event: National Plan for Health Workforce Well-Being
- 2022 Henry and Bryna David Lecture: Where Science and Society Meet

New Publications

Selected Heritable Disorders of Connective Tissue and Disability

Heritable disorders of connective tissue (HDCTs) are a diverse group of inherited genetic disorders and subtypes. Because connective tissue is found throughout the body, the impairments associated with HDCTs manifest in multiple body systems and ...
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Recognizing the strong recent interest throughout the United States to consider and implement fare-free transit, decision-making tools are needed to help public transit practitioners evaluate fare-free transit.

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Benefits, Applications, and Opportunities of Natural Infrastructure: Proceedings of a Workshop—in Brief

Natural infrastructure is the practice of using naturally occurring aspects of the landscape and/or nature based solutions that use or imitate natural processes (e.g., wetlands, living shorelines, municipal green infrastructure) to support ...
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Communities, Climate Change, and Health Equity—State-Level Implementation: Proceedings of a Workshop—in Brief

Because of historic and ongoing discriminatory policies and practices, certain populations - namely people of color, Indigenous people, and low-income communities - disproportionately suffer from the adverse impacts of extreme weather and other ...
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Engaging Socially Vulnerable Communities and Communicating About Climate Change–Related Risks and Hazards

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Wednesday, September 28, 2022 Follow

TOP NEWS

Analysis
The High Court Cases Health And Life Sci Attys Are Watching
The U.S. Supreme Court will kick off its new term by scrutinizing the litigation rights of nursing home residents and the False Claims Act powers of the U.S. Department of Justice, and the justices are also signaling interest in other FCA disputes, Uncle Sam's rulemaking authority and advertising by drug and device lawyers.
Read full article »

Interview
Health Care Fraud Among New Philly US Atty's Top Concerns
Just a few months into U.S. Attorney Jacqueline C. Romero's new role as the Philadelphia region's top federal prosecutor, health care-based offenses have emerged as a chief enforcement priority thanks to

the billing fraud opportunities spurred by the COVID-19 pandemic and bribery cases that are a perennial problem in the pharmaceutical industry.
Read full article »

Four Years Later, Kavanaugh Probe Still Raising Questions

As the FBI finished its inquiry into U.S. Supreme Court nominee Brett Kavanaugh in 2018, the bureau drew ire for shuttling credible sources to a tip line it seemed to ignore. Even now, the investigation remains shrouded in secrecy, leaving some U.S. senators concerned about the integrity of future nominations.
Read full article »

Iowa 'Ag Gag' Law Unconstitutional, Judge Says In Enviro Win

An Iowa law that creates a new crime of engaging in video and audio recording "on trespassed property" is unconstitutional because it limits free speech and is unnecessarily broad, a federal judge ruled Monday, handing a win to civil liberties groups and environmental groups that rely on undercover investigations.
Order attached | Read full article »

2nd Circ. Opens Door To End Trump's Rape Defamation Suit

The Second Circuit handed former President Donald Trump a partial win Tuesday, ruling the 45th president was a U.S. employee — potentially entitling him to immunity from a writer's defamation lawsuit — and asked the D.C. Court of Appeals to analyze whether Trump's controversial statements were made within the scope of his employment.
3 documents attached | Read full article »

Dozens Of Orgs Urge House To Pass High Court Ethics Bill

The American Federation of Teachers and Greenpeace are among the nearly 60 organizations that have co-signed a letter calling on Congress to pass an ethics bill that would create new recusal and disclosure standards for the U.S. Supreme Court.
Letter attached | Read full article »

Fastest AG In The West? Paxton Slips Service In Abortion Row

Ken Paxton dodged a subpoena — literally and legally — this week when a federal judge ruled he shouldn't have to testify in an abortion rights case a day after the Texas attorney general ran away from a process server attempting to hand him subpoenas in the litigation.
2 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

Analysis

EPA's New Enviro Justice Office Brings Change, Tensions

A new U.S. Environmental Protection Agency office, which consolidates three existing agency programs aimed at helping communities overburdened by pollution, has the potential to make impacts that activists have dreamed about for years, but could also spur pushback from states and others that aren't aligned with the Biden administration's priorities, experts said.
Read full article »

Dow, PPG Trial Over Calif. Cleanup Delayed By Atty COVID

A California state judge delayed a jury trial set to begin Tuesday in a California city's decadeslong dispute with Dow Chemical Co. and PPG Industries Inc. over dry-cleaning chemicals that allegedly contaminated city sites after a defense attorney tested positive for COVID-19.

LAW FIRMS IN TODAY'S NEWS

Akin Gump
Alexander Dubose
Alston & Bird
Andrews & Price
Arnold & Porter
Bailey & Glasser
Beveridge & Diamond
Big Fire Law & Policy Group
Bracewell LLP
Cassidy Levy
Cravath Swaine
Crowell & Moring
Davis Polk
Feinberg Jackson
Gallagher Law Group
Geragos & Geragos
Girardi & Keese
Gunderson Palmer
Habba Madaio
Hogan McDaniel
Hunton Andrews
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Kaplan Hecker
King & Spalding
Latham & Watkins
Law Office of Bryan L. Sells
Mackenzie & Albritton
Manatt Phelps
Martin LLP
McDermott Will
Miller Axline
Miller Korzenik
Morris Manning
Morris Nichols
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Norton Rose
Reed Smith
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Ridley McGreevy
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White & Case

COMPANIES IN TODAY'S NEWS

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Allergan PLC
Alliance Defending Freedom
American Association for Justice
American Civil Liberties Union
American Federation of Labor & Congress of Industrial Organizations
American Federation of Teachers
American Health Care Association
Animal Legal Defense Fund
Australian Broadcasting Corp.

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HEALTH & LIFE SCIENCES

Newsom Signs Slew Of Abortion, Health Care Protection Bills

California Gov. Gavin Newsom on Tuesday signed a batch of bills into law aimed at protecting patient privacy and access to health care, in the wake of the U.S. Supreme Court's ruling that overturned the federal right to abortion.

Read full article »

Indiana Abortion Ban Challenged By Satanic Temple

The state of Indiana is facing another lawsuit contesting its near-complete bar against abortion, this time by Massachusetts-based Satanic Temple, which says the law at issue flouts its members' rights.

Complaint attached | Read full article »

EMPLOYMENT & BENEFITS

New Calif. Law Requires Employers To Divulge Contractor Pay

California Gov. Gavin Newsom signed pay transparency legislation into law Tuesday that requires employers with more than 100 contract workers to disclose annual pay data reports broken down by demographics, and requires employers with more than 15 workers to disclose salary ranges on all job ads.

Read full article »

Workers Sue Wells Fargo On Heels Of $145M DOL Settlement

Former Wells Fargo workers hit the banking giant with a proposed class action claiming it violated federal benefits law by overcharging their 401(k) plan for stock options, two weeks after Wells Fargo agreed to pay $145 million following a U.S. Department of Labor probe into the plan's management.

Complaint attached | Read full article »

Pa. Court Upholds Quarantine Pay For Allegheny Jail Staff

A Pennsylvania state court judge upheld an arbitrator's award that gave union members at the Allegheny County Jail paid time off when they had to quarantine after being exposed to COVID-19, finding that the additional benefits had roots in the union's contract.

2 documents attached | Read full article »

COMPETITION

DOJ Seeks Block Of Sugar Merger Pending 3rd Circ. Appeal

The U.S. Department of Justice has asked a Delaware federal court for an emergency order preventing U.S. Sugar Corp. from completing its $315 million acquisition of Imperial Sugar while enforcers appeal their rejected merger challenge to the Third Circuit.

2 documents attached | Read full article »

Poultry Execs Move To Toss DOJ's Price-Fixing Charges

A pair of former Pilgrim's Pride employees urged a Colorado federal court to toss criminal price-fixing charges against them, arguing that prosecutors fell short of alleging they were connected to a scheme to rig bids for chicken sold to restaurants and grocery chains.

Motion attached | Read full article »

CYBERSECURITY & PRIVACY

California Bankers Association
California Grocers Association
California Labor Federation
Chevron Corp.
Deloitte Touche Tohmatsu Ltd.
Dow Inc.
Equifax Inc.
Executive Health Resources Inc.
Food & Water Watch
Foundation to Support Animal Protection
Health & Hospital Corp. of Marion County
Ho-Chunk Inc.
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Imperial Sugar Company
Koch Foods
Los Angeles County Bar Association
Los Angeles Times
Louis Dreyfus Holding BV
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State Bar of California
Supervalu Inc.
Twitter Inc.
Tyson Foods Inc.
U.S. Sugar Corp.
United Steelworkers
UnitedHealth Group Inc.
Verizon Communications Inc.
Wells Fargo & Co.
Western Digital Corp.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Blue Lake Rancheria
Central Intelligence Agency
Chemehuevi Indian Tribe
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Equal Employment Opportunity Commission
Federal Bureau of Investigation
Federal Communications Commission
Florida Supreme Court
Food and Drug Administration
Hopland Band of Pomo Indians
Indiana Attorney General's Office
International Trade Administration
International Trade Commission
Nebraska Attorney General's Office
New Jersey Supreme Court
Texas Attorney General's Office
U.S. Army

Australia Wants Tighter Privacy Rules After Optus Breach
The Australian government has warned telecommunication companies of its plans to crack down on them for lax data security and update the nation's privacy protections, after a cyberattack on Optus, the country's second-largest wireless carrier, compromised the personal information of up to 10 million Australians.
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AEROSPACE & DEFENSE

Ex-Army Reservist Guilty Of Acting As Chinese Agent
A Chinese national and former U.S. Army reservist was convicted by a Chicago federal jury of acting as an unregistered foreign agent for China, but was acquitted on related fraud charges.

1 document attached | Read full article »
INTERNATIONAL TRADE

Feds Finalize Duties On 4 Countries' Oil, Gas Piping Goods
The U.S. Department of Commerce finalized tariffs on four countries' oil and gas pipeline imports, after finding that the products were being sold in the U.S. at unfairly low prices or benefited from illegal subsidies.
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TAX

Loan Forgiveness Program Creates Tax Headaches, Suit Says
A lawyer asked an Indiana federal court Tuesday to stop the U.S. Department of Education from enacting the White House's sweeping loan forgiveness program, arguing that forgiving his loans will actually increase his tax burden.

Complaint attached | Read full article »

Lawmakers Urge Executive Order On Outbound Investments
A bipartisan group of lawmakers wrote to President Joe Biden on Tuesday urging him to institute government review of outbound investments that have the potential to undermine national security, as legislation with the same goal idles in Congress.

Letter attached | Read full article »
IMMIGRATION

Feds Seek To Keep Win Over Purported Surveillance Claims
U.S. Customs and Border Protection urged the Ninth Circuit to deny an appeal from two immigration attorneys and a documentarian alleging the agency's surveillance program violated their privacy, saying the alleged injuries couldn't be tied to the program.

Brief attached | Read full article »
NATIVE AMERICAN

Tribes' Attys Seek Fees Of $1.1M In Calif. Gambling Appeal
Five Native American tribes have asked the Ninth Circuit for an award of about $1.1 million in attorney fees following an appellate panel decision giving the tribes major leverage in gaming compact negotiations with California.

Motion attached | Read full article »

Judge's OK Of Voting Plan Moots Tribe's Suit, SD County Says
A South Dakota county has urged a federal judge to end a suit claiming the county violated the Lower

U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Census Bureau
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Customs and Border Protection
U.S. Department of Commerce
U.S. Department of Education
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Veterans Affairs
U.S. District Court for the Central District of California
U.S. District Court for the District of Delaware
U.S. District Court for the District of Minnesota
U.S. District Court for the District of Nebraska
U.S. District Court for the Eastern District of California
U.S. District Court for the Southern District of Iowa
U.S. District Court for the Western District of Texas
U.S. Drug Enforcement Administration
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U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Colorado
United States District Court for the District of South Dakota
United States District Court for the Southern District of Indiana
Virginia Attorney General's Office
West Virginia Attorney General's Office
Winnebago Tribe

Brule Sioux Tribe's voting rights, saying there's nothing more the judge can do after greenlighting the county's revised voting map.

Memorandum attached | Read full article »

Tribal Cos. Seek Win In Challenge To Neb. Tobacco Laws

Two tobacco companies owned by the Winnebago Tribe of Nebraska have asked a federal judge to prohibit state authorities from subjecting them to laws that require, among other obligations, certain tobacco-product manufacturers to surrender some of their revenue to a state-held fund.

Brief attached | Read full article »

TELECOMMUNICATIONS

FCC Pushes New Limits On Robotexts

The Federal Communications Commission released a long-awaited proposed rule on Tuesday that would require wireless providers to block illegal robocalls, nearly a year after agency chair Jessica Rosenworcel first floated the idea.

Proposed Rule attached | Read full article »

Verizon Drops Suit After Getting OK For Fresno Cell Tower

Verizon Wireless has dropped a lawsuit against Fresno, California, after city officials in July allowed the company to build its planned 5G tower disguised as a ponderosa pine.

Notice attached | Read full article »

EXPERT ANALYSIS

EPA Guidance Signals Greater Enviro Justice Focus In Permits

A list of frequently asked questions recently released by the U.S. Environmental Protection Agency emphasizes environmental justice and civil rights considerations in permitting for a wide range of commercial activities across many industries, and is likely to reverberate loudly in environmental permitting for years to come, say attorneys at King & Spalding.

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Law Firm Inclusion Efforts Often Overlook Business Staff

Law firms committed to a culture of universal inclusion can take steps to foster a sense of belonging in their business services teams, says Jennifer Johnson at Calibrate Consulting.

Read full article »

LEGAL INDUSTRY

Few Courts Remain Open As Hurricane Ian Barrels Toward Fla.

The impending arrival of Hurricane Ian on Wednesday closed courthouses across Florida as residents on both coasts of the peninsula prepared to feel effects from what has strengthened into a major storm.

Read full article »

Sanford Heisler Sharp Opens New Palo Alto Office

Plaintiff-side labor law firm Sanford Heisler Sharp LLP said Tuesday that it had opened a new office in Palo Alto, California, its eighth location nationwide, in

a bid to step up its representation of tech workers and Asian Americans in Silicon Valley.
Read full article »

NJ Attys OK To Use Pot, Enter Cannabis Industry, Panel Says

New Jersey lawyers can consume cannabis and participate in the legal cannabis trade without fear of a professional ethics inquiry, an advisory committee for the Supreme Court of New Jersey ruled in an opinion published Tuesday.
Read full article »

LA Attys Face Bar Probe Over Genocide Settlement Payouts

The State Bar of California announced on Tuesday that it is investigating two prominent Los Angeles-area attorneys over their involvement with the reported botched dispersal of settlement funds intended for Armenian genocide victims.
Read full article »

Atty Who Allegedly Helped Witness Cheat On Bar Pleads 5th

A former law partner of disbarred attorney-turned-cooperating-witness Edgar Sargsyan — whom Sargsyan allegedly paid to take a bar exam for him — invoked his Fifth Amendment right Tuesday in an ex-FBI agent's bribery trial, refusing to answer questions that ranged from the partner's relationships with Armenian crime mobsters to gifts the FBI agent received.
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LAW360 HEALTH

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TOP NEWS

Biogen Whistleblower's $250M Award 'Extraordinary' For FCA

A former pharmaceutical manager's $250 million cut of Biogen's $900 million payments-for-prescriptions settlement is among the largest whistleblower awards in U.S. history, delivering a shot of adrenaline to other False Claims Act cases not backed by the U.S. Department of Justice's muscle, attorneys said Tuesday.

3 documents attached | Read full article »

Analysis

The High Court Cases Health And Life Sci Attys Are Watching

The U.S. Supreme Court will kick off its new term by scrutinizing the litigation rights of nursing home residents and the False Claims Act powers of the U.S. Department of Justice, and the justices are also signaling interest in other FCA disputes, Uncle Sam's rulemaking authority and advertising by drug and device lawyers.

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Interview

Health Care Fraud Among New Philly US Atty's Top Concerns

Just a few months into U.S. Attorney Jacqueline C. Romero's new role as the Philadelphia region's top federal prosecutor, health care-based offenses have emerged as a chief enforcement priority thanks to the billing fraud opportunities spurred by the COVID-19 pandemic and bribery cases that are a perennial problem in the pharmaceutical industry.

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Newsom Signs Slew Of Abortion, Health Care Protection Bills

California Gov. Gavin Newsom on Tuesday signed a batch of bills into law aimed at protecting patient privacy and access to health care, in the wake of the U.S. Supreme Court's ruling that overturned the federal right to abortion.

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Fastest AG In The West? Paxton Slips Service In Abortion Row

Ken Paxton dodged a subpoena — literally and legally — this week when a federal judge ruled he shouldn't have to testify in an abortion rights case a day after the Texas attorney general ran away from a process server attempting to hand him subpoenas in the litigation.

2 documents attached | Read full article »

Indiana Abortion Ban Challenged By Satanic Temple

The state of Indiana is facing another lawsuit contesting its near-complete bar against abortion, this time by Massachusetts-based Satanic Temple, which says the law at issue flouts its members' rights.

Complaint attached | Read full article »

Biden Brother Settles Claims By Bankrupt Health Chain

James Biden, President Joe Biden's brother, has agreed to pay $350,000 to end an attempt to claw back $600,000 he allegedly convinced a now-bankrupt hospital chain to lend him with promises to use his name to attract Middle Eastern investors.

Settlement attached | Read full article »

LITIGATION

Feds Seek To Keep Win Over Purported Surveillance Claims

U.S. Customs and Border Protection urged the Ninth Circuit to deny an appeal from two immigration attorneys and a documentarian alleging the agency's surveillance program violated their privacy, saying the alleged injuries couldn't be tied to the program.

Brief attached | Read full article »

COVID-Screening Kiosk Maker Must Face BIPA Suit

A maker of screening kiosks used by employers to comply with COVID-19 restrictions can't avoid a privacy lawsuit by seeking immunity under a federal public health emergency law that protects providers

COMPANIES IN TODAY'S NEWS

AXA SA
Aerojet Rocketdyne Holdings Inc.
Allergan PLC
Alliance Defending Freedom
Amazon.com Inc.
American Association for Justice
American Bar Association
American Civil Liberties Union
American Federation of Teachers
American Health Care Association
Biogen Inc.
Carenet Healthcare Services
Centene Corp.
Chevron Corp.
Deloitte Touche Tohmatsu Ltd.
Envolve Pharmacy Solutions
Executive Health Resources Inc.
Health & Hospital Corp. of Marion County
Jewel-Osco Inc.
Los Angeles County Bar Association
Los Angeles Times
Molina Healthcare Inc.
Netflix Inc.
Pacific Legal Foundation
Planned Parenthood Federation
QUALCOMM Inc.
Safeway Inc.
State Bar of California
Supervalu Inc.
Trulieve
Twitter Inc.
UnitedHealth Group Inc.
Western Digital Corp.

LAW FIRMS IN TODAY'S NEWS

Akin Gump
Alexander Dubose
ArentFox Schiff
Arnold & Porter
Biggs & Battaglia
Caudle & Spears
Condon Tobin
Cravath Swaine
David Randolph Smith & Associates
Ellenoff Grossman
Fox Rothschild
Geragos & Geragos
Girardi & Keese
Goodwin Procter
Greene LLP
Habba Madaio

of tools used to fight diseases, an Illinois federal judge ruled Monday.

Opinion attached | Read full article »

Wash. Challenges Tax Exemption For Pharmacy Benefits Co.

Washington appellate judges suggested Tuesday a company managing pharmacy benefits for Medicaid patients could be double taxed if it was forced to pay a business tax when a corporate sibling is already paying a tax on insurance premiums.

2 documents attached | Read full article »

Atty-Turned-CEO Dodges Dismissal Bid In Unpaid Wages Row

A state court judge will let a North Carolina lawyer-turned-CEO pursue claims that his medical-records software firm and its besmirched new owner shortchanged him during the takeover, largely rejecting their bid to toss the long-running case alleging wage violations and fraud.

Opinion attached | Read full article »

2 Firms Seek $1.25M In Chancery Deal With Biotech Co., CEO

Robbins LLP and Biggs & Battaglia will seek $1.25 million in connection with a proposed deal in Delaware Chancery Court to settle shareholder derivative claims against the billionaire founder and CEO of health care tech business NantHealth Inc. over allegations misleading disclosures were made about a research deal.

Read full article »

Carenet Health Sues OpenMed In Del. To Unwind $15M Deal

Telehealth services provider Carenet Healthcare Services sued a Miami-based digital health care company it acquired last year and its founder, alleging in a Delaware Chancery Court complaint that it was deceived into paying $15 million and requesting that the deal be unwound.

Read full article »

Ex-Receptionist Says MRI Co. Fired Her For Reporting Abuse

A former receptionist for Health Management Corporation of America has filed a lawsuit in Florida federal court alleging she was fired for alerting supervisors to a male co-worker who verbally abused and sexually harassed Black female employees.

Complaint attached | Read full article »

Trulieve Sent Sales Texts Without Permission, Suit Says

Florida cannabis giant Trulieve sent unsolicited sales texts to people whose numbers were on a do-not-call registry, according to a proposed class action filed Monday in Florida federal court.

Complaint attached | Read full article »

DEALS

COVID-Focused Biotech Firm Eyeing $675M SPAC Merger

COVID-19 drug developer Direct Biologics LLC and special-purpose acquisition company Good Works II Acquisition Corp. said Tuesday they have conditionally agreed to merge in a deal that would take Direct Biologics public valued at $675 million, guided by three law firms.

Read full article »

BANKRUPTCY

UK Court OKs Stay For Mesh Suits Against Endo Unit

An English judge Tuesday agreed to recognize the U.S. bankruptcy of a unit of pharmaceutical maker

Hunton Andrews
Kabateck LLP
Kaplan Hecker
Lane Powell
Law Offices of Jibrael S. Hindi
McCarter & English
McDermott Will
Miller Korzenik
Nelson Mullins
Newman & Shapiro
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Robbins LLP
Ropes & Gray
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Shook Hardy
Skadden Arps
Stephan Zouras
Thompson Coburn
WilmerHale
Wilson Sonsini
Bottini & Bottini

GOVERNMENT AGENCIES IN TODAY'S NEWS

Central Intelligence Agency
Commodity Futures Trading Commission
Delaware Court of Chancery
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Florida Supreme Court
Food and Drug Administration
Indiana Attorney General's Office
Internal Revenue Service
National Institute of Standards and Technology
New Jersey Supreme Court
Texas Attorney General's Office
U.S. Attorney's Office for the Central District of California
U.S. Bankruptcy Court for the Eastern District of Kentucky
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Customs and Border Protection
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Veterans Affairs
U.S. District Court for the Central District of California
U.S. District Court for the District of Massachusetts
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Western District of Texas
U.S. Drug Enforcement Administration
U.S. Immigration and Customs Enforcement

Endo International, pressing pause on U.K. product liability suits claiming damages from the unit's vaginal mesh devices.
Read full article »

EXPERT ANALYSIS

How Contractors Can Avoid Cybersecurity FCA Violations
Recent U.S. Department of Justice settlements and remarks underscore heightened focus on cybersecurity liability under the False Claims Act, so government contractors should consider compliance measures such as conducting periodic risk assessments, being responsive to employee concerns, and more, say attorneys at WilmerHale.
Read full article »

Law Firm Inclusion Efforts Often Overlook Business Staff
Law firms committed to a culture of universal inclusion can take steps to foster a sense of belonging in their business services teams, says Jennifer Johnson at Calibrate Consulting.
Read full article »

LEGAL INDUSTRY

Four Years Later, Kavanaugh Probe Still Raising Questions
As the FBI finished its inquiry into U.S. Supreme Court nominee Brett Kavanaugh in 2018, the bureau drew ire for shuttling credible sources to a tip line it seemed to ignore. Even now, the investigation remains shrouded in secrecy, leaving some U.S. senators concerned about the integrity of future nominations.
Read full article »

Dozens Of Orgs Urge House To Pass High Court Ethics Bill
The American Federation of Teachers and Greenpeace are among the nearly 60 organizations that have co-signed a letter calling on Congress to pass an ethics bill that would create new recusal and disclosure standards for the U.S. Supreme Court.
Read full article »

Few Courts Remain Open As Hurricane Ian Barrels Toward Fla.
The impending arrival of Hurricane Ian on Wednesday closed courthouses across Florida as residents on both coasts of the peninsula prepared to feel effects from what has strengthened into a major storm.
Read full article »

Sanford Heisler Sharp Opens New Palo Alto Office
Plaintiff-side labor law firm Sanford Heisler Sharp LLP said Tuesday that it had opened a new office in Palo Alto, California, its eighth location nationwide, in a bid to step up its representation of tech workers and Asian Americans in Silicon Valley.
Read full article »

NJ Attys OK To Use Pot, Enter Cannabis Industry, Panel Says
New Jersey lawyers can consume cannabis and participate in the legal cannabis trade without fear of a professional ethics inquiry, an advisory committee for the Supreme Court of New Jersey ruled in an opinion published Tuesday.
Read full article »

LA Attys Face Bar Probe Over Genocide Settlement Payouts

U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the Southern District of Indiana
Virginia Attorney General's Office
Washington State Health Care Authority
West Virginia Attorney General's Office

The State Bar of California announced on Tuesday that it is investigating two prominent Los Angeles-area attorneys over their involvement with the reported botched dispersal of settlement funds intended for Armenian genocide victims.
Read full article »

Atty Who Allegedly Helped Witness Cheat On Bar Pleads 5th

A former law partner of disbarred attorney-turned-cooperating-witness Edgar Sargsyan — whom Sargsyan allegedly paid to take a bar exam for him — invoked his Fifth Amendment right Tuesday in an ex-FBI agent's bribery trial, refusing to answer questions that ranged from the partner's relationships with Armenian crime mobsters to gifts the FBI agent received.
Read full article »

2nd Circ. Opens Door To End Trump's Rape Defamation Suit

The Second Circuit handed former President Donald Trump a partial win Tuesday, ruling the 45th president was a U.S. employee — potentially entitling him to immunity from a writer's defamation lawsuit — and asked the D.C. Court of Appeals to analyze whether Trump's controversial statements were made within the scope of his employment.
Read full article »

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SUBJECT: Thinking Outside The Medicaid Redetermination Box
FROM: "Jack Lewis" <jack.lewis@intellaegis.com>
TO: "Heather Borski" <hborski@utah.gov>
DATE: 28/09/2022 05:30

Hi Heather,
We have the ***Medicaid Redetermination solution*** you've been looking for!
In March 2022, CMS issued the guidelines linked below for Medicaid eligibility redetermination once the PHE ends.
CMS requirements specifically state the following:
A state must make a reasonable effort to locate the beneficiary for purposes of confirming state residency and determining continuing eligibility.
"***A state may not*** terminate coverage if the state does not receive a response to the request for confirmation of a new address received through return mail" (Exhibit C graphic 1)
"During the 12-month unwinding period, ***all states must*** begin the renewal process by checking available information and ***data sources*** to attempt to redetermine eligibility without contacting the

[redacted] Title

beneficiary and requesting documentation to obtain reliable information when eligibility cannot be renewed based on available information, as appropriate." (CMS, pg. 9, sec. C)
"States may expand the number and type of data sources used during the ex parte process as well as create a data source hierarchy to prioritize sources that provide the most recent and reliable data" (pg. 34 paragraph 2)
https://www.medicaid.gov/federal-policy-guidance/downloads/sho22001.pdf
masterQueue is a contact management system that integrates multiple data sources that help states easily meet these requirements by checking off the CMS mandates and suggestions above, and more, all in one cost-effective platform.
Find out how we are helping the state of Colorado meet CMS guidelines by visiting our website and listening to an interview with the COO from the state of Colorado, or visit the link below and schedule a 15-minute phone call with us.
outlook.office365.com
https://intellaegis.com/medicaid/
Regards,
Jack Lewis
Medicaid Redetermination Specialist
530.570.9405

Intellaegis
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SUBJECT: Morning Consult Health Presented by CVS Health: Medicare MonthlyPremiums to Fall for First Time in a Decade
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 28/09/2022 06:26

MORNING CONSULT

Health

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SEPTEMBER 28, 2022

BY MATT BRACKEN

[redacted]

[redacted]

Twitter Email

New Data: Biden Faring Slightly Better With Voters on COVID-19
President Joe Biden's comments earlier this month that "the pandemic is over" required some clarification from senior health officials, who essentially made the case that what he meant to say is that the country is in a much different and better place now.

Either way, voters are warming up to how the coronavirus is being handled by Biden, who now has a net approval of plus 2 on the topic, with 48% of voters approving and 46% disapproving. That's up from a net approval of minus 4 a month ago, a rise for Biden fueled in part by independents (up to minus 5 from minus 19 over that time period).

Check out more insights on how the public's views on COVID-19 have evolved in our freshly updated "Return to Normal" tracker.

TODAY'S TOP NEWS

- Monthly premiums for Medicare's Part B plan, which offers coverage for outpatient care, will fall 3% in 2023, a savings of $5.20 for most enrollees that will likely be paired with a record-high cost-of-living increase in Social Security benefits, and helps offset the $21.60 increase in 2022 that was fueled in part by coverage of the costly Alzheimer's drug Aduhelm. President Joe Biden touted the first cost decrease for monthly premiums in a decade as a win for "millions of seniors and people with disabilities on Medicare," noting that the drop "means more money in their pockets while still getting the care they need." (The Associated Press)

- While the Senate's stopgap funding bill does not include the Biden administration's $26 billion request to combat COVID-19 and monkeypox, two Medicare programs that bolster payments to rural hospitals did make the cut, with extensions set through mid-December. The Medicare Dependent Hospital and Low-Volume Hospital programs were championed by Sen. Bob Casey (D-Pa.) and other lawmakers who are hoping to secure permanent extensions for both, while in the House, Rep. Sam Graves (R-Mo.) is pursuing similar legislation. (Modern Healthcare)

- The American Hospital Association, the American Medical Association and eight other leading medical trade groups asked the Department of Health and Human Services to delay an Oct. 6 compliance deadline to meet new federal information blocking standards by a full year. The groups said in their letter to HHS that members are pursuing "every feasible effort" to meet the deadline, but it's clear from conversations with those members that "significant knowledge gaps and confusion still exist within the provider and vendors communities with respect to implementation and enforcement of information blocking regulations." (Fierce Healthcare)

- Eisai Co. and Biogen Inc. said their experimental Alzheimer's drug lecanemab lowered cognitive and functional decline by 27% compared with a placebo in an 18-month Phase 3 study of 1,800 patients in the early stage of the disease. Eisai, a Japanese pharmaceutical company, said it would publish the results in a peer-reviewed journal and present more detailed findings at a November Alzheimer's research conference, with an eye on seeking full regulatory approval

[redacted]

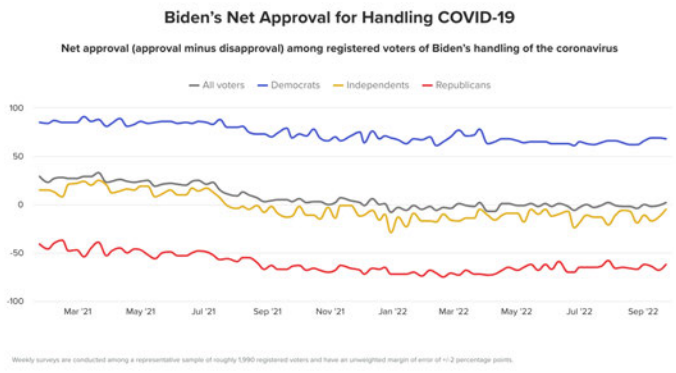
in the United States, Europe and Japan by the end of March. (The Wall Street Journal)

Worth watching today (all times local):

- **Starting at 9 a.m.** The White House Conference on Hunger, Nutrition and Health, featuring President Joe Biden, Health and Human Services Secretary Xavier Becerra and others.
- **1 p.m.** U.S. News & World Report webinar: "Charting a Path Forward for Pediatric Health Equity."
- **1 p.m.** Stat News event: "When the Barrier to a Breakthrough Drug is You Can't Make It."

CHART REVIEW

How the Public's Views on COVID-19 Have Shifted Since the Pandemic Began
Morning Consult



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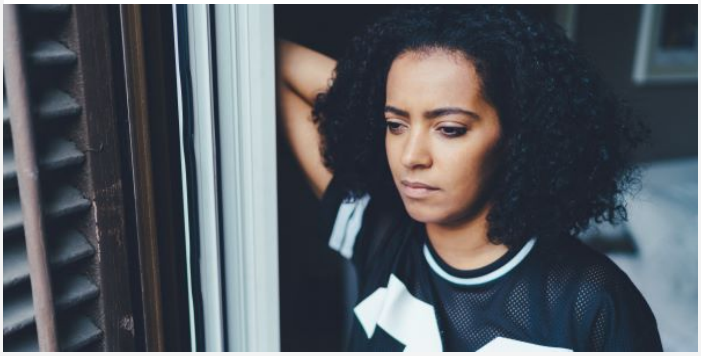

Let This Sink In: We Have an Adolescent Suicide Crisis

Suicide is the second leading cause of death among individuals between the ages of 10 and 34. But it doesn't have to be.

CVS Health has a bold goal to reduce suicide attempts 20 percent among Aetna members by the year 2025. Through evidence-based prevention, intervention and public education, CVS Health is saving lives and bringing hope to our communities. Learn more.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

U.S. FDA to review fewer emergency use requests for COVID tests
Reuters
The U.S. Food and Drug Administration said on Tuesday it will now review only a small number of emergency use authorization requests for COVID tests that are likely to have a significant benefit to public health, including fulfilling an unmet need.

Mounting evidence shows autoimmune responses play a significant role in long Covid
Aria Bendix, NBC News
Disease experts say it has become increasingly clear that an autoimmune response, in which antibodies attack the body's own healthy cells and tissue, plays an important role in some long-Covid cases.

Study links Covid-19 vaccination to small, temporary change in menstrual cycle
Naomi Thomas, CNN
People who got the Covid-19 vaccine reported slightly longer menstrual cycles, but the change was temporary, according to a new study published Tuesday in the journal BMJ Medicine.

GENERAL

Private sector to pledge $8 bln to combat U.S. hunger-White House
Reuters
The White House on Wednesday plans to unveil $8 billion in new private sector spending to combat hunger, including hundreds of millions of dollars for meals after lawmakers failed to further extend pandemic-era nutrition supports like universal school meals and increased aid to food banks.

Opioid crisis cost U.S. nearly $1.5 trillion in 2020 -Congressional report
Ahmed Aboulenein, Reuters
Fueled by the COVID-19 pandemic, the economic toll of the opioid addiction and overdose crisis on the United States reached nearly $1.5 trillion in 2020 alone and is likely to grow, a Congressional report seen by Reuters shows.

US sees increase in respiratory infections that can lead to paralysis in children, CDC data shows
Carma Hassan, CNN
Doctors should prepare for a possible increase in young patients with enterovirus D68, the US Centers for Disease Control and Prevention reported Tuesday, and that may be linked to more cases of the rare, paralyzing condition acute flaccid myelitis.

Drinking several cups of coffee every day is linked to a longer lifespan, research finds
Li Cohen, CBS News
Two to three cups of coffee a day is associated with increased longevity and a lower risk of cardiovascular disease, a new study published in the European Journal of Preventive Cardiology found. Those benefits were seen regardless of whether the coffee was caffeinated or not, or whether it was ground or instant coffee, based on an analysis of nearly 450,000 people's habits.

Study finds gaps in reporting harms from U.S. cancer screenings
Oriana Gonzalez, Axios
Reporting on the physical and psychological harms from cancer screenings is inconsistent, making it hard to compare risks with rewards and potentially exposing patients to unnecessary hazards, according to new research published Monday in the Annals of Internal Medicine.

Study tries to see if child vaccines and asthma are linked
The Associated Press
The researchers found a possible link between aluminum in vaccines and asthma, but experts caution that more work is needed to confirm the findings.

Starting School Before 8 a.m. Can Be Harmful to Teens, Sleep Scientists Say
Alex Janin, The Wall Street Journal
Moving high-school start times later could help teenagers cope with mental health issues coming out of the pandemic, say a growing number of sleep researchers and psychologists.

U.S. ramps up search for undetected polio, as vaccinations stall in New York
Alexander Tin, CBS News
Health authorities in New York's Rockland County say they have seen the pace of their emergency polio vaccination effort stall in recent weeks, amid fierce opposition from anti-vaccine groups. The first U.S. polio case in over a decade was confirmed in the county in July, in a young man who wasn't vaccinated, and health officials said the illness left him paralyzed.

Back to business: health care M&A activity expected to accelerate
Arielle Dreher, Axios
The Justice Department's failed attempt to block UnitedHealth's $13 billion acquisition of health tech Change Healthcare could bode well for other mega-deals as the nation pushes past the pandemic and health industry players firm up their growth plans.

States see record abortion questions on midterm ballots
Sandhya Raman, Roll Call
Voters in five states will have the chance to weigh in on abortion policy changes this November following the rejection of a Kansas ballot measure that sought to end a state right to abortion.

Texas AG Paxton fled home with his wife to avoid subpoena in abortion case
Kevin Breuninger, CNBC
Texas Attorney General Ken Paxton fled his home to avoid being served a subpoena Monday in a federal lawsuit filed by groups seeking to help Texans receive out-of-state abortions, court filings show.

Newsom signs another slate of abortion protections into law
Shawna Chen, Axios
California Gov. Gavin Newsom (D) continued his pledge to protect abortion access for people both in and outside of California with a new slate of bills signed into law Tuesday.

PAYERS

Walmart teams up with Kindbody to expand fertility benefits
Heather Landi, Fierce Healthcare
Walmart Associates and their dependents who are enrolled in a self-insured Walmart medical plan will now have access to Kindbody's services including fertility assessments and education, fertility preservation, genetic testing, in vitro fertilization (IVF) and intrauterine insemination (IUI).

Nebraska awards Medicaid managed care contracts to 3 insurers
Susan Kelly, Healthcare Dive
Nebraska has selected three insurers to provide healthcare coverage to the roughly 360,000 beneficiaries in the state's Medicaid managed care program, called Heritage Health. The three health plans are Molina Healthcare of Nebraska,

Centene subsidiary Nebraska Total Care, and UnitedHealthcare of the Midlands, the state announced.

Blue Cross MA rolling out virtual primary care program
Frank Diamond, Fierce Healthcare
Blue Cross Blue Shield of Massachusetts hopes to capitalize on the demand for telehealth with a new virtual primary care offering.

PROVIDERS

Hospitals altered charity care policies during pandemic, study shows
Susan Kelly, Healthcare Dive
A number of tax-exempt hospitals expanded their charity care policies during the COVID-19 pandemic, but unclear and unpublicized eligibility criteria remain common and deserve regulatory attention, according to a study published Tuesday in JAMA Network Open.

Florida hospitals cancel surgeries, transfer patients as Ian approaches
Sabrina Malhi, The Washington Post
Florida's hospitals, nursing homes and home health organizations braced Tuesday for the potentially life-threatening effects of Hurricane Ian as the storm churned toward the state's Gulf Coast.

Hospital Sues HHS Chiefs for 'Arbitrary Shortfall' in Covid Cash
Ian Lopez, Bloomberg Law
A New York hospital is suing Health and Human Services Dept. leadership for allegedly shorting it more than $50 million on Covid-19 relief funds for treatment at the height of the pandemic.

Surprise Medical Bill Rule Lawsuit Heading Toward Texas Court
Sara Hansard, Bloomberg Law
Medical providers are putting all their eggs in one basket by moving to support a federal lawsuit filed in Texas against the Biden administration's No Surprises Act rule on settling payment disputes.

Oncologists Push for Changes on Delayed Medicare Payment Model
Tony Pugh, Bloomberg Law
Radiation oncologists are crafting their own version of an embattled Medicare payment model whose launch date, much like the Artemis spacecraft, has been delayed several times.

InterWell continues expansion with acquisition of Acumen
Paige Minemyer, Fierce Healthcare
InterWell will acquire Acumen, which provides electronic health record and patient management software for nephrologists. InterWell was formed from the three-way merger of Cricket Health, Fresenius Health Partners and the original InterWell.

PHARMA, BIOTECH AND DEVICES

Research Protection Rules Standardized Under FDA Proposals
Jeannie Baumann, Bloomberg Law
Clinical researchers whose studies fall under both HHS and FDA jurisdictions will have a more consistent set of standards for protecting their study volunteers under a pair of proposed rules released Tuesday.

Morning-After Pill Makers Turn to TikTok to Reach Gen Z
Chavie Lieber, The Wall Street Journal
Amid widespread efforts to step up digital marketing for morning-after pills, more female-focused healthcare companies are turning to TikTok campaigns that encompass a mix of education and humor. Though the methods of companies like Get Stix Inc. and Hey Favor Inc. are unusual within the drug market—including memes, viral audio clips and upbeat explainers—they are becoming more common as brands across industries aim to reach Gen Z shoppers now coming of age.

A New Shot Guards Against H.I.V., but Access for Africans Is Uncertain
Stephanie Nolen, The New York Times
An injection every two months rather than a daily pill could shield many more women from the virus, but it is unavailable in places that need it most.

A Message From CVS Health:

Addressing Our Nation's Youth Mental Health Crisis

From self-esteem issues to bullying and social dynamics to social media, our teenagers are facing a variety of challenges that are directly impacting their mental health.

In recognition of Suicide Prevention Month in September, CVS Health continues to prioritize intervention, resources and support to manage suicidal thoughts and prevent suicide attempts, especially among adolescents. Learn more about CVS Health's efforts to reduce suicide.

HEALTH TECHNOLOGY

FDA official acknowledges agency's slow process for health app updates
Mario Aguilar, Stat News
The Food and Drug Administration's approach to reviewing updates to software products is far slower than consumers have come to expect for apps, a top agency official acknowledged Tuesday.

FDA says AI tools to warn of sepsis should be regulated as devices
Casey Ross, Stat News
The Food and Drug Administration on Tuesday published a list of artificial intelligence tools that should be regulated as medical devices, in some cases appearing to expand its oversight of previously unregulated software products.

FDA makes case for 'new regulatory paradigm' amid hurdles in software-oversight program
Nick Paul Taylor, MedTech Dive
The Food and Drug Administration has concluded it's impractical to implement the agency's proposed software precertification program under its current statutory and regulatory authorities.

Telehealth, in-person visits comparable in quality: study
Mari Devereaux, Modern Healthcare
Telehealth visits for primary care can be comparable in quality to in-person visits, suggesting remote testing and screenings are valuable tools to augment patient care.

Can a Telehealth Start-Up Add a Layer of Support to Pregnancy Care?
Tonya Russell, The New York Times
The goal of Poppy Seed Health is to connect underserved pregnant women to nurses, midwives and doulas who can offer on-demand assistance.

OPINIONS, EDITORIALS AND PERSPECTIVES

Hold accountable doctors who knowingly spread Covid-19 lies
Juliana E. Morris, Stat News
The California State Legislature has sent a bill to Gov. Gavin Newsom that strengthens discipline for doctors who knowingly spread Covid-19 misinformation. Legislation like this is sorely needed across the country.

[redacted] Title

RESEARCH REPORTS

The Challenge of Employer-Sponsored Health Coverage
eHealth
This report presents findings from a September 2022 survey of 1,300 people, including more than 1,000 general population respondents and over 250 owners and managers of small to mid-sized businesses. Our survey explores the pain points in employer-sponsored coverage, but it may also suggest a way forward: few of the employers we surveyed are aware of group coverage alternatives like ICHRA (Individual Coverage Health Reimbursement Arrangements) that still meet the benefit requirements of the Affordable Care Act.

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FROM: "The Studio at Harvard Chan School" <studio@hsph.harvard.edu>
TO: hborski@utah.gov
DATE: 28/09/2022 09:39

THE STUDIO | HARVARD T.H. CHAN SCHOOL OF PUBLIC HEALTH

VIEW FROM THE HILL: A CONVERSATION WITH SEN. RON WYDEN

Presented jointly with POLITICO

Wednesday, October 5, 2022, 12-12:30pm ET

Register for free to receive a link.

Sen. Ron Wyden has long pressed for reform of the mental health care system. As chair of the Senate Finance Committee, he is now leading a bipartisan effort to improve access, close coverage gaps, and expand the number of qualified providers. The Oregon Democrat will discuss mental health and his other public health priorities—including climate change, drug pricing, and abortion rights—in this Q&A with POLITICO health care reporter Krista Mahr.

Speaker

[redacted]

[redacted] Title

Sen. Ron Wyden (D-Oregon) (@RonWyden)

Moderator

Krista Mahr (@kristamahr)

Health Care Reporter, POLITICO

Go to event page

View upcoming events in our Public Health On The Brink series here.

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SUBJECT: {Tobacco Free Utah} Fwd: TCN News: News and announcements from theTobacco Control Network
FROM: "Christal Dent (DHHS)" <cdent@utah.gov>
TO: Tobacco Free Utah <hl-tobaccofreeutah@utah.gov>
DATE: 28/09/2022 10:14

Begin forwarded message:

From: "Tobacco Control Network (TCN)" <tcn@astho.org>
Date: September 28, 2022 at 10:00:16 AM MDT
To: Christal <cdent@utah.gov>
Subject: TCN News: News and announcements from the Tobacco Control Network
Reply-To: Tobacco Control Network <tcn@astho.org>

Read on for announcements from the Tobacco Control Network (TCN) and our partners.

View this email in your browser

25TH TCN ANNIVERSARY

[redacted]

TCN NEWS

News and announcements from the Tobacco Control Network

TCN ANNOUNCEMENTS

The TCN Mentoring Program is looking for mentors! TCN program managers are encouraged to complete the intake form and take part in this important peer-to-peer learning opportunity as a mentor. At least two years of program manager experience is required.

Partner Announcements

- The 2021 Behavioral Risk Factor Surveillance System data set is now publicly available.

- The following announcements are from **FDA**:
  - Brian King, director for Center for Tobacco Products, shares plans to combat youth vaping and build a strong foundation for the protection of public health through tobacco regulation.
  - FDA announced the launch of its Vaping Prevention and Education Resource Center, an online resource center which provides science-based, standards-mapped materials that teachers can use to help students understand the dangers associated with vaping and nicotine addiction.
  - As of Sept. 6, FDA has issued a total of 44 warning letters to manufacturers and over 300 warning letters to retailers for violations in relation to their sale of non-tobacco nicotine products.
  - FDA released a new Tobacco Compliance webinar, "Tobacco Entries: Updated Information for Filing ENDS Products for Import in the Automated Commercial Environment," which provides members of the import trade community important updates and reminders about filing electronic nicotine delivery systems entries in the Automated Commercial Environment.

- **NACCHO** released a report on the state of tobacco control and prevention

*The twice monthly **TCN News** provides a concise digest of tobacco control announcements to the Tobacco Control Network's membership base of tobacco control program managers and additional staff from each state, territory, and D.C., as well as our valued partners.*

UPCOMING EVENTS

How to Support Clients and Your Organization to Become Commercial Tobacco-Free – BreathEasy NC Webinar
Oct. 5, 9 a.m. ET | *Registration Required*

Training School Health Personnel in Identifying Youth Tobacco Use and Supporting Cessation – The American Academy of Pediatrics
Oct. 5, 6-9 p.m. ET | *Registration Required*

3rd International Symposium to Advance Total Worker Health® – NIOSH and the Center for Health, Work & Environment
Bethesda, MD
Oct. 11-14

Asynchronous, Self-Paced Tobacco Treatment Specialist (TTS) Training – University of Kentucky College of Nursing
Cohorts begin on Oct. 12, 2022; Jan. 11, 2023; and March 8, 2023 | *Registration Required*

Webinar Series on Lung Cancer Disparities – SelfMade Health Network
Nov. 2, 12:30 p.m. ET |

programs at local health departments, using data from the 2019 NACCHO Profile Study and the 2018 Forces of Change Report.

- The following announcements are from **Truth Initiative:**
  - A new analysis from Truth Initiative shows the high cost of the FDA's inaction, estimating that nearly 2.5 million youth and young adults (15-24 years old) have started using e-cigarettes for the first time following the missed deadline.
  - According to new research co-authored by Truth Initiative, popular nicotine pouch brands On!, Zyn, and Velo spent nearly $25 million on ads between January 2019 and September 2021, and built on marketing methods that helped recruit a generation of young people to new nicotine-containing products like e-cigarettes.

- **American Lung Association's** next cohort call series will focus on tobacco cessation treatment coverage for youth. If you are still interested in participating, please email ruth.canovi@lung.org. The next calls will take place on Monday, Oct. 3 from 1-2 p.m. ET and Monday, Oct. 17 from 1-2 p.m. ET.

- **American Academy of Pediatrics**, with funding from the American Heart Association, is providing trainings for school health personnel on identifying youth tobacco use and supporting cessation. The trainings adapt the AAP "Ask – Counsel – Treat" cessation counseling model into an educational curriculum for school nurses and other school health personnel. We are currently recruiting for two fall trainings on the dates below:
  - Wednesday, Oct. 5, 6-9 p.m. ET – Register here.
  - Monday, Dec. 5, 11 a.m. - 2 p.m. ET – Register here.

State News

- **Alaska's** governor vetoed a bill that would have raised the minimum age to purchase and legally possess tobacco products from 19 to 21 years old and

Registration Required

Agents of Change Summit 2023 – Rescue Agency
San Diego, CA
March 6-7, 2023 | *Registration Required*

30th Annual Nicotine Dependence Center Conference – Mayo Clinic
Phoenix, AZ
March 27-28, 2023 | *Registration Required*

NatCon23 – National Council for Mental Wellbeing
Los Angeles, CA
May 1-3, 2023 | *Registration Required*

FUNDING OPPORTUNITIES

Tobacco/Vape-Free College Grant – Truth Initiative
This program is offering up to $20,000 to colleges and universities to support the adoption and implementation of a 100% tobacco- and vape-free campus policy. All colleges and universities that do not already have a 100% tobacco/vape-free policy are eligible to apply.
Deadline: Oct. 12

UpRISE Advocacy Burst Mini-Grant – Center for Public Health Practice, Colorado School of Public Health
This program is offering a $1,000 award (for approximately 10 hours of participation) to five youth-serving organizations and/or schools who are interested in advocacy, and willing to introduce youth to tobacco prevention work with a social justice lens.
Deadline: Ongoing basis until April 30, 2023.

If you know of any funding opportunities that would appeal to state and territorial tobacco control programs, please send

increased tax on e-cigarettes.

- The Miami Beach City Commission in **Florida** voted to ban cigarette smoking and other tobacco products on the city's public beaches and public parks.

- A *JAMA Network* analysis of state-level data on monthly aggregate cigarette sales volumes released for consumption from January 2017 to June 2021 found that monthly cigarette sales per 1000 persons decreased in **Massachusetts** by 350.02 packs and increased in bordering states by 9.51 packs, following the implementation of the comprehensive menthol flavor ban.

IN THE NEWS

- Juul Labs sued the FDA over the agency's refusal to disclose documents supporting its order banning the company from selling e-cigarettes on the U.S. market.

- E-cigarette company Juul will pay $438.5 million to 34 states and territories in a settlement following a two-year investigation into the company's marketing and sales practices.

Research

- An *American Journal of Obstetrics & Gynecology* analysis of state-level live birth data and county-level municipal smoke-free legislation status concluded that pregnant persons living in counties with comprehensive laws were 9% less likely to have a preterm birth, compared to those living in counties without a smoke-free ordinance.

- An *International Journal of Cancer* analysis of cigarette smoking-attributable cancer deaths and associated PYLL among individuals aged 25-79 years in 2019 concluded that states with the highest overall age-standardized PYLL and lost earning rates were in the South and Midwest, with the estimated rate for PYLL per 100,000 population ranging from 352 in Utah to 1337 in West Virginia, and lost earnings ranging from $4.3 million in Idaho to $14.8 million in Missouri.

those to us at tcn@astho.org.

JOB LISTINGS

Deputy Director for Research Translation
CDC Office of Smoking and Health
Remote

President/CEO
North American Quitline Consortium
Remote

Tobacco Program Manager
Community Health Center of Southeast Kansas
Fort Scott, KS

Research Project Coordinator
Washington University in St. Louis
St. Louis, MO

ABOUT THE TOBACCO CONTROL NETWORK

The TCN's mission is to improve the public's health by providing education and state-based expertise to tobacco prevention and control at the state and national levels.

The TCN is a network of tobacco program managers and staff from state and territorial health departments as well as Funder's Alliance organizations, and a peer group of the Association of State and Territorial Health Officials (ASTHO) on behalf of the CDC's Office on Smoking and Health.

ABOUT ASTHO

The Association of State and Territorial Health Officials is the national nonprofit association representing the state and territorial public health agencies of the United

- A *Tobacco Control* analysis concluded that cigarettes per day (CPD) significantly decreased and IQOS use significantly increased, as did the percentage IQOS HeatSticks that replaced CPD for adult, daily, non-treatment-seeking cigarette smokers newly introduced to IQOS.

- A *Nicotine & Tobacco Research* analysis of electronic health record data from 104,590 COVID-19 patients hospitalized from Feb. 1, 2020 to Sept. 30, 2021 found that vaccination was more strongly associated with reduced mortality among current and former smokers than for never smokers. Among current smokers, NRT prescription was associated with reduced mortality.

States, the U.S. Territories, and the District of Columbia. ASTHO members, the chief health officials of these jurisdictions, are dedicated to formulating and influencing sound public health policy and to ensuring excellence in state-based public health practice.

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Our address:
The Association of State and Territorial Health Officials, 2231 Crystal Drive, Suite 450, Arlington, VA 22202
TCN@astho.org

mailchimp

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You received this message because you are subscribed to the Google Groups "Tobacco Free Utah" group.
To unsubscribe from this group and stop receiving emails from it, send an email to hl-tobaccofreeutah+unsubscribe@utah.gov.
To view this discussion on the web visit https://groups.google.com/a/utah.gov/d/msgid/hl-tobaccofreeutah/CACpeCih_vCSeao4%3DOqkHgE0-GbmQBn5s7WYC8rZEfGMwTqbisw%40mail.gmail.com.

SUBJECT: Rule Review - R&R - R392-302 Design, Construction and Operation ofPublic Pools
FROM: "Jonah Shaw (DHHS)" <jshaw@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 28/09/2022 13:26

David and Heather,

Attached for your review, is a proposed repeal and reenactment to R392-302 Design, Construction and Operation of Public Pools. Please let me know if you have any questions or concerns with this filing. Thank you.

Appreciatively,
Jonah Shaw
Administrative Rules Coordinator
C: 385 310-2389
jshaw@utah.gov
https://rules.utah.gov/

Utah Department of Health & Human Services

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SUBJECT: Medicare's 340B Cuts For 2022 Must End Now, Judge Rules
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 29/09/2022 01:48

LAW360 PUBLIC POLICY

Thursday, September 29, 2022 Follow

TOP NEWS

Medicare's 340B Cuts For 2022 Must End Now, Judge Rules

A Washington, D.C., federal judge vacated a Medicare payment reduction for hospitals participating in a special discount program through the end of the year, after the U.S. Supreme Court earlier this year found that the government improperly failed to gather crucial pricing information when slashing hospital reimbursement.

Memorandum attached | Read full article »

Biden Sets 125K Refugee Goal, Resisting Calls For More

President Joe Biden said the U.S. would work towards admitting 125,000 refugees during fiscal year 2023, resisting calls from human rights organizations to aim for a higher number.

Read full article »

Dominion Beats Pro-Trump Atty's Counterclaim In $1.3B Row

A D.C. federal judge threw out pro-Trump attorney Sidney Powell's abuse-of-process counterclaim in Dominion Voting System Corp.'s $1.3 billion defamation suit over statements she made about the 2020 election, ruling Wednesday that the lawyer had not pointed to any abuse.

Order attached | Read full article »

High Court Welcomes Back Public, Will Continue Live Audio

Despite allowing the public back into the U.S. Supreme Court to hear oral arguments in person for the first time in over two years, the court said on Wednesday that it will also continue its pandemic practice of livestreaming audio of arguments.

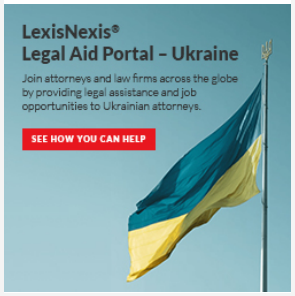
Read full article »

Free PACER Searches May Require More Money For Judiciary

A proposed bill to grant free public access to searches of federal court filings could add $77 million to the federal deficit and would require more cash for the federal judiciary but could save money in the long term, the Congressional Budget Office said in a release.

1 document attached | Read full article »

Trump Claims NY Is Judge-Shopping $250M Fraud Case



LAW FIRMS IN TODAY'S NEWS

CrossCastle
Adams & Reese
Ahdoot & Wolfson
Alexander Dubose
Allen Glaessner
Allen Stovall Neuman & Ashton
Baker & Hostetler
Bathaee Dunne
Bondurant Mixson
Caruso Smith
Chamberlain Hrdlicka
Clare Locke
Collins & Collins LLP
Consovoy McCarthy
Covington & Burling
Cravath Swaine
DLA Piper
EPGD Business Law
Epstein Becker Green
Fellows LaBriola
Finnegan
Fish & Richardson

Former President Donald Trump sought on Wednesday to have New York state's $250 million fraud lawsuit against him assigned to a judge different from the one who held him in contempt in a subpoena enforcement proceeding, rejecting the idea the cases were related.

2 documents attached | Read full article »

Senate Panel Advances 7 DC Court Picks

A U.S. Senate panel on Wednesday advanced seven of President Joe Biden's judicial picks for the local court system in Washington, D.C., including the nomination of Vijay Shanker to the D.C. Court of Appeals.

Read full article »

Jan. 6 Defendant Gets 52 Months After Feds Botched Case

A Texas man who pled guilty to one count of assaulting an officer during the Jan. 6 Capitol riot was sentenced to 52 months in prison Wednesday, having avoided even more serious counts after prosecutors admitted they broke the law by missing a deadline to charge him.

Read full article »

Analysis

Puerto Rico Hurricane Recovery Amplifies Jones Act Scrutiny

The Biden administration on Wednesday lifted restrictions on foreign-flagged ships moving goods between U.S. ports in order to expedite Puerto Rico's Hurricane Fiona recovery efforts, following intense scrutiny of the Jones Act, largely blamed for hampering shippers and logistics providers from delivering fuel and other essentials to the battered island.

Read full article »

BANKING & SECURITIES

3rd Circ. Says NJ Bank Groups Can Make Political Donations

The Third Circuit held Wednesday that a New Jersey law prohibiting banks from making political contributions does not apply to banking trade groups because they are not "carrying on the business of banks."

2 documents attached | Read full article »

SEC Says Crypto Firm Hired Trader To Pump Up Token Market

The U.S. Securities and Exchange Commission filed a lawsuit Wednesday against a Miami-based fintech firm, saying its former CEO and a hired hand helped artificially inflate the price of the company's crypto token by placing fake buy and sell bids for the currency.

Complaint attached | Read full article »

CFPB Hit With Trade Groups' Suit Over Anti-Bias Exam Policy

The U.S. Chamber of Commerce and several banking industry groups sued the Consumer Financial Protection Bureau in Texas federal court on Wednesday over its recent policy that aims to broaden the agency's policing of financial services discrimination, contending the policy goes too far and should be set aside.

Complaint attached | Read full article »

ENERGY & ENVIRONMENTAL

Judge Orders Redo On NC Dredging Rules In Win For Enviros

The U.S. Army Corps of Engineers has to rethink its decision to allow year-round dredging off the coast of North Carolina after a federal judge ruled the agency failed to adequately consider the impact it would have on local wildlife and the environment.

Frankfurt Kurnit
Fried Frank
Genova Burns
Gibbons PC
Greenberg Traurig
Habba Madaio
Hanson Bridgett
Hays Cauley PC
Hogan McDaniel
Kennedys Law LLP
Kilpatrick Townsend
Korein Tillery
Latham & Watkins
Levin Sedran
Markowitz & Richman
McElroy Deutsch
McGlinchey Stafford
McNees Wallace
Milbank LLP
Morgan Lewis
Morris Nichols
Nelson Mullins
Norton Rose
Oblon
Parker Hudson
Perkins Coie
Richards Layton
Scott & Corley
Scott+Scott
Seyfarth Shaw
Steptoe & Johnson LLP
Steptoe & Johnson PLLC
Stinson LLP
Susman Godfrey
Thompson Coburn
Venable LLP
Vinson & Elkins
Ward Smith & Hill
Wargo & French
WilmerHale
Wilson Sonsini
Winston & Strawn
Zuckerman Spaeder

COMPANIES IN TODAY'S NEWS

Aerojet Rocketdyne Holdings Inc.
American Bankers Association
American Bar Association
American Civil Liberties Union
American Hospital Association
Aon PLC
Apple Inc.
Arthrex Inc.
Assa Abloy AB
Association of Corporate Counsel
CTIA
California Labor Federation
Center for Biological Diversity
Clean Air Task Force Inc.
Colonial Pipeline Co.
Consumer Bankers Association
Cushman & Wakefield Inc.
DISH Network Corp.
DaVita Inc.
Defenders of Wildlife
E.ON UK PLC
Earthjustice
Eli Lilly & Co.
Environmental Defense Fund Inc.
Equifax Inc.

2 documents attached | Read full article »

9th Circ. Affirms FWS Win On Fish Recovery Plan Challenge

Environmental groups challenging the U.S. Fish and Wildlife Service's plan to restore populations of bull trout in the West may not pursue their claims in Montana court after losing in Oregon, the Ninth Circuit ruled Wednesday.

Opinion attached | Read full article »

DC Circ. Questions Data For EPA Air Pollution Rule Revamp

A D.C. Circuit panel questioned Wednesday whether the U.S. Environmental Protection Agency was allowed to extrapolate emissions data to rewrite rules for ozone producers under a court-imposed deadline, a method one group of energy companies has challenged as arbitrary and capricious.

Read full article »

Enviro Group Tells DC Circ. EPA Standards Worsen Pollution

The U.S. Environmental Protection Agency has once again failed to comply with consultation requirements for its renewable fuel standards between 2020 and 2022, the Center for Biological Diversity told the D.C. Circuit, arguing the new rule has the same flaws that doomed mandates in 2018 and 2019.

Motion attached | Read full article »

HEALTH & LIFE SCIENCES

Pro-Choice Advocates Say Paxton Subpoena Saga Is His Fault

Abortion rights advocates asked a Texas federal judge to reconsider his decision to let Lone Star State Attorney General Ken Paxton out of a subpoena, arguing his own personal statements on prosecuting those who facilitate out-of-state travel for abortions should put him under the legal microscope.

Motion attached | Read full article »

IP & TECHNOLOGY

Analysis

Vidal's Director Reviews Show Hands-On Approach With PTAB

U.S. Patent and Trademark Office Director Kathi Vidal is closely monitoring the Patent Trial and Appeal Board, invoking her authority to review its holdings multiple times in an indication that she aims to be proactive in clearing up ambiguity, attorneys say.

Read full article »

EMPLOYMENT & BENEFITS

10th Circ. Panel Split On Whether DOL Can Justify Wage Hike

A Tenth Circuit panel seemed divided Wednesday on whether President Joe Biden overstepped his authority when he mandated that federal contractors' hourly minimum wage be raised to $15, as the appellate court is mulling two outdoor groups' challenge to the wage hike.

Read full article »

NJ High Court Seems Open To Arbitration For College Police

The New Jersey Supreme Court pushed back Wednesday on claims by the New Jersey Institute of Technology and Rutgers University that public universities' police officers are ineligible for special arbitration via the state's Public Employment Relations Commission, questioning their positions that such institutions are not law enforcement agencies.

Read full article »

Experian PLC
First Horizon National Corp.
FirstEnergy Corp.
Fox News Network LLC
Fraternal Order of Police
Getty Images Inc.
Hulu LLC
Imperial Sugar Co.
Imperial Sugar Company
Koch Foods
Louis Dreyfus Holding BV
Meta Platforms Inc.
Netflix Inc.
Overstock.com Inc.
Pacific Legal Foundation
Pacifica Companies LLC
Pilgrim's Pride Corp.
PricewaterhouseCoopers LLP
Raytheon Technologies Corp.
Sierra Club
Southern Environmental Law Center
Spectrum Brands Inc.
Spectrum Management Holding Co.
StoneTurn Group LLP
Surgical Care Affiliates Inc.
Texas Bankers Association
The DIRECTV Group, Inc.
The University of Alabama System
TransUnion LLC
Trump Organization Inc.
Twitter Inc.
Tyson Foods Inc.
U.S. Chamber of Commerce
U.S. Sugar Corp.
UBS Group AG
United Farm Workers
UnitedHealth Group Inc.
University of Georgia
Wells Fargo & Co.
Woodrow Wilson International Center for Scholars

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Citizenship and Immigration Services
California Attorney General's Office
California Labor and Workforce Development Agency
California State Transportation Agency
Congressional Budget Office
Consumer Financial Protection Bureau
European Union
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Emergency Management Agency
Federal Trade Commission
Fish and Wildlife Service
Georgia General Assembly
Internal Revenue Service
International Monetary Fund
Maritime Administration
National Aeronautics and Space Administration

Newsom Signs Law Bolstering Farmworker Voting Rights

California Gov. Gavin Newsom on Wednesday signed legislation expanding voting rights for agricultural workers in union elections, a measure that Newsom initially declined to back.

2 documents attached | Read full article »

COMPETITION

Del. Judge Rejects DOJ's Bid To Pause Sugar Deal

The U.S. Department of Justice's recent bid to delay a merger between two major sugar companies was shot down Wednesday by a Delaware federal judge who found allowing the deal to move forward would not cause any irreparable harm and would be in the public's best interest.

3 documents attached | Read full article »

Meta Says Advertisers Keep Dropping From Antitrust Case

Meta Platforms told a California federal judge this week that advertisers keep dropping from an antitrust lawsuit against the company when they are about to be compelled to hand over information, saying the latest plaintiff to suddenly withdraw should be required to sit for a scheduled deposition.

Letter attached | Read full article »

INTERNATIONAL TRADE

Lawmakers Question True Impact Of Sanctions On Russia

The Senate Committee on Foreign Relations on Wednesday probed whether U.S. sanctions on Russia were doing enough to fend off the country's invasion of Ukraine, with committee lawmakers echoing concerns that the sanctions were falling short of expectations.

Read full article »

Fastener Co. Fights Feds Over Steel Security Tariff Bonds

Steel nail producer Oman Fasteners LLC demanded on Wednesday that U.S. Customs and Border Protection negotiate a new bonding arrangement for its imports as the government's appeal over national security tariffs continues, calling CBP's claims of its past bond misuse "fanciful."

Response attached | Read full article »

BANKRUPTCY

Calif. AG Conditionally Allows Sale Of California Senior Homes

Real estate firm Pacifica Companies LLC has been given the green light to purchase two Northern California retirement homes from a struggling nonprofit after the Golden State's attorney general conditionally approved the acquisition Tuesday.

Read full article »

Lawmakers Reintroduce Consumer Bankruptcy Reforms

Lawmakers on Wednesday reintroduced legislation aimed at streamlining the bankruptcy process for consumer debtors, which would make it cheaper and easier for them to take advantage of the insolvency system.

Bill attached | Read full article »

WHITE COLLAR

Ex-Pa. Rep. Gets 30-Month Sentence For Ballot Stuffing

A former U.S. congressman will spend more than two years in prison after pleading guilty to bribing a

National Institute of Standards and Technology
National Marine Fisheries Service
National Telecommunications and Information Administration
New Jersey Attorney General's Office
New Jersey Supreme Court
New York Attorney General's Office
Ohio Attorney General's Office
Texas Attorney General's Office
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Eastern District of North Carolina
U.S. Attorney's Office for the Eastern District of Pennsylvania
U.S. Census Bureau
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the District of South Carolina
U.S. District Court for the Eastern District of North Carolina
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Middle District of Florida
U.S. District Court for the Middle District of Tennessee
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of New York

[redacted]

Title

Philadelphia election official as part of a scheme to stuff ballot boxes in favor of Democratic candidates for judicial offices.

1 document attached | Read full article »

NATIVE AMERICAN

FCC Names New Native American Policy Leader

Federal Communications Commission Chairwoman Jessica Rosenworcel announced Wednesday that Denise Bambi Kraus will serve as the chief of the agency's Office of Native Affairs and Policy. Kraus previously served as the Federal Emergency Management Agency as national tribal affairs adviser.

Read full article »

TELECOMMUNICATIONS

Netflix Urges Ga. Judges To Reject Franchise Fee Attempt

Netflix, Hulu and other streaming service giants urged the Georgia Court of Appeals on Wednesday to affirm that they don't have to pay franchise fees to local authorities under the state's Consumer Choice for Television Act.

6 documents attached | Read full article »

Wireless Group Wants Lawmakers To Preserve FCC Auctions

The head of a major wireless industry group said Wednesday that Congress should authorize federal auctions of large swaths of spectrum in order to drive the growth of next-generation connectivity across the United States.

Read full article »

CANNABIS

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3 Calif. Cities And CHP Avoid Suit Over Destroyed Pot Plants

A California federal judge has thrown out claims against the California Highway Patrol and the cities of Napa, St. Helena and Calistoga by a pair of cannabis growers alleging that police wrongly confiscated or destroyed more than 2,500 plants, saying the growers failed to meet notice requirements.

Order attached | Read full article »

PEOPLE

DOJ's Criminal Antitrust Deputy Joins Fried Frank

Fried Frank Harris Shriver & Jacobson LLP said Wednesday that Richard A. Powers, who had been serving as the deputy assistant attorney general for criminal antitrust enforcement at the U.S. Department of Justice, has joined the firm as a partner in New York.

Read full article »

Ex-Senate Armed Services GC Joins Covington In DC

The general counsel for the Senate Armed Services Committee has left Capitol Hill to join the Washington office of Covington & Burling LLP, the firm announced Wednesday.

Read full article »

EXPERT ANALYSIS

Regulatory Changes That May Affect Investments In Wireless

A potential acquisition or investment in the wireless space requires a fulsome understanding of the regulatory environment, including a new spectrum strategy under the Biden administration, the potential for more legal challenges to Federal

U.S. District Court for the Western District of Texas
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United Nations

[redacted]

Communications Commission decisions and more, says Laura Stefani at Venable.
Read full article »

Takeaways From State Department's EB-5 Visa Delays

Nataliya Rymer at Greenberg Traurig discusses possible reasons behind the U.S. Department of State's unexpected announcement regarding processing delays for certain EB-5 visas, as well as key considerations for those potentially affected by the delays.
Read full article »

DOJ Suit Highlights Shifting Merger Enforcement Standards

The recently filed U.S. v. Assa Abloy shows the U.S. Department of Justice's willingness to litigate against problematic merger transactions even when the parties attempt to address anti-competitive concerns, but the DOJ's shift away from established case law could create new litigation opportunities for those parties as well, say attorneys at V&E.

Complaint attached | Read full article »

Twitter Whistleblower Claim Is Cautionary Tale For Employers

A former Twitter executive's recent whistleblower complaint should serve as a wake-up call for organizations employing cybersecurity professionals to respond quickly when concerns over security practices are raised, lest they face litigation, regulatory activity and reputational harm, say attorneys at Epstein Becker.
Read full article »

Apple's New Messaging Features Will Complicate E-Discovery

Apple's newest mobile operating system allows users to edit and recall messages and recover deleted messages, which could significantly increase the time, burden and expense of processing and analyzing cellphones if messages or their associated metadata become an area of scrutiny in a case, says Jarrett Coco at Nelson Mullins.
Read full article »

LEGAL INDUSTRY

Want To Make Big Bucks As GC? Join A Big-Revenue Co.

Attending a top law school, having a legal specialty like intellectual property, and working at a high-revenue company are the key drivers of in-house counsel pay, according to a new study released Wednesday. But even those attributes aren't earning raises that beat the inflation rate.
Read full article »

Why GCs Shouldn't Ignore The DOJ's New Corp. Crime Memo

General counsel would be wise to pay attention to and proactively act on the U.S. Department of Justice's new corporate crime posture, including using the agency's enforcement strategy as a chance to educate business stakeholders about the importance of investing in the compliance function, experts say.
Read full article »

ABA Issues Communication Rules For Pro Se Attys

The American Bar Association's ethics committee clarified Wednesday that lawyers representing themselves generally cannot communicate with

another represented person in the matter but must instead go through the individual's lawyer.
Read full article »

Ex-FBI Agent Denies Taking Bribes To Run Searches For Atty

A retired FBI agent took the stand in his own bribery trial in California federal court Wednesday, denying that he conducted searches on a restricted law enforcement database in exchange for cash and gifts from a since-disbarred Beverly Hills lawyer who was tangled up in criminal enterprises.
Read full article »

Ex-Ohio Utility Board Chair Wins Bid To Unfreeze Assets

An Ohio appeals court has vacated orders by a state court judge to freeze three accounts belonging to a longtime energy attorney who formerly chaired the state's public utilities board and was implicated in a massive bribery scandal involving FirstEnergy Corp.
Read full article »

Hearing-Impaired Atty Resolves ADA Claims Against CLE Co.

An attorney with hearing loss and the online continuing legal education provider against which he sought a class action lawsuit in Florida federal court for a lack of accommodations of his disability have come to an agreement to end the case.
Read full article »

ACLU Says Feds Ignored FOIA For ICE Detainee Counsel Info

The American Civil Liberties Union on Wednesday hit the U.S. Department of Homeland Security with a Freedom of Information Act lawsuit in D.C. federal court, accusing the agency of improperly withholding access to records regarding U.S. Immigration and Customs Enforcement detainees' access to counsel.
Read full article »

SC Atty, Experian Settle Dispute Over Credit Report Mix-Up

A South Carolina lawyer who accused Experian of costing her a shot at being a judge has settled her suit with the credit reporting giant, according to a Tuesday federal court filing.
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SUBJECT: Endo Opioid Claimants Question Their Slice Of Ch. 11 Deal
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 29/09/2022 03:20

LAW360 HEALTH

Thursday, September 29, 2022 Follow

TOP NEWS

Endo Opioid Claimants Question Their Slice Of Ch. 11 Deal

A committee representing individual opioid plaintiffs Wednesday told a New York bankruptcy judge they will be pushing for a larger share of the $450 million opioid settlement proposed for pharmaceutical maker Endo International's Chapter 11 plan.

Read full article »

Medicare's 340B Cuts For 2022 Must End Now, Judge Rules

A Washington, D.C., federal judge vacated a Medicare payment reduction for hospitals participating in a special discount program through the end of the year, after the U.S. Supreme Court earlier this year found that the government improperly failed to gather crucial pricing information when slashing hospital reimbursement.

Memorandum attached | Read full article »

Pro-Choice Advocates Say Paxton Subpoena Saga Is His Fault

Abortion rights advocates asked a Texas federal judge to reconsider his decision to let Lone Star State Attorney General Ken Paxton out of a subpoena, arguing his own personal statements on prosecuting those who facilitate out-of-state travel for abortions should put him under the legal microscope.

Motion attached | Read full article »

3rd Circ. Questions How Pandemic Orders Trigger Coverage

A group of businesses in New Jersey and Pennsylvania faced sharp questioning Wednesday from Third Circuit judges over how they could be eligible for insurance coverage for losses from COVID-19 shutdown orders.

Read full article »

La. Health Clinic's Ex-CEO Convicted In Medicaid Fraud

A federal jury found the former chief executive of a Louisiana health center guilty of orchestrating a scheme to defraud the state's Medicaid program by billing for fake psychotherapy classes and falsely diagnosing schoolchildren with mental health disorders.

Verdict attached | Read full article »

Jury Awards Trans Deputy Damages In Transition Surgery Suit

A federal jury awarded a deputy sheriff $60,000 in emotional damages in her suit alleging the Georgia county she worked for and Anthem Blue Cross Blue Shield unlawfully denied her health care coverage for gender transition surgery.

Verdict attached | Read full article »

POLICY & REGULATION

Calif. AG Conditionally Allows Sale Of California Senior Homes

Real estate firm Pacifica Companies LLC has been given the green light to purchase two Northern California retirement homes from a struggling nonprofit after the Golden State's attorney general conditionally approved the acquisition Tuesday.

Read full article »

LITIGATION

Novartis Gets Counterclaims Cut From Heart Drug Patent MDL

A Delaware federal judge has thrown out declaratory judgment counterclaims lodged against Novartis by two generic-drug makers in multidistrict patent litigation over Novartis' heart medication Entresto,

COMPANIES IN TODAY'S NEWS

Abbott Laboratories
American Arbitration Association
American Bar Association
American Civil Liberties Union
American Hospital Association
Aon PLC
Apple Inc.
Association of Corporate Counsel
Aurobindo Pharma Ltd.
Berkshire Hathaway Inc.
Cincinnati Financial Corp.
Comcast Corp.
Cushman & Wakefield Inc.
DaVita Inc.
Dr. Reddy's Laboratories Ltd.
Eli Lilly & Co.
Endo International PLC
Equifax Inc.
Experian PLC
FirstEnergy Corp.
Fosun International Ltd.
Fox News Network LLC
Infosys Ltd.
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Koch Foods
Macleods Pharmaceuticals Ltd.
New York University
Overstock.com Inc.
Pacifica Companies LLC
Pilgrim's Pride Corp.
PricewaterhouseCoopers LLP
Purdue Pharma LP
Raytheon Technologies Corp.
Selective Insurance Group Inc.
StoneTurn Group LLP
Surgical Care Affiliates Inc.
The Hartford Financial Services Group Inc.
The University of Alabama System
TransUnion LLC
Trump Organization Inc.
Twitter Inc.

determining that the court lacks subject matter jurisdiction.

Opinion attached | Read full article »

Chinese Pharma Co. Seeks OK Of $40M Arbitral Award

A Chinese pharmaceutical company on Wednesday asked a New York federal judge to enforce a $40 million arbitral award stemming from the breach of an investor rights agreement by a urologist who founded a New Jersey-based health system.

Brief attached | Read full article »

Paramedical Services Co. Hit With TCPA Suit Over Robocalls

A paramedical services provider that gathers information for life, disability and group insurance underwriting was hit with a proposed class action in Illinois federal court accusing the company of sending unwanted robocalls.

Complaint attached | Read full article »

PEOPLE

Littler Lands Trade Secrets, E-Discovery Talent In 2 Offices

Labor and employment firm Littler Mendelson PC continues its expansion by adding two attorneys as shareholders — a Singer Cashman LLP trade secrets expert in San Francisco and an Ogletree Deakins Nash Smoak & Stewart PC e-discovery pro in Kansas City, Missouri.

Read full article »

EXPERT ANALYSIS

Recent Cases Guide On Use Of Experts In Employment Trials

Experts can help judges and juries understand a range of issues in employment litigation, from statistical data to damages, and recent cases involving admissibility challenges provide lessons for the careful selection of experts to meet Daubert standards, say Kathleen Anderson and John Maley at Barnes & Thornburg.

Read full article »

Apple's New Messaging Features Will Complicate E-Discovery

Apple's newest mobile operating system allows users to edit and recall messages and recover deleted messages, which could significantly increase the time, burden and expense of processing and analyzing cellphones if messages or their associated metadata become an area of scrutiny in a case, says Jarrett Coco at Nelson Mullins.

Read full article »

LEGAL INDUSTRY

High Court Welcomes Back Public, Will Continue Live Audio

Despite allowing the public back into the U.S. Supreme Court to hear oral arguments in person for the first time in over two years, the court said on Wednesday that it will also continue its pandemic practice of livestreaming audio of arguments.

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Want To Make Big Bucks As GC? Join A Big-Revenue Co.

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Clare Locke
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Cooper Barton & Cooper
DLA Piper
Duane Morris LLP
EPGD Business Law
Elarbee Thompson
Feldman Shepherd
Fields Howell
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Francis Mailman
Frankfurt Kurnit
Fried Frank
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Levin Sedran
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McNees Wallace
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Seeger Weiss
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Skadden Arps
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Venable LLP
Walker Wilcox
White and Williams
Wiggin and Dana
Willkie Farr
Zuckerman Spaeder

GOVERNMENT AGENCIES IN TODAY'S NEWS

Congressional Budget Office
Consumer Financial Protection Bureau
Federal Bureau of Investigation

revenue company are the key drivers of in-house counsel pay, according to a new study released Wednesday. But even those attributes aren't earning raises that beat the inflation rate.
Read full article »

Why GCs Shouldn't Ignore The DOJ's New Corp. Crime Memo

General counsel would be wise to pay attention to and proactively act on the U.S. Department of Justice's new corporate crime posture, including using the agency's enforcement strategy as a chance to educate business stakeholders about the importance of investing in the compliance function, experts say.
Read full article »

Dominion Beats Pro-Trump Atty's Counterclaim In $1.3B Row

A D.C. federal judge threw out pro-Trump attorney Sidney Powell's abuse-of-process counterclaim in Dominion Voting System Corp.'s $1.3 billion defamation suit over statements she made about the 2020 election, ruling Wednesday that the lawyer had not pointed to any abuse.
Read full article »

Free PACER Searches May Require More Money For Judiciary

A proposed bill to grant free public access to searches of federal court filings could add $77 million to the federal deficit and would require more cash for the federal judiciary but could save money in the long term, the Congressional Budget Office said in a release.
Read full article »

ABA Issues Communication Rules For Pro Se Attys

The American Bar Association's ethics committee clarified Wednesday that lawyers representing themselves generally cannot communicate with another represented person in the matter but must instead go through the individual's lawyer.
Read full article »

Ex-FBI Agent Denies Taking Bribes To Run Searches For Atty

A retired FBI agent took the stand in his own bribery trial in California federal court Wednesday, denying that he conducted searches on a restricted law enforcement database in exchange for cash and gifts from a since-disbarred Beverly Hills lawyer who was tangled up in criminal enterprises.
Read full article »

Trump Claims NY Is Judge-Shopping $250M Fraud Case

Former President Donald Trump sought on Wednesday to have New York state's $250 million fraud lawsuit against him assigned to a judge different from the one who held him in contempt in a subpoena enforcement proceeding, rejecting the idea the cases were related.
Read full article »

DOJ's Criminal Antitrust Deputy Joins Fried Frank

Fried Frank Harris Shriver & Jacobson LLP said Wednesday that Richard A. Powers, who had been serving as the deputy assistant attorney general for criminal antitrust enforcement at the U.S. Department of Justice, has joined the firm as a partner in New York.
Read full article »

Senate Panel Advances 7 DC Court Picks

A U.S. Senate panel on Wednesday advanced seven of President Joe Biden's judicial picks for the local court system in Washington, D.C., including the nomination of Vijay Shanker to the D.C. Court of Appeals.
Read full article »

Jan. 6 Defendant Gets 52 Months After Feds Botched Case

Federal Trade Commission
Food and Drug Administration
National Institutes of Health
New York Attorney General's Office
Ohio Attorney General's Office
Pennsylvania Supreme Court
Texas Attorney General's Office
U.S. Army
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Middle District of Louisiana
U.S. Bankruptcy Court for the Southern District of New York
U.S. Census Bureau
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of South Carolina
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Florida
U.S. District Court for the Middle District of Georgia
U.S. District Court for the Middle District of Louisiana
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Texas
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Senate
U.S. Supreme Court
United States District Court for the Eastern District of Wisconsin
United States District Court for the Southern District of Ohio

A Texas man who pled guilty to one count of assaulting an officer during the Jan. 6 Capitol riot was sentenced to 52 months in prison Wednesday, having avoided even more serious counts after prosecutors admitted they broke the law by missing a deadline to charge him.
Read full article »

Ex-Ohio Utility Board Chair Wins Bid To Unfreeze Assets

An Ohio appeals court has vacated orders by a state court judge to freeze three accounts belonging to a longtime energy attorney who formerly chaired the state's public utilities board and was implicated in a massive bribery scandal involving FirstEnergy Corp.
Read full article »

Hearing-Impaired Atty Resolves ADA Claims Against CLE Co.

An attorney with hearing loss and the online continuing legal education provider against which he sought a class action lawsuit in Florida federal court for a lack of accommodations of his disability have come to an agreement to end the case.
Read full article »

ACLU Says Feds Ignored FOIA For ICE Detainee Counsel Info

The American Civil Liberties Union on Wednesday hit the U.S. Department of Homeland Security with a Freedom of Information Act lawsuit in D.C. federal court, accusing the agency of improperly withholding access to records regarding U.S. Immigration and Customs Enforcement detainees' access to counsel.
Read full article »

SC Atty, Experian Settle Dispute Over Credit Report Mix-Up

A South Carolina lawyer who accused Experian of costing her a shot at being a judge has settled her suit with the credit reporting giant, according to a Tuesday federal court filing.
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SUBJECT: Morning Consult Health Presented by CVS Health: CMS PlanningBureaucratic Buildout to Handle Drug Pricing Law, Documents Show
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 29/09/2022 06:15

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 29, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

The Centers for Medicare & Medicaid Services is planning to create a Medicare Drug Rebate and Negotiations Group, containing six divisions and 95 new full-time employees, to manage its new abilities to negotiate drug prices and discipline drugmakers engaged in price hikes, according to documents obtained by Stat News that CMS sent to lawmakers this month. (Stat News)

President Joe Biden announced more than $8 billion in private- and public-sector pledges to help fight hunger, including a commitment from Alphabet Inc.'s Google to implement new tools to aid Americans' exposure to health care and nutrition benefits, as well as a promise from Walgreens Boots Alliance Inc. to boost its in-store offerings of fresh foods by 20% by 2030. (Bloomberg) Ahead of the White House Conference on Hunger, Nutrition and Health, the Food and Drug Administration proposed new rules that would allow food manufacturers to place "healthy" labels on the front of their packages, provided the foods meet certain requirements. (The Washington Post)

CMS signed off on two state-run initiatives intended to bolster Medicaid coverage, in addition to presenting new evidence-based measures meant to boost nutritional assistance and ensure continued coverage. A key element of the Oregon demonstration will be to allow children on Medicaid to keep their coverage until they're 6 years old without any renewals required, while the Massachusetts

[redacted]

demonstration will guarantee a full year of continuous Medicaid and Children's Health Insurance Program coverage to beneficiaries following release from a correctional facility, plus two years of continuous eligibility for those facing chronic homelessness. (Fierce Healthcare)

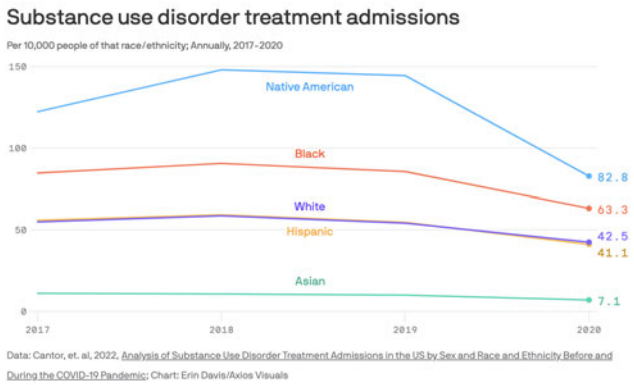
- Among individuals eligible to receive the monkeypox vaccine, those that did not get the shot were 14 times more likely to become infected with the virus than those who did, per new data from the Centers for Disease Control and Prevention, which also said it would now follow a pre-exposure prophylaxis strategy for the Jynneos shot. (CNN) With the White House's $4.5 billion request in monkeypox funding denied by Congress in the stopgap funding bill, the Biden administration is now eyeing an expected omnibus bill — which must pass by Dec. 16 — to secure the aid, while states and clinics will tap temporary funding streams in the meantime. (Roll Call)

Worth watching today (all times local):

- **10 a.m.** Medicare Payment Advisory Commission public meeting.
- **10 a.m.** House Veterans' Affairs Committee hearing: "Veteran Suicide Prevention: Capitalizing on What Works and Increasing Innovative Approaches."
- **10 a.m.** House Oversight Committee hearing: "Examining the Harm to Patients from Abortion Restrictions and the Threat of a National Abortion Ban."

CHART REVIEW

Drug treatment center admissions fell 23% during COVID
Axios



PRESENTED BY CVS HEALTH

Let This Sink In: We Have an Adolescent Suicide Crisis

Suicide is the second leading cause of death among individuals between the ages of 10 and 34. But it doesn't have to be.

CVS Health has a bold goal to reduce suicide attempts 20 percent among Aetna members by the year 2025. Through evidence-based prevention, intervention and public education, CVS Health is saving lives and bringing hope to our communities. Learn more.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

FDA authorization for updated Covid-19 boosters could be expanded to younger ages as soon as early October
Jacqueline Howard, CNN
US Food and Drug Administration authorization for updated Covid-19 boosters could be expanded to younger age groups as soon as early October, a source close to planning discussions tells CNN.

Pandemic may have altered some personalities to be more neurotic, less agreeable
Aria Bendix, NBC News
Adults became less extroverted, open, agreeable and conscientious during the pandemic, a new study found.

Merck agrees to allow Sinopharm to sell molnupiravir COVID drug in China
Reuters
Drugmaker Merck & Co said on Wednesday that it agreed to allow China's Sinopharm to distribute and import its COVID-19 antiviral molnupiravir in China if the drug is approved for use there.

Lab Monkeys Are the Latest Covid Shortage
Bruce Einhorn and Linda Lew, Bloomberg Businessweek
Beijing's ban on macaque exports—needed to test vaccines and other lifesaving drugs—could give its pharma industry an edge.

GENERAL

New Infectious Threats Are Coming. The US Probably Won't Contain Them.
Apoorva Mandavilli, The New York Times
If it wasn't clear enough during the Covid-19 pandemic, it has become obvious during the monkeypox outbreak: The United States, among the richest, most advanced nations in the world, remains wholly unprepared to combat new pathogens.

HHS report finds incidents of abuse, neglect and unauthorized release in Head Start programs

Joseph Choi, The Hill
A review by a federal oversight agency found that a quarter of Head Start grant recipients, federally funded programs that provide child care for low-income families, had incidents of child abuse, lack of supervision or unauthorized releases to adults.

Ohio minors sought abortions out of state after being sexually assaulted, affidavits say
Erik Ortiz, NBC News
In affidavits filed this month included as part of a lawsuit challenging the Ohio law — which went into effect after the U.S. Supreme Court in June overturned the landmark Roe v. Wade ruling that guaranteed a constitutional right to an abortion — two separate providers said they each had a case in which a minor was sexually assaulted and had to travel out of state to terminate their pregnancies.

How McKinsey Got Into the Business of Addiction
Walt Bogdanich and Michael Forsythe, The New York Times
The consulting firm's work with opioid makers is well known, but for decades McKinsey worked with Big Tobacco and has also advised Juul, the e-cigarette company.

Weed, vaping use by teens on the rise, as other substance abuse falls
Saleen Martin, USA Today
Young people may be abusing substances less but teens, especially those with jobs, have increased their use of marijuana, new research suggests.

Lasker Award Honors Development of Noninvasive Prenatal DNA Test
Benjamin Mueller, The New York Times
The prestigious medical prizes also recognized the creator of a global Covid dashboard and discoveries of proteins and cell bindings to fight disease.

What Happened to WHO Renaming the Monkeypox Virus?
Omose Ighodaro, Bloomberg
More than three months after the World Health Organization said it would combat the stigma and racism around the monkeypox virus with a new name, no decision has been made.

PAYERS

Centene Agrees to Pay Massachusetts $14 Million Over Medicaid Prescription Claims
Andy Miller and Samantha Young, Kaiser Health News
Massachusetts has become the latest state to settle with health insurance giant Centene Corp. over allegations that it overbilled the state's Medicaid program for pharmacy services, KHN has learned.

Commonwealth Fund: Insurance often not enough to stave off debts
Robert King, Fierce Healthcare
Even amid high levels of insurance coverage, more and more Americans are finding it difficult to afford healthcare, a new survey found.

Alzheimer's Drugs' Lofty Expectations Hinge on US Health Plan Coverage
John Tozzi, Bloomberg
Wall Street is betting that Alzheimer's treatments in development will yield billions of dollars in sales after an experimental treatment from Biogen Inc. and Eisai Co. slowed the course of the brain disease in a large trial. But those fortunes still hinge on the US Medicare program's assessment of the treatment's impact.

DaVita-Tenet-UnitedHealth antitrust case moves forward
Nona Tepper, Modern Healthcare
A proposed class-action lawsuit alleging DaVita, Tenet Healthcare and UnitedHealth Group affiliates violated antitrust law by agreeing not to hire each other's senior employees is moving forward, although UnitedHealth does not have to defend itself in the case.

Drug Price Law to Spur Creative Claims as Industry Readies Fight

Kaustuv Basu, Bloomberg Law
Medicare's drug price negotiations are poised to turn into a legal battle as the government works out rules to implement them and critics eye ways to skirt limits on lawsuits.

Cigna launching new concierge care platform called Pathwell
Paige Minemyer, Fierce Healthcare
Cigna is launching a new concierge care platform that aims to harness both the strengths of its health plan and its sister company, Evernorth.

PROVIDERS

Patients face barriers to routine care as doctors warn of ripple effects from broad abortion bans
Alice Miranda Ollstein and Daniel Payne, Politico
Patients seeking drugs to treat everything from arthritis to acne at Walgreens and CVS pharmacies in the dozen-plus states with near-total abortion bans must show extra documentation to prove that they're not using the drugs to end a pregnancy, the companies confirmed to POLITICO. Those who can't are, in some cases, being turned away.

Physician Burnout Has Reached Distressing Levels, New Research Finds
Oliver Whang, The New York Times
Nearly two-thirds of doctors are experiencing at least one symptom of burnout, a huge increase from before the pandemic. But the situation is not irreparable, researchers say.

Hospital Medicare Reimbursement Cuts From HHS Found Unlawful
Ian Lopez, Bloomberg Law
Hospitals supporting low-income Americans secured higher Medicare reimbursement rates after a federal judge declared the government's payment process "defective."

Nonprofit hospitals' vague charity care criteria
Arielle Dreher, Axios
Tax-exempt hospitals revamped their charity care policies during the pandemic, in some cases using vague language to describe who was eligible and occasionally tightening access based on immigration status, according to an analysis in JAMA Network Open.

Low-wage healthcare job benefits increase amid labor shortage
Caroline Hudson, Modern Healthcare
At 37% of hospital systems, benefit contributions charged to low-wage workers have been reduced, compared with 30% a year ago. Another 21% are considering such reductions in the next year, up from 15% last year, according to an annual survey released this week by financial-services firm Aon. The firm surveyed 145 health systems representing more than 1,200 hospitals and 2.6 million employees.

Nursing homes, senior living facilities driving healthcare bankruptcies
Ginger Christ, Modern Healthcare
Healthcare bankruptcies are on the rise, led by the long-term care sector, research by the consulting firm Gibbins Advisors shows.

PHARMA, BIOTECH AND DEVICES

J&J Says New Band-Aid and Tylenol Company to Be Named Kenvue
Peter Loftus and Kathryn Hardison, The Wall Street Journal
Johnson & Johnson said "Kenvue" will be the new name for the planned stand-alone company that will house some of the most famous brands in consumer health, including Band-Aid bandages and Tylenol medicines.

Lawmakers eye lame duck for unfinished business on insulin
Lauren Clason, Roll Call

A bipartisan Senate duo is still working to pass a bill to overhaul insulin prices, but the outlook is complicated by the messy drug pricing system, politics and a busy congressional calendar.

Lilly is accused by the federal government of discriminating against older sales reps
Ed Silverman, Stat News
In an unusual move, the U.S. Equal Employment Opportunity Commission has filed a lawsuit accusing Eli Lilly of age discrimination in hiring its sales representatives around the country.

Blood Clots Have Big Pharma Chasing $55 Billion Market
Angelica Peebles, Bloomberg Businessweek
Bristol, J&J, and Bayer are developing new treatments to prevent blood clots that reduce the risk of unintended bleeding.

Positive Alzheimer's trial results raise hopes for other experimental drugs
Jonathan Gardner, BioPharma Dive
The positive data that the companies released Tuesday could renew faith in a central hypothesis for the root cause of the disease, as well as raise hopes that similar drugs from Eli Lilly and Roche could succeed as well in now ongoing trials.

An Alzheimer's therapy scores winning results, but what could it mean for patients?
Andrew Joseph, Stat News
The trumpeting from the companies Eisai and Biogen relied on data that showed that people receiving the therapy, lecanemab, saw a slower decline versus those on a placebo. That finding was based on a .45-point difference between the groups on an 18-point scale called the Clinical Dementia Rating sum of boxes, amounting to a 27% reduction in the rate of cognitive decline.

Gilead widens battle against alleged counterfeit HIV drug ring
Brendan Pierson, Reuters
A federal judge in New York has frozen the assets of dozens of people and entities accused of operating a massive nationwide scheme to distribute counterfeit bottles of Gilead Sciences Inc HIV drugs, including two alleged "kingpins."

A Message From CVS Health:

Addressing Our Nation's Youth Mental Health Crisis

From self-esteem issues to bullying and social dynamics to social media, our teenagers are facing a variety of challenges that are directly impacting their mental health.

In recognition of Suicide Prevention Month in September, CVS Health continues to prioritize intervention, resources and support to manage suicidal thoughts and prevent suicide attempts, especially among adolescents. Learn more about CVS Health's efforts to reduce suicide.

HEALTH TECHNOLOGY

Google, Mayo, Kaiser Permanente on tackling AI's bias problem
Dave Muoio, Fierce Healthcare
Provider and tech organizations alike often say that artificial intelligence, if fully realized, could herald a new paradigm for healthcare delivery.

New FDA guidance on AI in medicine sparks strong reactions
Casey Ross, Stat News

New guidance from the Food and Drug Administration is triggering strong reaction from researchers and regulatory experts, who see it as an attempt to significantly expand the oversight of software tools used to guide clinical decisions. But they are sharply divided on whether that's a much-needed change, or a dramatic overreach by regulators.

A bionic pancreas aims to take the math out of managing type 1 diabetes
Katie Palmer, Stat News
For people living with type 1 diabetes, it pays to be good at math. Keeping blood glucose in a healthy range requires a constant stream of calculations: counting the carbs in each meal, and then finding the right dose of insulin to balance them out. But new clinical trial results from an automated insulin delivery system from Beta Bionics suggest that computation can be reliably outsourced to a machine — potentially putting better blood glucose control in the hands of more patients.

Cerebral Treated a 17-Year-Old Without His Parents' Consent. They Found Out the Day He Died.
Khadeeja Safdar, The Wall Street Journal
Telehealth startup Cerebral had software that could verify customer IDs but didn't use it to check birth dates and other details, a policy that resulted in some minors being treated without parental consent, according to former employees and documents reviewed by The Wall Street Journal.

OPINIONS, EDITORIALS AND PERSPECTIVES

How to address our nursing shortage? Start by valuing nurses more.
Leana S. Wen, The Washington Post
Even before the pandemic, there was growing concern that the aging population would require more health-care services, and stress and burnout were leading nurses to leave the bedside. Covid-19 exacerbated these problems. As surges overwhelmed hospitals, nurses often cared for so many patients at once that they feared they were providing unsafe care. Some left for this reason. Others cited concerns for their own health.

RESEARCH REPORTS

State of U.S. Health Insurance in 2022: Biennial Survey
Sara R. Collins et al., The Commonwealth Fund
The number and percentage of Americans lacking health insurance is falling to historic lows, thanks to policy changes aimed at helping people get and stay covered during the COVID-19 pandemic, as well as the recent decision by several states to expand Medicaid eligibility under the Affordable Care Act. Still, a large number of people in the United States remain uninsured or inadequately covered, a situation that will worsen when some temporary pandemic measures expire.

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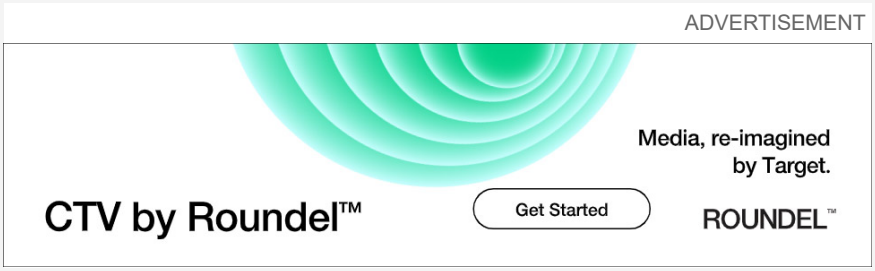
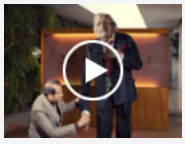


TOP STORY

Alto creates a musical led by a corpse for Upwork


(Upwork/YouTube)

Alto created a "This Is How We Work Now" campaign for Upwork that features a humorous short film where a company's boss returns from the dead to show there's a better way of working, and it involves flexibility and freelancers. The ad morphs into a musical with the cast singing an original song and the spot is running in various lengths, alongside 15 other original ads. **Full Story:** Muse by Clio (9/28), Adweek (9/28), MediaPost Communications (free registration) (9/28)

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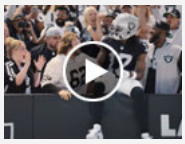
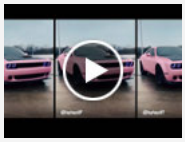
CREATIVE

Tide tells NFL fans to clean their lucky jerseys

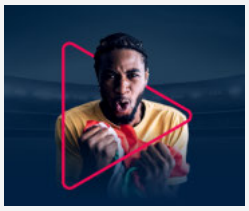

(Tide/YouTube)

Tide is urging NFL fans to give their lucky clothes a wash with the help of the Las Vegas Raiders' Davante Adams and other players in a campaign that's running across TV and social, including TikTok, Twitter, Twitch and Instagram. A 30-second spot, created by Saatchi & Saatchi and Woven Collaborative, shows Adams jumping into the stands after scoring a touchdown to have a word with a fan who hasn't washed his lucky jersey for years and give him some Tide Hygienic Clean Pods. **Full Story:** Ad Age (tiered subscription model) (9/28)

GSD&M spotlights Dodge drivers in "Real Brotherhood"


(Dodge/YouTube)

GSD&M created a "Real Brotherhood of Muscle" campaign for Dodge that features an anthem 60-second spot showcasing user-generated content from car owners. The push is running across TV, social media and digital with Dodge drivers encouraged to share their own clips using #RealBrotherhood. **Full Story:** MediaPost Communications (free registration) (9/28)



Football is truly the world's sport

Football fans are more likely than the general population to be influenced by sponsorship, affecting how they perceive a brand and what they're likely to buy. How will you make the most of it? **Learn more.**

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AGENCY INSIDER

What agencies can do to nurture Hispanic talent

Agency executives talk about what the industry can do to attract and nurture Hispanic talent, including Droga5's Harry Roman-Torres who advises leaders to advertise their willingness to mentor on LinkedIn and Burns Group's Arturo Gigante who notes the importance of giving Hispanic talent access to training. Roman-Torres also recommends agencies get involved with trade organizations, like the 4A's Multicultural Advertising Intern program, which is organizing a Latinx-specific initiative. **Full Story:** Adweek (9/27)

Why the ad industry should adopt sexuality offsetting

The ad industry should replicate its carbon offsetting initiatives with sexuality offsetting, meaning advertisers that use sex to sell also take responsibility to address consequences, such as investing in contraception education and provision, writes Sue Unerman, MediaCom's chief transformation officer. "Making this change, a change to ensure a better outcome for women and girls through media, in terms of responsibly offsetting sexuality, will ensure a more equal future for the world," Unerman writes. **Full Story:** Campaign US (tiered subscription model) (9/27)

8,200+ marketers weighed in on today's trends.
Marketing is on the move. In our latest State of Marketing report, uncover insights from over 8,200+ leading marketers worldwide. Learn the five major trends set to rock the industry, so you can strengthen your strategy — and your career — for the year ahead. **Read now.**

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Detour ahead: How restaurants are evolving

AGENCY NEWS

Omnicom unseats WPP as Most Effective Holding Group

Omnicom is now the Most Effective Holding Group, according to the Global Effie Effectiveness Index, stopping WPP's winning streak that's been going strong since 2012. WPP took second place, followed by IPG, Publicis and Dentsu, while McCann Worldgroup was named Most Effective Agency Network for the fourth consecutive year. **Full Story:** MediaPost Communications (free registration) (9/28)

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MEDIA & TECHNOLOGY TRENDS

Twitter vows to fix ads near child sexual abuse profiles

Reuters' review of research from cybersecurity group Ghost Data revealed that ads from more than 30 top brands appeared on the profile pages of users "peddling links to ... exploitative material." Twitter told advertisers via email that it is suspending ads on profiles and updating its detection system, among additional steps to address the issue. **Full Story:** Reuters (9/28), Engadget (9/28), Social Media Today (9/28)

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AI for business

Get Proactive and Predict Business Outcomes

Today's marketers need to get proactive by predicting future customer behavior. In this virtual event, Neil Hoyne, Chief Measurement Strategist at Google, and Zohar Bronfman, CEO and co-founder of Pecan, explore how marketers can maximize customer value and engagement with AI. **Learn more.**

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LEGISLATIVE & REGULATORY

4A's says more time needed on FTC's privacy proposals

The American Association of Advertising Agencies is among industry groups that have jointly written to the Federal Trade Commission requesting more time to respond to proposed privacy rules related to what the FTC terms as "commercial surveillance." The groups state in their letter that the FTC "seeks to develop a record to establish a rule that would fundamentally alter the modern economy." **Full Story:** MediaPost Communications (free registration) (9/28)

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Muriel Spark
writer, poet

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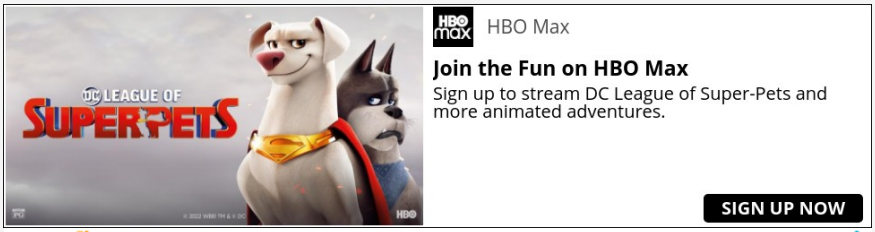

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SUBJECT: September 29, 2022 - HHS approves Mass., Ore. Medicaiddemonstration waivers
FROM: "AHIP Solutions SmartBrief" <ahip@smartbrief.com>
TO: hborski@utah.gov
DATE: 29/09/2022 08:52

Created for **hborski@utah.gov** | Web Version

September 29, 2022

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TOP STORIES

HHS approves Mass., Ore. Medicaid demonstration waivers

HHS approved Oregon's section 1115 demonstration waiver to allow the state's Medicaid program to provide continuous coverage to children until 6 years of age and offer expanded housing and food support to beneficiaries. The agency also approved a demonstration waiver from Massachusetts that will allow the state Medicaid program to provide up to one year of continuous coverage to children and adults who were released from a correctional facility, up to two years

of continuous eligibility for people without stable housing, and up to a year of food and housing assistance for pregnant women and children with special health needs. **Full Story:** Health Payer Intelligence (9/28)

CDC shifts to PrEP strategy for monkeypox vaccination

Walensky (Getty Images)

The CDC has released new data on the efficacy of a single dose of the Jynneos monkeypox vaccine that shows it offers some protection and that at-risk individuals who have not gotten a vaccine have a 14-fold risk of getting infected, according to preliminary data. CDC Director Rochelle Walensky said the agency is shifting its approach to a pre-exposure prophylaxis strategy so that at-risk individuals will be able to get the vaccine before potential exposure. **Full Story:** CNBC (9/28), Reuters (9/28)

What makes a payment process successful?
Payers are no strangers to real-time and other emerging payment options, however, implementing these into payment processes seems to be a challenge. The B2B Payments in Healthcare study offers an in-depth look at modernization tactics prioritized by payment executives for successful payment processes. **Review the study here.**

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PROVIDERS & SUPPLIERS

USPSTF: Screen at-risk adolescents, adults for syphilis

Asymptomatic nonpregnant adolescents and adults who have ever been sexually active and have risk factors for syphilis should be screened for the sexually transmitted infection routinely, according to a US Preventive Services Task Force recommendation statement in the Journal of the American Medical Association. Two physicians from Johns Hopkins University wrote an accompanying editorial calling for at-home sample collection and at-home rapid testing. **Full Story:** MedPage Today (free registration) (9/27)

Case Study: HIPAA EDI Validation & Compliance
Improve compliance and free up IT resources for key projects. Discover how by leveraging PilotFish's integration solution, with its specialized X12 EDI features, an organization benefitted from robust data integration and accurate validation and was able to achieve its goals in **this case study**.

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MEDICAL UPDATE

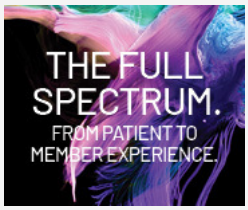
Experts worry about public reaction to vaccine study

(Pixabay)

A recent study found potential links between childhood vaccines that contain aluminum adjuvants and children's risk for asthma and allergies, but a causal link was not established, and the study's lead author says the benefits of vaccines greatly outweigh the risks. Paul Offit of Children's Hospital of Philadelphia said the study was flawed, researchers didn't account for other ways children are exposed to aluminum, and findings were inconsistent. Michael Osterholm, director of the University of Minnesota's Center for Infectious Disease Research and Policy, and Drexel University pediatrics professor Sarah Long said the findings might contribute to vaccine hesitance, but it's important to study vaccine safety and be transparent about the findings. **Full Story:** The Associated Press (9/27)

Adults with obesity cut T2D risk with any weight loss

Lower risk for developing type 2 diabetes was seen in adults with obesity who undertook any type of weight-loss plan, but the effect was not seen in adults of normal weight who did the same, according to research published in the journal PLOS Medicine. Researchers examined data on 104,180 adults from the Nurses' Health Study, Nurses' Health Study II and Health Professionals Follow-Up Study. **Full Story:** Healio (free registration) (9/28)



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TOUCHPOINTS PODCAST

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Bridging the digital divide in health care

The adoption of digital solutions in health care has steadily increased in recent years in an effort to ensure uninterrupted and safe patient care amid the COVID-19 pandemic. While the shift has fostered greater adoption of digital solutions and advancements in care, it has also further highlighted social determinants and inequities that factor into the digital divide in health care. **Listen to the podcast**.

EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

Insurers back White House's initiative to address hunger

More than 100 public and private stakeholders pledged billions of dollars in financial commitments and related initiatives to support the Biden administration's "food is medicine" initiative to address hunger, health and food insecurity. Kaiser Permanente pledged $50 million toward programs addressing food and nutrition insecurity or diet-related illnesses, while SCAN Health Plan will join the Sync for Social Needs coalition, which aims to standardize sharing of patient data on food insecurity and other social determinants of health. Blue Cross and Blue Shield of North Carolina Foundation plans to roll out a $3.5 million initiative to improve access to healthy food. **Full Story:** FierceHealthcare (9/28)

Pilot program studies tailored meals as medicine

The concept of medically tailored meals delivered to patients' homes got its start during the early stages of the HIV/AIDS epidemic, and nutrition experts hope the idea will continue to expand for the good of ill and underserved Americans. The White House Conference on Hunger, Nutrition and Health detailed a pilot program to study the effectiveness of covering the special meals under Medicare Advantage plans. **Full Story:** USA Today (9/28)

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CareSource Launches Opportunity Investment Fund to Support Health and Community Initiatives in Iowa

Magellan Healthcare's eMbrace Offers a Fresh Approach to Employee Assistance Programs

Point32Health Announces Three Finalists in First Annual Innovation Challenge Symposium

Chase's New Normal with Finger Prosthesis
"It is important to learn new skills after hand trauma," he explains. "After a loss is the best time to explore something new because there is no benchmark of success to meet. You have to find your new normal in the little things."
Read his full story here.

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SOLUTIONS PROVIDER NEWS

New athenahealth Research Finds that Telehealth Fills Care Gaps for Patients

Blue Health Intelligence Names Divya Srungaram to Spearhead Product Management

Cotiviti Blog: Fraud, Waste, and Abuse Insights: Spotting overpayments in mental health services

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PHARMA NEWS

"Rainbow" warnings shine light on risks of fentanyl

"Rainbow fentanyl" is the subject of warnings due to its colorful, candylike appearance and potential appeal to children, but officials say the synthetic opioid is dangerous whatever form it comes in. The rate of overdose deaths in the US appears to have risen 44% since before the pandemic. **Full Story:** CNN (9/25)

New drug may reduce progression of Alzheimer's disease

Lecanemab, an experimental Alzheimer's disease drug manufactured by Biogen and Eisai, significantly controlled the disease's progression in a study of 1,800 patients in early stages of the disease. The companies said the medication decreased study subjects' functional and cognitive decline by 27% over an 18-month period, compared with placebo. **Full Story:** The Wall Street Journal (9/27), CNN (9/28)

WHO unveils recommended viral composition for 2023 flu vaccines

(Zowy Voeten/Getty Images)

The World Health Organization has released its recommended viral composition for influenza vaccines to be used in 2023 for the southern hemisphere flu season that pharmaceutical companies and national vaccine regulatory agencies will use to develop, manufacture and license vaccines for the next season. The recommendation for the egg-based quadrivalent vaccines is based on the guidance provided by experts from the agency's Collaborating Centres and Essential Regulatory Laboratories. **Full Story:** PMLive (UK) (9/27)

POLICY WATCH

GAO: Patients must be informed of telehealth privacy risks

The CMS should adjust service codes to give health care providers more billing options for telehealth and virtual appointments and should enforce stricter procedures to ensure patients are advised of privacy and security risks associated with telehealth and virtual care, according to a Government Accountability Office report. The HHS Office for Civil Rights should provide education and outreach to help health care providers convey privacy and security risks to patients in plain language, the report said. **Full Story:** Nextgov (9/27)

AHIP NEWS

Find better candidates faster with AHIP's Career Center

Ordinary job boards have their pros and cons. But the AHIP Career Center is all pros! Unlike mass market sites, the AHIP Career Center was created for health care professionals. With data tools that get you from pre-interview to onboarding faster. It's the better way to target health care's best and brightest. Start recruiting now!

Webinar: Big data, better outcomes -- register today

Join us on Wednesday, Oct. 12, from 1 to 2 p.m. ET for "Is Your Data Working for You?" as ActiveHealth Management shows how big data can improve our understanding of how to achieve better health outcomes. They'll share results of an independent third-party validated study demonstrating cost savings that can come from effective use of clinical insights.

Where does your health care dollar go?

Americans deserve to know how their premium dollars are used. To provide that insight, AHIP has updated its Health Care Dollar, analyzing three years of data -- from 2018 through 2020 -- of where premium dollars are spent in the commercial market (employer-provided coverage and individual market). The analysis shows that 82.4 cents of every premium dollar go to prescription drugs and medical services -- up from 81.6 cents from its last analysis released in 2020. Check out the AHIP Health Care Dollar.

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Muriel Spark
writer, poet

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TO: hborski@utah.gov
DATE: 29/09/2022 09:00

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[redacted] Title

PUBLIC HEALTH WEEKLY

September 29, 2022

Improving School Workforce Capacity to Address Youth Mental Health

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Legislative Alert: Summary of FY23 Continuing Resolution

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THIS WEEK'S HIGHLIGHTS

ASTHO Visits White House for Recovery Month Summit | In honor of National Recovery Month, the White House held a summit on Sept. 23 where the administration introduced new actions and funding to address the overdose epidemic and support recovery. ASTHO's Carolyn Mullen, senior vice president of government affairs and public relations, and Jeffrey Ekoma of the government affairs team **were in attendance**. You can **hear more about their experience in this episode** of ASTHO's daily newscast.

ASTHO Attends White House Conference on Hunger, Nutrition, and Health | ASTHO CEO Michael Fraser attended yesterday's White House Conference on Hunger, Nutrition, and Health, a unique convening of advocates, lawmakers, and experts to end hunger, improve nutrition and physical activity, and reduce disparities. Learn more about the event and ASTHO's work to promote healthier eating policies in **our latest press release**.

Staying in Gear this Fall | Immediate Past ASTHO President Nirav Shah (SHO-ME) joined **Maine Calling**, a local Maine radio station, to provide an update on COVID-19, boosters, the flu, and more. While Shah understands that many folks are over the pandemic, he reminded his audience that "from a public health perspective, we are not taking our foot off the gas."

Insight and Inspiration | Join ASTHO on Oct. 23 for our upcoming Insight and Inspiration webinar with **Stephen Shedletzky**, executive coach and one of Simon Sinek's master trainers. Don't miss Shedletzky present Sinek's Golden Circle framework and help attendees identify the WHY that drives their work. **Learn more and register here.**

LATEST ASTHO RESOURCES AND EVENTS

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New Resource

Legislative Alert - Federal Home Visiting Reauthorization Bill Moves Forward

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Report

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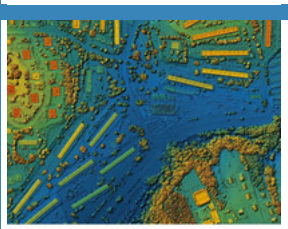

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States Use Data Visualization Tools to Address Health Concerns

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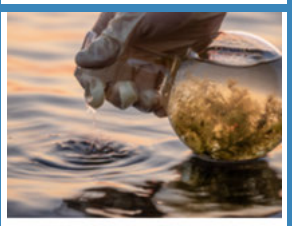

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Classroom Mental Health** | Sharon Hoover, National Center for School Mental Health
- **Oregon's Regional Health Equity Coalitions** | Jeffrey Ekoma, ASTHO
- **Minnesota Eyes Maternal Disparities** | Brooke Cunningham, Minnesota Department of Health
- **Tracking Polio in New York** | James McDonald (SHO Designee-NY)
- **Urging COVID-19 Booster Uptake** | Steven Stack (SHO-KY), ASTHO president-elect

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PUBLIC HEALTH REVIEW PODCAST

- **Improving Health Equity With Data** | Nicole Alexander-Scott (alumni-RI) | Harry Chen (alumni-VT) | Anna Bradley, MS, Montana Department of Public Health and Human Services
- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network

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PUBLIC HEALTH REVIEW

ASTHO IN THE NEWS

- **'Shocking' Rise in STIs During COVID Alarms Health Workers.** | *The Pews Charitable Trust* | Kate Heyer, ASTHO
- **The United States is prepared for terrorists, not anti-vaxxers.** | *Raw Story* | Marcus Plescia, ASTHO CMO

• **Is COVID 'Under Control' in the US? Experts Say Yes.** | *Kaiser Health News* | Marcus Plescia, ASTHO CMO
• **Moderna Covid-19 Booster Shortage Leads to Fewer Appointments at Pharmacies.** | *The Wall Street Journal* | Marcus Plescia, ASTHO CMO

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higher logic

SUBJECT: New from NICHQ: The Importance of Gender-Affirming Healthcare forChildren and Families, Communities of Practice for Early ChildcareProviders, NICHQ welcomes new board members, and more!
FROM: NICHQ Communications <communications@nichq.org>
TO: hborski@utah.gov
DATE: 29/09/2022 12:19

In this edition, learn about the importance of gender-affirming healthcare for children and families, watch a webinar with strategies to improve outcomes for families affected by Substance Use Disorder in pregnancy, and register for our upcoming Breastfeeding and Safe Sleep Community of Practice meetings.
Scroll for your monthly dose of inspiration!

As more and more youth live their gender identity openly to achieve their

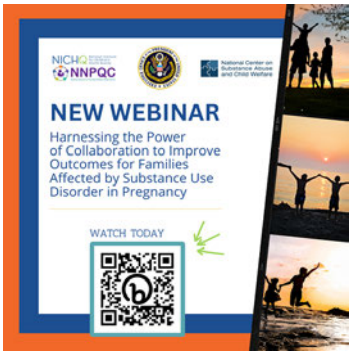
optimal health, many of them experience discrimination, stigma, restricted access to medical care and mental healthcare, and increasingly, legislation on their bodily autonomy. In 2022 alone, more than **335 pieces of legislation** aimed at controlling the existence of gender-diverse children and adolescents were introduced in state legislatures. And in July, **10 anti-LGBTQI+ laws went into effect**, all education-related and ranging from banning classroom discussions of gender and sexuality to restrictions on sports teams that transgender students can join and restrictions on the bathrooms, lockers, and other facilities that transgender students can use.

According to the American Academy of Pediatrics (AAP) in its policy statement ***Ensuring Comprehensive Care and Support for Transgender and Gender-Diverse Children and Adolescents***, more gender-diverse youth and their families are presenting to pediatric providers for education, care, and referrals as a traditionally underserved population that faces numerous health disparities. The AAP acknowledges that the need for more formal training, standardized treatment, and research on safety and medical outcomes often leaves providers feeling ill-equipped to support and care for gender-diverse patients and their families. Here are three strategies providers can use to facilitate gender-affirmative care.

READ MORE

Webinar Recording – Harnessing the Power of Collaboration to Improve Outcomes for Families Affected by Substance Use Disorder in Pregnancy

THE WHITE HOUSE OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP), THE NATIONAL NETWORK OF PERINATAL QUALITY COLLABORATIVES (NNPQC) COORDINATED BY THE NATIONAL INSTITUTE FOR CHILDREN'S HEALTH QUALITY (NICHQ), AND THE NATIONAL CENTER ON SUBSTANCE ABUSE AND CHILD WELFARE (NCSACW) RECENTLY HOSTED A WEBINAR ON IMPLEMENTING PLANS OF SAFE CARE (POSC) TO SUPPORT INFANTS, PARENTS, AND CAREGIVERS AFFECTED BY SUBSTANCE USE DISORDER. THIS WEBINAR SUPPORTED THE BIDEN-HARRIS ADMINISTRATION'S DRUG POLICY PRIORITY TO "EXPLORE, IDENTIFY BARRIERS, AND ESTABLISH POLICY TO HELP PREGNANT PEOPLE WITH SUBSTANCE USE DISORDER (SUD) OBTAIN PRENATAL CARE AND ADDICTION TREATMENT WITHOUT FEAR OF CHILD REMOVAL."



WATCH

New York State Department of Health (NYSDOH)

New York State Obstetric Hemorrhage Project

Release Date: September 2022

NEW YORK STATE OBSTETRIC HEMORRHAGE TOOLKIT

The goal of the NYS Obstetric Hemorrhage Project was to reduce maternal morbidity and mortality statewide by translating evidence-based guidelines into clinical practice to improve the assessment for and management of obstetric hemorrhage. This quality improvement collaborative engaged teams from 83 NYS birthing hospitals from diverse geographic areas and included 17 Regional Perinatal Centers (RPCs), 23 Level III birthing hospitals, 18 Level II birthing hospitals, and 25 Level I birthing hospitals.

VIEW TOOLKIT

This resource was developed by the New York State Department of Health. NICHQ supports the NYSDOH in a variety of maternal and child health collaboratives.

NICHQ will continue to convene six Community of Practice (CoP) groups from September 2022-March 2023. CoPs include Birthing Professionals, Community Advocacy Organizations, Community-Based Home Visitors, Early Childcare Providers, First Responders, and Researchers. Each group will convene twice to continue to address policies, improve skills, and learn from each other's experiences in the areas of safe sleep and breastfeeding.
National Action Partnership to Promote Safe Sleep Improvement and Innovation Network (NAPPSS-IIN)

Community Action Organizations are invited to register for our Oct. 20 CoP focused on sharing data to support communities where infant mortality rates continue to climb.

REGISTER

VIEW SCHEDULE

NICHQ WELCOMES THREE NEW BOARD MEMBERS

LATOSHIA ROUSE, CD/PCD(DONA)

LaToshia Rouse, CD/PCD(DONA), is a birth and postpartum doula, a patient and family engagement consultant, and owner of Birth Sisters Doula Services. She contracts with several organizations such as PFCCpartners to offer her expertise in patient engagement and DEI.

JEANETTE BETANCOURT, ED.D.

Jeanette Betancourt, Ed.D., is the Senior Vice President for U.S. Social Impact at Sesame Workshop, the global nonprofit educational organization whose mission is to help all children become smarter, stronger, and kinder.

LAURIE DORAN, MPH

Laurie Doran, MPH, has more than 20 years of experience developing strategies and programs to capitalize on the changing requirements of a rapidly evolving healthcare marketplace. She partners with health plans, providers, and government programs on initiatives focused on operations, policy, and finance.

READ MORE

Kelly Edwards, MPH
Senior Project Manager

Hear from Kelly Edwards as she discusses her journey from NICHQ intern to Senior Project Manager and shares highlights and key takeaways from the six NICHQ projects she's supported during her three-year tenure.

"This work can often change on a dime – things like funding changes, administration and policy changes, turnover, etc. Being able to lean on developed, positive relationships with people to get through challenges together, no matter if they're small challenges or systemic challenges, is key."

READ MORE

Kelly Edwards, MPH

(Pictured (L-R): FL CMS LAN Improvement Advisor Ginna Crowe, Sandra Widland, Kelly Edwards, and FL CMS LAN Improvement Advisor Sue Butts-Dion at aTampa, FL meeting.

FOUR IN 5 PREGNANCY-RELATED DEATHS IN THE U.S. ARE PREVENTABLE [CDC]

According to 2017-19 data from Maternal Mortality Review Committees, more than 80% of pregnancy-related deaths were preventable.

REPORT: OPTIMIZING EHR USABILITY IS NECESSARY TO IMPROVE CARE COORDINATION [NATIONAL QUALITY FORUM]

[redacted]

Title

Efforts to optimize EHR usability for patients, caregivers, and clinicians are necessary to improve care coordination, according to a National Quality Forum (NQF) report that outlines five recommendations to make EHRs more useful in measuring and identifying areas for improvement.

FOUR REASONS WE NEED SCHOOL NURSES NOW MORE THAN EVER [ROBERT WOOD JOHNSON FOUNDATION]

An advocate for school nurses reflects on the central role they play in advancing health equity within schools and communities.

SPREAD THE WORD ABOUT CHILDREN'S HEALTH MONTH!

Share this post on social media – it's optimized for LinkedIn. Make sure you're following @NICHQ!

October is #ChildrensHealthMonth!
Each year, **Children's Health Month** raises awareness about the importance of protecting our children's health from environmental hazards in places where they live, play, and learn. In millions of homes across the U.S., children are living and playing while being exposed to the damaging effects of lead. Improving systems of care requires improving provider education. Read about a family who witnessed this need firsthand. https://bit.ly/3E1lypl

We received feedback that a stock photo used in August's NICHQ News appeared to depict disrespectful body language from a public health professional who is white to a parent who is a person of color. Recognizing that we all interpret imagery differently, we will take more time to evaluate all the body language in a stock photo and consider power dynamics from multiple viewpoints. We always appreciate your feedback.

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National Institute for Children's Health Quality (NICHQ), 308 Congress Street, 5th Floor, Boston, Massachusetts 02210, United States, 617-391-2700
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SUBJECT: COVID-19 & The Health Equity Data Gaps - AJPH October Issue
FROM: "Alfredo Morabia" <apha@apha.org>
TO: hborski@utah.gov
DATE: 29/09/2022 12:37

[redacted]

[redacted] Title

Dear Heather,

The October issue of *AJPH* features a special section on COVID-19 and health equity data. Select articles cover the impact of the pandemic among minority communities, the toll of hate incidences, and the collection of disaggregated data.

Here are a few of the many articles in the October 2022 issue:

- Podcast: "Reproductive Rights After the Supreme Court Decision on Dobbs v. Jackson" (Watch as a video)
- Piloting Public Health
- Disparate Impact of the COVID-19 Pandemic and Health Equity Data Gaps
- The Accumulation of Disadvantage: Black Children, Adolescents and COVID-19 Data Inequity
- Surveying Hate and Its Effects During the COVID-19 Pandemic Among Asian Americans and Native Hawaiians and Pacific Islanders
- Building Public Health Surveillance 3.0: Emerging Timely Measures of Physical, Economic, and Social Environmental Conditions Affecting Health
- Lost Lessons of the 1918 Influenza: The 1920s Working Hypothesis, the Public Health Paradigm, and the Prevention of Deadly Pandemics
- US Black–White Differences in Mortality Risk Among Transgender and Cisgender People in Private Insurance, 2011–2019
- Hourly Wages and Turnover of Community Health Workers According to US State Certification Policy and Medicaid Reimbursement, 2010–2021

The mission of AJPH is to advance public health research, policy, practice and education. Toward that goal, the journal also produces monthly podcasts available in English and Chinese at ajph.org. The monthly podcasts are also on iTunes and Google Play.

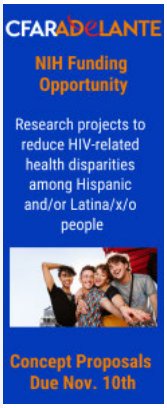
Be on the lookout for more timely research from AJPH, and consider subscribing or becoming an APHA member for full access.

In good health.

Alfredo Morabia, MD, PhD
Editor-in-Chief, AJPH
@AlfredoMorabia
@AMJPublicHealth

Join APHA and get full access to AJPH, the official journal of the American Public Health Association.

AJPH Podcast



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APHA 2022
ANNUAL MEETING & EXPO
BOSTON | NOV. 6 - 9

[redacted]

[redacted] Title

Thank you for all you are doing to address the ongoing pandemics of COVID-19 and racism. Please share our COVID-19 guidance in English and Spanish and read our statement on racism as you join in the chorus for justice. Our Advancing Racial Equity and COVID-19 Conversations webinars and COVID-19 and racism pages are also great resources for you and the public.

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higher logic

SUBJECT: Second Gentleman Douglas Emhoff on Reproductive Rights
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 29/09/2022 13:22

THE WHITE HOUSE
WASHINGTON

Women's Community Update

Friends - Today, GQ Magazine published an interview featuring Second Gentleman Douglas Emhoff on the importance of protecting access to reproductive health care and abortion. In the wake of the Supreme Court decision, overturning Roe v. Wade, the Second Gentleman encourages men to join him in supporting and advancing reproductive freedom. He also highlights the need for pay equity, and increased access to child care and family leave.

The article and an excerpt featuring the Second Gentleman can be found below,

[redacted]

along with social media.

Interview:
GQ Magazine: "We Believe That Access to Abortion Is a Basic Human Right"

"My 81-year-old mother is somehow going to enjoy more reproductive freedom for the majority of her life than my daughter."

By Douglas Emhoff
This is one of the only times in our history that a fundamental, well-established right has been taken away by an activist court. It's just completely inappropriate on so many levels. It has angered me from the time the draft opinion came out. I'm trying to channel this anger into action, but the first thing I thought about was my daughter Ella, who's 23, and her grandmother Barbara, who's 81. Think about it: My 81-year-old mother is somehow going to enjoy more reproductive freedom for the majority of her life than my daughter. That's just not okay. And I'm going to do everything I can for as long as I can to make sure that gets rectified.

Now that I'm in this position, I have a microphone and I have access to talk to some folks. I've spoken with doctors and leaders in the medical profession, and you realize it's not just about abortion, it's about health care in general. Because of the absurdity of this Dobbs decision, it has wreaked havoc on the medical profession. You've got doctors with women on operating tables having to call risk management or a lawyer or an insurance company before they can move forward with lifesaving care. It's just completely, completely inappropriate.

My wife, the vice president, was on Air Force Two flying to an event when the news hit. She was able to watch it and she was able to call me. She said something like, "Dougie, they actually did it." And I gotta tell you something, she was incensed. Almost immediately after, I got a text from my daughter, who was also outraged, that said, "Dad, you need to do something about this." I just want to channel the rage that they're feeling and the rage that I'm feeling into action. Not only as a lawyer and as second gentleman, but as a dad and as a husband, as a son, as a brother, for all the very important women in my life.

I think by and large, it's a topic men just don't like to think about or talk about. But even more importantly, many men don't believe it's an issue for men. They think it's just a quote-unquote women's issue. And I couldn't disagree more. It's one of the things I really try to get out there and advocate for. Not only abortion, but a lot of issues that men traditionally wouldn't think impact them: whether it's pay equity, childcare, or family leave. They're human issues. They're American issues. They're issues that men need to care about because everything is related. Everything impacts something else. Lastly, it's the right thing to do. We just need to support each other.

Douglas Emhoff is a lawyer and, as the husband of vice president Kamala Harris, the second gentleman of the United States.

Social Media:
https://twitter.com/GQMagazine/status/1575462900902133762

@GQMagazine: .@DouglasEmhoff on the end of the constitutional right to abortion in America http://gq.mn/fpq1Poa

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Make sure you are following The White House Gender Policy Council on Twitter
https://twitter.com/WhiteHouseGPC

[redacted] Title

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SUBJECT: The hottest statehouse elections of the year
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 30/09/2022 05:00

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ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today

September 30, 2022

THIS YEAR'S HOTTEST CONTESTS TO CONTROL STATE LEGISLATURES

DANIELA ALTIMARI | Democrats hope concerns about abortion access will bolster their chances to retake key chambers. But Republicans say President Biden's flagging poll numbers will give GOP candidates an edge.

HOW A SCHOOL'S 'BIKE BUS' WON OVER STUDENTS AND CHARMED THE INTERNET

DANIEL C. VOCK | Nearly 200 kids in Portland, Oregon join a weekly bicycle ride to school, instead of relying on buses or drop-offs. The fun-spirited, pedal-powered convoys have drawn nationwide attention and the teacher behind them says they have many benefits.

'WE'VE NEVER SEEN A FLOOD EVENT LIKE THIS': IAN'S DEVASTATING HIT TO FLORIDA

BILL LUCIA | Gov. Ron DeSantis described "historic" damage to parts of the state from the hurricane, which made landfall with winds around 150 mph and caused massive flooding.

Brought to you by Fortinet
Is 2022 the Year Cybersecurity Goes Mainstream?
If there's any silver lining to the pandemic, it might be that it forced people to finally take security seriously. When people are connecting from everywhere, the stark reality that cybersecurity affects everyone becomes much more difficult to ignore. This is good news long-term for government IT leaders down the road.
Learn More!

THE CASE FOR EXPANDING INDUSTRIAL POLICY TO COVER SERVICE JOBS

[redacted]

MOLLY BOLAN | A Harvard professor has a proposal for how government economic development investments could be shifted to better meet workforce and employer needs in the coming years.

WHEN THE GRID GOES OUT, COULD SOLAR AND BATTERIES POWER YOUR HOME?

WILL GORMAN, BENTHAM PAULOS AND GALEN BARBOSE | THE CONVERSATION | COMMENTARY | Researchers explore what it would take for homes and commercial buildings to ride out long power outages, of three days or more, with solar and batteries.

AUDIT REVEALS WHY ONE CITY'S EFFORTS TO CURB HOMELESSNESS FALL SHORT

KAITLYN LEVINSON | GCN | Oakland, California, doesn't have the data to tell if it's making any progress on reducing homelessness, a new audit shows.

STATES TAKE NEW STEPS TO STOP ELECTION MISTRUTHS FROM GOING VIRAL

DANIELA ALTIMARI | To combat the rising threat, some states are bringing on cybersecurity specialists to comb social media and flag posts that spread falsehoods about the voting process. Others have launched ad campaigns to counter disinformation.

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Is 2022 the Year Cybersecurity Goes Mainstream?
If there's any silver lining to the pandemic, it might be that it forced people to finally take security seriously. When people are connecting from everywhere, the stark reality that cybersecurity affects everyone becomes much more difficult to ignore. This is good news long-term for government IT leaders down the road.
Learn More!

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SUBJECT: Morning Consult Health Presented by CVS Health: FDA ApprovesAmylyx's ALS Drug
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 30/09/2022 06:14

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

SEPTEMBER 30, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- The Food and Drug Administration approved Amylyx Pharmaceuticals Inc.'s ALS drug Relyvrio, the first treatment for Lou Gehrig's disease that the agency has cleared in five years. Patient-advocacy groups had pressured the FDA to approve the new treatment, though some agency staffers and neuroscience experts previously raised concerns about the efficacy of the drug, questioning an estimate from Amylyx that patients taking Relyvrio would have lived a median 9.7 months longer than those given placebos. (The Wall Street Journal)

- The Centers for Medicare & Medicaid Services said Medicare Advantage premiums would decline by almost 8% next year, falling from an average of $19.52 this year to $18 in 2023. CMS Administrator Chiquita Brooks-LaSure credited the Inflation Reduction Act for the decrease, saying that the law "will provide much needed financial relief and increase access to affordable drugs." (Fierce Healthcare)

- Full 340B drug payments must be reinstated for the rest of 2022, a federal judge in Washington D.C. ordered, delivering a loss to the Department of Health and Human Services and its attempt to minimize spending on the discount drug program. The ruling from Judge Rudolph Contreras of the U.S. District Court for the District of Columbia, which was applauded by plaintiff trade groups including the American Hospital Association, followed a Supreme Court decision in June that ordered HHS to pay providers for the smaller 340B payments they were given in previous years. (Modern Healthcare)

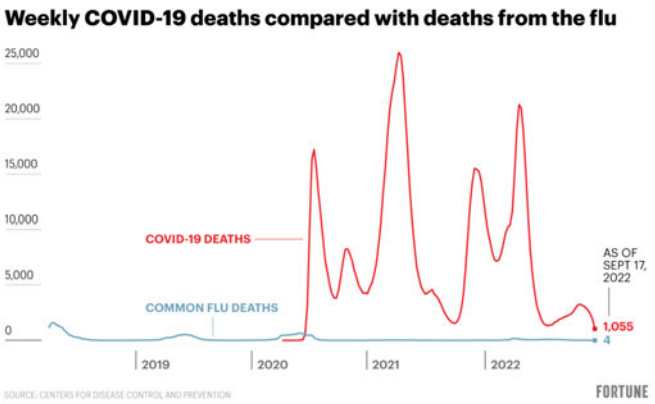
- In a mostly party-line 220-205 vote, the House passed the Mental Health Matters Act, which aims to address the "severe impact" COVID-19 had on students, educators and families by putting more mental health experts in schools and expanding that pipeline of school-based professionals. (The Hill) The U.S. suicide rate jumped nearly 4% from 2020 to 2021 following two years of declines, according to the National Center for Health Statistics, as experts fear a return to pre-pandemic levels. (NBC News)

Worth watching today (all times local):

- **9 a.m.** Medicare Payment Advisory Commission public meeting.

CHART REVIEW

Why COVID isn't like the flu (yet) in one brutal graph
Fortune



PRESENTED BY CVS HEALTH

Let This Sink In: We Have an Adolescent Suicide Crisis

Suicide is the second leading cause of death among individuals between the ages of 10 and 34. But it doesn't have to be.

CVS Health has a bold goal to reduce suicide attempts 20 percent among Aetna members by the year 2025. Through evidence-based prevention, intervention and public education, CVS Health is saving lives and bringing hope to our communities. Learn more.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Second COVID booster effective at preventing hospitalizations and deaths in nursing home residents: study
Joseph Choi, The Hill
A new study published this week found that the second COVID-19 booster that was made available to U.S. adults older than 50 this year was highly effective at protecting nursing home residents from hospitalizations and deaths, though its ability to prevent infections was not as potent.

Blood test may identify patients at risk for long COVID: study
Frank Diamond, Fierce Healthcare

What about long COVID? That might become the question as hospitalizations and deaths caused by COVID-19 have plummeted since the introduction of vaccines and new therapies, as noted in data from the Centers for Disease Control and Prevention.

Fixing Racial Bias in a Key Covid Diagnostic Tool
Fiona Rutherford, Bloomberg Businessweek
Researchers say pulse oximeters don't accurately detect oxygen levels for people with darker skin. The search is on for better options.

GENERAL

Altria Decides to Compete With Juul
Jennifer Maloney and Cara Lombardo, The Wall Street Journal
Altria Group Inc. said it is preparing to end its noncompete agreement with vaping company Juul Labs Inc. The move would give Juul's largest shareholder the flexibility to acquire another e-cigarette brand or develop its own new vaping products.

Houston doctor bashes Texas abortion ban as 'white supremacist agenda' in congressional testimony
Julian Gill, Houston Chronicle
A Houston family medicine physician on Thursday spoke out against Texas' abortion bans during a congressional hearing about Republican efforts to implement nationwide restrictions on pregnancy terminations.

CDC warns of severe illnesses from monkeypox as Ohio reports death of a monkeypox patient
Nadia Kounang and Katherine Dillinger, CNN
The US Centers for Disease Control and Prevention issued a new warning to health care providers Thursday about severe illnesses in people with monkeypox. The alert comes as Ohio reported that an individual with monkeypox has died - the third known death of a patient with monkeypox in the United States.

Post-Dobbs birth control fight heads to college campuses
Oriana Gonzalez, Axios
Fallout from the demise of Roe v. Wade is forcing college administrators to weigh how reproductive health services offered on campus may conflict with state abortion bans and if their employees could face prosecution.

Study: Creating a diversity score could improve medical research
Marina E. Franco, Axios
Measuring racial and ethnic diversity within medical trials — and requiring a certain threshold to be met for researchers to publish in major journals — could be key to improving research into cancer and other diseases, a recent study found.

Johns Hopkins doctor and Army doctor spouse charged with conspiring to give U.S. soldiers' medical info to Russia
Ken Dilanian and Michael Kosnar, NBC News
The Justice Department on Thursday accused an Army doctor and a Johns Hopkins anesthesiologist of conspiring to provide the Russian government with medical information about U.S. soldiers and their relatives.

Climate change is linked to the spread of viruses like monkeypox, experts say
Ayana Archie, NPR News
Researchers say these types of viruses, known as zoonotic diseases, or ones that spread between humans and animals, will become increasingly commonplace as factors such as the destruction of animal habitats and human expansion into previously uninhabited areas intensify.

Oregon to cover health-related climate expenses
Claire Rush, The Associated Press
Oregon is set to become the first state in the nation to cover climate change expenses for certain low-income patients under its Medicaid program as the normally temperate Pacific Northwest region sees longer heat waves and more intense wildfires.

After being bitten by a rabid fox, a congressman wants cheaper rabies treatments
Wynne Davis, NPR News
Rabies deaths are rare in the U.S. A lot of that is thanks in part to vaccines, but it's also because of the effective treatment available to those who have been exposed to the viral, deadly disease.

A New Approach to Spotting Tumors: Look for Their Microbes
Carl Zimmer, The New York Times
New research is revealing that cancer is rife with bacteria and fungi — a rich ecosystem that scientists call the tumor microbiome.

PAYERS

Commercial Insurer Price Caps Urged by CBO to Lower Health Costs
Sara Hansard, Bloomberg Law
Capping the growth rate of health-care prices could reduce the amount commercial insurers pay for hospitals and physician services by more than 5% over 10 years, the Congressional Budget Office said Thursday.

PROVIDERS

Providers hasten to convince lawmakers to save pay model bonus
Robert King, Fierce Healthcare
Several provider groups and organizations are leading a concerted effort to get Congress to tuck in an extension of a 5% bonus to physicians that participate in value-based care before the money goes away after 2022.

Hundreds of coastal hospitals at risk of flooding from hurricanes: study
Sharon Udasin, The Hill
As Hurricane Ian continues to batter the southeastern U.S., Harvard University researchers have revealed that hundreds of coastal hospitals are at risk of flooding from future such storms.

New Michigan bill goes after 'anti-competitive' travel nurse industry
Dustin Walsh, Crain's Detroit Business
Michigan is joining at least 15 other states in an attempt to tamp down the high costs of contract travel nurses, even as demand for healthcare workers continues to grow post-pandemic.

Montana calls for oversight of nonprofit hospitals charity gifts
Katheryn Houghton, Kaiser Health News
Montana health officials are proposing to oversee and set standards for the charitable contributions that nonprofit hospitals make in their communities each year to justify their access to millions of dollars in tax exemptions.

PHARMA, BIOTECH AND DEVICES

Juul exec slams FDA over its approach to regulating vaping
Nicholas Florko, Stat News
A Juul executive fiercely criticized the Food and Drug Administration's approach toward regulating vaping companies during a tobacco industry conference Thursday.

Biogen's Next Alzheimer Drug Feeds Push for FDA Approval Revamp
Celine Castronuovo and Jeannie Baumann, Bloomberg Law
Promising trial results on Eisai Co. and Biogen Inc.'s Alzheimer's drug don't discount the need for changes to the fast-track approval pathway the FDA is using to review the product, doctors and health policy analysts say.

Pharma-Funded FDA Gets Drugs Out Faster, But Some Work Only 'Marginally' and Most Are Pricey

Arthur Allen, Kaiser Health News
The FDA's accelerated approval is usually based on a "surrogate marker" of effectiveness — evidence of lower viral loads for HIV, for example, or shrinking tumors for cancer. Debate rages over the validity of some of these stand-ins, and some of the drugs.

Walmart, CVS Face Suits Blaming Common Painkiller for Autism
Jef Feeley, Bloomberg
Dozens of lawsuits are challenging the long-standing belief that pregnant women can safely take acetaminophen, an over-the-counter drug used in Tylenol and generic pain medications.

Another prospect for an Alzheimer's drug renews cost concerns
Caitlin Owens and Adriel Bettelheim, Axios
The prospect of an effective new Alzheimer's treatment came roaring back this week with the announcement of preliminary clinical trial data, giving millions of seniors renewed hope after a tumultuous year.

Illumina launches next-generation DNA sequencers
Deena Beasley, Reuters
Illumina Inc, the top maker of DNA sequencers used to speed drug development and other research, on Thursday announced the launch of its next-generation NovaSeq X systems, which it said can generate more than 20,000 whole genomes per year, or 2.5 times that of prior sequencers.

Wonder Pill, sold on Amazon, Walmart, recalled for tadalafil
Orlando Mayorquin, USA Today
Certain lots of a daily dietary supplement called Wonder Pill sold by Walmart and Amazon are being recalled because lab tests detected the presence of tadalafil, a drug used to treat erectile dysfunction, according to an announcement on the Food and Drug Administration website this week.

Biohaven's ALS drug fails to meet study goals
Reuters
Biohaven Pharmaceutical Holding Company Ltd said on Thursday its experimental drug to treat amyotrophic lateral sclerosis (ALS) failed a clinical study, the second therapy by the drugmaker to fail trials in recent months.

Is there an Adderall shortage? Yes, and experts say higher demand and the pandemic are contributing to it
Erin Prater, Fortune
Adderall—a prescription stimulant used by millions with ADHD—is hard to come by these days, making life exceedingly difficult for those who use it to treat the attention disorder.

A Message From CVS Health:

Addressing Our Nation's Youth Mental Health Crisis

From self-esteem issues to bullying and social dynamics to social media, our teenagers are facing a variety of challenges that are directly impacting their mental health.

In recognition of Suicide Prevention Month in September, CVS Health continues to prioritize intervention, resources and support to manage suicidal thoughts and prevent suicide attempts, especially among adolescents. Learn more about CVS Health's efforts to reduce suicide.

HEALTH TECHNOLOGY

Google Search Is Failing to Label Ads from Anti-Abortion Crisis Pregnancy Centers
Julia Love and Davey Alba, Bloomberg
For some abortion-related searches, the internet search giant accepts advertising revenue from crisis pregnancy centers with no labeling.

Digital pathology picking up among US providers, vendors, report finds
Hailey Mensik, Healthcare Dive
Digital pathology for primary diagnoses is still in its infancy in the U.S., but many technology vendors are vying for a foothold in the sector, according to a report out Wednesday from KLAS Research.

Health app companies wrestle with how to design studies
Mario Aguilar, Stat News
For companies that have spent years developing interactive technologies to help treat disease, the tricky question inevitably comes: How far are you willing to go to prove it works?

Headspace calls for third-party research collaborators
Annie Burky, Fierce Healthcare
Headspace Health today put out an open call for third-party researchers looking to study the cognitive impacts of its meditation and mindfulness app through its new external research collaborator program.

OPINIONS, EDITORIALS AND PERSPECTIVES

Suicide Is a Leading Cause of Death in Young People. We Must Do Something About It.
Dan Finke, U.S. News & World Report
Suicide is among the top causes of death in the United States today, and for some groups, the crisis is particularly acute. The terrible toll that suicide takes on our society is immense. To put it in perspective, in 2020 alone, the U.S. Centers for Disease Control and Prevention says an estimated 12.2 million people in the U.S. seriously considered suicide, 3.2 million made a plan and 1.2 million made an attempt on their own lives. That same year, nearly 46,000 people died by suicide - roughly one person every 11 minutes.

Computers May Soon Find New Drugs
David Kita, The Wall Street Journal
There is an enormous chemical universe of small-molecule compounds—an estimated 10 to the 33rd power (or a billion trillion trillion) molecules—that can be manufactured using organic chemistry. Trillions of these molecules could lead to therapeutic advances. But due to the size of this chemical universe, brute-force exploration of its contents is doomed to failure because synthesis is time-consuming and resource-intensive. Another strategy is needed.

How the Inflation Reduction Act can help decarbonize the health care industry
David Introcaso, Stat News
The climate crisis — the greatest threat to human health in history — is often framed "in ways that pay little attention to its health dimensions," as the authors of The Lancet's annual "Countdown: Tracking Progress on Health and Climate Change" report were forced to remind us.

RESEARCH REPORTS

2022 State of the Healthcare Consumer Report: Who Will Help Consumers Put the Pieces Together?
Dan Clarin, KaufmanHall
In the two and half years since the COVID-19 pandemic hit the United States in March 2020, consumer behavior has shifted dramatically—and potentially irreversibly—in every aspect of American life. This year's Kaufman Hall State of the Healthcare Consumer Report—featuring both findings from a survey of more than 3,500 Americans and interviews with healthcare leaders—explores the evolving

[redacted] Title

ways in which consumers manage their health and access and receive healthcare, and how the healthcare industry accommodates them.

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SUBJECT: Ventura County, CA Launches New Audio Alert System in Mixteco & Zapoteco to Protect Farmworkers from Wildfires
FROM: Public Health Institute <communications@phi.org>
TO: <hborski@utah.gov>
DATE: 30/09/2022 11:22

PUBLIC HEALTH INSTITUTE®

SEPT 30, 2022

Ventura County, CA Launches New Audio Alert System in Mixteco & Zapoteco to Protect Farmworkers from Wildfires

Ventura, CA – As California and much of the Western United States experience an intense wildfire season, Ventura County farmworker advocates and agency partners are improving a current wildfire smoke alert system that now includes audio messages to keep people safer from wildfire smoke and air pollution.

Wildfire smoke exposure is becoming a growing health threat to farmworkers, who must often continue to work in the fields during wildfires and extreme heat events. Wildfire smoke has been linked to a range of health issues, including asthma, heart attacks and chronic heart and lung disease, as well as adverse pregnancy outcomes.

[redacted]

[redacted]

Title

Due to climate change, wildfire seasons are becoming longer, more intense and more dangerous.

During a joint press conference yesterday, the Ventura County Air Pollution Control District, Mixteco Indigena Community Organizing Project (MICOP), Líderes Campesinas, Central Coast Alliance United for a Sustainable Economy (CAUSE), and the Public Health Institute's Achieving Resilient Communities (ARC) project introduced new updates to the emergency alert system, which will now include audio alert messages in Mixteco and Zapoteco that would notify farmworkers and field supervisors when air quality reaches unhealthy levels in Ventura County due to wildfire smoke.

Help spread the word: Share on Facebook, Twitter and LinkedIn.

"The enhanced audio emergency alert system builds on an existing model developed by the Ventura County Air Pollution Control District in 2021," explained Ali Ghasemi, Ventura County Air Pollution Control District Officer. "The existing model notifies farmworkers and field supervisors by text in English and Spanish when air quality deteriorates beyond unhealthy levels due to wildfires. The enhanced version, which will deliver embedded audio links, now features four languages with the addition of Mixteco and Zapoteco to the original alert languages. This further adapts our target public health messaging program to support a particularly susceptible community," Ghasemi added.

Eulalia Mendoza, farmworker and community advocate with the Mixteco Indigena Community Organizing Project (MICOP), shares how the 2017 Thomas Fire prompted her to advocate for the new Ventura County audio alert system.

WATCH

In 2017, the Thomas Fire severely affected Ventura County communities and at the time was the largest wildfire event in California's history. Spanish speaking and indigenous community members lacked critical information during the fire because emergency warnings were at first only available in English. Ventura County has more than 40,000 farmworkers and about 1 in 3 speak Mixteco, Zapoteco or another indigenous language.

The new audio emergency alert system for wildfires grew out of the lived experiences from the Thomas Fires for the local farmworkers and farmworker advocates. During the Thomas Fire, many farmworkers worked in the fields when it was unsafe, and without protective gear. As a result, many farmworkers and community-based organizations advocated for these protections to be in place.

Funding from the California Department of Public Health allowed for the development of the FRESAS project, which brought together multiple partners to develop the audio alert system for farmworkers in Ventura County that's linguistically and culturally accessible. Partners on the FRESAS project include: Mixteco Indigena Community Organizing Project (MICOP), Líderes Campesinas, Central Coast Alliance United for a Sustainable Economy (CAUSE), and the Public Health Institute's Achieving Resilient Communities (ARC) project. The Ventura County Air Pollution Control District led the development of the new text and audio alert system for farmworkers.

[redacted]

“We are very grateful that the alert system for agricultural workers in our mother tongues has been approved,” expressed Erbino Mateo, ARC Farmworker Advisory Committee Member. This change is important because many do not fully understand Spanish or English and we need to understand this information in our mother tongue. We need to know what kind of air we are breathing, especially when there is smoke and fire somewhere,” Mateo added.

Tommy Winning, meteorologist at the Ventura County Air Pollution Control District, explains Ventura's new audio alert system and shares how farmworkers can use it to protect themselves during wildfire events.

WATCH

How the Alert System Works

- Farmworkers, including employers and field supervisors, can sign up to receive text or audio alerts by texting SMOKE for alerts in English and HUMO for alerts in Spanish/Mixteco/Zapoteco to 855-522-0034. They can subscribe at no cost. Phone provider charges may apply.
- Once signed up, they will receive a text or a link to an audio message with air quality notifications in real-time when the Air Quality Index (AQI) reaches 151 (unhealthy), where CalOSHA requires employers to provide N95 masks to outdoor workers for voluntary use. Subscribers for the smoke alert system will also receive notifications for when the AQI exceeds 500 (hazardous), which is when outdoor workers are required to wear N95 masks at all times.
- When a subscriber receives a wildfire smoke alert, they will be informed in real-time about their safety needs (i.e. the need to wear an N95 mask, not being outdoors, etc.). Farmworkers who may not have access to a phone, should receive alerts/communication from their field supervisors/employers.

Dr. Gina Solomon, director at PHI's Achieving Resilient Communities (ARC), discusses the need for solutions that will protect farmworkers during wildfires and extreme heat, including providing paid days off when it's not safe to work outside.

WATCH

Climate-related disasters, the 2017 Thomas Fire and the COVID-19 pandemic have highlighted the need for improved local and state public health emergency preparedness policies. Innovations like audio alert systems in indigenous languages

have been shown to be essential in addressing the unique needs of farmworkers.

“Ventura County’s wildfire smoke audio alert system is a model that could be replicated in other parts of the state and even throughout the nation, to protect the health of farmworkers by increasing their access to critical emergency response information,” said Dr. Gina Solomon, Director of the Public Health Institute’s Achieving Resilient Communities program. “Community-led alert systems that provide farmworkers with safety information in multiple languages could also be used for a wide range of climate and health issues—extreme heat, COVID and other emerging crises,” Solomon added.

Further efforts also need to be in place to protect farmworkers during wildfire events. Partners envision the audio alert model for Ventura County as an opportunity for the State of California and other jurisdictions to consider as they define and develop plans for disaster preparedness in multiple languages.

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SUBJECT: Now Approved-New FDA-Approved Indication forPEMAZYRE® (pemigatinib)
FROM: Managed Care News <managedcare_news@newsletter1.docwirenews.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 30/09/2022 14:10

docwirenews

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IMPORTANT SAFETY INFORMATION

Ocular Toxicity

Retinal Pigment Epithelial Detachment (RPED): PEMAZYRE can cause RPED, which may cause symptoms such as blurred vision, visual floaters, or photopsia. Clinical trials of PEMAZYRE did not conduct routine monitoring including optical coherence tomography (OCT) to detect asymptomatic RPED; therefore, the incidence of asymptomatic RPED with PEMAZYRE is unknown.

Among 635 patients who received a starting dose of PEMAZYRE 13.5 mg across clinical trials, RPED occurred in 11% of patients, including Grade 3-4 RPED in 1.3%. The median time to first onset of RPED was 56 days. RPED led to dose interruption of PEMAZYRE in 3.1% of patients, and dose reduction and permanent discontinuation in 1.3% and in 0.2% of patients, respectively. RPED resolved or improved to Grade 1 levels in 76% of patients who required dosage modification of PEMAZYRE for RPED.

Perform a comprehensive ophthalmological examination including OCT prior to initiation of PEMAZYRE and every 2 months for the first 6 months and every 3 months thereafter during treatment. For onset of visual symptoms, refer patients for ophthalmologic evaluation urgently, with follow-up every 3 weeks until resolution or discontinuation of PEMAZYRE. Modify the dose or permanently discontinue PEMAZYRE as recommended in the prescribing information for PEMAZYRE.

Dry eye: Among 635 patients who received a starting dose of PEMAZYRE 13.5 mg across clinical trials, dry eye occurred in 31% of patients, including Grade 3-4 in 1.6% of patients. Treat patients with ocular demulcents as needed.

Hyperphosphatemia and Soft Tissue Mineralization

PEMAZYRE can cause hyperphosphatemia leading to soft tissue mineralization, cutaneous calcification, calcinosis, and non-uremic calciphylaxis. Increases in phosphate levels are a pharmacodynamic effect of PEMAZYRE. Among 635 patients who received a starting dose of PEMAZYRE 13.5 mg across clinical trials, hyperphosphatemia was reported in 93% of patients based on laboratory values above the upper limit of normal. The median time to onset of hyperphosphatemia was 8 days (range 1-169). Phosphate lowering therapy was required in 33% of patients receiving PEMAZYRE.

Monitor for hyperphosphatemia and initiate a low phosphate diet when serum phosphate level is >5.5 mg/dL. For serum phosphate levels >7 mg/dL, initiate phosphate lowering therapy and withhold, reduce the dose, or permanently discontinue PEMAZYRE based on duration and severity of hyperphosphatemia as recommended in the prescribing information.

Embryo-Fetal Toxicity

Based on findings in an animal study and its mechanism of action, PEMAZYRE can cause fetal harm when administered to a pregnant woman. Oral administration of pemigatinib to pregnant rats during the period of organogenesis caused fetal malformations, fetal growth retardation, and embryo-fetal death at maternal exposures lower than the human exposure based on area under the curve (AUC) at the clinical dose of 13.5 mg.

Advise pregnant women of the potential risk to the fetus. Advise female patients of reproductive potential to use effective contraception during treatment with PEMAZYRE and for 1 week after the last dose. Advise males with female partners of reproductive potential to use effective contraception during treatment with PEMAZYRE and for 1 week after the last dose.

Adverse Reactions: Myeloid/Lymphoid Neoplasms with FGFR1 Rearrangement

Serious adverse reactions occurred in 53% of patients receiving PEMAZYRE at all dosages (n=34). Serious adverse reactions in > 5% of patients included acute kidney injury. Fatal adverse reactions occurred in 9% of patients who received PEMAZYRE, including acute kidney injury, multiple organ dysfunction syndrome, and malignant neoplasm progression, occurring in one patient each.

Permanent discontinuation due to an adverse reaction occurred in 12% of patients who received PEMAZYRE at all dosages. Adverse reactions requiring permanent discontinuation included cardiac failure, multiple organ dysfunction syndrome, blood alkaline phosphatase increase, and calciphylaxis. In patients who started treatment on the recommended dosage (n = 20), adverse reactions requiring dosage interruption of PEMAZYRE occurred in 80% of patients. Adverse reactions which required dosage interruption in > 2 patients treated at the recommended dosage included nail toxicities (20%) and hyperphosphatemia (15%).

Dose reductions of PEMAZYRE due to an adverse reaction occurred in 80% of patients who started treatment on the recommended dosage. Adverse reactions requiring dose reductions occurring in > 2 patients were nail toxicities (20%), hyperphosphatemia (20%), and alopecia (15%).

Clinically relevant adverse reactions occurring in ≤10% of patients included fractures (2.1%). In all patients treated with pemigatinib, 0.5% experienced pathologic fractures (which included patients with and without cholangiocarcinoma [N = 635]). Soft tissue mineralization, including cutaneous calcification, calcinosis, and non-uremic calciphylaxis associated with hyperphosphatemia were observed with PEMAZYRE treatment.

Within the first 21-day cycle of PEMAZYRE dosing, serum creatinine increased (mean increase of 0.2 mg/dL) and reached steady state by Day 8, and then decreased during the 7 days off therapy. Consider alternative markers of renal function if persistent elevations in serum creatinine are observed.

The most common (≥ 20%) adverse reactions were hyperphosphatemia (74%), nail toxicity (62%), alopecia (59%), stomatitis (53%), diarrhea (50%), dry eye (50%), fatigue (44%), rash (35%), abdominal pain (35%), anemia (35%), constipation (32%), dry mouth (32%), epistaxis (29%), retinal pigment epithelial detachment (26%), extremity pain (26%), decreased appetite (24%), dry skin (24%), dyspepsia (24%), back pain (24%), nausea (21%), blurred vision (21%), peripheral edema (21%), and dizziness (21%).

Drug Interactions

Avoid concomitant use of strong and moderate CYP3A inhibitors with PEMAZYRE. Reduce the dose of PEMAZYRE if concomitant use with a strong or moderate CYP3A inhibitor cannot be avoided. Avoid concomitant use of strong and moderate CYP3A inducers with PEMAZYRE.

Special Populations

Advise lactating women not to breastfeed during treatment with PEMAZYRE and for 1 week after the last dose.

Reduce the recommended dose of PEMAZYRE for patients with severe renal impairment as described in the prescribing information.

Reduce the recommended dose of PEMAZYRE for patients with severe hepatic impairment as described in the prescribing information.

Please see Full Prescribing Information for PEMAZYRE.

References: 1. Referenced with permission from the NCCN Clinical Practice Guidelines in Oncology (NCCN Guidelines®) for Myeloid/Lymphoid Neoplasms with Eosinophilia and Tyrosine Kinase Fusion Genes V.1.2022. © National Comprehensive Cancer Network, Inc. 2022. All rights reserved. Accessed July 29, 2022. To view the most recent and complete version of the guideline, go online to NCCN.org. NCCN makes no warranties of any kind whatsoever

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[redacted]

SUBJECT: (yes two bills) FW: FN: Input on Fiscal Note for 2023FL0177
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "Amanda Slater (DHS)" <aslater@utah.gov>, Austin Preston<austinpreston@utah.gov>, "Borski, Heather" <HBORSKI@utah.gov>, David Litvack<davidlitvack@utah.gov>, "Hales, Tonya" <THALES@utah.gov>, Marc Watterson<mwatterson@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, "Moss, Don"<donmoss@utah.gov>, Nate Winters <natewinters@utah.gov>, Nathan Checketts<natechecketts@utah.gov>, "Ray, Paul" <pray@utah.gov>, Rebecca Brown<rebeccab@utah.gov>, Shari Watkins <SWATKINS@utah.gov>, Taylor Kauffman<tckauffman@utah.gov>, Tracy Gruber <tracygruber@utah.gov>
CC: "GOMB_LFA_Requests@utah.gov" <GOMB_LFA_Requests@utah.gov>
DATE: 30/09/2022 16:05

Hi Taylor - Please provide your input in the fiscal note system for the attached bill by the end of Friday, October 7th. The final fiscal note must be completed ahead of October

[redacted]

interim. Also explain in detail differences in cost estimates for similar parts in this bill compared to https://le.utah.gov/~2022/bills/static/HB0220.html.

-----Original Message-----
From: Legislative Automated Email System <boyd@le.utah.gov>
Sent: Friday, September 30, 2022 3:16 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; fiscalnotes@agutah.gov; brianjensen@utah.gov; benelson@utah.gov; chet.loftis@pehp.org; Dan.Andersen@urs.org; dschuring@utah.gov; Dave.Hansen@pehp.org; davidlitvack@utah.gov; davidlund@agutah.gov; dee.larsen@urs.org; gcottrell@utah.gov; ggopez@agutah.gov; Jfhart@utah.gov; jakehennessy@utah.gov; jenevans@utah.gov; Jill Parker <jparker@ualhd.org>; jshaw@utah.gov; kburt@utah.gov; kimbeck2@utah.gov; kharvey@utah.gov; kharvey@utah.gov; mwatterson@utah.gov; mwatterson@utah.gov; natechecketts@utah.gov; nmjohansen@utah.gov; natetalley@utah.gov; natewinters@utah.gov; nharrison@utah.gov; pwlee@utah.gov; Paul.Anderton@pehp.org; pray@utah.gov; pray@utah.gov; panjewierden@utah.gov; rmstringham@utah.gov; ryancowley@utah.gov; swatkins@utah.gov; shellyjackson@utah.gov; swang@utah.gov; swang@utah.gov; tnorthrup@utah.gov; tjfornelius@utah.gov; tbudd@utah.gov; tracygruber@utah.gov; xthomas@utah.gov; xthomas@utah.gov
Subject: FN: Input on Fiscal Note for 2023FL0177

2023FL0177, Pregnancy Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsecure.utah.gov%2Fufn%2F&data=05%7C01%7Crfrandsen%40le.utah.gov%7C1c104866f710408176ce08daa328fd00%7Caa13953832ab4071953f20 and completing a response.

SUBJECT: DHHS Legislatively Required Reports
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Seth Anderson <sanderson@le.utah.gov>, Mark Andrews <markandrews@le.utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "Al Romeo (DHHS)" <alromeo@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>, "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Carol Ruddell (DHHS)" <cgruddell@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Linda Wininger (DHHS)" <lindaw@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, Jill Parker <jparker@ualhd.org>
DATE: 30/09/2022 18:11

HHS Staff -

Attached are the following DHHS legislatively required reports due by October 1st, 2022:

- DHHS | LHD Recommendations on Birth Certificate Fees (HB 341, 2022)
- Suicide Prevention Technical Assistance Report
- Health Coverage Improvement Program Report
- Adult Autism Treatment Program Advisory Committee
- Hepatitis C Outreach Pilot Program
- Drinking While Pregnant Prevention Media and Education Campaign
- Air Ambulance Rates Report

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: This Week in State and Local
FROM: This Week in State and Local <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 01/10/2022 07:00

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ROUTE FIFTY

Connecting state and local government leaders

This Week in State and Local

October 1, 2022

ELECTIONS

States Take New Steps to Stop Election Mistruths From Going Viral

Daniela Altimari

To combat the rising threat, some states are bringing on cybersecurity specialists to comb social media and flag posts that spread falsehoods about the voting process. Others have launched ad campaigns to counter disinformation.

Read now >

MASSACHUSETTS

The Battle Over a 'Millionaires Tax' Heats Up in Massachusetts

Daniela Altimari

Voters will decide this November on a measure that would impose the tax on income over $1 million. Supporters say it would raise needed revenue for roads, transit and schools, while opponents argue it will revive the state's reputation as "Taxachusetts."

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TRANSPORTATION

How a School's 'Bike Bus' Won Over Students and Charmed the Internet

Daniel C. Vock

Nearly 200 kids in Portland, Oregon join a weekly bicycle ride to school, instead of relying on buses or drop-offs. The fun-spirited, pedal-powered convoys have drawn nationwide attention and the teacher behind them says they have many benefits.

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HOUSING

Rethinking How to Solve the Nation's Housing Shortage

[redacted]

Molly Bolan

Industry experts are floating ideas they say could help, many of which would involve state and local policy-makers taking action.

Read now >

CAMPAIGNS & ELECTIONS

This Year's Hottest Contests to Control State Legislatures

Daniela Altimari

Democrats hope concerns about abortion access will bolster their chances to retake key chambers. But Republicans say President Biden's flagging poll numbers will give GOP candidates an edge.

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Government Executive Media Group, 600 New Hampshire Avenue NW, Washington, DC 20037

SUBJECT: CDC Health Alert Network (HAN) Health Advisory: Hurricanes Fiona and Ian—Clinical Guidance for
FROM: "Health Alert Network (CDC)" <healthalert@CDC.GOV>
TO: <CDC-HAN-PRIORITY-LIST@LISTSERV.CDC.GOV>
DATE: 01/10/2022 12:21

[redacted]

View this CDC HAN Health Advisory as a PDF

This is an official
CDC HEALTH ADVISORY

Distributed via the CDC Health Alert Network
October 1, 2022, 2:15 PM ET
CDCHAN-00476

Hurricanes Fiona and Ian—Clinical Guidance for Carbon Monoxide (CO) Poisoning

Summary
The Centers for Disease Control and Prevention (CDC) is reminding healthcare professionals seeing patients from areas affected by Hurricanes Fiona or Ian to maintain a high index of suspicion for carbon monoxide (CO) poisoning. Other people who may have been exposed to the same CO source may need to be identified and evaluated.

The signs and symptoms of CO exposure are variable and nonspecific. A tension-type headache is the most common symptom of mild CO poisoning. Other common symptoms of CO poisoning are dizziness, weakness, drowsiness, upset stomach, vomiting, chest pain, and altered mental status (confusion).

Clinical manifestations of severe CO poisoning include cardiovascular and neurological effects: tachycardia, tachypnea, hypotension, metabolic acidosis, dysrhythmias, myocardial ischemia or infarction, noncardiogenic pulmonary edema, irritability, impaired memory, cognitive and sensory disturbances, ataxia, altered or loss of consciousness, seizures, coma, and death, although any organ system might be involved.

CO poisoning can be fatal for anyone. Children, pregnant people, babies and infants, persons with sickle cell disease, older adults, and persons with chronic illness (e.g., heart or lung disease) are at particularly high risk.

Background
People whose homes or business have lost electrical power due to Hurricanes Fiona or Ian may turn to alternate power sources such as gasoline generators and may use propane or charcoal grills for cooking. Other sources of CO poisoning may include motor vehicles, boats, camp stoves, and gas-powered tools. If used or placed improperly, these sources can lead to CO build up inside buildings, garages, or campers, and poison the people and animals inside.

When obtaining a focused history of patient activities and health symptoms, exposure to a CO source may become apparent. Appropriate and prompt diagnostic testing and treatment are crucial to reduce morbidity and prevent mortality from CO poisoning. Identifying and mitigating the CO source is critical in preventing other poisoning cases.

Recommendations for Clinicians

- Consider CO poisoning in patients affected by Hurricanes Fiona or Ian, particularly in areas currently without power. Assess symptoms and recent patient activities that point to likely CO exposure. Evaluation should also include examination for other conditions, including smoke inhalation, trauma, medical illness, or intoxication.
- Administer 100% oxygen until the patient is symptom-free or until a diagnosis of CO poisoning has been ruled out. If CO poisoning is confirmed, contact the Poison Control Center (800) 222-1222.
- Perform carboxyhemoglobin (COHgb) testing when CO poisoning is suspected. Venous or arterial blood may be used for testing. A fingertip pulse multiple wavelength spectrophotometer, or pulse CO-oximeter, can be used to measure heart rate, oxygen saturation, and COHgb levels, but any suspicion of CO poisoning should be confirmed with a COHgb level by multiple wavelength spectrophotometer (CO-oximeter). A conventional two-wavelength pulse oximeter is not accurate when COHgb is present. For more information, see CDC's Clinical Guidance for Carbon Monoxide Poisoning After a Disaster.
- An elevated COHgb level of 2% or higher for non-smokers and 9% or higher COHgb level for smokers strongly supports a diagnosis of CO poisoning. The COHgb level must be interpreted in light of the patient's exposure history and length of time away from CO exposure, as levels gradually fall after the patient is removed from the exposure. In addition, CO can be produced endogenously as a by-product of heme metabolism. Patients with sickle cell disease can have an elevated COHgb level as a result of hemolytic anemia or hemolysis. Additional information about interpretation of COHgb levels can be found within the Clinical Guidance, or call Poison Control at (800) 222-1222.
- Hyperbaric oxygen (HBO) therapy should be considered in consultation with a toxicologist, hyperbaric oxygen facility, or Poison Control Center (800) 222-1222. For additional clinical management considerations, consult a medical toxicologist, Poison Control at (800) 222-1222, or a hyperbaric oxygen facility.
- Be aware that CO exposure may be ongoing for others spending time in or near the same environment as the patient. These individuals should be evaluated and tested as described in this advisory.

- Healthcare professionals treating people for CO poisoning should notify emergency medical services (EMS), the fire department, or law enforcement to investigate and mitigate the source, check for and evacuate people or animals who may still be near the source, and advise people when it is safe to return.
- Advise patients about safe practices related to generators, grills, camp stoves, or other gasoline, propane, natural gas, or charcoal-burning devices. Stress that that these devices should never be used inside an enclosed space, home, basement, garage, or camper—or even outside near an open window or window air conditioner.

For More Information

Clinical Guidance for Carbon Monoxide (CO) Poisoning After a Disaster

General Resources for Carbon Monoxide Poisoning

Poison Control (800) 222-1222 or https://www.poison.org/

The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

Categories of Health Alert Network messages

Health Alert Requires immediate action or attention. Conveys the highest level of importance about a public health event.
Health Advisory Requires immediate action. Provides important information about a public health event.
Health Update May require immediate action. Provides updated information about a public health event.
HAN Info Service Does not require immediate action. Provides general information about a public health event.

##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors, public information officers, HAN coordinators, and clinician organizations##

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SUBJECT: Morning Consult Health Presented by CVS Health: What's Ahead & Weekin Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 02/10/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

[redacted]

OCTOBER 2, 2022

BY MATT BRACKEN

Twitter Email

Good morning to you, health readers, and a special shout-out to everyone on the Hill enjoying some long-awaited recess. We're marking the occasion here at Morning Consult Health with a quiz question for you: What's the latest net approval among registered voters for Congress' handling of COVID-19?

A: minus 20
B: minus 11
C: minus 4
D: plus 1

You can find the answer at the bottom of the newsletter.

WHAT'S AHEAD

The Food and Drug Administration's Vaccines and Related Biological Products Advisory Committee is holding a meeting Thursday at 8:30 a.m. During an open session, the committee will discuss strain selection for the influenza vaccine for the 2023 Southern Hemisphere flu season. The meeting also comes a little more than a week after Moderna Inc. and Pfizer Inc.-BioNTech SE submitted their requests to the FDA for emergency use authorization for their respective updated COVID-19 boosters for adolescents and children. A source close to planning discussions told CNN that FDA authorization for those shots could come early this month.

The Bipartisan Policy Center is hosting a panel discussion on the Programs of All-Inclusive Care for the Elderly on Wednesday at 2 p.m. The conversation will cover how to improve access to and enrollment in PACE, the fully integrated, comprehensive care model for qualifying enrollees via Medicare, Medicaid and private payments. Panelists include experts from the Robert Wood Johnson Foundation, the National PACE Association, AHM Enterprises and PACE Southeast Michigan.

The Alliance for Health Policy is holding a webinar on the opportunities and limitations of health data on Thursday at 12 p.m. The event will cover the importance of data in addressing health disparities, the primary hurdles in securing better data and how policy changes can lead to better health data collection and utilization at the federal level. Speakers include Samantha Artiga, vice president and director of the Kaiser Family Foundation's Racial Equity and Health Policy Program; Niall Brennan, chief analytics and privacy officer at Clarify Health; and Elizabeth Lukanen, deputy director of the State Health Access Data Assistance Center.

Mark Cuban, co-founder of Cost Plus Drugs, will join Box CEO Aaron Levie for a fireside chat on Thursday at 12:30 p.m. Cuban recently told Forbes that he's considering leaving Shark Tank to focus on Cost Plus Drugs, the public benefit corporation he started in January that offers substantial discounts on roughly 350 generic medications.

PRESENTED BY CVS HEALTH

Let This Sink In: We Have an Adolescent Suicide Crisis

Suicide is the second leading cause of death among individuals between the ages of 10 and 34. But it doesn't have to be.

CVS Health has a bold goal to reduce suicide attempts 20 percent among Aetna members by the year 2025. Through evidence-based prevention, intervention and public education, CVS Health is saving lives and bringing hope to our communities. Learn more.

WEEK IN REVIEW

Health items in federal spending package: The Biden administration's requests for $22 billion to combat COVID-19 and $4 billion to fight monkeypox were left on the cutting-room floor of Democrats' short-term government funding bill, which passed the Senate and House to avoid a shutdown.

Two Medicare programs that bolster payments to rural hospitals — the Medicare Dependent Hospital and Low-Volume Hospital programs — did, however, make the cut.

Democrats agreed to Republican demands and signed off on a five-year reauthorization of FDA user fee programs without any additional policy riders attached, though lawmakers will revisit a handful of agency programs with short-term extensions in mid-December.

Medicare and Medicaid: Monthly premiums for Medicare's Part B plan, which offers coverage for outpatient care, will fall 3% in 2023, a savings of $5.20 for most enrollees that will help offset the $21.60 increase in 2022 that was fueled in part by coverage of the costly Alzheimer's drug Aduhelm.

The Centers for Medicare & Medicaid Services is planning to create a Medicare Drug Rebate and Negotiations Group, containing six divisions and 95 new full-time employees, to manage its new abilities to negotiate drug prices and discipline drugmakers engaged in price hikes, according to documents obtained by Stat News that CMS sent to lawmakers last month.

CMS said Medicare Advantage premiums would decline by almost 8% next year, falling from an average of $19.52 this year to $18 in 2023.

CMS signed off on two state-run initiatives intended to bolster Medicaid coverage. A key element of the Oregon demonstration will be to allow children on Medicaid to keep their coverage until they're 6 years old without any renewals required, while the Massachusetts demonstration will guarantee a full year of continuous Medicaid and Children's Health Insurance Program coverage to beneficiaries following release from a correctional facility, plus two years of continuous eligibility for those facing chronic homelessness.

Biden's hunger summit: Ahead of its White House Conference on Hunger, Nutrition and Health, the Biden administration released its national strategy for ending hunger by 2030, a plan that calls on health officials and Congress to work together on providing access to healthy and free school meals to at least 9 million more children by 2032.

Other elements of the strategy include an FDA push to require front-of-package labeling on food items and an expansion of the Centers for Disease Control and Prevention's Physical Activity and Nutrition Program beyond the 16 states where it has already been implemented.

President Joe Biden announced more than $8 billion in private- and public-sector pledges to help fight hunger, including a commitment from Alphabet Inc.'s Google to implement new tools to aid Americans' exposure to health care and nutrition benefits, as well as a promise from Walgreens Boots Alliance Inc. to boost its in-store offerings of fresh foods by 20% by 2030.

STAT OF THE WEEK

1864

The year in which Arizona's newly resurrected abortion law was enacted — nearly 50 years before it became a state. With the Supreme Court's decision to overturn Roe v. Wade, Pima County Superior Court Judge Kellie Johnson ruled that Arizona must now follow the 19th century ban, which prohibits all abortions except when the mother's life is in danger.

THE MOST READ STORIES THIS WEEK

1) Medicare lays out the bureaucracy it will need to negotiate drug prices
Rachel Cohrs, Stat News

2) Wyden calls for insurers to face consequences for running 'ghost' provider networks
Robert King, Fierce Healthcare

3) The Medicare Financing Conundrum
Eugene Steuerle and Bowen Garrett, Urban Institute

4) Biden administration awards $1.5 billion to fight opioid crisis
Ashley Capoot, CNBC

5) Providers say they need an extra year, clearer guidance to meet HHS' looming info blocking requirements
Dave Muoio, Fierce Healthcare

6) CDC says some nursing homes and hospitals no longer need to require universal masking
Alexander Tin, CBS News

7) Health insurers are painting a misleading picture of Medicare Advantage savings, experts say
Bob Herman, Stat News

8) CMS clears Medicaid coverage expansions and bid to close equity gaps in Massachusetts, Oregon
Robert King, Fierce Healthcare

9) New Infectious Threats Are Coming. The U.S. Probably Won't Contain Them.
Apoorva Mandavilli, The New York Times

10) Study finds gaps in reporting harms from U.S. cancer screenings

Oriana Gonzalez, Axios

OTHER HEALTH NEWS

- Amylyx's ALS Drug Is Approved by the FDA (The Wall Street Journal)
- HHS must stop 340B cuts through 2022, judge rules (Modern Healthcare)
- House passes bill addressing mental health concerns among students, families, educators (The Hill)
- After 2-year decline, suicide rates rise again (NBC News)
- Alzheimer's Drug Slows Disease Progression in Trial (The Wall Street Journal)
- Providers say they need an extra year, clearer guidance to meet HHS' looming info blocking requirements (Fierce Healthcare)
- Biogen to pay $900 million to settle allegations it paid doctors kickbacks to prescribe multiple sclerosis drugs (CNBC)
- Monkeypox response relies on trade-offs without federal aid (Roll Call)
- Unvaccinated individuals 14 times more likely to get monkeypox than vaccinated, new US data shows (CNN)
- Opioid crisis cost U.S. nearly $1.5 trillion in 2020 -congressional report (Reuters)
- US sees increase in respiratory infections that can lead to paralysis in children, CDC data shows (CNN)
- U.S. FDA to review fewer emergency use requests for COVID tests (Reuters)

The answer to this week's quiz question is **C:** Net approval for Congress on its handling of the coronavirus has climbed to **minus 4**, with 43% of voters approving and 47% disapproving. That's the highest net approval Congress has seen on its COVID-19 performance since December 2021. Check out more insights on the public's evolving COVID-19 opinions via our freshly updated tracker: Return to Normal: Views on the Pandemic.

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SUBJECT: Fwd: Introduction
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: Laurie Baksh <lbaksh@utah.gov>
CC: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 02/10/2022 17:04

Laurie,
I apologize for missing this email last week---I was out of the office most of the week.

Please see below and attached. Comments or concerns about what's being proposed?

Thank you!
HB

---------- Forwarded message ---------
From: **Tracy Gruber (DHHS)** <tracygruber@utah.gov>
Date: Tue, Sep 27, 2022 at 5:40 AM
Subject: Fwd: Introduction
To: Heather Borski (DHHS) <hborski@utah.gov>, Nate Checketts (DHHS) <natechecketts@utah.gov>

Good morning.

Please have those involved in family planning review this proposed legislation from Rep. Moore as soon as possible.

The idea is to allow Utah access to these funds even though our state has a law on the books requiring parental consent.

Thank you!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Mon, Sep 26, 2022 at 2:09 PM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Hey Tracy,

We've got some text for you on this. Would your team be able to review? This, implemented, should ameliorate any issues with Utah becoming an award recipient while also reimplementing some pro-life protections from the prior administration.

[redacted]

Let me know if your team has thoughts or any concerns that as written Utah would still not be able to access funds.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Wednesday, September 7, 2022 at 9:20 PM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction
Will,

The following is the response we received from DHHS staff:

Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Sep 7, 2022 at 6:24 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> *Will,*
>
> *That sounds great!*
>
> *I am not sure about PPU ability to access these funds. I will follow up with our staff.*
>
> *Tracy*
> *Tracy S. Gruber*
> *Executive Director*
> *O: 435.772.6550*
> *tracygruber@utah.gov*
>
> Utah Department of Health & Human Services
>
> *On Tue, Sep 6, 2022 at 8:13 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:*
>
> > *Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.*
> >
> > *I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards*
> >
> > *How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?*
> >
> > *Kindly,*
> >
> > *Will Derrick*

[redacted]

Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: *Tracy Gruber (DHHS) <tracygruber@utah.gov>*
Date: *Saturday, September 3, 2022 at 11:33 AM*
To: *Derrick, Will <Will.Derrick@mail.house.gov>*
Cc: *Gordon Larsen <gordonlarsen@utah.gov>*
Subject: *Re: Introduction*
Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*
>
> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> *Derrick,*
>
> *I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."*
>
> *As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.*
>
> *More to come next week. Enjoy your weekend!*
>
> *Tracy*
> *Tracy S. Gruber*
> *Executive Director*
> *O: 435.772.6550*
> *tracygruber@utah.gov*
>
> Utah Department of Health & Human Services

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey Tracy,

I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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***From:** Derrick, Will <Will.Derrick@mail.house.gov>*
***Date:** Friday, August 19, 2022 at 9:09 AM*
***To:** Tracy Gruber (DHHS) <tracygruber@utah.gov>*
***Cc:** Gordon Larsen <gordonlarsen@utah.gov>*
***Subject:** Re: Introduction*
That would be tremendous. Thank you, Tracy.

***From:** Tracy Gruber (DHHS) <tracygruber@utah.gov>*
***Date:** Friday, August 19, 2022 at 8:13 AM*
***To:** Derrick, Will <Will.Derrick@mail.house.gov>*
***Cc:** Gordon Larsen <gordonlarsen@utah.gov>*
***Subject:** Re: Introduction*
Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey there,

Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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***From:** Tracy Gruber (DHHS) <tracygruber@utah.gov>*
***Date:** Thursday, August 18, 2022 at 12:07 PM*
***To:** Gordon Larsen <gordonlarsen@utah.gov>*
***Cc:** Derrick, Will <Will.Derrick@mail.house.gov>*
***Subject:** Re: Introduction*
Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted].

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

> *Will,*
>
> *Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.*
>
> *I'm flexible next week, particularly next Tuesday.*
>
> *Thanks in advance for your help!*
>
> *Gordon*

On Thu, Aug 18, 2022 at 8:26 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> *Hey Gordon,*
>
> *Picking up this convo from last year –*
>
> *I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of "family planning" in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.*
>
> *Kindly,*
>
> *Will Derrick*
> *Legislative Assistant*
> *Congressman Blake Moore (UT-01)*
> *will.derrick@mail.house.gov*
>
> *Sign up for our weekly newsletter!*

***From:** Gordon Larsen <gordonlarsen@utah.gov>*
***Date:** Thursday, June 17, 2021 at 11:34 AM*
***To:** Derrick, Will <Will.Derrick@mail.house.gov>*
***Subject:** Re: Introduction*
Hi Will,

Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?

And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

Gordon

On Thu, Jun 17, 2021 at 8:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> *Hey there,*
>
> *My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?*

On a more specific note, my understanding is that the Utah Department of Health may have applied for a Title X Family Planning Grant last year. I know that Utah would have to be granted an exemption to accommodate state law mandating minors have parental consent to access contraceptive services. I was curious if there was a contact at the Utah Department of Health I could connect with to discuss if the Department plans to apply again. Do you know of anyone I could chat with on this topic?

Thank you so much for your help. I hope to connect soon!

Kindly,

Will Derrick
Junior Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
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SUBJECT: The 5 Biggest Cases This Supreme Court Term

FROM: Public Policy Law360 <news-q@law360.com>

TO: hborski@utah.gov

DATE: 03/10/2022 02:27

[redacted]

Title

Monday, October 3, 2022 Follow

SUPREME COURT

Analysis

The 5 Biggest Cases This Supreme Court Term

The reversal of constitutional abortion protections last term has court watchers wondering: Is affirmative action next? But the lawsuits against Harvard University and the University of North Carolina are far from the only blockbusters on the docket in what is likely to be another landslide term for conservatives. Here, Law360 breaks down five cases to watch.

Read full article »

No Signs Of Supreme Court's Conservatives Slowing Down

The U.S. Supreme Court's last term was considered by many to be the most consequential in a generation as the court's conservative justices delivered key victories on abortion and guns. But one quick glance at the new term's docket suggests this new supermajority has only just begun shifting the law to the right.

Read full article »

How Well Do You Know Supreme Court History?

As the U.S. Supreme Court kicks off its October 2022 term, it's the perfect time to dive into the court's history. Law360 will try to stump you with this 10-question quiz about the court.

Read full article »

Podcast

Law360's The Term: A New Normal For The Supreme Court?

As the U.S. Supreme Court prepares for the 2022-2023 term with a slate of new blockbuster cases, the fallout from last term's Dobbs decision and its leaked draft is still reverberating. And while pandemic-era restrictions at the court are loosening, the hosts discuss with veteran court reporter Amy Howe what kind of "new normal" to expect at the high court.

Read full article »

Justice Ketanji Brown Jackson Takes Bench, Makes History

Justice Ketanji Brown Jackson received her official commission Friday in a ceremony attended by President Joe Biden and Vice President Kamala Harris, becoming the first Black female justice to take the nation's top bench in its 230-year history.

Read full article »

3 Things To Watch At High Court Wetlands Oral Arguments

The federal government's ability to regulate and require permits under the Clean Water Act will hang in the balance Monday as the U.S. Supreme Court hears arguments from landowners and business groups pushing for a narrow statutory interpretation and the government and environmentalists seeking more expansive authority.

Read full article »

TOP NEWS

Congress Passes Stopgap Funding Bill With Judicial Security

The U.S. House passed legislation Friday to fund the federal government through mid-December, including a boost in outlays for security at U.S. courthouses and the federal judiciary.

Read full article »

Senate Judiciary Plans October Nominations Hearing

The Senate Judiciary Committee will hold a nominations hearing in October, giving Senate Democrats a chance to process several additional

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[redacted]

judicial picks this year even though the chamber will not take any votes until after the midterm elections.
Read full article »

Tillerson To Take Stand In Trump Ally's Foreign Lobbying Trial

Former U.S. Secretary of State Rex Tillerson will be called as a witness for the government in the trial of Colony Capital Inc. founder Thomas Barrack, in a case accusing the onetime Trump confidant of secretly acting as an agent of a foreign government.
Read full article »

3rd Circ. Preview: Home Depot MDL Row, Secret Service Spat

The Third Circuit's October argument schedule will be highlighted by Home Depot's fight to keep its drywall antitrust case against a building supply company from being thrown into an existing multidistrict litigation proceeding.
Read full article »

Texas Need Not Share Records On Voter Purge, 5th Circ. Says

Election officials in Texas are not required to provide voting-rights advocates with a list of more than 11,000 people they plan to remove from the state's voter rolls, the Fifth Circuit has ruled, finding that a coalition of interest groups has no standing to seek that information in court.

Order attached | Read full article »

DOJ Seeks Quick Appeal Of Mar-A-Lago Special Master Order

The U.S. Department of Justice asked the Eleventh Circuit on Friday to expedite review of a Florida federal judge's decision to appoint a special master to screen documents seized by the FBI from former President Donald Trump's Mar-a-Lago estate for attorney-client and executive privilege.

Motion attached | Read full article »

Ga. Justices End Judicial Candidate's Run Before Election

A Democratic challenger to an incumbent Republican chief magistrate judge in north Georgia was wrongly allowed by a county elections board to run as a candidate in an upcoming election, the Georgia Supreme Court ruled Friday, reversing a lower court's refusal to oust him from the ballot.

Opinion attached | Read full article »

Gov't Asks Judge To Limit Navarro Contempt Defenses At Trial

Prosecutors have asked a D.C. federal judge to prohibit former Trump White House trade adviser Peter Navarro from arguing executive privilege as a defense or politicizing an upcoming jury trial on charges he defied a congressional subpoena related to the Jan. 6, 2021, attack on the U.S. Capitol.

Motion attached | Read full article »

Ga. Says DOJ Can't Hide Voting Suit Docs From FOIA Bid

Georgia and its top elections official have asked a District of Columbia federal judge to find that the U.S. Department of Justice can't shield records of its discussions with outside groups challenging Georgia's recent controversial voting law, arguing the feds waived any privilege over the documents by talking to the groups in the first place.

Motion attached | Read full article »

Law Professors Tell DC Circ. Trump Must Face Riot Suits

Constitutional law professors on Friday came out against former President Donald Trump's bid to assert absolute immunity in three lawsuits seeking to hold him liable for the Jan. 6, 2021, insurrection at the U.S. Capitol, telling the D.C. Circuit Trump's

Kobre & Kim
Kreindler & Kreindler
Lankler Siffert
Latham & Watkins
Mayer Brown
McGinnis Lochridge
Morgan Lewis
Morris Nichols
Morrison Foerster
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Venable LLP
Wachtell Lipton
Whiteford Taylor
Wiggin LLP
Wiggin and Dana
Willkie Farr
Wilson Sonsini
Winston & Strawn
gunnercooke LLP

COMPANIES IN TODAY'S NEWS

7-Eleven Inc.
A.P. Moller-Maersk
AECOM
ALD Automotive Group
AT&T Inc.
Abercrombie & Fitch Co.
Activision Blizzard Inc.
Aldi GmbH & Co. KG
Alliance Defending Freedom
Altria Group Inc.
Amazon.com Inc.

actions that day were more akin to a "disgruntled candidate" than president.

Brief attached | Read full article »

BANKING & SECURITIES

Analysis

Biz Groups Fear 'Penny Stock' Rule Could Upset Debt Markets

Industry groups are worried the U.S. Securities and Exchange Commission's intent to extend enforcement of a recently revised rule governing unlisted securities to certain private bonds — even though the rule is historically associated with over-the-counter stocks — could disrupt debt markets.

Read full article »

SEC Says Fake Veteran Defrauded Millions From Investors

The U.S. Securities and Exchange Commission is suing a stock trader they say defrauded investors of millions by posing as a Special Forces veteran and Harvard-educated hedge fund billionaire, while trading stocks of companies he had control of.

Complaint attached | Read full article »

CFTC Says Digitex Exchange Founder Inflated Crypto Price

The founder of the Digitex Futures exchange was charged Friday by the Commodity Futures Trading Commission with violating trading laws by artificially inflating the price of his cryptocurrency and failing to implement verification procedures designed to prevent money laundering.

Complaint attached | Read full article »

ENERGY & ENVIRONMENTAL

EPA Releases Superfund Environmental Justice Guidance

The U.S. Environmental Protection Agency on Friday published a plan to more fully integrate environmental justice considerations into its Superfund program, from compliance to rulemaking and permitting.

1 document attached | Read full article »

Texas Court Gives Green Light to Enviro Agency Plant Permit

A state environmental agency's order granting a permit for a proposed rock-crushing plant outside of San Antonio is supported by evidence that shows the emissions of crystalline silica won't cause negative health effects, a Texas appellate court has ruled.

Opinion attached | Read full article »

IP & TECHNOLOGY

IEEE To Remove Injunction Limits In Essential Patent Policy

The Institute of Electrical and Electronics Engineers on Friday announced that it will revise its policy on standard-essential patents to remove limits on the ability of patent owners to seek injunctions, rescinding provisions that had sparked years of legal and political wrangling.

2 documents attached | Read full article »

5th Circ. Won't Revive US Inventor's Fintiv Suit

US Inventor doesn't have standing to challenge the process used by the U.S. Patent and Trademark Office when setting out factors for Patent Trial and Appeal Board judges to discretionarily deny challenges, the Fifth Circuit affirmed Friday.

Opinion attached | Read full article »

American Airlines Group Inc.
American Civil Liberties Union
American Civil Liberties Union of Texas
Apple Inc.
Assa Abloy AB
Association of American Railroads
Association of Corporate Counsel
Barings LLC
Booz Allen Hamilton Holding Corp.
Bouygues
ByteDance Ltd.
Cable News Network Inc.
Campaign Legal Center
Capita Group
Carpenter Co.
Caterpillar Inc.
Center for American Progress
Center for Biological Diversity
Change Healthcare Inc.
Chevron Corp.
Colony Capital Inc.
CureVac AG
DHL International GmbH
Daimler AG
Deere & Co.
Deutsche Telekom AG
Duke Energy Corp.
Duquesne University
Ethereum GmbH
Faraday & Future Inc.
Financial Industry Regulatory Authority Inc.
Ford Motor Co.
George Washington University
Getty Images Inc.
Glencore Xstrata PLC
Google LLC
Grant Thornton LLP
HSBC Holdings PLC
Harvard Business School
Harvard University
Illumina Inc.
Imperial Sugar Co.
Imperial Sugar Company
Instagram Inc.
JAMS Inc.
JUUL Labs Inc.
Korean Air Lines Co. Ltd.
LinkedIn Corp.
London Stock Exchange Group PLC
Louis Dreyfus Holding BV
Major League Baseball Inc.
Major League Baseball Players Association
Marks & Spencer
Maserati North America Inc.
Meta Platforms Inc.
Mexican American Legal Defense & Educational Fund
Microsoft Corp.
Minor League Baseball
Mississippi Center for Justice
NAACP Legal Defense and Educational Fund Inc.
National Association for the Advancement of Colored People
National Basketball Players Association

RETAIL & E-COMMERCE

Ill. Judge Halts Town Ordinance Forcing Gas Station Closure

An Illinois state judge said Friday that the village of Oak Park can't enforce an ordinance requiring a group of 24-hour gas stations to close between midnight and 5 a.m. until he can determine whether the regulation has a rational basis.

Read full article »

REAL ESTATE

Merger Law Repeal Complicates Town's Bid To Join Pittsburgh

Residents of Wilkinsburg, Pennsylvania, filed a petition with a state court seeking to revive an effort to merge their town with the neighboring City of Pittsburgh, despite a recent change in state law that claimed to do away with the process they are following.

Petition attached | Read full article »

EMPLOYMENT & BENEFITS

Calif. Expands Family Leave To Caring For Nonrelatives

California employees can take up to 12 weeks of job-protected family leave to care for individuals who aren't a legal relative under a bill Democratic Gov. Gavin Newsom signed into law.

2 documents attached | Read full article »

Profs, Labor Groups Defend NYC Just Cause Law At 2nd Circ.

A group of labor law professors and a coalition of worker advocacy groups urged the Second Circuit to strike down a challenge to a New York City law that provides just-cause job protections to some fast food workers.

2 documents attached | Read full article »

COMPETITION

Analysis

UnitedHealth Merger Loss Is One Step In DOJ's Long Game

Although a federal judge's decision allowing UnitedHealth to carry out its $13.8 billion merger with Change Healthcare was a stinging loss for the U.S. Department of Justice, the battle wasn't a total defeat for the government, according to a source familiar with the litigation.

Read full article »

Monthly Merger Review Snapshot

The U.S. Department of Justice suffered two stinging merger challenge losses, the Federal Trade Commission experienced one more, and enforcers on both sides of the Atlantic moved forward with a bevy of new and ongoing merger challenges.

Read full article »

3rd Circ. Won't Pause Sugar Merger For DOJ Appeal

The Third Circuit on Friday refused to grant the U.S. Department of Justice's request for an order pausing U.S. Sugar Corp.'s planned purchase of Imperial Sugar while enforcers appeal the trial court's rejection of their merger challenge.

Order attached | Read full article »

CYBERSECURITY & PRIVACY

Congressional Dems Urge FTC To Revamp Kids' Privacy Rule

Four congressional Democrats are pressing the Federal Trade Commission to forge ahead with an update to its children's online privacy rule, less than

National Collegiate Athletic Association
National Employment Law Project
National Football League Players Association
National Hockey League Players Association
Netflix Inc.
New York Yankees
Northern Trust Corp.
NortonLifeLock Inc.
Ohio State University
Optum Inc.
Oracle Corp.
Paramount Global
Pennsylvania Bar Association
Petronas
Pfizer Inc.
PricewaterhouseCoopers LLP
Prosperity Bancshares Inc.
Puma SE
Punjab National Bank
Regents of the University of California
SIFMA
Sime Darby Bhd.
Sirius International Insurance Group Ltd.
SoftBank Group Corp.
Spectrum Brands Inc.
Spectrum Management Holding Co.
Spirit Airlines Inc.
Spotify Technology SA
Standard Chartered PLC
State Bar of Georgia
StoneTurn Group LLP
Syngenta AG
T-Mobile US Inc.
Techne Corp.
Tesla Inc.
The Home Depot Inc.
The Institute of Electrical & Electronics Engineers Inc.
The Lawyers' Committee for Civil Rights Under Law
TikTok Inc.
TransUnion LLC
Twitter Inc.
U.S. Chamber of Commerce
U.S. Sugar Corp.
Umpqua Holdings Corporation
UnitedHealth Group Inc.
Valor Equity Partners LP
Verizon Communications Inc.
Virgin America Inc.
Vital Pharmaceuticals
Washington Post Co.
Wm Morrison Supermarkets PLC
Yahoo Inc.
Yale University
YouTube Inc.
easyJet plc
iRobot Corporation

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Industry and Security
California Environmental Protection Agency
Central Intelligence Agency
Cherokee Nation

two weeks after one FTC commissioner revealed that he was waiting for Congress to act rather than pushing for the revisions.

Letter attached | Read full article »

GOVERNMENT CONTRACTS

Clark Partington Facing DQ Bid In Fla. Whistleblower Case

A former client of Clark Partington Hart Larry Bond & Stackhouse PA has asked a federal judge to disqualify the firm from representing a commercial pilot in a whistleblower case against him over his alleged illegal monopoly control of a northwest Florida airport.

Motion attached | Read full article »

INTERNATIONAL TRADE

Russia Sanctions Reach Expands After Annexation

U.S. government agencies added over 300 individuals and entities to export and financial sanctions lists Friday in response to Russia's annexation of four regions in Ukraine, and warned Moscow's supporters of their ability to pursue sanctions farther abroad.

Read full article »

Importer Seeks Re-Export Guarantee After Forced Labor Flop

The company behind the first administrative law challenge to an import block tied to forced labor has asked the U.S. Court of International Trade to guarantee its right to re-export its palm oil after failing to clear its provenance.

Brief attached | Read full article »

IMMIGRATION

Dem Sens. Seek Easier Citizenship Path For Service Members

Nine Democrats introduced legislation in the U.S. Senate that would make immigrant service members immediately eligible for U.S. citizenship once they start basic training and create a pathway for some deported noncitizen veterans to return to the U.S.

Bill attached | Read full article »

Asylum Seekers Defend ID Seizure Class Action Against Feds

A legal organization and an asylum-seeker urged an Illinois federal judge to preserve their proposed class action challenging a policy allegedly giving immigration officers unrestrained discretion to retain ID documents from asylum-seekers during removal proceedings, saying their challenge was timely.

Response attached | Read full article »

TELECOMMUNICATIONS

Bipartisan Bill Would Stop Taxation Of Broadband Grants

A bipartisan group of U.S. senators introduced legislation Thursday that excludes some broadband infrastructure grants from taxable income.

Bill attached | Read full article »

CANNABIS

Detroit Cannabis Licensing Unfair To Non-Residents, Suit Says

A recent Detroit ordinance for cannabis licensing is unconstitutional because it prohibits co-located medicinal and recreational shops and creates an equity applicant pathway that gives an upper hand to

Commodity Futures Trading Commission
Competition and Markets Authority
Delaware Court of Chancery
Equal Employment Opportunity Commission
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Deposit Insurance Corp.
Federal Reserve System
Federal Trade Commission
Financial Conduct Authority
Georgia Attorney General's Office
Georgia Supreme Court
Government Accountability Office
International Trade Commission
Judicial Conference of the United States
Library of Congress
Morongo Band of Mission Indians
National Archives and Records Administration
National Labor Relations Board
National Security Agency
Office of Foreign Assets Control
Oneida Tribe of Indians of Wisconsin
Pennsylvania Attorney General's Office
Pennsylvania Supreme Court
Small Business Administration
Texas Attorney General's Office
Texas Commission on Environmental Quality
Texas Secretary of State
Transport for London
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense

long-term residents, a suit in Michigan federal court alleges.

Complaint attached | Read full article »

PEOPLE

Taft Adds Former Homeland Security Attorney To DC Office

A litigator with experience at both the U.S. Department of Homeland Security and the U.S. Department of Education has joined Taft Stettinius & Hollister LLP's office in Washington, D.C., the latest addition as the firm seeks to grow its presence in the district.

Read full article »

EXPERT ANALYSIS

EPA Microfiber Pollution Report Sets Stage For Regulation

A new U.S. Environmental Protection Agency draft report that cites the textile and fashion industries as the leading sources of microfiber pollution may lay the groundwork for future regulation, making it increasingly important for companies to monitor how the government defines and handles microfibers, say Byron Brown and Preetha Chakrabarti at Crowell & Moring.

Read full article »

How Crypto Miners Can Support A Cleaner Energy System

While cryptocurrency mining uses enormous amounts of energy, the industry is aware of the need to reduce its carbon footprint — and positive practices such as decarbonizing power grids and supporting dispatchable supply can allow it to do so, say Dennis Elsenbeck and David Flynn at Phillips Lytle.

Read full article »

COVID Relief Borrowers, Lenders May See Increased Scrutiny

Armed with a recently extended statute of limitations, federal prosecutors are building increasingly complex fraud cases focused on misuse of COVID-19 relief loans, involving larger dollar amounts and more defendants, and necessitating vigilance from lenders, say attorneys at Polsinelli.

Read full article »

Why Minor League Labor Negotiations Will Be Complicated

Despite the Major League Baseball voluntarily recognizing the recently announced Minor League Baseball union and avoiding a potentially contentious process, the forthcoming labor negotiations will be complex for multiple reasons — from minor leaguer demographics to the specter of antitrust scrutiny, says Christopher Deubert at Constangy Brooks.

Read full article »

Series

Keys To A 9-0 High Court Win: Practicality Over Perfection

When I argued for the petitioner in Wooden v. U.S. last year, I discovered that preparation is key, but so is the right kind of preparation — in giving decisive answers to the U.S. Supreme Court justices' hypothetical questions I was not aiming for perfection, just the best response available, says Allon Kedem at Arnold & Porter.

Opinion attached | Read full article »

LEGAL INDUSTRY

Ex-Dewey CFO To Pay $95K To End SEC Civil Fraud Suit

Dewey & LeBoeuf LLP's former chief financial officer has agreed to pay about $95,000 to end the U.S.

U.S. Department of Education
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of State
U.S. Department of Transportation
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Connecticut
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United Nations

Securities and Exchange Commission's suit over an alleged scheme to con banks and insurer-investors out of $250 million to keep the doomed firm afloat, the commission said in a request for final approval of the deal Friday.
Read full article »

Pennsylvania Chief Supreme Court Justice Max Baer Dies

Max Baer, the chief justice of the Supreme Court of Pennsylvania, died at his Pittsburgh-area home Friday night at 74, the court announced Saturday.
Read full article »

Foley Hoag Must Pay Expert $92K For Testimony, Jury Finds

Foley Hoag LLP must pay $92,000 to a Mexico City attorney who was hired by the firm as an expert witness but was never paid, a jury has ruled after a three-day trial in Washington, D.C., Superior Court.
Read full article »

Unsealed Ruling Blasts Kreindler & Kreindler For 9/11 Leak

The New York magistrate judge overseeing much of the multidistrict litigation over the 9/11 terror attacks has unsealed her previous decision sanctioning Kreindler & Kreindler LLP and its former consultant over the leak of a deposition from the MDL, removing the firm from the plaintiffs' executive committees after nearly two decades.
Read full article »

Ex-Bankruptcy Judge Sontchi To Referee Twitter Trial Prep

Delaware's chancellor appointed retired U.S. Bankruptcy Court Judge Christopher S. Sontchi on Friday to serve as a special master for remaining discovery disputes between Elon Musk and Twitter Inc. in Twitter's suit to force the Tesla Inc. CEO to close on a $44 billion offer for the social media giant.
Read full article »

Q&A

From Refugee To Bar Prez, IP Atty Is 'Voice To The Community'

Nearly a half-century after fleeing Vietnam following the fall of Saigon, Greenberg Traurig LLP shareholder Chinh Pham has kicked off a one-year term as president of the Boston Bar Association, becoming the first Asian American to hold the post as he looks to push forward diversity, equity and inclusion initiatives.
Read full article »

Atty's Offer To Playboy Dancer Doesn't Make Her An Employee

A London tribunal ruled that a Playboy casino dancer offered work as a personal assistant by a consultant solicitor was not employed by his firm, dismissing her bid to force the London boutique to pay her the salary he had promised.
Read full article »

'Serial Liar' Or FBI Briber? Jury To Weigh Ex-Atty's Testimony

Ex-FBI agent Babak Broumand accepted cash, escorts and a Ducati bike from a since-disbarred attorney in exchange for sharing restricted information, federal prosecutors told a California jury during closing statements on Friday while defense counsel maintained the attorney — the government's star witness — is a "serial liar" who can't be trusted.
Read full article »

Redgrave Wants Ex-Atty's Suit Over Arbitration Row Tossed

Redgrave LLP has asked a California federal judge to ax a suit from a former partner seeking to avoid arbitrating claims for unpaid bonuses and back pay, arguing that a separate suit the firm filed to force arbitration took precedence.
Read full article »

Ex-Rutgers Law Fundraising Exec Launches Equal Pay Suit

A former law school fundraising executive has slammed Rutgers University with a gender discrimination and equal pay lawsuit in New Jersey state court alleging she was improperly paid less than a male counterpart and ultimately fired for complaining about the inequitable treatment.
Read full article »

Yale Law Students' Retaliation Suit Reduced To One Claim

A Connecticut federal judge has tossed all but one claim brought by two Yale Law School students alleging school administrators retaliated against them for not helping with an investigation into a professor.
Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

Lawmakers said they won't give up on enacting a federal data privacy bill this year, and experts said general counsel should use the U.S. Department of Justice's new corporate crime posture to educate stakeholders about the importance of investing in the compliance function. These are some of the stories in corporate legal news you may have missed in the past week.
Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.
Read full article »

UK Litigation Roundup: Here's What You Missed In London

The past week in London has seen German software company Topalsson face a breach of contract claim from law firm CMS, Pfizer and BioNTech look for the cure to their patent woes in a claim against Moderna, and Alaska Airlines ready for departure in a commercial contracts claim against Virgin Aviation. Here, Law360 looks at these and other new claims in the U.K.
Read full article »

Podcast

Pro Say: The Shifting Politics Of Courthouse Arrests

Federal prosecutors' sudden decision to abandon charges against a Massachusetts state judge accused of hampering the arrest of an undocumented immigrant in her courtroom in 2019 has stoked some attorneys' fears that quickly changing political winds played an outsized role in the matter from the very beginning.
Read full article »

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SUBJECT: The 5 Biggest Cases This Supreme Court Term
FROM: Health Law360 <news-q@law360.com>

[redacted] Title

TO: hborski@utah.gov
DATE: 03/10/2022 02:59

LAW360 HEALTH

Monday, October 3, 2022 Follow

SUPREME COURT

Analysis

The 5 Biggest Cases This Supreme Court Term
The reversal of constitutional abortion protections last term has court watchers wondering: Is affirmative action next? But the lawsuits against Harvard University and the University of North Carolina are far from the only blockbusters on the docket in what is likely to be another landslide term for conservatives. Here, Law360 breaks down five cases to watch.
Read full article »

No Signs Of Supreme Court's Conservatives Slowing Down
The U.S. Supreme Court's last term was considered by many to be the most consequential in a generation as the court's conservative justices delivered key victories on abortion and guns. But one quick glance at the new term's docket suggests this new supermajority has only just begun shifting the law to the right.
Read full article »

How Well Do You Know Supreme Court History?
As the U.S. Supreme Court kicks off its October 2022 term, it's the perfect time to dive into the court's history. Law360 will try to stump you with this 10-question quiz about the court.
Read full article »

Podcast

Law360's The Term: A New Normal For The Supreme Court?
As the U.S. Supreme Court prepares for the 2022-2023 term with a slate of new blockbuster cases, the fallout from last term's Dobbs decision and its leaked draft is still reverberating. And while pandemic-era restrictions at the court are loosening, the hosts discuss with veteran court reporter Amy Howe what kind of "new normal" to expect at the high court.
Read full article »

Justice Ketanji Brown Jackson Takes Bench, Makes History
Justice Ketanji Brown Jackson received her official commission Friday in a ceremony attended by President Joe Biden and Vice President Kamala Harris, becoming the first Black female justice to take the nation's top bench in its 230-year history.
Read full article »

TOP NEWS

Analysis

UnitedHealth Merger Loss Is One Step In DOJ's Long Game
Although a federal judge's decision allowing UnitedHealth to carry out its $13.8 billion merger with Change Healthcare was a stinging loss for the U.S. Department of Justice, the battle wasn't a total defeat for the government, according to a source familiar with the litigation.
Read full article »

Locke Lord Is Stuck With Failed Health Plan Malpractice Suit
Locke Lord LLP "demands more" of a health plan fiduciary suing it for bad legal advice than the law

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Change Healthcare Inc.
Charter Communications Inc.
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Grant Thornton LLP
Gritstone bio Inc.
HSBC Holdings PLC
HarbourVest Partners LLC
Harvard University
Illumina Inc.

[redacted]

requires at this stage of the case, an Illinois federal judge has ruled.

Memorandum attached | Read full article »

BakerHostetler Accused Of Fraud In $100M Bankruptcy Suit

A liquidating trustee for a reorganized pharmacy company has filed an adversary complaint in a Texas bankruptcy court, accusing law firm BakerHostetler of helping facilitate a $100 million insurance billing fraud scheme before the company filed for bankruptcy in 2017.

Complaint attached | Read full article »

Administrator Named In CVS-Walgreens-Walmart Opioid Order

A Cleveland federal judge presiding over thousands of opioid cases appointed his special master on Friday as administrator for abatement programs mandated as part of a judgment against CVS, Walgreens and Walmart, which were found liable to the tune of $650 million for contributing to prescription painkiller-related problems in two Ohio counties.

Order attached | Read full article »

Hurricane Causes Mistrial In Fla. Oncology Antitrust Case

A Florida federal judge declared a mistrial Friday over Hurricane Ian's impact on jury deliberations in a criminal antitrust case that accuses the founder of an oncology group of splitting the cancer treatment market in Southwest Florida.

Read full article »

3rd Circ. Orders Sentence Redo In $95M Drug Fraud Case

The Third Circuit on Friday threw out the 2017 money laundering convictions of reverse pharmaceutical company Devos Ltd. and two of its former executives but left intact dozens of other criminal counts, prison terms and fines for a $95 million drug refund theft scheme.

Opinion attached | Read full article »

ENFORCEMENT & COMPLIANCE

NY Doctor Cops To Role In Trip-And-Fall Litigation Scam

A New York doctor has pled guilty to his role in an alleged conspiracy in which a group of lawyers and doctors instructed patients to stage falls and receive unnecessary medical procedures to support fraudulent legal claims.

Read full article »

LITIGATION

$178M Verdict Against Novartis Stands But Can't Be Tripled

A California federal judge has upheld a jury's $177.8 million infringement verdict against Novartis but overturned the jury's finding that the infringement of a Daiichi Sankyo unit's patents was willful.

Order attached | Read full article »

NJ Health System Loses Verdict To Recoup $15M Deal Fee

A New Jersey federal jury determined Friday that Cooper Health System could not recoup a $15 million deposit it paid before terminating its proposed acquisition of two hospitals from a Trinity Health subsidiary because it had failed to notify that entity about alleged problems with the deal.

Verdict attached | Read full article »

Zurich Slips Orthopedic Institute's Virus Coverage Suit

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Imperial Sugar Company
Intrado Inc.
JAMS Inc.
LifeScan Inc.
LinkedIn Corp.
Lyell Immunopharma Inc.
Marks & Spencer
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NAACP Legal Defense and Educational Fund Inc.
NASDAQ Inc.
National Association for the Advancement of Colored People
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Walgreens Co.
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Yahoo Inc.
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easyJet plc

LAW FIRMS IN TODAY'S NEWS

Abell Eskew
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Archer Attorneys at Law
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A Pennsylvania federal judge tossed an orthopedic care provider's COVID-19 business interruption suit against Zurich American Insurance Co., finding that the company did not show any physical loss or damage required to trigger coverage.

Order attached | Read full article »

Judge Adopts Report, Giving Medical Lab, Insurer Partial Wins

A Texas federal judge adopted a magistrate judge's recommendation that an insurer not be allowed to disclaim coverage to a medical lab based on misrepresentations in a warranty letter, a ruling that forecloses some of the carrier's defenses to coverage but keeps others alive.

Order attached | Read full article »

Blue Cross Faces Market Monopolization Claim In Mich.

Michigan's Blue Cross Blue Shield branch is again facing antitrust accusations after a federal judge on Wednesday partially revived claims from a group of anesthesiologists that allege a decadeslong scheme by the insurance company to dominate the anesthesiology market in the state.

Order attached | Read full article »

CVS, Customers Settle Suit Over Repeated Robocalls

CVS Pharmacy Inc. has reached an undisclosed settlement in a proposed class action that alleged it placed illegal robocalls to its customers, with both sides asking an Illinois federal judge to dismiss the case.

Settlement attached | Read full article »

Spectrum And AT&T Escape Suit Over Database Error

A Michigan appeals court has upheld the dismissal of a suit seeking to hold Spectrum Cable, AT&T Michigan and others responsible for negligently mislabeling a customer's home address, which caused an emergency response delay when the customer had a medical emergency and later died.

Opinion attached | Read full article »

Biomed Co. Not Covered For Tuberculosis Suits, Insurer Says

A Hartford unit shouldn't have to defend a regenerative medicine company from lawsuits filed by surgical patients who said they contracted tuberculosis from one of the company's products, the insurer told a Maryland federal court Friday, pointing to a policy exclusion for bacteria exposure.

Complaint attached | Read full article »

Detroit Cannabis Licensing Unfair To Non-Residents, Suit Says

A recent Detroit ordinance for cannabis licensing is unconstitutional because it prohibits co-located medicinal and recreational shops and creates an equity applicant pathway that gives an upper hand to long-term residents, a suit in Michigan federal court alleges.

Complaint attached | Read full article »

UK Litigation Roundup: Here's What You Missed In London

The past week in London has seen German software company Topalsson face a breach of contract claim from law firm CMS, Pfizer and BioNTech look for the cure to their patent woes in a claim against Moderna, and Alaska Airlines ready for departure in a commercial contracts claim against Virgin Aviation. Here, Law360 looks at these and other new claims in the U.K.

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Ellenoff Grossman
Faegre Drinker
Farrell & Fuller
Fenwick & West
Fieldfisher
Foley & Lardner
Foley Hoag
Foot Anstey
Forrest Firm
Fox Rothschild
Fragomen Del Rey
Freeths LLP
Fried Frank
Gibson Dunn
Gilbert LLP
Gleiss Lutz
Goodwin Procter
Greenberg Traurig
Haynes & Boone
Hengeler Mueller
Herbert Smith Freehills
Hogan Lovells
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Hunton Andrews
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Ifrah Law
Jackson Kelly PLLC
Jackson Walker LLP
Jones Day
Kellogg Hansen
Kennedys Law LLP
Kesselman Brantly
Kilpatrick Townsend
Kirkland & Ellis
Kirsch & Niehaus
Kobre & Kim
Kramon & Graham
Kreindler & Kreindler
Lanier Law Firm
Lankler Siffert
Latham & Watkins
Locke Lord
Lommen Abdo
Lynch Carpenter
Markus Moss
Mathewson Law LLC
McDermott Will
Michael Best
Miller Shakman
Morgan Lewis
Morrison Foerster

[redacted]

DEALS

Analysis

Don't Miss It: Cravath, Fried Frank Guide Week's Hot Deals

Industry-leading M&A attorneys recently opined on factors that could be stalling deals, but the past week showed there's plenty of momentum left in the market. In fact, it may have been difficult to keep up with the flurry of activity. Here, Law360 recaps the ones you may have missed, including transactions led by Cravath and Fried Frank.

Read full article »

SPAC Cancels Merger Plans With Chinese Automaker Chijet

A special-purpose acquisition company that was set to acquire and take public Chinese automaker Chijet Motor Co. at a valuation of $2.55 billion has terminated merger plans, according to a securities filing Friday.

Read full article »

PEOPLE

Health Hires: Nelson Mullins, Lyell Immunopharma

Nelson Mullins Riley & Scarborough LLP has snapped up a new health care partner from Northern Light Health, while various life sciences companies like Lyell Immunopharma Inc. have named new legal heads, highlighting Law360's latest roundup of personnel moves in health care and life sciences.

Read full article »

Akerman Expands Corporate Team With 2 Attys In Ga., NC

Building on its corporate team growth this year, Akerman LLP has added two new corporate partners in Atlanta and North Carolina, including a former Greenberg Traurig LLP shareholder with in-house experience who bolsters the firm's recently launched data center and digital infrastructure practice.

Read full article »

Calif. Supplement Co. Brings Outside GC Inside

Cymbiotika LLC, which markets nutritional supplements, has named former outside general counsel Adam Gislason as its new chief strategy officer and general counsel.

Read full article »

EXPERT ANALYSIS

4 Strategies For Drafting Effective Consumer Breach Notices

Businesses should consider key strategies when drafting consumer breach notification letters, such as knowing their audience and what is on their mind, and prioritizing user-friendliness and tone, say attorneys at Troutman Pepper.

Read full article »

How Cos. Can Adapt To Global AI Regulation Trends

Companies can prepare for the future of artificial intelligence regulation by monitoring proposed and existing regulations both in the U.S. and abroad, tailoring their internal compliance architecture for AI-specific risks, and looking for opportunities to lead on governance issues, says Nicholas Diamond at Jackson Walker.

Read full article »

Series

Keys To A 9-0 High Court Win: Practicality Over Perfection

When I argued for the petitioner in Wooden v. U.S. last year, I discovered that preparation is key, but so is the right kind of preparation — in giving decisive answers to the U.S. Supreme Court justices' hypothetical questions I was not aiming for

Morvillo Abramowitz
Moses & Singer
Motley Rice
Napoli Shkolnik
Nelson Mullins
Ogletree Deakins
Osborne Clarke
Perkins Coie
Pinsent Masons
Plevin & Gallucci
Porter Wright
Potter Anderson
Powell Gilbert LLP
Proskauer Rose
Quinn Emanuel
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Simmons Hanly
Simpson Thacher
Skadden Arps
Smith Phillips
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Stephens Scown
Stephenson Harwood
Swartz Swidler
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Whiteford Taylor
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GOVERNMENT AGENCIES IN TODAY'S NEWS

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Judicial Conference of the United States
Library of Congress
Morongo Band of Mission Indians
National Archives and Records Administration
National Institute of Standards and Technology
Oneida Tribe of Indians of Wisconsin

perfection, just the best response available, says Allon Kedem at Arnold & Porter.

Opinion attached | Read full article »

LEGAL INDUSTRY

Ex-Dewey CFO To Pay $95K To End SEC Civil Fraud Suit

Dewey & LeBoeuf LLP's former chief financial officer has agreed to pay about $95,000 to end the U.S. Securities and Exchange Commission's suit over an alleged scheme to con banks and insurer-investors out of $250 million to keep the doomed firm afloat, the commission said in a request for final approval of the deal Friday.

Read full article »

DOJ Seeks Quick Appeal Of Mar-A-Lago Special Master Order

The U.S. Department of Justice asked the Eleventh Circuit on Friday to expedite review of a Florida federal judge's decision to appoint a special master to screen documents seized by the FBI from former President Donald Trump's Mar-a-Lago estate for attorney-client and executive privilege.

Read full article »

Congress Passes Stopgap Funding Bill With Judicial Security

The U.S. House passed legislation Friday to fund the federal government through mid-December, including a boost in outlays for security at U.S. courthouses and the federal judiciary.

Read full article »

Senate Judiciary Plans October Nominations Hearing

The Senate Judiciary Committee will hold a nominations hearing in October, giving Senate Democrats a chance to process several additional judicial picks this year even though the chamber will not take any votes until after the midterm elections.

Read full article »

Pennsylvania Chief Supreme Court Justice Max Baer Dies

Max Baer, the chief justice of the Supreme Court of Pennsylvania, died at his Pittsburgh-area home Friday night at 74, the court announced Saturday.

Read full article »

Foley Hoag Must Pay Expert $92K For Testimony, Jury Finds

Foley Hoag LLP must pay $92,000 to a Mexico City attorney who was hired by the firm as an expert witness but was never paid, a jury has ruled after a three-day trial in Washington, D.C., Superior Court.

Read full article »

Unsealed Ruling Blasts Kreindler & Kreindler For 9/11 Leak

The New York magistrate judge overseeing much of the multidistrict litigation over the 9/11 terror attacks has unsealed her previous decision sanctioning Kreindler & Kreindler LLP and its former consultant over the leak of a deposition from the MDL, removing the firm from the plaintiffs' executive committees after nearly two decades.

Read full article »

Ex-Bankruptcy Judge Sontchi To Referee Twitter Trial Prep

Delaware's chancellor appointed retired U.S. Bankruptcy Court Judge Christopher S. Sontchi on Friday to serve as a special master for remaining discovery disputes between Elon Musk and Twitter Inc. in Twitter's suit to force the Tesla Inc. CEO to close on a $44 billion offer for the social media giant.

Read full article »

Q&A

From Refugee To Bar Prez, IP Atty Is 'Voice To The Community'

Nearly a half-century after fleeing Vietnam following the fall of Saigon, Greenberg Traurig LLP

Pennsylvania Attorney General's Office
Pennsylvania Supreme Court
Transport for London
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Eastern District of Pennsylvania
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Connecticut
U.S. District Court for the District of Maryland
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Texas
U.S. General Services Administration
U.S. House of Representatives
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Northern District of Ohio

shareholder Chinh Pham has kicked off a one-year term as president of the Boston Bar Association, becoming the first Asian American to hold the post as he looks to push forward diversity, equity and inclusion initiatives.
Read full article »

Atty's Offer To Playboy Dancer Doesn't Make Her An Employee

A London tribunal ruled that a Playboy casino dancer offered work as a personal assistant by a consultant solicitor was not employed by his firm, dismissing her bid to force the London boutique to pay her the salary he had promised.
Read full article »

'Serial Liar' Or FBI Briber? Jury To Weigh Ex-Atty's Testimony

Ex-FBI agent Babak Broumand accepted cash, escorts and a Ducati bike from a since-disbarred attorney in exchange for sharing restricted information, federal prosecutors told a California jury during closing statements on Friday while defense counsel maintained the attorney — the government's star witness — is a "serial liar" who can't be trusted.
Read full article »

Gov't Asks Judge To Limit Navarro Contempt Defenses At Trial

Prosecutors have asked a D.C. federal judge to prohibit former Trump White House trade adviser Peter Navarro from arguing executive privilege as a defense or politicizing an upcoming jury trial on charges he defied a congressional subpoena related to the Jan. 6, 2021, attack on the U.S. Capitol.
Read full article »

Redgrave Wants Ex-Atty's Suit Over Arbitration Row Tossed

Redgrave LLP has asked a California federal judge to ax a suit from a former partner seeking to avoid arbitrating claims for unpaid bonuses and back pay, arguing that a separate suit the firm filed to force arbitration took precedence.
Read full article »

Ex-Rutgers Law Fundraising Exec Launches Equal Pay Suit

A former law school fundraising executive has slammed Rutgers University with a gender discrimination and equal pay lawsuit in New Jersey state court alleging she was improperly paid less than a male counterpart and ultimately fired for complaining about the inequitable treatment.
Read full article »

Yale Law Students' Retaliation Suit Reduced To One Claim

A Connecticut federal judge has tossed all but one claim brought by two Yale Law School students alleging school administrators retaliated against them for not helping with an investigation into a professor.
Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week

Lawmakers said they won't give up on enacting a federal data privacy bill this year, and experts said general counsel should use the U.S. Department of Justice's new corporate crime posture to educate stakeholders about the importance of investing in the compliance function. These are some of the stories in corporate legal news you may have missed in the past week.
Read full article »

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.
Read full article »

Podcast

Pro Say: The Shifting Politics Of Courthouse Arrests

Federal prosecutors' sudden decision to abandon charges against a Massachusetts state judge accused of hampering the arrest of an undocumented immigrant in her courtroom in 2019 has stoked some attorneys' fears that quickly changing political winds played an outsized role in the matter from the very beginning.

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SUBJECT: Wetland battle at the Supreme Court
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 03/10/2022 05:00

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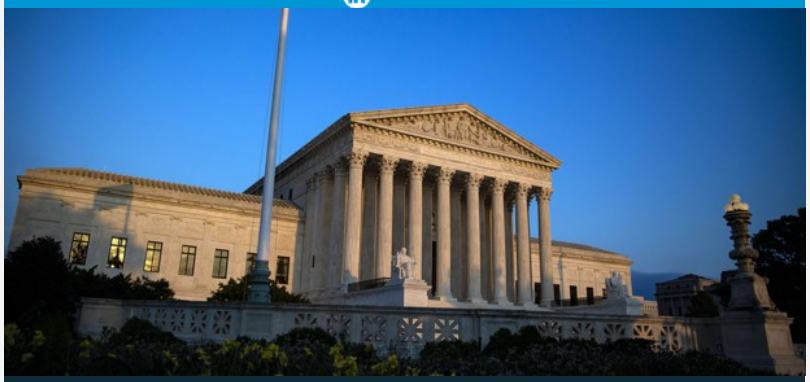
October 3, 2022



SUPREME COURT COULD SHIFT MORE CONTROL OVER WETLANDS TO STATES

DANIEL C. VOCK | The court will begin its new term with a long-running dispute over when wetlands fall under the nation's main water quality law. Depending on how the justices rule, it could leave federal regulators with less authority and states taking up the slack.

DECIDING HOW TO USE $41B IN REMAINING STATE ARPA AID

KERY MURAKAMI | States have already chosen where to spend the bulk of $195 billion in pandemic funding from the American Rescue Plan Act. A think tank is weighing in on what to do with the money that's left.

THE PLACES WHERE REMOTE WORK BECAME MOST COMMON

MOLLY BOLAN | In regions around over 40 cities, at least one in five people were working remotely last year, according to a new study.

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Safeguarding Unemployment Insurance Benefits from Fraud
As a result of the COVID-19 pandemic, government agencies are under great pressure to provide prompt services to appropriate constituents, however, technological limitations and an unprecedented surge in demand have exposed gaps in fraud mitigation.
Learn more

STATES MUST PLUG INTO FEDERAL ANTIFRAUD SYSTEM FOR FOOD AID UNDER NEW RULE

NATALIE ALMS | FCW | The system, meant to help prevent duplicate participation, is expected to make enrollment and oversight easier with the Supplemental Nutrition Assistance Program.

TRUMP ALLIES HAVE INTERVIEWED NEARLY 200 ELECTION OFFICIALS TO PROBE FOR WEAKNESSES

JEN FIFIELD | VOTEBEAT | Volunteers for "Operation Eagles Wings" are using surveys in eight states to seek support for conspiracy theories.

THIS YEAR'S HOTTEST CONTESTS TO CONTROL STATE LEGISLATURES

DANIELA ALTIMARI | Democrats hope concerns about abortion access will bolster their chances to retake key chambers. But Republicans say President Biden's flagging poll numbers will give GOP candidates an edge.

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As a result of the COVID-19 pandemic, government agencies are under great pressure to provide prompt services to appropriate constituents, however, technological limitations and an unprecedented surge in demand have exposed gaps in fraud mitigation.
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SUBJECT: Morning Consult Health Presented by the Modern Medicaid Alliance:Prices of 1,200-Plus Drugs Jumped Faster Than Inflation Last Year, HHSReport Finds
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TO: hborski@utah.gov
DATE: 03/10/2022 05:55

[redacted] Title

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Health

Essential health care industry news & intel to start your day.

OCTOBER 3, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- A Health and Human Services Department report found that 1,216 drugs were priced over the inflation rate of 8.5% between July 2021 and July 2022, with an average price increase of 31.6%. The report, released ahead of the Oct. 1 implementation of an Inflation Reduction Act measure to set an inflationary cap on Part D prices, also found that spending on specialty drugs climbed to $301 billion in 2021, a 43% increase since 2016. (Fierce Healthcare)

- The Federal Trade Commission is investigating whether U.S. Anesthesia Partners, which has 4,500 anesthesia providers across nine states, has accumulated too much power in some markets via acquisitions, people familiar with the matter said. The probe into USAP, founded in 2012 by the private-equity firm Welsh, Carson, Anderson & Stowe, falls in line with growing agency scrutiny under FTC Chair Lina Khan into private equity's role in health care. (The Wall Street Journal)

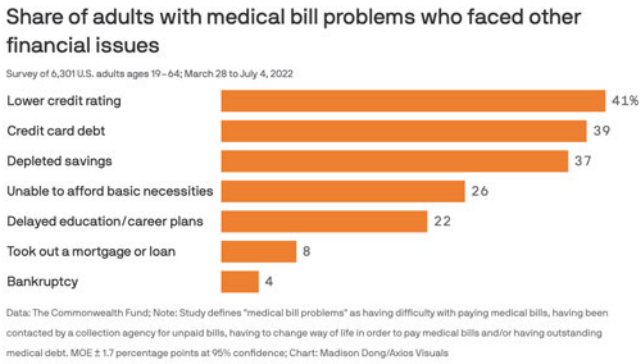
- The spread of monkeypox is slowing in the United States, but Marc Lipsitch, director of science in the Centers for Disease Control and Prevention's disease-forecasting center, said in an interview that "there's no clear path in our mind to complete elimination domestically." (The Associated Press) HHS said monkeypox vaccines can now be given by pharmacists, dentists and other licensed medical providers. (Bloomberg Law)

- Overseas baby-formula manufacturers who wish to keep selling their products in the United States following this year's shortage must send the Food and Drug Administration a letter by Dec. 5 that declares their intent to stay in the market and pledges that they will meet all regulatory requirements. The FDA will make decisions on those applications by Jan. 6, 2023, and allow foreign manufacturers to continue selling in the U.S. market in the meantime while they pursue a permanent path past the original Nov. 14 deadline. (The Wall Street Journal)

CHART REVIEW

America's big consumer medical debt problem
Axios

[redacted]



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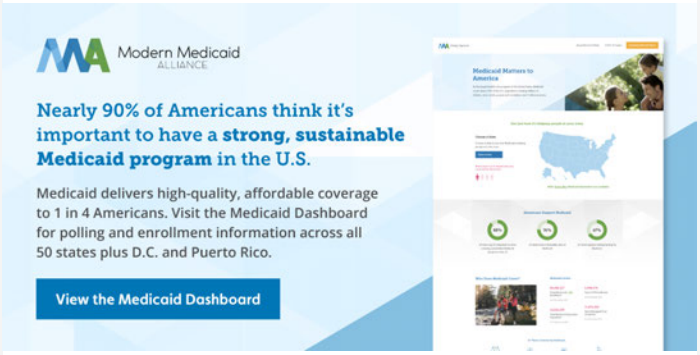

Visit the Medicaid Dashboard: A One-Stop Clearinghouse for Medicaid Data

Americans widely support Medicaid, with an overwhelming majority of voters (88%) wanting to ensure it remains strong and stable for the millions who rely on it. That's according to the Modern Medicaid Alliance's recently updated Medicaid Dashboard, which houses Medicaid enrollment research and polling data for all 50 states plus D.C. and Puerto Rico. Visit the Medicaid Dashboard today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

U.S. Covid-19 Vaccine Donations to Poor Countries Fall Short of Target
Gabriele Steinhauser and Stephanie Armour, The Wall Street Journal
The U.S. has fallen far short of its own target of donating some 1.1 billion Covid-19 vaccines to developing countries by the end of September, as many recipient governments, particularly in Africa, wrestle with low demand for the shots and limited funding to distribute them.

How the CDC's communication failures during Covid tarnished the agency
Erika Edwards, NBC News
In the early days of Covid, staffers at the Centers for Disease Control and Prevention sought to give Americans guidance about maintaining some semblance of normalcy during a once-in-a-century pandemic that had upended daily life. One recommendation? Play basketball with your friends — online.

Less than 4% of U.S. adults have gotten updated Covid booster shots
Aria Bendix, NBC News
At least 7.6 million people have received an updated Covid booster since the start of September, according to data released Thursday by the Centers for Disease Control and Prevention. That number represents around 3.6% of people currently eligible to receive the shots in the U.S.

Moderna refused China request to reveal vaccine technology
Sun Yu et al., Financial Times
Pharma company still 'eager' to collaborate with Beijing, despite collapse of initial talks.

America Is Choosing to Stay Vulnerable to Pandemics
Ed Yong, The Atlantic
Despite gross undercounting, more than 50,000 infections are being recorded every day. The CDC estimates that 19 million adults have long COVID. Things have undoubtedly improved since the peak of the crisis, but calling the pandemic "over" is like calling a fight "finished" because your opponent is punching you in the ribs instead of the face.

Wastewater monitoring is the 'public health dream' that helped fight COVID. But it also raises big ethical questions about privacy and consent
Erin Prater, Fortune
Scientists have spent an inordinate amount of time during the COVID pandemic sifting through sewage—an attempt to consult the so-called "oracle in the toilet" as to what the virus holds next.

What to Do if You're Experiencing Hair Loss After Covid
Knvul Sheikh, The New York Times
Increased shedding after illness is not unusual. The good news is that it's most likely temporary.

Long Covid: What we know about the loss of smell and taste
Sandee LaMotte, CNN
Imagine waking up one morning after recovering from Covid-19 to find that your coffee smells like unwashed socks, your eggs reek of feces and your orange juice tastes metallic. Oddly, that's a good thing: It's a sign you still have a working sense of smell - even if it's miswired in your brain.

'4-alarm blaze': New York's public health crises converge
Erin Banco, Politico
This past winter, as Covid cases were beginning to decline, state health officials in New York were expecting a respite after two exhausting years and a chance to refocus on run-of-the-mill public health duties. Almost a year later, they are still waiting.

GENERAL

HHS Swears in Roselyn Tso as Director of Indian Health Service
Bloomberg Law
Roselyn Tso, who is a member of the Navajo Nation, has been sworn in as the director of the Indian Health Service, the US Department of Health and Human Services announced Friday.

Arizona judge rejects request to pause abortion ban
The Associated Press
An Arizona judge on Friday declined to put her order that allowed enforcement of a pre-statehood law making it a crime to provide an abortion on hold, saying abortion right groups that asked her to block the order are not likely to prevail on appeal.

More states are allowing children to take mental health days
Andrea Atkins, The Washington Post
A dozen states already have measures in place that allow kids to take off for mental health and not just physical health reasons. A handful of others* are considering making similar changes to school absentee rules.

Siga's Tpoxx Study Enrollment Slows as Monkeypox Cases Wane
Jeannie Baumann, Bloomberg Law
Enrollment in Siga Technologies Inc.'s monkeypox treatment trial is facing a slowdown as a decline in cases makes it more difficult to recruit volunteers.

Fentanyl Test Strips Highlight Rift in Nation's Struggle to Combat Drug Deaths
Jan Hoffman, The New York Times
Proponents say the ability to check drugs for the presence of lethal fentanyl may save lives. But critics say the strips enable drug use.

Post-Dobbs birth control fight heads to college campuses
Oriana Gonzalez, Axios
Fallout from the demise of Roe v. Wade is forcing college administrators to weigh how reproductive health services offered on campus may conflict with state abortion bans and if their employees could face prosecution.

How one New York county went from fighting measles to battling polio
Shannon Young, Politico
Four years after finding itself in the middle of the nation's worst measles outbreak in decades, Rockland County is back in the spotlight for polio — resurrecting another disease the U.S. thought had been conquered.

The Nobel in medicine awarded to Svante Pääbo for discoveries on human evolution
Carolyn Y. Johnson, The Washington Post
The Nobel prize in medicine was awarded Monday to Svante Pääbo, a Swedish geneticist whose work on ancient DNA helped change our understanding of human origins.

PAYERS

Kroger seeks to end deal with Cigna's Express Scripts over drug pricing
Reuters
Grocery retailer Kroger Co said on Friday it has sent Cigna Corp's subsidiary Express Scripts a written notice of its plan to terminate their pharmacy provider agreement for commercial customers due to an "unsustainable" pricing model.

What 5 major payers have planned for MA open enrollment
Paige Minemyer, Fierce Healthcare
Medicare Advantage (MA) is a hot market for insurers, and there's significant growth potential for plans who come out strong in the AEP, which begins on Oct. 15. The Centers for Medicare & Medicaid Services predicts that 31.8 million people will enroll in MA for 2023, and the program is projected to serve more than half of all Medicare beneficiaries in short order.

Republicans abandon Obamacare repeal
Sahil Kapur, NBC News
Republicans are abandoning their long crusade to repeal the Affordable Care Act, making the 2022 election the first in more than a decade that won't be fought over whether to protect or undo President Barack Obama's signature achievement.

Insurer 'FOMO' driving healthcare bidding wars
Nona Tepper and Caroline Hudson, Modern Healthcare
Earlier this year, Amazon and CVS Health sparred over One Medical, with Amazon in August announcing it planned to buy the primary care operator for $3.9 billion. The same month, CVS, Amazon, UnitedHealth Group and Option Care Health fought for ownership of Signify Health, the nation's largest health risk-assessment provider. CVS announced plans to buy Signify Health for $8 billion in September.

PROVIDERS

HHS Awards $266 Million for Community, Public Health Workforce
Bloomberg Law

The US Department of Health and Human Services has awarded $225.5 million to 83 grantees through the Community Health Worker Training Program and $40.7 million to 29 grantees through the Public Health Scholarship Program, according to a Friday news release.

There's a big disparity in the number of Latino doctors and surgeons. Advocates are working to change that.
Edwin Flores, NBC News
Latinos account for almost 1 in 5 Americans but represent 7% of the nation's physician and surgeon workforce. "It's a crisis," one Latino doctor said.

Threats prompt hospitals to strip websites of info on gender-affirming care
Tara Bannow and Kate Sheridan, Stat News
Children's hospitals that have been targeted on social media for providing gender-affirming care — and even some that haven't — are stripping information about those services from their websites. Advocates fear the changes could make it even harder for transgender adolescents to get care.

Mental health crisis programs face challenges in rural areas
Tony Leys and Arielle Zionts, Kaiser Health News
Programs to send mental health professionals instead of police to answer crisis calls are harder to set up in rural areas. But agencies across the country are making it work.

PHARMA, BIOTECH AND DEVICES

The war against superbugs caught in congressional quagmire
Lauren Gardner and Krista Mahr, Politico
Lawmakers are on the brink of missing a critical window to fix America's broken antibiotic market — and to prepare for the growing crisis of superbugs that federal officials say is a national security threat and experts warn is already a silent pandemic.

Walgreens Turns to Prescription-Filling Robots to Free Up Pharmacists
Sharon Terlep, The Wall Street Journal
The nation's second-largest pharmacy chain is setting up a network of automated, centralized drug-filling centers that could fill a city block. Rows of yellow robotic arms bend and rotate as they sort and bottle multicolored pills, sending them down conveyor belts. The company says the setup cuts pharmacist workloads by at least 25% and will save Walgreens more than $1 billion a year.

Price of New A.L.S. Treatment Will Be $158,000 Per Year, Maker Says
Pam Belluck, The New York Times
A new medication for A.L.S., the devastating neurological disorder that causes paralysis and death, will have a list price of $158,000 a year, its manufacturer disclosed Friday.

Pharma-Funded FDA Gets Drugs Out Faster, But Some Work Only 'Marginally' and Most Are Pricey
Arthur Allen, Kaiser Health News
The FDA's accelerated approval is usually based on a "surrogate marker" of effectiveness — evidence of lower viral loads for HIV, for example, or shrinking tumors for cancer. Debate rages over the validity of some of these stand-ins, and some of the drugs.

A Message From the Modern Medicaid Alliance:

Medicaid provides an essential safety net for those who need it most. From the start of the COVID-19 pandemic, Medicaid and managed care have played a critical role in delivering high-quality, affordable coverage for a growing number of Americans. In fact, Medicaid enrollment has grown by more than 17.5 million people since the onset of COVID-19.

For more information on Medicaid during the public health crisis, visit the Modern Medicaid Alliance's recently updated Medicaid Dashboard.

HEALTH TECHNOLOGY

Can Smartphones Help Predict Suicide?
Ellen Barry, The New York Times
A unique research project is tracking hundreds of people at risk for suicide, using data from smartphones and wearable biosensors to identify periods of high danger — and intervene.

Epic overhauls popular sepsis algorithm criticized for faulty alarms
Casey Ross, Stat News
Epic Systems has revamped its widely criticized sepsis prediction model in a bid to improve its accuracy and make its alerts more meaningful to clinicians trying to snuff out the deadly condition.

Growing number of consumers prefer telehealth for routine care, J.D. Power finds
Anastassia Gliadkovskaya, Fierce Healthcare
Most telehealth consumers prefer virtual care over in-person visits for several forms of routine care, a new survey by J.D. Power has found.

Google, Fitbit launch new cloud analytics tools to help hospitals harness wearables data
Heather Landi, Fierce Healthcare
Google is now leveraging its cloud and analytics know-how combined with Fitbit's consumer wearables expertise to roll out a new service to help healthcare and life science organizations more easily use data from smartwatches and fitness trackers.

OPINIONS, EDITORIALS AND PERSPECTIVES

Long Covid Has Become a Parallel Pandemic
Lisa Jarvis, Bloomberg
The price of "living with Covid" in a free and open society is turning out to be much heftier than public health experts predicted.

Will there be a Supreme Court assault on public health this term?
Michelle A. Williams and Lawrence O. Gostin, Stat News
In just seven days last June, the U.S. Supreme Court set back public health by 50 years. The court's conservative majority rolled back efforts to address the pressing threat of climate change, expanded access to deadly firearms, and eliminated the right to abortion by overturning Roe v. Wade. Earlier, it had eviscerated public health powers to curb the Covid-19 pandemic. We fear this is just the start.

RESEARCH REPORTS

Making the Business Case for Social Needs Interventions — An Update
Douglas McCarthy et al., The Commonwealth Fund
To help in these efforts, the Commonwealth Fund is publishing an updated evidence guide of 80 studies of social needs interventions for adults with complex health and social needs, specifically the impact on health care utilization and costs. The guide is organized into seven sections: housing, home modifications, nutrition, transportation, legal and financial counseling, social isolation and loneliness (new in this edition), and cross-cutting care management programs.

[redacted]

Title

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[redacted]

[redacted]

SUBJECT: ECHO Colorado Monthly eNews: What's ECHOing in October
FROM: ECHO Colorado <susan.stoveall@cuanschutz.edu>
TO: <hborski@utah.gov>
DATE: 03/10/2022 14:41

OCTOBER 2022

[redacted]

Title

ECHO's popular *Adolescent Reproductive Health in Primary Care* is now an online course! **ECHO On-Demand: Adolescent Reproductive Health in Primary Care** is a new course designed to fit your schedule and pace. This 6-session series is for primary care providers who want to build, expand and improve care to preteens through young adults. Once completed, participants will be able to evaluate and manage common conditions in adolescent reproductive health. In addition to a didactic teaching video, each session offers relevant clinical resources that support providers in integrating best practices immediately.

Dr. Eliza Buyers created both the synchronous and the asynchronous courses. We asked her a few questions about it.

Why did you decide to go asynchronous with this content?
We typically do the live, 6-week series from 7am-8am for six consecutive weeks. We know that this schedule does not work for many people. Our goal is to offer the same content but allow providers to choose the time and pace that works for them.

How can this course help improve the lives of adolescent patients?
Reproductive health is an essential aspect of a person's life and their healthcare. Providers who take care of teens are perfectly poised to support healthy relationships, offer contraception and recommend routine STI screening and treatment. And we know that parents and guardians want this kind of support from their child's provider.

Is there anything else you'd like to say about the course?
In addition to providing practical information that can improve your practice, we hope the content is fun and interesting. If it isn't already, taking care of teens is going to be one of the best parts of your day!

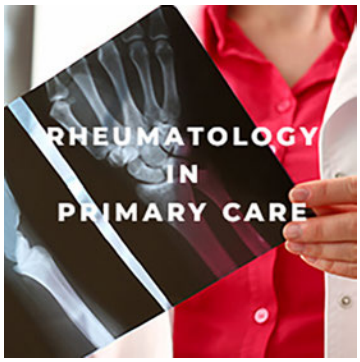
THIS ECHO ON-DEMAND LAUNCHES OCTOBER 10. WATCH YOUR EMAIL FOR THE REGISTRATION LINK.

ECHOs IN OCTOBER

This ECHO series creates a virtual space where primary care providers and specialists can collaborate to increase access to care for patients with rheumatologic disease and promote awareness of the impact of rheumatologic disease on the health and wellness of patients in the primary medical home.

[redacted]

Title



UPCOMING TOPIC: RHEUMATOID ARTHRITIS
Oct. 4: Diagnosis and Principals of Treatment
Oct. 11: Extra Articular Manifestations
Oct. 18: Health Care Maintenance Considerations

Tuesdays | Next session October 4

SIGN UP

This series offers health care providers and other staff working in health care settings strategies to name, normalize, and validate worries and experiences during this pandemic and beyond.

Six weekly ECHO sessions | Wednesdays starting October 5

SIGN UP

This series is designed to support clinical providers interested in improving care for transgender and gender non-binary patients. Participants will increase their knowledge and confidence in providing gender-affirming care including routine primary care, hormone therapy management, surgical options and supporting mental health.

Next session:
Management of Ongoing Bleeding in Transmasculine Patients

Ongoing monthly ECHO sessions | Next session October 6

SIGN UP

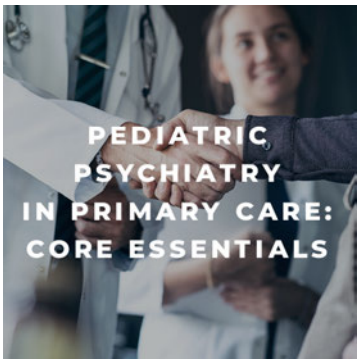
[redacted]

[redacted]

Title

CoPPCAP, the Colorado Pediatric Psychiatry Consultation & Access Program, is offering two upcoming ECHO series to give participants the baseline knowledge and skills to assess and treat pediatric mental/behavioral health conditions in primary care.

Topics covered include assessment and screening, “What is Therapy”, ADHD, anxiety, depression, suicide and trauma. Each session is designed to provide a brief didactic overview of the topic followed by participant initiated, robust, case-based discussion.



Seven weekly ECHO sessions | Thursdays starting October 6

SIGN UP

Topics include non-suicidal self-injury (NSSI), substance use disorders, antipsychotics and aggression, digital technology and health, the physically ill child and natural therapies. Each session will include a brief didactic overview of the topic followed by participant-initiated, robust, case-based discussion.

Six weekly ECHO sessions | Thursdays starting October 6

SIGN UP

Family Health Centers of San Diego, the ECHO Institute, University of Washington and University of Colorado have collaborated to provide a CDC-funded monthly webinar-style **ECHO learning session** and an **online course** to rapidly disseminate Post-COVID Conditions (PCC) and Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (ME/CFS) findings and emerging best practices.

Next ECHO session October 13
Research Update
CLICK HERE to register
(Webinars are held on the second Thursday of the month.)

Long COVID and Fatiguing Illness Recovery Program Quarterly Course 3
Online now through December 12
CLICK HERE to read more

[redacted]

This is a new, monthly, drop-in opportunity designed for Colorado-based primary care providers to discuss urology topics of their choice and receive feedback from a urology specialist.

Next session:
Microscopic Hematuria Office Hours

Ongoing monthly ECHO sessions | Next session October 14

SIGN UP

Autism: Core Concepts for Primary Care Part 1 supports providers in the screening, diagnosis and management of patients with an autism spectrum disorder and related developmental delays. Sessions include a brief didactic presentation by an expert and discussion of participant-submitted cases.

Five weekly ECHO sessions | Wednesdays starting October 19

SIGN UP

This ECHO series is designed to increase medical providers' knowledge of the resettlement and health issues of newcomers, including refugee, immigrant and migrant (RIM) populations. It will review resettlement pathways, evidence-based screening recommendations, and more common diagnoses and treatment approaches for pediatric and adult populations.

Ongoing monthly ECHO sessions | Tuesdays starting October 25

SIGN UP

Rheumatology in Primary Care Case Review is a new, monthly, free, drop-in opportunity designed for Colorado-based primary care providers (MD, DO, NP, PA) to discuss

[redacted]

Title

rheumatology topics of their choice and receive feedback from a rheumatology specialist.

Ongoing monthly ECHO sessions | Next session October 25

SIGN UP

This series is a statewide partnership between ECHO Colorado and the Colorado Department of Public Health and Environment bringing you the most relevant information on rapidly evolving public health topics including the COVID pandemic, epidemiology, state-distributed therapeutics, vaccines and more.

Topics for this series continue to evolve based on the educational needs of Colorado healthcare providers in staying up-to-date on relevant public health guidelines and new information.

Ongoing monthly ECHO sessions | Next session October 28

SIGN UP

ECHO COLORADO | EXTENSION FOR COMMUNITY HEALTH OUTCOMES | **ECHOCOLORADO.ORG**

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[redacted]

[redacted]

SUBJECT: Fwd: Legislative Alert: Federal Home Visiting Reauthorization BillMoves Forward
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 03/10/2022 17:30

David, forwarding this string to the top of your inbox:

---------- Forwarded message ---------
From: **Tracy Gruber (DHHS)** <tracygruber@utah.gov>
Date: Tue, Sep 27, 2022 at 5:45 AM

[redacted]

[redacted] Title

Subject: Re: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward
To: Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov>
Cc: David Litvack (DHHS) <davidlitvack@utah.gov>, Heather Borski (DHHS) <hborski@utah.gov>, Michelle Hofmann (DHHS) <mhofmann@utah.gov>, Noel Taxin (DHHS) <ntaxin@utah.gov>

Thank you Elizabeth! This is incredibly helpful.

When I oversaw the Intergenerational Poverty Initiative, home visiting was a prime policy recommendation we supported each year but it just continually eroded and fewer and fewer families were able to receive the services and attain the benefits of this evidence-based intervention. I look forward to discussing this further.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Sep 26, 2022 at 12:19 PM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

> *Happy to provide any updates, Tracy. I'd say just keep your fingers crossed that this is what passes in December. Anything past December will be MUCH more difficult to get through Congress, as most home visiting champions are retiring.*
>
> *Heather asked a couple of other questions in chat today, so I'll provide my responses here so everyone can reference them later as needed (but don't hesitate to ask at any time! I can easily pull this information again):*
>
> ***Match Requirement:***
> *If we are able to count our current funding, which is $522,000 annually, we will be fine to meet these requirements until FY2026. We would need $597,396 (or an increase of $75,396) by FY2026 and $987,752 by FY2027 (with a total increase from current funding levels of $390,356). However, based on this current bill, this would require us to shift our standard of service provision to meet the MIECHV standard (with the same required performance measures). That's definitely possible and since the match won't be required for a few years, we have a great running start. It will take work on our end to do, but the payoffs will be great in the long run, as we'll then be able to have a more robust picture of the impacts of visiting across the state (i.e. I want to do this anyway, regardless of home visiting's funding future).*
>
> ***Who is best served by/benefits from home visiting?***
> *It's important to remember that we must reference the evidence-base for home visiting (otherwise, we cannot guarantee the amazing outcomes and ROI that makes this a compelling service/intervention--it then would not fall under my program, as it would be more broad case management). I would suggest we move forward with the definition MIECHV uses, since we'll need to increase all service provision to this standard as a result of the match requirement:*
>
> *Pregnant parents or families with a child age 5 and younger*
> *Priority should be given to families that meet at least one (1) of the following MIECHV Eligibility Criteria:*
> *Low income (at or below 100% of the Federal Poverty Level)*
> *Pregnant and under the age of 21*
> *History of child abuse or neglect, or history of interactions with child welfare services*
> *History of substance abuse or in need of substance abuse treatment*
> *Tobacco use*
> *Low student achievement*
> *A child with developmental delays or disability*
> *A household member who is serving or has served in the U.S. armed forces*
> *If the Home Visiting Program has an open caseload for enrollment, priority should be given to those who meet multiple MIECHV Eligibility Criteria.*
> *The various home visiting models use more nuanced definitions, but I suggest we leave that to our contractors to work through, as they receive targeted technical assistance from model implementation specialists.*
>
> ***Optimal Coverage:***
>
> *Currently, we have funding and capacity to serve 2.6% of children under 5 living in poverty in Utah (611 families). If we could reach, at minimum, 10% of these children (2,317), I'd say we'd be doing a great job!*

[redacted]

However, because home visiting is a long-term intervention (2+ years, depending on the model), families only have to qualify (or meet the definition above) at the time of enrollment. Ideally, we should see changes to income and stressors over time, which would actually increase the need.
We would also need to increase our intake and referral processes to account for expansion--we have to find these families somewhere and we need to strengthen our early childhood infrastructure to do this. I'm already talking to Help Me Grow Utah about how they can support this.

Estimated Costs & ROI:

The following are current annual costs for PAT and NFP. Many programs supplement with local tax dollars, so adjustments for inflation are likely needed:

PAT: $5,880 per family

NFP: $6,935 per family

The cost to serve 10% of children under 5 living in poverty in Utah would be around $15.5 million.
With the proposed formula in MIECHV reauthorization, by FY2027, we would have $8.375 million--this would enable us to serve approximately 1,300 families, or 5.5% of children under 5 living in poverty in Utah.

While 5.5% may be sufficient, the ROI for home visiting is very strong ($5.70 in savings for every $1 of taxpayer dollars spent). As a result, we should push to get closer to that 10%.

ROI for 5.5% (current projected funding): $47.738 million

ROI for 10%: $88.35 million

Side note: As home visiting expands, the team at the state level will need to expand as well to ensure we're able to conduct appropriate contract monitoring processes. I currently have 2 program specialists positions on my team. If we are to expand into each LHD, I would estimate we need 5-6.

Other Considerations:

While Heather didn't ask about this, I want to share some very important considerations to keep in mind for any home visiting expansion conversations that I may not be a part of:

***Voluntary Participation:** Participation in evidence-based home visiting services requires at least 2 year commitment from families to ensure outcomes (depending upon the home visiting model used)--if families feel pressure to participate, this undermines the relationship-based approach of the service, thus undermining the ability of home visitors to impact parent, child, and family outcomes.*

***Sustainable funding is critical:** I understand this is not always a guarantee for grand-funded work, but short-term or one-time funding undercuts contractors' ability to implement the model with fidelity, thus compromising the outcomes guaranteed by the evidence-base.*

A bit of a history lesson: Utah received one-time competitive federal funding for home visiting back in 2014-ish. This had disastrous impacts for the field--programs had to close, people lost jobs, and stakeholder confidence in DOH and OHV was badly damaged (I still hear concerns about this 6 years later and am continuing to repair relationships across the state from this. Some LHDs have said they will never work with home visiting again!). This was a learning on the federal government's part as well and they no longer provide short-term funding for home visiting. Each MIECHV reauthorization is in 5-year increments and it is now exclusively formula-based and doesn't vary more than 5% each year to ensure sustainability of service provision. We should approach any funding opportunities for home visiting with the same mindfulness.

Let me know if you have any further questions.
Elizabeth

On Sun, Sep 25, 2022 at 7:00 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Elizabeth,

Thank you for the great overview of the proposal. That's very helpful.

If there are any important changes to the proposal as this moves through Congress, please let Noel know so she can keep us in the loop. We often don't know about issues without staff like you elevating these discussions. You are the expert and the closest to the information.

Thanks again!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted] Title

On Fri, Sep 23, 2022 at 9:31 AM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

Good morning,

I've been following the development of this bill closely and I've been waiting for you all to ask for my thoughts! Overall, this bill is really really great! Here are some quick bullet points of how this will impact Utah:

Maintenance of Effort: *The maintenance of effort requirements will continue. However, this will be based on the past MOE, which is $0. This is incredibly beneficial for Utah, as the MOE requirement will be set for 5 years (the entire period of reauthorization).*

Needs Assessment: *We will not need to update the needs assessment. While the current needs assessment quickly became outdated (it was completed in 2020), I believe we have sufficient data in other areas of DFH to help inform home visiting expansion. I've been in conversations with the DRP program manager about how we can plug in one of their epidemiologists into our work a bit more!*

Reduction of administrative burden: *The intense levels of administrative work and reporting for MIECHV is unlike many other federal grants. It's becoming a common complaint amongst MIECHV awardees and some states are starting to turn down this funding as a result. In this bill, they'll be working to reduce the hours by at least 15%. This has incredible implications for Utah's home visiting team and the DFH finance team. Currently the admin work impedes our ability to fully dive into the significant amount of data we have to really push toward more meaningful outcomes.*

Virtual Home Visiting: *As we've all learned virtual services are here to stay, but the current rules last only until the public health emergency ends. This means that we will be able to better serve families in the ways that they want and better accommodate their needs and schedules.*

Match requirements: *This is a big shift! Currently we do not have a match requirement for MIECHV. This proposal is 25% (or for every $3 in federal funds, the state must spend $1), but it's tiered up over time (I'll explain below what that looks like for Utah). Regardless of whether this bill is passed or not, a match is very likely in the future for MIECHV. The following is not public, but was made available to state home visiting administrators via a membership organization called the Association of State and Tribal Home Visiting Initiatives (ASTHVI--we're a member):*

It's unclear if the match can be any state funds.

Any match will likely need to be for home visiting provided at the MIECHV standard of service provision (this includes all the data collection, screening, and reporting).

- *While this is a concern for some state administrators, I think this is actually a good thing. It will allow us to better report on the same metrics across the state to have a better sense of where we are. Currently, we collect very little data for state-funded home visiting.*

New funding in this upcoming federal fiscal year will likely count for the match requirement.

- *This is great timing with all of the conversations happening with home visiting in the state right now!*

How much funding and what's Utah's share?: *I received a memo from the Congressional Research Service, via ASTHVI, regarding the estimates of program funding with this current proposal. Again, I was told this is not publicly available, but okay to share it within my agency. Let me know if you'd like to see the full 11 page document, but here's the summary for us:*

FY2021: (for comparison, this is our current annual award amount--MIECHV awards have 2 years of availability)

- *$3.162 million*

FY2023:

- *Base Amount: $4.451 million*
- *Match: $0*
- *Required match spending from Utah: $0*
- *Total: $4.451 million*

*FY2024: *match requirement starts**

- *Base Amount: $4.451 million*
- *Match: $776,000*
- *Required match spending from Utah: $258,758*
- *Total: $5.227 million*

FY2025:

- *Base Amount: $4.451 million*
- *Match: $1.195 million*
- *Required match spending from Utah: $398,264*
- *Total: $5.646 million*

FY2026:

- *Base Amount: $4.451 million*
- *Match: $1.792 million*
- *Required match spending from Utah: $597,396*
- *Total: $6.243 million*

FY2027:

- *Base Amount: $4.451 million*
- *Match: $2.936 million*

[redacted]

- *Required match spending from Utah: $987,752*
- *Total: $7.387 million*

Let me know if you have any more questions after reading through all of this. Happy to answer any and all that arise for you!

Elizabeth

On Fri, Sep 23, 2022 at 7:29 AM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

> *Good morning:*
> *Please respond to Tracy and team.*
> *Thank you,*
> *Noël*
>
> *Sent from my iPhone*
>
> *Begin forwarded message:*
>
> ***From:** "Tracy Gruber (DHHS)" <tracygruber@utah.gov>*
> ***Date:** September 22, 2022 at 9:01:08 PM MDT*
> ***To:** "Noel Taxin (DHHS)" <ntaxin@utah.gov>*
> ***Cc:** "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>*
> ***Subject: Fwd: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward***
>
> *Please share your thoughts on this legislation when the Home Visiting Team has time to review it. Given the budget cycle for the state, we may need to determine whether we would need additional MOE from Utah to try to draw down Utah's full allotment. Do you know how much Utah is eligible to receive with this new proposal?*
>
> *Thanks.*
> *Tracy*
> ***Tracy S. Gruber***
> *Executive Director*
> *O: 435.772.6550*
> *tracygruber@utah.gov*
>
> Utah Department of Health & Human Services
>
> *---------- Forwarded message ---------*
> *From: **ASTHO** <pr@astho.org>*
> *Date: Thu, Sep 22, 2022 at 10:13 AM*
> *Subject: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward*
> *To: <tracygruber@utah.gov>*

View this email in your browser.

astho™

LEGISLATIVE ALERT

Sept. 22, 2022

Federal Home Visiting Reauthorization Bill Moves Forward

This week, leaders in both the House Ways and Means Committee and Energy and Commerce Committee introduced the Jackie Walorski Maternal and Child Home Visiting Reauthorization Act (H.R. 8876), which reauthorizes the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program. The bill passed out of the House Ways and Means Committee by a vote of 41-0 with one abstention.

It is essential to note that the MIECHV program is a mandatory program, and this bill proposes significant changes to its overall funding. After a careful review by the ASTHO government affairs team, we strongly encourage that state legislative staff and maternal and child health teams carefully review the bill text and summary. This legislation is complex with new maintenance of effort, state matching requirements for a new grant program, and changes to an administrative cap that could uniquely impact state and territorial federal home visiting programs.

The press release, summary of the legislation, section-by-section summary, and bill text are available for review.

Outlook: The full House of Representatives will consider the bill, then move it to the Senate. Offsetting the program's costs is yet to be addressed and is a priority for Congress. However, this legislation was approved with broad bipartisan support, and the government affairs team believes it may be signed into law before the end of the calendar year. Funding for the current MIECHV program expires at the end of the month. Advocates expect Congress to approve a short-term extension of MIECHV as part of the continuing resolution bill that needs to pass before Sept. 30.

Questions: Considering this bill proposes changes to the MIECHV program, if S/THOs have any questions or concerns, please contact Carolyn McCoy.

Detailed Summary:
Currently, the MIECHV program receives approximately $400 million per year.

- This legislation proposes an increase in base funding to $500 million for FY23-FY27. The minimum base grant for an entity is $1 million.
- Starting in FY24-FY27, federal matching grant funds—in addition to base funding—are available to every eligible entity, guided by a formula that will focus on the number of children under five in poverty if they comply with specific statutory requirements on an increasing scale:
  - FY24 $50 million.
  - FY25 $100 million.
  - FY26 $150 million.
  - FY27 $300 million.
- To draw down its full allotment of federal matching grant funds, an entity must provide non-federal funds above their maintenance of effort requirement such that 25% of the total spending consists of non-federal funds.
  - Unobligated matching funds can be redistributed to another entity that can contribute to the non-federal matching funds.
  - The ASTHO government affairs team recommends carefully reviewing the legislation to see what funds can contribute to this new matching requirement.
- New maintenance of effort requirement for states and territories is based on the lesser total of non-federal funds expended in 2019 or 2021. The entity is not eligible for base or matching grants if this is not met.
  - The secretary may allow a grace period for an entity to come into compliance.
- Phased-in additional federal matching funding starting in FY24 is part of the requirement for entities to be eligible for the new federal matching grants, which requires a 25% state match (i.e., for every $1 in state funds, there is a $3 federal contribution). The non-federal matching funds are not applied to the maintenance of effort requirement.
  - The minimum state matching funds are as follows:
    - FY23: Federal matching funds are not required.
    - FY24: $776,000.
    - FY25: $1,000,000.
    - FY26: $1,500,000.
    - FY27: $2,000,000.
  - If a state cannot reach the required amount, the secretary of HHS can proportionately reduce the federal matching amount for that fiscal year.
- Limits state administrative spending to 10% of grants and an exception for not more than 5% at the discretion of the secretary of HHS.
  - This applies to an entity that directly provides home visits to families and not through a sub-recipient.
  - The entity is expanding services to a new community and has been providing services for fewer than three years.
- Allows limited ability to conduct virtual home visits and requires entities to demonstrate that they have met specific conditions. Service delivery models must include at least one in-person visit a year to qualify for federal funding.
- Doubles the tribal set-aside (from 3% to 6%) starting in FY23.
- Dedicated funding (2% set aside) for workforce support, retention, and case management.
- Set aside funding for research, evaluation, administration, and technical assistance.
- Establishes an outcomes dashboard and annual report to Congress on the program.
- Requires HHS to work with partners to reduce administrative burden.
- Maintains a strong focus on evidence-based home visiting models and practices.

# # #

[redacted]

Title

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of Health & Human Services
Family Health

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of Health & Human Services
Family Health

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SUBJECT: Justices Balk At Revisiting Vax Mandate For Health Workers
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 04/10/2022 02:46

LAW360 HEALTH

Tuesday, October 4, 2022 Follow

TOP NEWS

Justices Balk At Revisiting Vax Mandate For Health Workers
The U.S. Supreme Court on Monday refused to revisit the Biden administration's coronavirus vaccine mandate for millions of health care workers, leaving in place an inoculation obligation that has saved lives but also exacerbated staffing shortages.
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Chinese Vitamin C Cos. Escape 2nd High Court Review
The U.S. Supreme Court on Monday refused to take up a long-running price-fixing case against a pair of Chinese exporters, after the Second Circuit tossed the claims for a second time following an earlier revival by the justices over concerns about foreign relations.
Order List attached | Read full article »

High Court Allows SG To Weigh In On Pa. Jurisdiction Dispute
The United States' solicitor general will join arguments in November before the U.S. Supreme Court over the extent of Pennsylvania courts' jurisdiction over out-of-state businesses, after telling the court that giving the state broad power over foreign corporations could complicate international relations.
Read full article »

NLRB Says Dues Provisions Survive CBA Expiration
The National Labor Relations Board held Monday that employers violate federal labor law by ceasing to transmit dues to unions after collective bargaining agreements expire, reversing a 2019 ruling in the second major precedent shift under the Biden administration.

COMPANIES IN TODAY'S NEWS
Aetna Inc.
American Association for Justice
American Bar Association
Apollo Global Management LLC
Avantor Inc.
BGC Partners Inc.
BNP Paribas SA
Bank of America Corp.
Brennan Center for Justice
Broadridge Financial Solutions Inc.
CVS Health Corp.
Cantor Fitzgerald
Carenet Healthcare Services
Citigroup Inc.
Credit Suisse Group AG
Daimler AG
Deutsche Bank AG
Eastman Kodak Co.
Faraday & Future Inc.
Federalist Society
FirstEnergy Corp.
Getty Images Inc.
Goodyear Tire & Rubber Co.
Google LLC
HSBC Holdings PLC
Hauppauge Digital Inc.
Health Net Inc.

Decision attached | Read full article »

Elizabeth Holmes Gets Hearing On Alleged Gov't Misconduct

A California federal judge who oversaw the criminal fraud trial of ex-Theranos CEO Elizabeth Holmes on Monday ordered an evidentiary hearing to look into "limited, but serious" questions about whether prosecutors engaged in misconduct with respect to a key government witness, delaying her sentencing previously set for Oct. 17.

Read full article »

Ill. Panel Revives Suit Over Medical Co. Atty's Firing

An Illinois appellate court has revived a whistleblower lawsuit accusing a medical device maker of firing an attorney who headed the company's intellectual property legal group after the lawyer allegedly refused calls by the company's general counsel to "hide or park" money in the division's budget that purportedly didn't belong there.

Opinion attached | Read full article »

ENFORCEMENT & COMPLIANCE

NM Physicians Group Settles FTC Joint Pricing Allegations

A New Mexico independent physician association will pay $263,000 to the Federal Trade Commission to settle allegations the association violated a 2005 consent order in place to prevent price fixing.

Complaint attached | Read full article »

Co-Owner Of Bid-Rigging Insulation Firm Sentenced To 1 Year

The co-owner of a Connecticut insulation company was sentenced to one year and a day in prison for his role in a larger bid-rigging scheme for pipe and duct insulation for private and public projects in the state.

Read full article »

Pharma Co. Lied About CBD License To Investors, SEC Says

The U.S. Securities and Exchange Commission is going after a pair of pharmaceutical companies that it says lied to potential investors about having exclusive rights to a method for taking CBD under the tongue in order to collect $6.6 million.

Complaint attached | Read full article »

LITIGATION

Fed. Circ. Reviews ITC Ban On Philip Morris IQOS Devices

A Federal Circuit panel on Monday questioned whether the U.S. International Trade Commission made a sufficient attempt to consult with the U.S. Food and Drug Administration before imposing an import ban on Philip Morris' FDA-approved IQOS-branded products for allegedly being knockoffs.

Read full article »

Ex-Fed. Circ. Chief Tells Court To Undo Ax Of Tech Patent

A former Federal Circuit chief judge has urged that appellate court to overturn a panel's decision agreeing that three of Stanford University's diagnostic patents are ineligible for protection since they're directed toward a natural phenomenon, arguing that the ruling unnecessarily forecloses patent protection for novel and nonobvious diagnostic techniques.

Brief attached | Read full article »

Insurance Buyers Appeal Antitrust Loss To Sutter Health

Health insurance plan purchasers seeking more than $400 million from Sutter Health on claims they

Insight Venture Management LLC
Institute for Justice
International Shoe Co.
KBR Inc.
Land O'Lakes Inc.
Lightwave Logic Inc.
Massachusetts General Hospital
Meta Platforms Inc.
MoneyGram International Inc.
Myovant Sciences Ltd.
Natera Inc.
National Democratic Redistricting Committee
New York City Bar Association
Nomura Holdings Inc.
Norfolk Southern Corp.
Northwell Health Inc.
Pacific Legal Foundation
PepsiCo Inc.
Philip Morris International Inc.
Public Citizen Inc.
Qiagen NV
R.J. Reynolds Tobacco Co.
Inc.
Raytheon Technologies Corp.
Rocky Mountain Chocolate Factory Inc.
Royal Bank of Canada
SimpleNexus LLC
St. Mary's Healthcare
Steel Partners Holdings LP
Sutter Health
TD Securities Inc.
Tesla Inc.
The New York Times Co.
Toronto-Dominion Bank
Twitter Inc.
U.S. Chamber of Commerce
United Food & Commercial Workers International Union
United States Soccer Federation Inc.
UnitedHealth Group Inc.
Universal Health Services Inc.
Walmart Inc.
Washington Legal Foundation
Washington Post Co.
Western Milling LLC
Yale University
YouTube Inc.
Zendesk Inc.

LAW FIRMS IN TODAY'S NEWS

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Craige Jenkins
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Davis Polk
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Dowd Scheffel

overpaid because the hospital chain violated antitrust laws urged the Ninth Circuit on Monday to reverse a California federal jury verdict that sided with Sutter, saying the court wrongly blocked "vast" amounts of relevant evidence.

Brief attached | Read full article »

Northwell Health Gets Retirement Plan Lawsuit Tossed

A New York federal judge dismissed a former Northwell Health Inc. employee's suit accusing it of saddling its $5.6 billion plan with poor investments and excessive fees, but left the door open for the ex-worker to revise her claims.

1 document attached | Read full article »

Hospital, Docs Must Face Suit Over Ky. Man's Overdose Death

A Kentucky appeals court has reinstated claims against a Louisville hospital alleging that it and its doctors negligently discharged a drug overdose patient, leading to his death, saying that a decision by the state's highest court means the man's estate filed the suit on time.

Opinion attached | Read full article »

Judge Won't Hold New Trial In Genetic Testing Patent Feud

A Delaware federal judge has rebuffed a biotechnology company's bid for a new trial after a jury determined it owed a rival and Massachusetts General Hospital $4.7 million for infringing their genetic testing patents, while agreeing with some of the plaintiffs' requests to boost their award.

Order attached | Read full article »

Sterigenics Fights Ga. County Over Sterilization Plant Closure

Sterigenics U.S. LLC and the Georgia county in which the company has operated a medical sterilization plant for 50 years have sought opposing rulings from a Georgia federal court over whether the county was authorized to shut down the facility in 2019 amid widespread public concern about ethylene oxide emissions.

2 documents attached | Read full article »

Kodak Wants Exit From Investor Suit Over COVID Supply Deal

Eastman Kodak Co. asked a New York federal judge to toss a shareholder derivative suit alleging current and former officers and directors of the company engaged in insider trading tied to a COVID-19 medical supply deal with the federal government, arguing that the board has already decided the action is not in the company's best interests.

3 documents attached | Read full article »

Chickasaw Suit For Rx Payback Halted For Arbitration

An Oklahoma federal judge has stayed the Chickasaw Nation's suit alleging that CVS Caremark and UnitedHealth Group Inc.'s pharmacy benefit programs illegally denied claims for reimbursement on tribe members' prescriptions, agreeing with the Ninth Circuit that it is up to an arbitrator to first decide if the claims should be resolved through arbitration.

Order attached | Read full article »

Catching Up With Delaware's Chancery Court

What do drones, electric cars, eggs, chocolate and time-wasting have in common? They're all part of the news out of Delaware Chancery Court this week. And that's not even counting all the disputes between Twitter Inc. and Tesla CEO Elon Musk,

Excolo Law
Faraci Lange
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Foliart Huff
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Frankfurt Kurnit
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Munger Tolles
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Steyer Lowenthal
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Sullivan & Cromwell
Susman Godfrey
Terence A. Langan PC
The Berkman Law Office
The Chandra Law Firm
Thompson Hine
Thompson Miller
Troutman Pepper
Wachtell Lipton
Walden Macht
Weil Gotshal
Whitten Burrage
Williams & Connolly
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Wilson Sonsini
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Wolf Greenfield

GOVERNMENT AGENCIES IN TODAY'S NEWS

which are ratcheting up as the Oct. 17 trial over the scuttled $44 billion deal approaches.
Read full article »

DEALS

Analysis

Dechert's Thierfelder Sees M&A Opportunities Amid Turmoil

The mergers and acquisitions market has cooled this year, but Mark Thierfelder of Dechert LLP sees plenty of silver linings despite the lingering impacts of COVID-19, the war in Ukraine, high inflation, exchange rate volatility and other economic and geopolitical shifts.
Read full article »

Myovant Sees Stock Soar After Rejecting $2.5B Takeover Bid

Stock in Swiss-based Myovant Sciences Ltd. jumped nearly 37% Monday after the biopharmaceutical company announced it had rejected as too low a $2.5 billion enterprise value offer from Japanese company and majority shareholder Sumitovant Biopharma Ltd.
Read full article »

3 Companies Unveil Plans To Go Public Via SPAC Mergers

Two private businesses from the solar and life sciences industries definitively agreed to go public through mergers with special-purpose acquisition companies on Monday, while a medical imaging provider signed a preliminary deal to combine with a SPAC.
Read full article »

BANKRUPTCY

Pipeline Health Hits Ch. 11 After Hiccup In Hospital Sale

Hospital operator Pipeline Health System LLC received interim approval Monday for a $110 million post-petition financing package after a Texas bankruptcy judge said a roll-up of prepetition debt was justified under the circumstances of the case.

Declaration attached | Read full article »

EXPERT ANALYSIS

Attys Shouldn't Assume Judicial Critique Is Protected Speech

As it becomes more commonplace to see criticism of the judiciary in the media, licensed attorneys are well advised to remember that they may have less freedom than nonlawyers to make protected speech critical of the judiciary, says Mark Hinderks at Stinson.
Read full article »

LEGAL INDUSTRY

Analysis

As Money Increases In State Court Races, So Do Concerns

Millions of dollars are being spent in state judicial elections, particularly for Supreme Court races, which are likely to set records again this year, leading some to worry about that money's impact on judicial independence.
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Analysis

Justice Jackson Brings Tough Questions To First Argument

Justice Ketanji Brown Jackson showed none of the usual shyness for a first-time justice Monday, diving straight into oral arguments with a series of tough questions for attorneys across two cases.
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Ill. Federal Judge Tapped As Chief Justice Roberts' Counselor

Centers for Medicare & Medicaid Services
Chickasaw Nation
Commonwealth of Kentucky
Delaware Court of Chancery
Federal Bureau of Investigation
Federal Communications Commission
Federal Trade Commission
Food and Drug Administration
Georgia Department of Natural Resources
International Trade Commission
National Archives and Records Administration
National Labor Relations Board
Ohio Supreme Court
Pennsylvania Supreme Court
Smithsonian Institution
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the District of Connecticut
U.S. Attorney's Office for the Northern District of California
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Connecticut
U.S. District Court for the District of Delaware
U.S. District Court for the Eastern District of New York
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of New York
U.S. Environmental Protection Agency
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the Eastern District of Oklahoma

U.S. District Judge Robert M. Dow Jr. of the Northern District of Illinois will be the next counselor to Chief Justice John G. Roberts Jr., tasked with serving as chief of staff, among other responsibilities, the U.S. Supreme Court announced Monday.
Read full article »

High Court Struggles With Unclear Clean Water Act Limits

The U.S. Supreme Court on Monday struggled to get a grip on the proper extent of the federal government's authority under the Clean Water Act to regulate certain wetlands, in a case where landowners have claimed to be victims of agency overreach.
Read full article »

Justices To Review Firm's Bid To Shield Client Tax Comms

The U.S. Supreme Court said Monday it will consider a law firm's bid to shield client communications from grand jury subpoenas seeking documents on its tax advice in a case concerning the scope of attorney-client privilege over mixed-use legal advice.
Read full article »

Supreme Court To Review Broad Immunity For Big Tech

The U.S. Supreme Court agreed to reconsider the broad legal immunity afforded to internet companies under Section 230 of the Communications Decency Act, taking up a suit claiming YouTube recommended ISIS propaganda that spawned a terrorist attack.
Read full article »

DC Circuit's Judge Silberman Dies At 86

D.C. Circuit Senior Judge Laurence H. Silberman, who died Sunday, is being remembered as a respected, influential and often outspoken conservative jurist.
Read full article »

Conflict Sinks Special Master Plan For Musk-Twitter Disputes

An "unanticipated conflict" scuttled plans to appoint retired U.S. Bankruptcy Judge Christopher S. Sontchi as special master for remaining discovery disputes in Elon Musk's attempt to terminate his $44 billion deal to buy Twitter, with Delaware Chancellor Kathaleen St. J. McCormick taking on some of his anticipated duties.
Read full article »

King & Spalding Finds Rampant Abuse In US Women's Soccer

Coaches in the National Women's Soccer League have engaged in widespread sexual misconduct and verbal and emotional abuse, according to an independent investigation released Monday that was led by former U.S. deputy attorney general and current King & Spalding LLP partner Sally Yates.
Read full article »

The Onion Calls For Parody Protections In High Court Brief

The Sixth Circuit put itself on the wrong side of Mark Twain by granting qualified immunity to police officers who arrested an Ohio man for creating a fake Facebook page that mocked his local police department, satirical newspaper The Onion said in an amicus brief to the U.S. Supreme Court on Monday.
Read full article »

Judge's Recusal Won't Get Investors A Redo In Rigging Case

Investors that accused major banks including Barclays and HSBC of rigging the foreign bond market will not get a second shot to argue their claims after a new judge denied their motion to vacate the suit's previous dismissal by a judge who recused himself over a stock ownership conflict.
Read full article »

Trump Fights Fast Appeal Of Mar-A-Lago Special Master Order
Former President Donald Trump told the Eleventh Circuit on Monday that there is no need for an expedited review of a Florida federal judge's decision to appoint a special master to screen documents seized at his Mar-a-Lago estate, saying he would be prejudiced if the appeal is expedited.
Read full article »

Calif. Jury Reaches Verdict In Ex-FBI Agent's Bribery Trial
A California federal jury reached a verdict late Monday in the bribery trial of retired FBI agent Babak Broumand, who is accused of accepting cash, escort services and other gifts from a since-disbarred attorney, but court recessed for the day without the verdict being read.
Read full article »

NYC Bar Sets Up Election Protection Program
The New York City Bar Association announced on Monday the launch of a program in response to recent threats to the U.S.' election infrastructure.
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SUBJECT: Justices Seek To Define Key Terms In States' MoneyGram Suit
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 04/10/2022 03:19

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Tuesday, October 4, 2022 Follow

TOP NEWS

Justices Seek To Define Key Terms In States' MoneyGram Suit
U.S. Supreme Court justices sought to understand Monday the definitions of key terms that could settle a long-standing dispute between Delaware and 30 other states, led by Pennsylvania and Arkansas, over who can claim abandoned MoneyGram checks.
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Supreme Court To Review Broad Immunity For Big Tech
The U.S. Supreme Court agreed to reconsider the broad legal immunity afforded to internet companies under Section 230 of the Communications Decency Act, taking up a suit claiming YouTube

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Allison Bass

recommended ISIS propaganda that spawned a terrorist attack.
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Justices Will Decide If FLRA Can Regulate State Militias

The U.S. Supreme Court said Monday that it would decide whether the Civil Service Reform Act of 1978 empowers the Federal Labor Relations Authority to regulate the labor practices of "state militias," taking up a challenge brought by state of Ohio officials on behalf of its National Guard and related agencies.
Read full article »

11th Circ. Calls Pastor's City Council Prayer Gov't Speech

Jacksonville, Florida's city council's custom of opening its meeting with a prayer constitutes government speech, the Eleventh Circuit held, precluding a pastor from contending that his right to free speech was violated when the city council president cut off his microphone mid-invocation.

Opinion attached | Read full article »

Justices Won't Hear Utah Man's Bump Stock Ban Suit

The U.S. Supreme Court on Monday declined to review a Tenth Circuit decision in a suit seeking to overturn the Bureau of Alcohol, Tobacco, Firearms and Explosives banning of bump stocks under the National Firearms Act.
Read full article »

Justices Let Prelogar Weigh In On Gay Wedding Website Case

The U.S. Supreme Court decided on Monday the U.S. solicitor general can argue that anti-discrimination laws forcing a business to speak or stay silent do not violate the free speech clause of the First Amendment.
Read full article »

Analysis

Justice Jackson Brings Tough Questions To First Argument

Justice Ketanji Brown Jackson showed none of the usual shyness for a first-time justice Monday, diving straight into oral arguments with a series of tough questions for attorneys across two cases.
Read full article »

Ga. Election Law Doesn't Violate Voter Rights, Judge Finds

A Georgia federal judge has ruled against Fair Fight Action Inc., the voting rights group started by the Democratic nominee for governor, Stacey Abrams, finding that the state's election law does not violate voters' constitutional rights.

Opinion attached | Read full article »

NC Justices Probe Intent Behind Nixed Voter ID Law

The North Carolina Supreme Court on Monday weighed whether a now-felled voter ID law discriminates against Black constituents, hammering both voters and the state with challenges as it probed the measure's legislative intent.
Read full article »

Wash. Judge Tosses Slew Of 'Big Lie' Election Suits

A Washington federal judge has tossed several lawsuits brought by the Washington Election Integrity Coalition United accusing counties of rigging election results for the 2020 presidential race in favor of President Joe Biden, ruling that the plaintiffs lack standing to allege voting right violations because they don't have a personal stake distinct from a "generalized grievance" against the government.

Order attached | Read full article »

Justices Won't Hear Spat Over Court-Ordered Pa. Election Map

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Baker & Hostetler
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Cahill Gordon
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King & Spalding
Klafter & Burke
Kleinbard LLC
Kobre & Kim
Lane Powell
Lawrence & Bundy
Lawson & Weitzen
Lewis Brisbois
Loeb & Loeb
Lynch & Associates
MThirtySix
Martin G. Weinberg Attorney at Law
Mayer Brown
Miller & Chevalier
Miller Johnson
Morrison Foerster
Morvillo Abramowitz
Munger Tolles
O'Melveny & Myers
Parker McCay
Paul Hastings
Paul Weiss
Perkins Coie
Potter Anderson
Proskauer Rose
Quinn Emanuel
Robbins Alloy
Robbins Geller
Robbins LLP

The U.S. Supreme Court said Monday it will not review the Supreme Court of Pennsylvania's selection of a congressional district map for the 2022 elections, rejecting a petition for appeal from a former Republican lawmaker.
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NYC Bar Sets Up Election Protection Program
The New York City Bar Association announced on Monday the launch of a program in response to recent threats to the U.S.' election infrastructure.
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Trump Fights Fast Appeal Of Mar-A-Lago Special Master Order
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Response attached | Read full article »

BANKING & SECURITIES

SEC Denial Of Whistleblower Bounty Looks Safe In 2nd Circ.
The Second Circuit appeared strongly inclined Monday to uphold the U.S. Securities and Exchange Commission's denial of a whistleblower award to an unnamed key cooperating witness in a large foreign bribery case that yielded a separate $110 million whistleblower payout.
Read full article »

Warren's Report Says Zelle Scam Victims Left 'High And Dry'
Fraud is flowing on digital payment network Zelle, but banks aren't refunding most customers who fall victim to scams and theft, breaking their promises to protect consumers and potentially flouting federal law, according to a report published on Monday by Sen. Elizabeth Warren's office.
Report attached | Read full article »

FSOC Urges Legislation To Curb Crypto's Systemic Risks
The Financial Stability Oversight Council is calling for Congress to equip federal regulators with explicit authority to oversee stablecoin issuers and rein in the spot market for cryptocurrencies like bitcoin as part of a package of recommendations aimed at curtailing digital asset risks to the financial system.
2 documents attached | Read full article »

Pharma Co. Lied About CBD License To Investors, SEC Says
The U.S. Securities and Exchange Commission is going after a pair of pharmaceutical companies that it says lied to potential investors about having exclusive rights to a method for taking CBD under the tongue in order to collect $6.6 million.
Complaint attached | Read full article »

ENERGY & ENVIRONMENTAL

FDIC's Gruenberg Pledges 'Measured' Approach On Climate
The Federal Deposit Insurance Corp.'s acting Chairman Martin Gruenberg said Monday that banks and regulators must take climate change seriously as a financial stability threat, but stressed that his agency will take a "thoughtful and measured approach" to the issue.
Read full article »

High Court Struggles With Unclear Clean Water Act Limits
The U.S. Supreme Court on Monday struggled to get a grip on the proper extent of the federal government's authority under the Clean Water Act to

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Willkie Farr
Wilson Sonsini
Winston & Strawn

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American Bar Association
American Federation of Government Employees
American Hotel & Lodging Association
Apollo Global Management LLC
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Avantor Inc.
Axon Enterprise Inc.
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Bank Policy Institute
Bank of America Corp.
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Faraday & Future Inc.
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Google LLC
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Insight Venture Management LLC
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regulate certain wetlands, in a case where landowners have claimed to be victims of agency overreach.
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Sterigenics Fights Ga. County Over Sterilization Plant Closure

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2 documents attached | Read full article »

HEALTH & LIFE SCIENCES

Justices Balk At Revisiting Vax Mandate For Health Workers

The U.S. Supreme Court on Monday refused to revisit the Biden administration's coronavirus vaccine mandate for millions of health care workers, leaving in place an inoculation obligation that has saved lives but also exacerbated staffing shortages.
Read full article »

5th Circ. Mulls Texas Billionaire's COVID Fight With Judge

Texas billionaire and historical preservationist J.P. Bryan sought to persuade the Fifth Circuit on Monday that a county judge didn't have the authority to place restrictions on hotels in March 2020 as COVID-19 swept the globe.
Read full article »

5th Circ. Questions Authority Used To Issue Vax Mandate

The Biden administration was put on the defensive Monday as Fifth Circuit judges questioned whether the statutory authority underpinning a COVID-19 vaccine mandate also allowed the president to impose limits on the weight and smoking habits of federal contractors' employees.
Read full article »

IP & TECHNOLOGY

USPTO Wants Thoughts On Boosting Patent 'Robustness'

Federal patent officials say they want the public's thoughts on ways to try to improve the patent process, with the government saying it is considering moves that could help secure the "robustness" of intellectual property rights.

Notice attached | Read full article »

USPTO Seeks Toss Of Suit Over Rule To Allow PTAB Opt-Out

The U.S. Patent and Trademark Office wants to kill a suit claiming the agency wrongly denied a petition for a proposed rule that would cut down on unwarranted patent invalidity reviews by giving small-time patent owners the ability to "veto" such reviews when certain criteria are met.

Motion attached | Read full article »

MEDIA & ENTERTAINMENT

Trump Slaps CNN With $475M Defamation Suit

Former President Donald Trump lodged a defamation suit against CNN on Monday accusing the cable news outlet of trying to defeat him politically ahead of a potential 2024 presidential run by labeling him as "racist," a "Russian lackey," an "insurrectionist" and "Hitler," and seeking punitive damages of $475 million.

Complaint attached | Read full article »

FCC Wants More Info On Tegna's $8.6B Go-Private Deal

Lightwave Logic Inc.
LinkedIn Corp.
Maverick Gaming LLC
Meta Platforms Inc.
Microsoft Corp.
MoneyGram International Inc.
National Democratic Redistricting Committee
National Treasury Employees Union
New York City Bar Association
Nomura Holdings Inc.
Pacific Legal Foundation
Paypal Holdings Inc.
PepsiCo Inc.
Raytheon Technologies Corp.
Rocky Mountain Chocolate Factory Inc.
Royal Bank of Canada
Samsung Electronics Co. Ltd.
SimpleNexus LLC
Southern Coalition for Social Justice
Standard General LP
Steel Partners Holdings LP
TD Securities Inc.
Tegna Inc.
Tesla Inc.
The New York Times Co.
The PNC Financial Services Group Inc.
Toronto-Dominion Bank
Truist Financial Corp.
Twitter Inc.
U.S. Bancorp
U.S. Chamber of Commerce
United States Soccer Federation Inc.
Universal Health Services Inc.
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Consumer Financial Protection Bureau
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Federal Bureau of Investigation
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Federal Trade Commission
Financial Stability Oversight Council
Food and Drug Administration
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Internal Revenue Service
International Trade Commission

The Federal Communications Commission wants more information on Tegna Inc.'s $8.6 billion deal to go private with hedge fund Standard General, four months after a similar request as the agency looks into the agreement's public interest ramifications.

Letter attached | Read full article »

Supreme Court To Hear Appeal On Puerto Rico Finance Docs

The U.S. Supreme Court on Monday agreed to hear the appeal by Puerto Rico's fiscal board of a First Circuit ruling that it does not have immunity to a lawsuit by a journalist group seeking access to its records.

Petition attached | Read full article »

REAL ESTATE

Billionaire Bros. Can't Dodge $2.5B LA Hotel Project Suit

A New York state judge on Friday said billionaire British brothers David and Simon Reuben and an advisory firm can't avoid a lawsuit from a lender over failing to properly handle mezzanine financing default for the $2.5 billion redevelopment of the Century Plaza Hotel in Los Angeles.

Order attached | Read full article »

NJ Panel Rejects Challenge To Affordable Housing Zoning

A New Jersey state appeals court on Monday upheld Hopewell Township's decision to rezone 213 acres for a mixed-use development that includes court-mandated affordable housing, even though the rezoning conflicts with the township's master plan.

Opinion attached | Read full article »

Philly Tenants Say City Failed To Enforce Lead Paint Law

Three tenants of a former industrial property that was converted to apartments in Philadelphia say the city failed to enforce its ordinance that required the building owner to check for lead paint.

Complaint attached | Read full article »

EMPLOYMENT & BENEFITS

NJ Assembly Passes Ban On Nondisparagement Clauses

A New Jersey Assembly Democrats' bill to block employment-related settlement agreements from stipulating that the parties cannot disparage each other passed overwhelmingly on Monday, with only nine of the Assembly's 80 legislators voting against it.

Read full article »

COMPETITION

Chinese Vitamin C Cos. Escape 2nd High Court Review

The U.S. Supreme Court on Monday refused to take up a long-running price-fixing case against a pair of Chinese exporters, after the Second Circuit tossed the claims for a second time following an earlier revival by the justices over concerns about foreign relations.

Order List attached | Read full article »

NM Physicians Group Settles FTC Joint Pricing Allegations

A New Mexico independent physician association will pay $263,000 to the Federal Trade Commission to settle allegations the association violated a 2005 consent order in place to prevent price fixing.

Complaint attached | Read full article »

National Archives and Records Administration
National Crime Agency
New Jersey Legislature
New Jersey Supreme Court
North Carolina Department of Justice
North Carolina General Assembly
Occupational Safety and Health Administration
Office of the Comptroller of the Currency
Ohio Attorney General's Office
Ohio Supreme Court
Pennsylvania Attorney General's Office
Pennsylvania Supreme Court
Shoalwater Bay Tribe
Smithsonian Institution
Social Security Administration
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the District of Connecticut
U.S. Attorney's Office for the District of Massachusetts
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Southern District of Florida
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Connecticut
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency

Co-Owner Of Bid-Rigging Insulation Firm Sentenced To 1 Year
The co-owner of a Connecticut insulation company was sentenced to one year and a day in prison for his role in a larger bid-rigging scheme for pipe and duct insulation for private and public projects in the state.
Read full article »

CYBERSECURITY & PRIVACY

US, UK Deal To Speed Police Access To User Data Goes Live
Law enforcement officials in the U.S. and U.K. can now more easily access user data held by electronic service providers in the other country to combat serious crimes, under a novel deal between the nations that took effect Monday.
1 document attached | Read full article »

TAX

US Properly Applies FBAR Penalty Per Account, Justices Told
A lower court correctly interpreted the law in allowing the Internal Revenue Service to impose nonwillful $10,000 penalties for each foreign bank account that a Texas man didn't properly disclose, the U.S. government told the U.S. Supreme Court.
Brief attached | Read full article »

WHITE COLLAR

Tillerson Says He Never Tapped Trump Ally For Diplomacy
Former U.S. Secretary of State Rex Tillerson on Monday told a New York federal jury in the illicit lobbying trial of Thomas Barrack that he never told the former adviser to ex-President Donald Trump to engage in any diplomacy, nor was he aware of Barrack's involvement in U.S. foreign policy.
Read full article »

US Tells 9th Circ. It Has Rights To $380M Award Held In UK
The U.S. government has urged the Ninth Circuit to uphold a lower court decision letting American prosecutors seize a nearly $380 million arbitral award held by a U.K. court in a dispute over embezzled funds in Malaysia, saying the U.K. court expressly embraced U.S. jurisdiction.
Read full article »

'Greed' Fueled Mass. Police Union Boss's Fraud, Jury Told
A former Massachusetts State Police union head accepted kickbacks from a lobbyist friend he handed business and used the bargaining unit as a piggy bank for personal getaways, Boston federal prosecutors told a jury Monday.
Read full article »

NATIVE AMERICAN

Tribe Can Join Challenge to Wash. Gaming Law, Judge Rules
The Shoalwater Bay Tribe can fight a lawsuit challenging gaming compacts between Washington state and 29 Native American tribes that make it a crime for non-tribal entities to offer sports betting and most forms of casino-style gaming, a Washington federal judge has ruled.
Order attached | Read full article »

TELECOMMUNICATIONS

FCC Moves To Cut 7 Voice Service Providers Over Robocalls
The Federal Communications Commission moved to drop seven voice service providers from U.S.

U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court

networks over failure to implement anti-robocall mitigation, the agency announced Monday.

7 documents attached | Read full article »

Major Gov't Union Endorses Biden's Stalled FCC Nominee

A major union that represents thousands of government employees has endorsed President Joe Biden's selection to fill the last empty seat on the Federal Communications Commission.

Letter attached | Read full article »

CANNABIS

Feds Slam Misconduct Claims In Pot Shop Bribery Case

Boston federal prosecutors have asked a court to reject claims of government misconduct and overreach in their case accusing a pot shop attorney of attempting to bribe a police chief.

Memorandum attached | Read full article »

PEOPLE

Brownstein Adds Ex-Policy Staffer For House Minority Leader

The former deputy chief of staff for policy for House Minority Leader Kevin McCarthy, R-Calif., has joined Brownstein Hyatt Farber Schreck LLP in Washington, D.C., the firm recently announced.

Read full article »

EXPERT ANALYSIS

DOJ Corporate Enforcement Shift May Chill Self-Disclosures

Recent changes to the U.S. Department of Justice's corporate criminal enforcement policy promise more sticks than carrots, which could make companies less likely to self-disclose misconduct and cooperate with the government, leading to fewer criminal cases against entities and individuals, say attorneys at V&E.

Memorandum attached | Read full article »

Opinion

Time For Biden And Congress To Fix The ITC

The U.S. International Trade Commission has become a favorable legal forum for patent plaintiffs, with nonpracticing entities often weaponizing trade law and the harsh penalties available at the ITC, so Washington should take some critical steps to reaffirm the commission's public interest obligation, says Joshua Landau at the Computer & Communications Industry Association.

Read full article »

EPA's Permitting FAQ Goes Beyond The Letter Of The Law

The U.S. Environmental Protection Agency's recent guidance on environmental justice and civil rights in permitting has no legally binding effect, but the question is whether it will have a coercive effect — and if so, to what degree regulatory authorities will feel pressured to adopt the agency's recommendations, say Karen Bennett and Cameron Dorais at Lewis Brisbois.

Read full article »

Attys Shouldn't Assume Judicial Critique Is Protected Speech

As it becomes more commonplace to see criticism of the judiciary in the media, licensed attorneys are well advised to remember that they may have less freedom than nonlawyers to make protected speech critical of the judiciary, says Mark Hinderks at Stinson.

Read full article »

LEGAL INDUSTRY

Analysis

As Money Increases In State Court Races, So Do Concerns

Millions of dollars are being spent in state judicial elections, particularly for Supreme Court races, which are likely to set records again this year, leading some to worry about that money's impact on judicial independence.

Read full article »

Ill. Federal Judge Tapped As Chief Justice Roberts' Counselor

U.S. District Judge Robert M. Dow Jr. of the Northern District of Illinois will be the next counselor to Chief Justice John G. Roberts Jr., tasked with serving as chief of staff, among other responsibilities, the U.S. Supreme Court announced Monday.

Read full article »

Justices To Review Firm's Bid To Shield Client Tax Comms

The U.S. Supreme Court said Monday it will consider a law firm's bid to shield client communications from grand jury subpoenas seeking documents on its tax advice in a case concerning the scope of attorney-client privilege over mixed-use legal advice.

Read full article »

DC Circuit's Judge Silberman Dies At 86

D.C. Circuit Senior Judge Laurence H. Silberman, who died Sunday, is being remembered as a respected, influential and often outspoken conservative jurist.

Read full article »

Conflict Sinks Special Master Plan For Musk-Twitter Disputes

An "unanticipated conflict" scuttled plans to appoint retired U.S. Bankruptcy Judge Christopher S. Sontchi as special master for remaining discovery disputes in Elon Musk's attempt to terminate his $44 billion deal to buy Twitter, with Delaware Chancellor Kathaleen St. J. McCormick taking on some of his anticipated duties.

Read full article »

King & Spalding Finds Rampant Abuse In US Women's Soccer

Coaches in the National Women's Soccer League have engaged in widespread sexual misconduct and verbal and emotional abuse, according to an independent investigation released Monday that was led by former U.S. deputy attorney general and current King & Spalding LLP partner Sally Yates.

Read full article »

The Onion Calls For Parody Protections In High Court Brief

The Sixth Circuit put itself on the wrong side of Mark Twain by granting qualified immunity to police officers who arrested an Ohio man for creating a fake Facebook page that mocked his local police department, satirical newspaper The Onion said in an amicus brief to the U.S. Supreme Court on Monday.

Read full article »

Judge's Recusal Won't Get Investors A Redo In Rigging Case

Investors that accused major banks including Barclays and HSBC of rigging the foreign bond market will not get a second shot to argue their claims after a new judge denied their motion to vacate the suit's previous dismissal by a judge who recused himself over a stock ownership conflict.

Read full article »

Calif. Jury Reaches Verdict In Ex-FBI Agent's Bribery Trial

A California federal jury reached a verdict late Monday in the bribery trial of retired FBI agent Babak Broumand, who is accused of accepting cash, escort services and other gifts from a since-disbarred attorney, but court recessed for the day without the verdict being read.

Read full article »

Ill. Panel Revives Suit Over Medical Co. Atty's Firing

An Illinois appellate court has revived a whistleblower lawsuit accusing a medical device maker of firing an attorney who headed the company's intellectual property legal group after the lawyer allegedly refused calls by the company's general counsel to "hide or park" money in the division's budget that purportedly didn't belong there.

Read full article »

Catching Up With Delaware's Chancery Court

What do drones, electric cars, eggs, chocolate and time-wasting have in common? They're all part of the news out of Delaware Chancery Court this week. And that's not even counting all the disputes between Twitter Inc. and Tesla CEO Elon Musk, which are ratcheting up as the Oct. 17 trial over the scuttled $44 billion deal approaches.

Read full article »

JOBS

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SUBJECT: Morning Consult Health Presented by the Modern Medicaid Alliance:FTC's Khan Eyeing Stricter Scrutiny of PBMs
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 04/10/2022 06:07

MORNING CONSULT

Health

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OCTOBER 4, 2022

BY MATT BRACKEN

Twitter Email

COVID-19 Is Dimming as an Election Issue

When voters head to the polls next month, just 31% now say COVID-19 will be a "very important" issue when considering their ballots, the lowest point since Morning Consult began tracking the topic. Meanwhile, 51% say abortion is a top issue when considering their midterm votes. Check out more insights from Morning Consult senior politics reporter Eli Yokley in our freshly updated Midterm Tracker.

[redacted]

Title

TODAY'S TOP NEWS

- Federal Trade Commission Chair Lina Khan signaled additional agency scrutiny into the practices of pharmacy benefit managers, saying in a fireside chat that the FTC is "looking at middlemen across the board to try to understand, how could we be making sure that these markets are really serving people and not just the narrow self interests of gatekeepers?" When asked whether existing antitrust laws could be used against PBMs, Khan cited two, including the Robinson-Patman Act of 1936, which the agency is now looking at whether it can be applicable in cases of commercial bribery and rebating practices after it was regularly deployed by the FTC in the 1950s and 1960s. (Endpoints News)

- At a meeting of the White House's reproductive rights task force today, President Joe Biden will detail how abortion rights have been stripped away in the 100 days since Roe v. Wade was overturned, in addition to announcing new Department of Education guidance shielding university students who get an abortion from discrimination and $6 million in Health and Human Services Department grants to protect access to reproductive health care services. (Bloomberg) Planned Parenthood said its first mobile clinic to provide abortion care will launch in southern Illinois, making it accessible to patients in nearby Missouri and Kentucky. (Axios)

- The Supreme Court declined to hear a challenge from 10 mostly GOP-led states on Biden's COVID-19 vaccine requirement for employees of federally funded health care facilities. (Reuters)

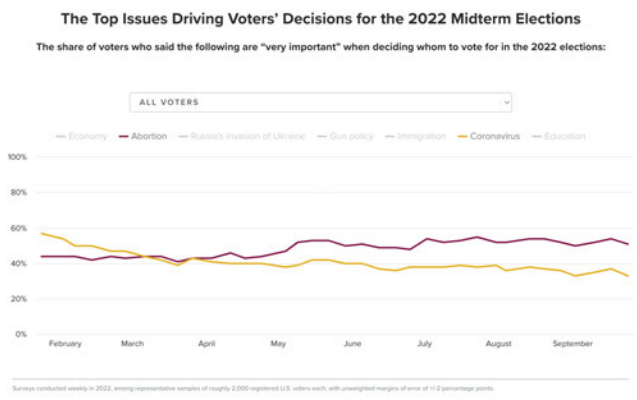
- UnitedHealth Group Inc. said yesterday that it has officially completed its roughly $8 billion acquisition of Change Healthcare Inc., two weeks after a federal judge rejected the Department of Justice's challenge to the merger. (The Associated Press)

Worth watching today (all times local):

- **1 p.m.** National Press Club event: New "Re-shoring" Strategy for Critical Drug Ingredients, featuring API Innovation Center CEO Anthony Sardella and Glioblastoma Foundation Executive Director Gita Kwatra.

CHART REVIEW

2022 Midterm Elections: Democrats Hold Narrow Edge on the Generic Ballot
Morning Consult



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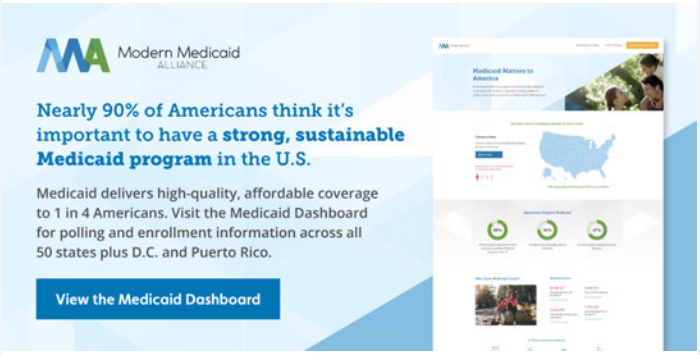

Visit the Medicaid Dashboard: A One-Stop Clearinghouse for Medicaid Data

Americans widely support Medicaid, with an overwhelming majority of voters (88%) wanting to ensure it remains strong and stable for the millions who rely on it. That's according to the Modern Medicaid Alliance's recently updated Medicaid Dashboard, which houses Medicaid enrollment research and polling data for all 50 states plus D.C. and Puerto Rico. Visit the Medicaid Dashboard today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

U.S. CDC ends country-specific COVID travel health notices
David Shepardson, Reuters
The Centers for Disease Control and Prevention (CDC) said on Monday it had ended its COVID-19 country travel health notices as fewer countries reported enough data for accurate assessments.

A new drug seeks 'true revenge' on COVID by turning the virus against itself
Erin Prater, Fortune
The treatment, dubbed NMT5, was created by Scripps Research Institute's Neurodegeneration New Medicines Center founding director Dr. Stuart Lipton and a team of scientists. It's a derivative of memantine, an Alzheimer's drug Lipton developed in the 1990s that happened to originate from a drug used on people infected with the flu in the 1960s.

Thousands of U.S. Cancer Patients Died From COVID Complications, Study Finds
Denise Mann, HealthDay
New research confirms that COVID-19 can be life-threatening for certain cancer patients: More than 16,500 Americans with cancer died from complications related to coronavirus infection during the first 10 months of the pandemic.

APIC urges members to disregard new CDC masking guidelines
Frank Diamond, Fierce Healthcare
The recent relaxation of masking guidelines for healthcare professionals by the Centers for Disease Control and Prevention (CDC) seems a bit premature to one professional organization.

How COVID-19, flu attack the heart different ways
Frank Diamond, Fierce Healthcare

Healthcare experts warn about a possible fall and winter surge of COVID-19 to go along with the yearly influenza surge.

GENERAL

New model says Type 1 diabetes cases worldwide could double by 2040
Erin Blakemore, The Washington Post
Using a new model for projecting the number of people with Type 1 diabetes worldwide, members of an international team of researchers estimate up to 17.4 million cases by 2040, double the number of people known to have the disease today.

Dementia diagnosis increases suicide risk for those under age 65, study finds
Sandee LaMotte, CNN
The study, which followed nearly 600,000 English people for 18 years, found patients who already had a psychiatric condition, or who were younger than age 65 at the time of diagnosis, were at a similar risk. The risk was highest during the first three months after learning the news for people younger than 65: They were 6.5 times more likely to die by suicide.

Get a Ph.D. in health policy — from a single Powerpoint slide
Bob Herman, Stat News
Looking for an actually concise explanation of a half-century's worth of research and arguments about health care spending in the U.S.? You're in luck: Government budget wonks, against all odds, condensed it down to a single PowerPoint slide.

Antidepressant use during pregnancy doesn't harm child development, study says
Sandee LaMotte, CNN
Expectant mothers taking many common antidepressants need no longer worry the medication may harm their child's future behavioral or cognitive neurodevelopment, a new study found.

At Long Last, Can Malaria Be Eradicated?
Apoorva Mandavilli, The New York Times
Two new vaccines may finally turn back an ancient plague. But in unexpected ways, their arrival also complicates the path to ending the disease.

Why Polio, Once Eliminated, Is Testing N.Y. Health Officials
Sharon Otterman, The New York Times
Health officials are facing a number of obstacles to containing polio as it continues to circulate in New York State and threatens to become endemic.

PAYERS

Biden wants to use Medicaid to address abortion 'crisis.' States aren't biting.
Megan Messerly, Politico
In the two months since President Joe Biden signed an executive order encouraging states to use the health insurance program to expand abortion access, no state has applied to do so.

Federal employee health-care premiums to rise 8.7 percent on average
Eric Yoder, The Washington Post
Premiums in the health-care program for federal employees and retirees will increase by 8.7 percent on average for 2023 — the largest increase in more than a decade, the government announced Friday.

Studies comparing MA, Medicare don't capture enough race data
Frank Diamond, Fierce Healthcare
Enrollees in Medicare Advantage (MA) and in traditional Medicare appear to receive similar care in terms of quality, accessibility to providers and affordability, according to a review of 62 studies about the two systems by the Kaiser Family Foundation (KFF).

Supreme Court Passes on Walgreens Whistleblower's Fraud Claims

Daniel Seiden, Bloomberg Law
The US Supreme Court announced Monday that it won't review whether a whistleblower adequately alleged that Walgreen Co. violated the False Claims Act by improperly billing Medicare and Medicaid for medication.

Alignment adding 14 counties to MA footprint for 2023
Paige Minemyer, Fierce Healthcare
Tech-enabled Medicare Advantage insurer Alignment Healthcare is expanding its geographic reach into 14 new counties for the 2023 plan year.

PROVIDERS

Medical groups call on DOJ to investigate threats against gender-affirming care
Orion Rummler, The 19th
Three major medical associations on Monday asked the Justice Department to investigate threats being made against children's hospitals and physicians providing gender-affirming care to transgender youth.

Healthcare workforce programs get $346M
Mari Devereaux, Modern Healthcare
In a series of grants focused on equity and access to care, the Health and Human Services and Labor departments are awarding more than $346 million to train nurses, community workers and public health professionals.

Home health, nursing homes look for year-end breaks in spending deal
Victoria Knight and Arielle Dreher, Axios
Long-term care and home health providers are ramping up pleas for financial relief in a year-end congressional spending deal, testing their influence against other health interests trying to tuck favorable provisions in the must-pass bill.

Pay gap persists for top-earning female physicians, study finds
Lauren Berryman, Modern Healthcare
Male physicians received substantially higher pay than their female counterparts from top-earning medical supply companies, and the wage disparity widened in recent years, a new study found.

How a former Walgreens exec is tackling health equity at Michigan's largest health system
Samantha Liss, Healthcare Dive
A management training program at an insurance company was supposed to serve as a placeholder job until Carlos Cubia got into the Secret Service, fulfilling his dreams of a career in law enforcement. Instead, Cubia has ascended to the C-suite at some of the nation's largest healthcare firms, including Walgreens.

Former Sen. Bob Kerrey named Tenet Healthcare chairman
Julia Mueller, The Hill
The Tenet Healthcare Corporation on Monday announced it has named former Nebraska governor and Sen. Bob Kerrey (D) as its new chairman.

Supreme Court Passes on Nursing Home Arbitration Rule Dispute
Mary Anne Pazanowski, Bloomberg Law
The US Supreme Court declined Monday to hear a dispute over whether HHS can demand that long-term care facilities fully explain arbitration agreements to residents if they want to continue getting paid by Medicare and Medicaid.

PHARMA, BIOTECH AND DEVICES

Justices Ask DOJ to Weigh In on Teva's Drug Labeling Fight
Alexis Kramer, Bloomberg Law
The Supreme Court on Monday asked the US solicitor general to weigh in on a long-running generic drug labeling fight that could affect how lower-cost medications come to market.

U.S. Supreme Court turns away Biogen bid to reinstate MS drug patent

Blake Brittain, Reuters
The U.S. Supreme Court on Monday declined to hear Biogen Inc's bid to win reinstatement of a patent on the company's blockbuster multiple sclerosis drug Tecfidera in a dispute with Viatris Inc subsidiary Mylan Pharmaceuticals Inc.

Pfizer's Future Relies on mRNA — Scientists Are Skeptical
Riley Griffin, Bloomberg Businessweek
The drug giant believes that the technology behind its blockbuster vaccine will be the foundation of a lucrative new era, but competitors are circling and its stock is under pressure.

Many trials to confirm benefits of drugs granted accelerated approvals are running late
Ed Silverman, Stat News
Amid heightened debate over a regulatory program for speeding the approval of some medicines, a new government analysis finds extensive delays in the clinical trials that drug makers are required to conduct after approvals.

World's Most Expensive Drugs Can't Cure What Ails This Biotech
David Wainer, The Wall Street Journal
Bluebird Bio is about to become the seller of the two most expensive drugs in the U.S., and by extension the world, each fetching nearly $3 million.

Meet The Iranian Immigrant Who Became A Covid MedTech Billionaire
Kerry A. Dolan, Forbes
Joe Kiani surmounted overwhelming personal and professional odds to build a better blood oxygen monitoring device. So why should he be afraid to push his scrappy company into consumer electronics, challenging firms 100 times its size?

Theranos Founder Elizabeth Holmes Gets Hearing on New Trial
Heather Somerville, The Wall Street Journal
Theranos Inc. founder Elizabeth Holmes is due back in court this month to make the case that she deserves a new trial based on her allegations that the government manipulated testimony from a key witness who testified against her.

A Message From the Modern Medicaid Alliance:

Medicaid provides an essential safety net for those who need it most. From the start of the COVID-19 pandemic, Medicaid and managed care have played a critical role in delivering high-quality, affordable coverage for a growing number of Americans. In fact, Medicaid enrollment has grown by more than 17.5 million people since the onset of COVID-19. For more information on Medicaid during the public health crisis, visit the Modern Medicaid Alliance's recently updated Medicaid Dashboard.

HEALTH TECHNOLOGY

Scientists train an AI model to predict breast cancer risk from MRI scans
Jayne Williamson-Lee, Stat News
A biopsy that turns out to have benign results can be a relief. But in some cases, it could also mean a patient whose risk of cancer was low from the start has gone through an unnecessarily invasive procedure.

Digital health funding plummets 48% to $2.2B in Q3
Heather Landi, Fierce Healthcare
With the market under pressure, digital health funding continues to cool down as investors write smaller checks and focus on early-stage startups.

CVS Health sells benefits tech bswift to Francisco Partners

Annie Burky, Fierce Healthcare
As a part of CVS Health since 2018, bswift expanded its capabilities as a provider of software and services that streamline benefits and human resources administration. Bswift will continue to partner with CVS Health and its subsidiary Aetna, an insurance provider, by sharing benefits solutions with its employees and clients.

OPINIONS, EDITORIALS AND PERSPECTIVES

Amylyx's New ALS Drug Costs $158,000 and Might Not Even Work
Lisa Jarvis, Bloomberg
Amylyx will charge $158,000 per year for Relyvrio. The Institute for Clinical and Economic Review, an independent nonprofit that analyzes the value of pharmaceuticals, found that a fair price for Relyvrio would be between $9,100 and $30,700 per year.

RESEARCH REPORTS

Success and failures in MRSA infection control during the COVID-19 pandemic
Kevin T. Kavanagh and Lindsay E. Cormier, Antimicrobial Resistance & Infection Control
Private sector facilities in the United States have experienced a resurgence of Methicillin-resistant Staphylococcus aureus (MRSA) hospital-onset infections during the COVID-19 pandemic, which eliminated all gains that were achieved over the last decade.

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SUBJECT: Re: Legislative Alert: Federal Home Visiting Reauthorization BillMoves Forward
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 04/10/2022 08:00

Thanks Heather!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

[redacted] Title

On Mon, Oct 3, 2022 at 5:31 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

David, forwarding this string to the top of your inbox:

---------- Forwarded message ---------
From: ***Tracy Gruber (DHHS)*** *<tracygruber@utah.gov>*
Date: Tue, Sep 27, 2022 at 5:45 AM
Subject: Re: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward
To: Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov>
Cc: David Litvack (DHHS) <davidlitvack@utah.gov>, Heather Borski (DHHS) <hborski@utah.gov>, Michelle Hofmann (DHHS) <mhofmann@utah.gov>, Noel Taxin (DHHS) <ntaxin@utah.gov>

Thank you Elizabeth! This is incredibly helpful.

When I oversaw the Intergenerational Poverty Initiative, home visiting was a prime policy recommendation we supported each year but it just continually eroded and fewer and fewer families were able to receive the services and attain the benefits of this evidence-based intervention. I look forward to discussing this further.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Sep 26, 2022 at 12:19 PM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

Happy to provide any updates, Tracy. I'd say just keep your fingers crossed that this is what passes in December. Anything past December will be MUCH more difficult to get through Congress, as most home visiting champions are retiring.

Heather asked a couple of other questions in chat today, so I'll provide my responses here so everyone can reference them later as needed (but don't hesitate to ask at any time! I can easily pull this information again):

Match Requirement:
If we are able to count our current funding, which is $522,000 annually, we will be fine to meet these requirements until FY2026. We would need $597,396 (or an increase of $75,396) by FY2026 and $987,752 by FY2027 (with a total increase from current funding levels of $390,356). However, based on this current bill, this would require us to shift our standard of service provision to meet the MIECHV standard (with the same required performance measures). That's definitely possible and since the match won't be required for a few years, we have a great running start. It will take work on our end to do, but the payoffs will be great in the long run, as we'll then be able to have a more robust picture of the impacts of visiting across the state (i.e. I want to do this anyway, regardless of home visiting's funding future).

Who is best served by/benefits from home visiting?
It's important to remember that we must reference the evidence-base for home visiting (otherwise, we cannot guarantee the amazing outcomes and ROI that makes this a compelling service/intervention--it then would not fall under my program, as it would be more broad case management). I would suggest we move forward with the definition MIECHV uses, since we'll need to increase all service provision to this standard as a result of the match requirement:

Pregnant parents or families with a child age 5 and younger

Priority should be given to families that meet at least one (1) of the following MIECHV Eligibility Criteria:

- *Low income (at or below 100% of the Federal Poverty Level)*
- *Pregnant and under the age of 21*
- *History of child abuse or neglect, or history of interactions with child welfare services*
- *History of substance abuse or in need of substance abuse treatment*
- *Tobacco use*
- *Low student achievement*
- *A child with developmental delays or disability*

[redacted]

A household member who is serving or has served in the U.S. armed forces

If the Home Visiting Program has an open caseload for enrollment, priority should be given to those who meet multiple MIECHV Eligibility Criteria.

The various home visiting models use more nuanced definitions, but I suggest we leave that to our contractors to work through, as they receive targeted technical assistance from model implementation specialists.

Optimal Coverage:

Currently, we have funding and capacity to serve 2.6% of children under 5 living in poverty in Utah (611 families). If we could reach, at minimum, 10% of these children (2,317), I'd say we'd be doing a great job!

However, because home visiting is a long-term intervention (2+ years, depending on the model), families only have to qualify (or meet the definition above) at the time of enrollment. Ideally, we should see changes to income and stressors over time, which would actually increase the need.

We would also need to increase our intake and referral processes to account for expansion--we have to find these families somewhere and we need to strengthen our early childhood infrastructure to do this. I'm already talking to Help Me Grow Utah about how they can support this.

Estimated Costs & ROI:

The following are current annual costs for PAT and NFP. Many programs supplement with local tax dollars, so adjustments for inflation are likely needed:

PAT: $5,880 per family

NFP: $6,935 per family

The cost to serve 10% of children under 5 living in poverty in Utah would be around $15.5 million.

With the proposed formula in MIECHV reauthorization, by FY2027, we would have $8.375 million--this would enable us to serve approximately 1,300 families, or 5.5% of children under 5 living in poverty in Utah.

While 5.5% may be sufficient, the ROI for home visiting is very strong ($5.70 in savings for every $1 of taxpayer dollars spent). As a result, we should push to get closer to that 10%.

- *ROI for 5.5% (current projected funding): $47.738 million*
- *ROI for 10%: $88.35 million*

Side note: As home visiting expands, the team at the state level will need to expand as well to ensure we're able to conduct appropriate contract monitoring processes. I currently have 2 program specialists positions on my team. If we are to expand into each LHD, I would estimate we need 5-6.

Other Considerations:

While Heather didn't ask about this, I want to share some very important considerations to keep in mind for any home visiting expansion conversations that I may not be a part of:

***Voluntary Participation:** Participation in evidence-based home visiting services requires at least 2 year commitment from families to ensure outcomes (depending upon the home visiting model used)--if families feel pressure to participate, this undermines the relationship-based approach of the service, thus undermining the ability of home visitors to impact parent, child, and family outcomes.*

***Sustainable funding is critical:** I understand this is not always a guarantee for grand-funded work, but short-term or one-time funding undercuts contractors' ability to implement the model with fidelity, thus compromising the outcomes guaranteed by the evidence-base.*

A bit of a history lesson: Utah received one-time competitive federal funding for home visiting back in 2014-ish. This had disastrous impacts for the field--programs had to close, people lost jobs, and stakeholder confidence in DOH and OHV was badly damaged (I still hear concerns about this 6 years later and am continuing to repair relationships across the state from this. Some LHDs have said they will never work with home visiting again!). This was a learning on the federal government's part as well and they no longer provide short-term funding for home visiting. Each MIECHV reauthorization is in 5-year increments and it is now exclusively formula-based and doesn't vary more than 5% each year to ensure sustainability of service provision. We should approach any funding opportunities for home visiting with the same mindfulness.

Let me know if you have any further questions.
Elizabeth

On Sun, Sep 25, 2022 at 7:00 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Elizabeth,

Thank you for the great overview of the proposal. That's very helpful.

If there are any important changes to the proposal as this moves through Congress, please let Noel know so she can keep us in the loop. We often don't know about issues without staff like you elevating these discussions. You are the expert and the closest to the information.

Thanks again!
Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550

[redacted]

[redacted] Title

tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Sep 23, 2022 at 9:31 AM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

Good morning,

I've been following the development of this bill closely and I've been waiting for you all to ask for my thoughts! Overall, this bill is really really great! Here are some quick bullet points of how this will impact Utah:

Maintenance of Effort: The maintenance of effort requirements will continue. However, this will be based on the past MOE, which is $0. This is incredibly beneficial for Utah, as the MOE requirement will be set for 5 years (the entire period of reauthorization).
Needs Assessment: We will not need to update the needs assessment. While the current needs assessment quickly became outdated (it was completed in 2020), I believe we have sufficient data in other areas of DFH to help inform home visiting expansion. I've been in conversations with the DRP program manager about how we can plug in one of their epidemiologists into our work a bit more!
Reduction of administrative burden: The intense levels of administrative work and reporting for MIECHV is unlike many other federal grants. It's becoming a common complaint amongst MIECHV awardees and some states are starting to turn down this funding as a result. In this bill, they'll be working to reduce the hours by at least 15%. This has incredible implications for Utah's home visiting team and the DFH finance team. Currently the admin work impedes our ability to fully dive into the significant amount of data we have to really push toward more meaningful outcomes.
Virtual Home Visiting: As we've all learned virtual services are here to stay, but the current rules last only until the public health emergency ends. This means that we will be able to better serve families in the ways that they want and better accommodate their needs and schedules.
Match requirements: This is a big shift! Currently we do not have a match requirement for MIECHV. This proposal is 25% (or for every $3 in federal funds, the state must spend $1), but it's tiered up over time (I'll explain below what that looks like for Utah). Regardless of whether this bill is passed or not, a match is very likely in the future for MIECHV. The following is not public, but was made available to state home visiting administrators via a membership organization called the Association of State and Tribal Home Visiting Initiatives (ASTHVI--we're a member):

It's unclear if the match can be any state funds.
Any match will likely need to be for home visiting provided at the MIECHV standard of service provision (this includes all the data collection, screening, and reporting).

- While this is a concern for some state administrators, I think this is actually a good thing. It will allow us to better report on the same metrics across the state to have a better sense of where we are. Currently, we collect very little data for state-funded home visiting.

New funding in this upcoming federal fiscal year will likely count for the match requirement.

- This is great timing with all of the conversations happening with home visiting in the state right now!

How much funding and what's Utah's share?: I received a memo from the Congressional Research Service, via ASTHVI, regarding the estimates of program funding with this current proposal. Again, I was told this is not publicly available, but okay to share it within my agency. Let me know if you'd like to see the full 11 page document, but here's the summary for us:

FY2021: (for comparison, this is our current annual award amount--MIECHV awards have 2 years of availability)

- $3.162 million

FY2023:

- Base Amount: $4.451 million
- Match: $0
- Required match spending from Utah: $0
- Total: $4.451 million

FY2024: *match requirement starts*

- Base Amount: $4.451 million
- Match: $776,000
- Required match spending from Utah: $258,758
- Total: $5.227 million

FY2025:

- Base Amount: $4.451 million
- Match: $1.195 million
- Required match spending from Utah: $398,264

[redacted]

- *Total: $5.646 million*

FY2026:

- *Base Amount: $4.451 million*
- *Match: $1.792 million*
- *Required match spending from Utah: $597,396*
- *Total: $6.243 million*

FY2027:

- *Base Amount: $4.451 million*
- *Match: $2.936 million*
- *Required match spending from Utah: $987,752*
- *Total: $7.387 million*

Let me know if you have any more questions after reading through all of this. Happy to answer any and all that arise for you!

Elizabeth

On Fri, Sep 23, 2022 at 7:29 AM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

> *Good morning:*
> *Please respond to Tracy and team.*
> *Thank you,*
> *Noël*
>
> *Sent from my iPhone*
>
> *Begin forwarded message:*
>
> ***From:** "Tracy Gruber (DHHS)" <tracygruber@utah.gov>*
> ***Date:** September 22, 2022 at 9:01:08 PM MDT*
> ***To:** "Noel Taxin (DHHS)" <ntaxin@utah.gov>*
> ***Cc:** "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>*
> ***Subject: Fwd: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward***
>
> *Please share your thoughts on this legislation when the Home Visiting Team has time to review it. Given the budget cycle for the state, we may need to determine whether we would need additional MOE from Utah to try to draw down Utah's full allotment. Do you know how much Utah is eligible to receive with this new proposal?*
>
> *Thanks.*
> *Tracy*
> ***Tracy S. Gruber***
> *Executive Director*
> *O: 435.772.6550*
> *tracygruber@utah.gov*
>
> Utah Department of Health & Human Services
>
> *---------- Forwarded message ---------*
> *From: **ASTHO** <pr@astho.org>*
> *Date: Thu, Sep 22, 2022 at 10:13 AM*
> *Subject: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward*
> *To: <tracygruber@utah.gov>*

View this email in your browser.

LEGISLATIVE ALERT

Sept. 22, 2022

Federal Home Visiting Reauthorization Bill Moves Forward

This week, leaders in both the House Ways and Means Committee and Energy and Commerce Committee introduced the Jackie Walorski Maternal and Child Home Visiting Reauthorization Act (H.R. 8876), which reauthorizes the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program. The bill passed out of the House Ways and Means Committee by a vote of 41-0 with one abstention.

It is essential to note that the MIECHV program is a mandatory program, and this bill proposes significant changes to its overall funding. After a careful review by the ASTHO government affairs team, we strongly encourage that state legislative staff and maternal and child health teams carefully review the bill text and summary. This legislation is complex with new maintenance of effort, state matching requirements for a new grant program, and changes to an administrative cap that could uniquely impact state and territorial federal home visiting programs.

The press release, summary of the legislation, section-by-section summary, and bill text are available for review.

Outlook: The full House of Representatives will consider the bill, then move it to the Senate. Offsetting the program's costs is yet to be addressed and is a priority for Congress. However, this legislation was approved with broad bipartisan support, and the government affairs team believes it may be signed into law before the end of the calendar year. Funding for the current MIECHV program expires at the end of the month. Advocates expect Congress to approve a short-term extension of MIECHV as part of the continuing resolution bill that needs to pass before Sept. 30.

Questions: Considering this bill proposes changes to the MIECHV program, if S/THOs have any questions or concerns, please contact Carolyn McCoy.

Detailed Summary:
Currently, the MIECHV program receives approximately $400 million per year.

- This legislation proposes an increase in base funding to $500 million for FY23-FY27. The minimum base grant for an entity is $1 million.
- Starting in FY24-FY27, federal matching grant funds—in addition to base funding—are available to every eligible entity, guided by a formula that will focus on the number of children under five in poverty if they comply with specific statutory requirements on an increasing scale:
  - FY24 $50 million.
  - FY25 $100 million.
  - FY26 $150 million.
  - FY27 $300 million.
- To draw down its full allotment of federal matching grant funds, an entity must provide non-federal funds above their maintenance of effort requirement such that 25% of the total spending consists of non-federal funds.
  - Unobligated matching funds can be redistributed to another entity that can contribute to the non-federal matching funds.
  - The ASTHO government affairs team recommends carefully reviewing the legislation to see what funds can contribute to this new matching requirement.
- New maintenance of effort requirement for states and territories is based on the lesser total of non-federal funds expended in 2019 or 2021. The entity is not eligible for base or matching grants if this is not met.
  - The secretary may allow a grace period for an entity to come into compliance.
- Phased-in additional federal matching funding starting in FY24 is part of the requirement for entities to be eligible for the new federal matching grants, which requires a 25% state match (i.e., for every $1 in state funds, there is a $3 federal contribution). The non-federal matching funds are not applied to the maintenance of effort requirement.
  - The minimum state matching funds are as follows:
    - FY23: Federal matching funds are not required.
    - FY24: $776,000.
    - FY25: $1,000,000.
    - FY26: $1,500,000.
    - FY27: $2,000,000.
  - If a state cannot reach the required amount, the secretary of HHS can proportionately reduce the federal matching amount for that fiscal year.

- Limits state administrative spending to 10% of grants and an exception for not more than 5% at the discretion of the secretary of HHS.
  - This applies to an entity that directly provides home visits to families and not through a sub-recipient.
  - The entity is expanding services to a new community and has been providing services for fewer than three years.
- Allows limited ability to conduct virtual home visits and requires entities to demonstrate that they have met specific conditions. Service delivery models must include at least one in-person visit a year to qualify for federal funding.
- Doubles the tribal set-aside (from 3% to 6%) starting in FY23.
- Dedicated funding (2% set aside) for workforce support, retention, and case management.
- Set aside funding for research, evaluation, administration, and technical assistance.
- Establishes an outcomes dashboard and annual report to Congress on the program.
- Requires HHS to work with partners to reduce administrative burden.
- Maintains a strong focus on evidence-based home visiting models and practices.

###

Visit ASTHO's website for information on public health jobs, funding opportunities, and events.

Unsubscribe from all ASTHO emails.

higher logic

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of Health & Human Services
Family Health

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********** IMPORTANT MESSAGE **********

[redacted]

[redacted] Title

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
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Health & Human Services
Family Health

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SUBJECT: Azar, Kehaly, and Mizeur Members of NIHCM Boards
FROM: NIHCM Foundation <nihcm@nihcm.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 04/10/2022 08:14

New leaders join NIHCM Boards Trouble viewing? View email in browser

NIHCM FOUNDATION October 2022

Washington, DC, October 4, 2022 - The National Institute for Health Care Management Foundation (NIHCM) is pleased to announce that the Honorable Alex Azar II, Pam Kehaly,

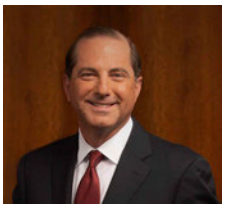
[redacted]

and Michael J. Mizeur have joined NIHCM's Advisory Board and Board of Directors.

“We are delighted to welcome Alex, Pam, and Michael to NIHCM. They are experienced leaders who bring unique perspectives to our highly-accomplished Board and Advisory Board. Their insights will advance NIHCM’s mission to improve health care for millions of Americans,” said Nancy Chockley, Founding President and CEO of NIHCM.

NIHCM Foundation is a nonprofit, nonpartisan organization dedicated to transforming health care through evidence and collaboration.

The Honorable Alex Azar II
24th Secretary
U.S. Dept. of Health and Human Services



Alex Azar II has extensive healthcare experience in the senior-most levels of the U.S. government and the private sector. He is currently an advisor to Foresite Capital, an Adjunct Professor of Business and Senior Executive-in-Residence at the University of Miami Herbert Business School, and he is a member of the American Task Force on Lebanon’s Policy Advisory Board. He serves on several corporate boards.

Azar served as the 24th Secretary of the U.S. Department of Health and Human Services (HHS - 2018-2021), leading over 85,000 employees with a budget of over $1.4 trillion. He was the architect of Operation Warp Speed, delivering COVID-19 vaccines and therapeutics and led the historic transformation of the healthcare system and HHS’s response to the unprecedented COVID-19 pandemic. He drove U.S. Government efforts to tackle the opioid crisis, increase private insurance options, bring transparency of price and quality information to healthcare, expand telehealth, and give patients ownership of their health records. Azar also led key public health initiatives, such as banning flavored e-cigarettes, reducing youth tobacco use by nearly one-third in one year, creating and implementing the program to end the HIV epidemic in America in 10 years, responding to public health threats, crafting the first rural health initiative to improve access and quality of care, and launching a program to dramatically reduce maternal mortality.

He was President of Lilly USA, LLC, from 2012 to 2017. Prior to that, Azar was the Deputy Secretary of HHS.

Azar joins an exceptional group of health care experts on the Foundation’s **Advisory Board**:

- **Katherine Baicker, PhD**
- **Donald M. Berwick, MD**
- **James C. Capretta, MA**
- **Michael E. Chernew, PhD**
- **Karen DeSalvo, MD**
- **Paul B. Ginsburg, PhD**
- **Scott Gottlieb, MD**
- **Robert P. Kocher, MD**
- **Gov. Mike Leavitt**
- **Robert Reischauer, PhD**
- **James C. Robinson, PhD**
- **Avik Roy**

Pam Kehaly
President and CEO
Blue Cross Blue Shield of Arizona

Pam Kehaly is President and Chief Executive Officer of Blue Cross Blue Shield of Arizona (BCBSAZ). With more than 30 years of experience in the health insurance industry, she is leading the 2,700-employee company to inspire health through inventive programs, services, and health insurance products. Kehaly joined BCBSAZ in 2017 and was quickly recognized by the *Phoenix Business Journal* as one of the state’s “Most Admired Leaders” and made *Arizona Business* Magazine’s “Most Influential Women in Arizona” list. In 2021, she was named Leader of the Year by *Arizona Capitol Times*. Through Kehaly's leadership, BCBSAZ has secured a spot on *Modern Healthcare’s* Best Places to Work in Healthcare list. Since joining BCBSAZ, Kehaly has led the company to number 1 market share, with 23% growth by focusing on consumer needs and company culture.

[redacted]

Among the many initiatives Kehaly is spearheading is the Blue Cross Blue Shield of Arizona Foundation for Community Health & Advancement, which began operations in January 2022, to enhance the company's commitment to the public good by focusing on the critical health issues impacting Arizona, including mental health, substance use disorder, chronic health conditions, and health equity.

Michael J. Mizeur
President and CEO
BlueCross BlueShield of South Carolina

Michael J. Mizeur is committed to serving the people of South Carolina as the leader of the health plan that has offered security to Palmetto State citizens for more than 75 years. As the President and CEO, Mizeur leads more than 20 companies, with over 15,000 employees, involved in health insurance services, U.S. DoD health program and Medicare contracts, Medicaid plans and a philanthropic foundation that funds programs to improve health care and access to health care for South Carolinians.

Mizeur began his career with BlueCross in 1998 and has held a number of senior leadership positions with the company, most recently president and chief operating officer in 2021.

Kehaly and Mizeur join NIHCM's powerful **Board of Directors**:

- **Curtis Barnett**
- **Gail K. Boudreaux**
- **Gregory E. Deavens**
- **Andrew Dreyfus**
- **Patrick Geraghty**
- **Cory Harris**
- **W. David Helms, PhD**
- **JD Hickey, MD**
- **David L. Holmberg**
- **Daniel J. Loepp**
- **Jeff Roe**
- **Maurice Smith**
- **Tunde Sotunde, MD**
- **Gary D. St. Hilaire**
- **Steven Udvarhelyi, MD**

press release
Contact: *Sheree Crute*
Director of Communications
scrute@nihcm.org

NIHCM Foundation

Washington DC 20036-2454

Add us to your address book

[redacted]

[redacted]

SUBJECT: October News & Events
FROM: Utah Law <communications@law.utah.edu>
TO: hborski@utah.gov
DATE: 04/10/2022 10:30

[redacted]

THE UNIVERSITY OF UTAH
S.J. QUINNEY
COLLEGE OF LAW

October 2022

39th Annual Jefferson B. Fordham Debate –

The Post-Dobbs Landscape: States' Abortion Shield Laws

Be it resolved that states' abortion "shield laws" run contrary to principles of U.S. federalism and constitutional law

October 17, 2022

5:30 p.m. Reception, 6:00 p.m. Debate & Q&A, Register Here »
Dobbs v. Jackson Women's Health Organization held that abortion was not a constitutionally protected right under the Due Process Clause, and, in the absence of federal constitutional protection, state laws now govern access to abortion from the earliest stages of pregnancy. Whereas some states have passed laws severely restricting or banning abortion, other states have passed "shield laws"—laws which protect abortion providers from civil and criminal liabilities stemming from abortion care provided to out-of-state residents. Proponents of abortion shield laws argue that such laws are necessary to assure in-state abortion providers that they will not be penalized by another state for providing care to residents from those states. Shield laws, they argue, are a constitutionally permitted way to provide safety from prosecution under the laws of another state. Opponents of shield laws may counter that such laws undermine U.S. notions of comity and federalism as well as test constitutional principles underpinning states' sovereignty over its own citizens.

The University of Utah S.J. Quinney College of Law will host a debate to consider the consequences of states' abortion shield laws to federalism and the U.S. constitution.

Free and open to the public. 1 hour CLE (pending).

Learn more »

October
7
Friday

Ethics Reimagined: Updates from the Bar on Practice Management, Ethics, and More

A College of Law CLE Webinar

12:00-1:00 p.m., Zoom Link ~ Register Here »
In addition to overseeing the Ethics Hotline, the Utah State Bar is launching a new venture, the Professional Development Office (PDO), which offers wide-ranging information and insight on how to commence, manage, and maintain your law practice, as well as preparing for your own retirement or transition out of the practice of law. 1 hour CLE (pending). More Info

October
20
Thursday

National Parks Forever: Fifty Years of Fighting and a Case for Independence

A Wallace Stegner Center Green Bag

12:15-1:15 p.m., Register Here »
Former Director of the National Park Service Jon Jarvis will discuss his latest book, co-authored with his brother, a long serving advocate for the national parks, Destry Jarvis. Jon will detail their combined 90 years of battling the politics that would undermine the stewardship of what Wallace Stegner called “America’s Best Idea.” Their conclusion is that the National Park Service must be re-established as an independent agency, akin to the Smithsonian. 1 hour CLE (pending). More Info

October
20
Thursday

Is the world ready for lab-created embryos?

A Center for Law & Biomedical Sciences webinar

6:00-7:00 p.m., Register Here »
Researchers may one day be able to grow human embryos in a lab using a process called in vitro gametogenesis (IVG). IVG may allow couples experiencing infertility, including same-sex couples, to have genetically-related children. It can also provide a reliable supply of stem cells for important research. 1 hour CLE (pending). More Info

October
21
Friday

The New Roaring Twenties: The Progressive Agenda for Antitrust and Consumer Protection Law

The Annual Lee E. Teitelbaum Utah Law Review Symposium

8:00 a.m. - 5:00 p.m., Register Here »
Enforcement of the antitrust and consumer protection laws in the United States has experienced significant fluctuations over time. While enforcement activity by the Department of Justice (DOJ) and Federal Trade Commission (FTC) was vigorous from World War I through the post-war years, the emergence of the “Chicago School” in the 1970s resulted in a narrowed, efficiency-oriented focus that, with a few notable exceptions, resulted in diminished agency enforcement and judicial narrowing of key legal doctrines. 6 hours CLE (pending). More Info

October
25
Tuesday

Honoring the Work of Compassion: An Evening CLE Event for the Opening of the Bystander Program

A Utah State Bar event

5:30 p.m., Reception, 6:00 p.m. Dinner/Dialogue, Salt Lake Hilton (255 S. West Temple)
The Utah State Bar is pleased to host an evening of gathering and discussion to celebrate the founding of a Bystander Program at the S.J. Quinney College of Law, which is dedicated to the study of the bystander-enabler role in criminal and community justice. $150 per person to attend, all proceeds to benefit the Bystander Program. Utah State Bar members register here. Non-Bar members register via email at CLE@utahbar.org. 1 hour CLE (pending).

[redacted]

Title

October

27

Thursday

Water Markets: the Good, the Bad, and the Ugly

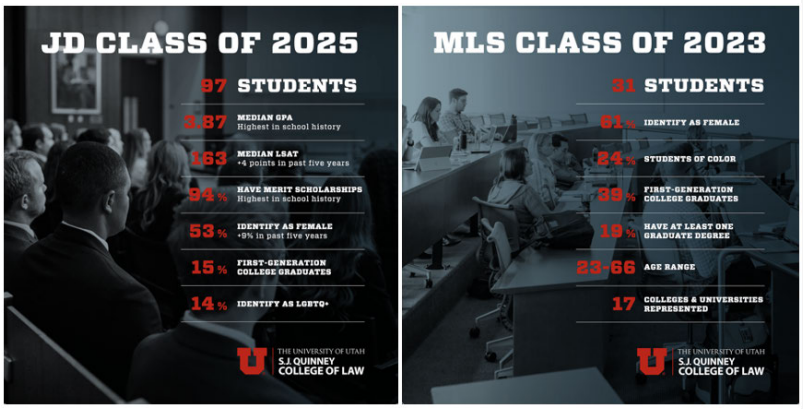
19th Annual Stegner Center Young Scholar Lecture

12:15-1:15 p.m., Register Here »
This lecture will analyze recent developments in water marketing. The term water market refers to many different types of transactions, from a water lease between neighboring farmers to the trading of water futures in the Chicago Mercantile Exchange or the investment of Wall Street firms in irrigation mutuals in Colorado. Unfortunately, not every market may fulfill our efficiency and fairness expectations. Critics of water markets usually consider all water markets to be tainted because they commodify a valuable resource. 1 hour CLE (pending). More Info

Save These November Dates!

November 3 - America's Public Lands—Looking Back, Looking Ahead
November 9 - Should the U.S. Institute Mandatory National Service?
November 11 - The Changing Utah Legal Market – Part 3: Small Firm Perspective
November 18 - Taylor v. Taylor: Arbitrating Divorces in Utah

College of Law News



Welcoming Utah Law's newest students

This month we welcomed our new JD and MLS classes to the S.J. Quinney College of Law. We're thrilled to celebrate their academic achievements, as well as the diversity of backgrounds and experiences that they bring to our community.

In terms of academic credentials, this is the strongest JD class to ever join the college: Their 3.87 median GPA is the highest in our history, and their 163 median LSAT is in the top 15% nationally. We are also proud that 94% of our 1Ls received merit scholarships—our highest percentage ever, and a reflection of our commitment to keeping legal education affordable and accessible for all students.

Similarly, our new MLS class boasts an abundance of talent and a wide range of personal and professional experiences. Among incoming MLS students, 61% identify as female and 24% identify as students of color. Further, 39% were the first generation in their families to earn an undergraduate degree, and fully 19% already have at least one graduate degree. This is a testament to their drive and dedication—and to the richness of perspective that they bring to the college.

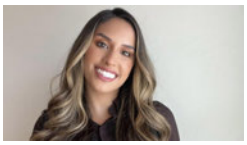
[redacted]

White House Taps Utah Law Professor John Ruple for Council on Environmental Quality

University of Utah S.J. Quinney College of Law Professor John Ruple is joining the Biden Administration to serve as senior counsel in the White House Council on Environmental Quality (CEQ). Read more »

Professor Jensie L. Anderson, the Rocky Mountain Innocence Center, and Parr Brown Gee & Loveless Attorneys Obtain Exoneration and Compensation

Professor Jensie L. Anderson and the Rocky Mountain Innocence Center began investigating Mr. Thompson's claim of innocence in 2015. Read more »



2L Anjana Kanth strengthens writing skills with judicial internship

As a proud University of Utah student during her undergrad years, Anjana Kanth already had the S.J. Quinney College of Law on her radar when she decided to pursue law school. Read more »

College of Law News Bytes

University of Utah S.J. Quinney College of Law DEI Update

Professor Paul Cassell discusses rights and powers of former presidents with the Washington Post

Utah Law hosts leadership lunches for first-year students

3L Joe Marshall explores data privacy law

Celebrating the Wallace Stegner Center's New Faculty and Staff

Wallace Stegner Center Receives Major Gift from C. Comstock Clayton Foundation

Utah Law hosts debate focused on abortion shield laws

Faculty News

Teneille Brown
Panelist: University of Utah Friday Forum, "Fostering an Inclusive Climate."

Paul Cassell
Quoted in The Washington Post regarding executive privilege issues associated with search warrant for former-President Trump's papers.

Argued for minor sex trafficking victim "Jane Doe" in her appeal to the 9th Circuit (San Francisco, Sept. 19, 2022).

Jorge Contreras
Book published: Guide to Patent Policies of Standards-Development Organizations (Jorge L. Contreras, Dave Djavaherian, Christopher Higgins, Jay Jurata, Emily Luken, eds., 2d ed., Chicago: ABA Publishing, 2022).

Amos Guiora
Published: Minutolo, M.C., Vargas, L.G., Guiora, A.N., & Ray, M., Applying the AHP to conflict resolution: A Russia – NATO case study. Group Decision and Negotiation, 2023. (accepted).

Erika George
Presented: "Europe's Corporate Sustainability Due Diligence Directive: Catalyzing Climate Action and Advancing Just Transition," NOVA School of Law, Lisbon, Portugal.

Presented: "Incorporating Rights: Legal Accountability for Corporate Abuses," RAFTO Foundation, Institute for Human Rights and Business, Bergen, Norway.

RonNell Andersen Jones
Panelist: "Delete, Ban, Cancel: Public Understanding of Free Speech and Censorship," Reed College of Media and College of Law, West Virginia University.

Christina Koningisor

Presented: "Civil Rights-Civil Liberties Seminar" (Ari Ezra Waldman and Catherine Powell), Fordham Law School.

Chris Peterson
Panelist: "How to Manage Payment Fraud Risks and Dispute Resolution Obligations," American Bar Association Business Law Section Annual Meeting, Washington, D.C.

Panelist: "West Virginia v. EPA and Consumer Finance," Practicing Law Institute, 27th Annual Consumer Financial Services Institute, Chicago.

Hallie Pope
Participated in an ABA webinar panel: "Improving Access to Justice: Technological Innovations and Legal Design."

Heather Tanana
Presented: CLE International, Tribal Water Law Conference, Environmental Justice and Human Rights to Water.

Pro Bono Initiative Bake Sale
Remote ordering now available!

Thursday, October 27

10:00 a.m. - 4:00 p.m., S.J. Quinney College of Law, Level 2
The Pro Bono Initiative is bringing back the annual bake sale fundraiser! Save the date to stop by and grab a couple of goodies to support a good cause. Alumni can participate in the bake sale remotely and purchase items from the sale to either pick up curbside (between 12-3pm) or get free delivery to your Salt Lake office for orders over $150.

On October 27, PBI will post a link to a remote order form on S.J. Quinney's Instagram page, so watch that channel for further communications. Interested groups can reach out to probono@law.utah.edu to commit to a donation now.

For questions about this event contact Caisa at probono@law.utah.edu.

Want to donate but don't want the extra calories?
We will be running a give campaign for the Pro Bono Initiative during the week of October 24-28. Stay tuned for details!

S.J. Quinney College of Law | 383 S. University Street, Salt Lake City, UT 84112

Unsubscribe hborski@utah.gov

Update Profile | Constant Contact Data Notice

Sent by communications@law.utah.edu

[redacted] Title

SUBJECT: White House Health Call Tomorrow + Newsletter
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 04/10/2022 12:30

THE WHITE HOUSE
WASHINGTON

Health Community Updates

Friends – Please join us for our next bi-weekly White House Health Community Call tomorrow, Wednesday, October 5th at 2:30pm ET. You can RSVP here. Please invite colleagues and members of your community – all are welcome.

Below are several important updates. Have a wonderful rest of the week.

FDA Infant Formula Update: Agency Taking Steps to Support the Infant Formula Supply

"We've made important progress toward improving the infant formula supply in the U.S. and paving the way for a more robust and diverse marketplace for the future. However, the FDA can't do it alone. We'll need to work with all stakeholders to evaluate what other steps could be taken to encourage a more diverse and resilient infant formula marketplace," said FDA Commissioner Robert M. Califf, M.D. "Manufacturers from around the world have demonstrated their commitment to helping bolster U.S. supply and, in turn, we are committed to continuing these flexibilities for their products to safely remain on the market while ensuring they meet our standards." You can read more about the pathway published by the FDA to provide a pathway for infant formulas operating under enforcement discretion in the U.S. to remain on the market here.

POTUS and VPOTUS convene the Task Force on Reproductive Healthcare Access

Today, President Biden and Vice President Harris are convening the second meeting of the President's Task Force on Reproductive Healthcare Access since the *Dobbs* decision. In the 100 days since Dobbs, we've seen a wave of Republican officials taking radical steps at the national and state level that jeopardize women's health and rights. As a result, millions of women cannot access critical health care and doctors and nurses are facing criminal penalties – including being thrown in jail – for providing health care.

These extreme abortion bans also have consequences that extend beyond abortion, including reports of women being denied prescriptions at pharmacies to treat miscarriage and conditions like arthritis and cancer, and threats to contraception, including for college students. **The Biden Administration is committed to doing everything in its power to protect women's rights for no matter where they live. But the President has been clear: the only way to fully protect a woman's right to choose is for Congress to act by codifying *Roe v. Wade* into law.**

In today's Task Force meeting, the President and Vice President will hear directly from healthcare providers in states that have banned abortion and states experiencing an influx of women seeking reproductive health care because of abortion bans in surrounding states. Coinciding with the Task Force meeting, the Administration is taking a series of steps to affirm women's rights and access to reproductive health care services, including:

[redacted]

- The Department of Education is releasing a new resource to colleges and universities reminding them of their obligation under Title IX to protect students from discrimination based on pregnancy related conditions, including termination of pregnancy.
- The Department of Health and Human Services is awarding $6 million in new Title X family planning grants to protect access to affordable, quality family planning services and other preventive health care, including contraception.

HHS Weekly Briefing on Monkeypox

Please join the Department of Health and Human Services Office of Intergovernmental and External Affairs, Centers for Disease Control and Prevention (CDC), U.S. Food and Drug Administration (FDA), and Office of the Assistant Secretary for Preparedness and Response (ASPR) for our weekly Monkeypox briefing on Thursdays at 2:00 PM EST.

Call Details
Date: Every Thursday
Time: 2:00 PM EST
Zoom Link: RSVP Here.

New York Times Article: A Public Health Success Story

"In the spring of 2021, several months into the mass vaccination program, white Americans were significantly more likely to have been vaccinated than Black or Latino Americans. By late 2021, the Hispanic rate was higher than the white rate, and the Black rate was almost as high as the white rate, according to the C.D.C. As a result, the racial gap in death rates has also disappeared.

That disappearance is arguably one of Biden's biggest accomplishments — one that would not have happened, to be clear, without passionate advocacy and hard work by many community health officials. In a country with deep racial inequities, where Covid was initially another tragic example, the virus is no longer disproportionately harming Black and Hispanic Americans."

You can read full coverage by The New York Times here.

ICYMI Reads:

- The Hill: Biden administration provides over $6M in grants to protect reproductive health care
- Reuters: Biden to set new U.S. guidelines on reproductive rights, 100 days after Roe v Wade
- Bloomberg: Biden to Require Colleges to Protect Students Who Get Abortions

TWEETS OF THE WEEK

[redacted]

Title

[redacted]

@POTUS

United States government official

Today, @HHSgov announced that premiums for Medicare Part B will decrease next year. That's the fee you pay for Medicare to cover your visits to your doctor.

For years that fee has gone up.

But now, for the first time in more than a decade, it'll go down.

3:00 PM · Sep 27, 2022 · The White House

The White House

@WhiteHouse

Starting next month, Americans can buy hearing aids over the counter – without a prescription or exam. This will lower costs for an estimated 30 million Americans.

All best,

White House Office of Public Engagement

STAY IN THE KNOW

Share and amplify our community updates by encouraging your networks to sign up to receive this newsletter using the following link.

http://eepurl.com/hldkdf

PRIVACY POLICY | UNSUBSCRIBE

[redacted]

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[redacted]

SUBJECT: Fwd: White House Health Call Tomorrow + Newsletter
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>, "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 04/10/2022 13:54

There's an infant formula update on here.

Tracy S. Gruber
Executive Director
O: 801-538-4001
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **White House Office of Public Engagement** <ope@who.eop.gov>
Date: Tue, Oct 4, 2022 at 12:30 PM
Subject: White House Health Call Tomorrow + Newsletter
To: <tracygruber@utah.gov>

THE WHITE HOUSE
WASHINGTON

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********** IMPORTANT MESSAGE **********
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If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.

SUBJECT: ECHO Colorado Monthly eNews: What's ECHOing in October
FROM: ECHO Colorado <susan.stoveall@cuanschutz.edu>
TO: <hborski@utah.gov>
DATE: 04/10/2022 14:12

HHS Weekly Briefing on Monkeypox

Please join the Department of Health and Human Services Office of Intergovernmental and External Affairs, Centers for Disease Control and Prevention (CDC), U.S. Food and Drug Administration (FDA), and Office of the Assistant Secretary for Preparedness and Response (ASPR) for our weekly Monkeypox briefing on Thursdays at 2:00 PM EST.

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Title

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OCTOBER 2022

TWEETS OF THE WEEK

ECHO's popular *Adolescent Reproductive Health in Primary Care* is now an online course! **ECHO On-Demand: Adolescent Reproductive Health in Primary Care** is a new course designed to fit your schedule and pace. This 6-session series is for primary care providers who want to build, expand and improve care to preteens through young adults. Once completed, participants will be able to evaluate and manage common conditions in adolescent reproductive health. In addition to a didactic teaching video, each session offers relevant clinical resources that support providers in integrating best practices in your clinic.

Today, @HHSgov announced that premiums for Medicare Part B will decrease next year. That's the fee you pay for Medicare to cover your visits to your doctor.

For years that fee has gone up.

But now, for the first time in more than a decade, it'll go down.

3:00 PM · Sep 27, 2022 · The White House

Dr. Eliza Buyers created both the synchronous and the asynchronous courses. We asked her a few questions about it.

Why did you decide to go asynchronous with this content?
We typically do the live, 6-week series from 7am-8am for six consecutive weeks. We know that this schedule does not work for many people. Our goal is to offer the same content but allow providers to choose the time and pace that works for them.

How can this course help improve the lives of adolescent patients?
Reproductive health is an essential aspect of a person's life and their healthcare. Providers who take care of teens are perfectly poised to support healthy relationships, offer contraception and recommend routine STI screening and treatment. And we know that parents and guardians want this kind of support from their child's provider.

Is there anything else you'd like to say about the course?
In addition to providing practical information that can improve your practice, we hope the content is fun and interesting. If it isn't already, taking care of teens is going to be one of the best parts of your day!

[redacted]

Title

THIS ECHO ON-DEMAND LAUNCHES OCTOBER 10. WATCH YOUR EMAIL FOR THE REGISTRATION LINK.

Starting next month, Americans can buy hearing aids

ECHOs IN OCTOBER

This ECHO series creates a virtual space where primary care providers and specialists can collaborate to increase access to care for patients with rheumatologic disease and promote awareness of the impact of rheumatologic disease on the health and wellness of patients in the primary medical home.

UPCOMING TOPIC: RHEUMATOID ARTHRITIS

Oct. 4: Diagnosis and Principals of Treatment

Oct. 11: Extra Articular Manifestations

Oct. 18: Health Care Maintenance Considerations

Tuesdays | Next session October 4

ALT **SIGN UP**

All best,

This series offers health care providers and other staff working in health care settings strategies to name, normalize, and validate worries and experiences during this pandemic and beyond.

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PRIVACY POLICY | U

Six weekly ECHO sessions | Wednesdays starting October 5

SIGN UP

This series is designed to support clinical providers interested in improving care for transgender and gender non-binary patients. Participants will increase their knowledge and confidence in providing gender-affirming care including routine primary care, hormone therapy management, surgical options and supporting mental health.

[redacted]

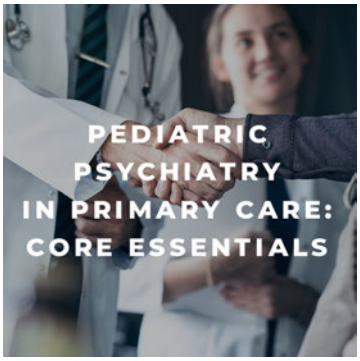
Next session:
Management of Ongoing Bleeding in Transmasculine Patients

Ongoing monthly ECHO sessions | Next session October 6

SIGN UP

CoPPCAP, the Colorado Pediatric Psychiatry Consultation & Access Program, is offering two upcoming ECHO series to give participants the baseline knowledge and skills to assess and treat pediatric mental/behavioral health conditions in primary care.

Topics covered include assessment and screening, “What is Therapy”, ADHD, anxiety, depression, suicide and trauma. Each session is designed to provide a brief didactic overview of the topic followed by participant initiated, robust, case-based discussion.



Seven weekly ECHO sessions | Thursdays starting October 6

SIGN UP

Topics include non-suicidal self-injury (NSSI), substance use disorders, antipsychotics and aggression, digital technology and health, the physically ill child and natural therapies. Each session will include a brief didactic overview of the topic followed by participant-initiated, robust, case-based discussion.

Six weekly ECHO sessions | Thursdays starting October 6

SIGN UP

Family Health Centers of San Diego, the ECHO Institute, University of Washington and University of Colorado have collaborated to provide a CDC-funded monthly webinar-style **ECHO learning session** and an **online course** to rapidly disseminate Post-COVID Conditions (PCC) and Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (ME/CFS) findings and emerging best practices.

[redacted]

Title

Next ECHO session October 13

Research Update

CLICK HERE to register

(Webinars are held on the second Thursday of the month.)

Long COVID and Fatiguing Illness Recovery Program Quarterly Course 3

Online now through December 12

CLICK HERE to read more

This is a new, monthly, drop-in opportunity designed for Colorado-based primary care providers to discuss urology topics of their choice and receive feedback from a urology specialist.

Next session:
Microscopic Hematuria Office Hours

Ongoing monthly ECHO sessions | Next session October 14

SIGN UP

Autism: Core Concepts for Primary Care Part 1 supports providers in the screening, diagnosis and management of patients with an autism spectrum disorder and related developmental delays. Sessions include a brief didactic presentation by an expert and discussion of participant-submitted cases.

Five weekly ECHO sessions | Wednesdays starting October 19

SIGN UP

This ECHO series is designed to increase medical providers' knowledge of the resettlement and health issues of newcomers, including refugee, immigrant and migrant (RIM) populations. It will review resettlement pathways, evidence-based screening recommendations, and more common diagnoses and treatment approaches for pediatric and adult populations.

Ongoing monthly ECHO sessions | Tuesdays starting October 25

[redacted]

SIGN UP

Rheumatology in Primary Care Case Review is a new, monthly, free, drop-in opportunity designed for Colorado-based primary care providers (MD, DO, NP, PA) to discuss rheumatology topics of their choice and receive feedback from a rheumatology specialist.

Ongoing monthly ECHO sessions | Next session October 25

SIGN UP

This series is a statewide partnership between ECHO Colorado and the Colorado Department of Public Health and Environment bringing you the most relevant information on rapidly evolving public health topics including the COVID pandemic, epidemiology, state-distributed therapeutics, vaccines and more.

Topics for this series continue to evolve based on the educational needs of Colorado healthcare providers in staying up-to-date on relevant public health guidelines and new information.

Ongoing monthly ECHO sessions | Next session October 28

SIGN UP

ECHO COLORADO | EXTENSION FOR COMMUNITY HEALTH OUTCOMES | ECHOCOLORADO.ORG

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ECHO Colorado

[redacted]

Title

Aurora CO 80045-2505

Add us to your address book

[redacted]

On [redacted]

[redacted]

[redacted]

Title

Utah Department of Health & Human Services

[redacted]

SUBJECT: The High Court Cases Threatening Big Tech Immunity
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 05/10/2022 02:38

PUBLIC POLICY

Wednesday, October 5, 2022

Follow

TOP NEWS

Analysis

The High Court Cases Threatening Big Tech Immunity

The tech world has been waiting with bated breath to see whether the U.S. Supreme Court would reconsider the broad immunity currently enjoyed by internet giants like Google and Twitter under Section 230 of the Communications Decency Act. But now that the justices have decided to review the protections, the industry must wait to find out what that means for the companies and the millions who use them.

Read full article »

Analysis

LAW FIRMS IN TODAY'S NEWS

Abir Cohen
Alston & Bird
Arnold & Itkin

[redacted]

In State Court Elections, Few Step Up To Take On Incumbents
After record cash was spent in state high court elections two years ago, contentious issues like COVID-19 health rules, state gun laws, and the right to abortion promise to keep public attention on dozens of seats up for grabs this November. But nationwide, a heavy advantage for sitting judges, sky-high campaign costs, and other factors discourage challengers, leaving voters without a choice in thousands of races.
Read full article »

Analysis

As Celebs Shill Crypto, SEC Aims To Be Ultimate Influencer
Kim Kardashian's $1.26 million run-in with the U.S. Securities and Exchange Commission for touting the "crypto security" EthereumMax on Instagram without disclosing that she was a paid promoter sends a blaring warning to influencers that crypto promotion on social media is not immune from securities laws.
Read full article »

Interview

The CFTC Commish Who Wants Wrongdoers To Fess Up
U.S. Commodity Futures Trading Commission member Christy Goldsmith Romero has become the lone voice calling for changes to the way the agency pursues settlements with alleged wrongdoers, but she told Law360 that she's determined to bring her fellow commissioners on board with her proposal to require more defendants to face the music and admit they broke the rules.
Order attached | Read full article »

Trump Asks High Court To Intervene In Mar-A-Lago Docs Case
Former President Donald Trump on Tuesday asked the U.S. Supreme Court to step in and reverse an Eleventh Circuit order that allowed the U.S. Department of Justice to review classified documents seized from his Florida resort and residence, arguing that the appellate court lacks jurisdiction.
Brief attached | Read full article »

4th Circ. Judge Motz Moves To Senior Status
Judge Diana Gribbon Motz of the Fourth Circuit moved to senior status at the end of September, creating a vacancy on the court before President Joe Biden has named a nominee to succeed her.
Read full article »

Justice Jackson's Originalist Case For Voting Rights Act
The Supreme Court was ablaze with debate Tuesday morning over whether the Voting Rights Act allows judges to consider race to remedy unequal representation, with newly confirmed Justice Ketanji Brown Jackson making an impassioned "originalist" case that the Reconstruction Amendments did not mandate "race-blind" laws.
Read full article »

NC Justices Hear Bits Of High Court Election Law Challenge
Traces of a controversial redistricting theory poised before the U.S. Supreme Court trickled into North Carolina's top court on Tuesday, when state lawmakers told the justices the legislature should have been given deference to redraw electoral maps with little judicial oversight.
Read full article »

Ga. Judge Weighs Fairness Of Campaign Contribution Limits
A Georgia federal judge is considering whether to block the enforcement of a state statute that allows Republican and Democratic candidates to raise

Arnold & Porter
Askman Law Firm
Baker & Hostetler
Bartlett LLP
Boies Schiller
Buchalter APC
Chamberlain Hrdlicka
Clifford Chance
Continental PLLC
Cooley LLP
Covington & Burling
Cravath Swaine
Crowell & Moring
DLA Piper
Daignault Iyer
Debevoise & Plimpton
Elias Law Group LLP
Eversheds Sutherland
FisherBroyles
Fox Rothschild
Fredman Lieberman
Gibson Dunn
Girardi & Keese
Goodwin Procter
Gordon & Rees
Greenberg Traurig
Hall Estill
Hasselberg Rock
Hobbs Straus
Ifrah Law
Jenner & Block
Johnson Janklow
K&L Gates
Kilpatrick Townsend
Kirkland & Ellis
Latham & Watkins
Law Office of Bryan L. Sells
Law Office of Reed Zars
Lewis Brisbois
Linklaters
Loanzon LLP
McDermott Will
McDonald Hopkins
Mitchell Silberberg
Mort Law Firm
Nelson Mullins
O'Melveny & Myers
Peebles Kidder
Polsinelli PC
Richards Layton
Shearman & Sterling
Silverman Thompson
Simpson Thacher
Steptoe & Johnson LLP
Stoel Rives
Tauler Smith
Thompson Hine
Underwood Law Firm PC
Van Ness Feldman
Varnum LLP
Weddle Law PLLC
Weil Gotshal
Wilkinson Barker
Willey & Chamberlain
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Winston & Strawn
Withersworldwide

COMPANIES IN TODAY'S NEWS

AlixPartners LLP
American Airlines Group Inc.
American Express Co.
American Federation of Labor & Congress of Industrial Organizations

unlimited campaign contributions through leadership committees while limiting contributions for others.
Read full article »

ENERGY & ENVIRONMENTAL

Michigan Officials Dodge Felonies Over Flint Conduct

A Michigan state judge on Tuesday tossed charges against seven current and former state and local officials who were accused of criminal misconduct through their roles in the Flint lead-tainted drinking water crisis.

2 documents attached | Read full article »

DC Circ. Questions States' Standing In Water Standards Case

The D.C. Circuit on Tuesday challenged a group of states' standing to sue the U.S. Environmental Protection Agency for delaying a rule limiting copper and lead in drinking water, questioning the states' argument that being directly affected by the delay was enough to allow a suit.
Read full article »

EPA Admits It Didn't Consider Studies In Fungicide Approval

The U.S. Environmental Protection Agency said Monday it failed to consider relevant human health and wildlife studies when it approved a fungicide, asking the Ninth Circuit for a chance to withdraw the decision itself.

Brief attached | Read full article »

Colo. Panel Tries To Untangle Emissions Rule Deadlines

A panel of Colorado appellate judges grappled Tuesday with what state lawmakers expected of regulators when they passed a pair of greenhouse gas reduction bills in 2019 with differing timelines, leading one jurist to grill an environmental attorney on why legislators passed two measures in the first place.
Read full article »

IP & TECHNOLOGY

Chipmaker Plans $100B Facility Investment In New York

Memory chipmaker Micron Technology Inc. unveiled plans Tuesday to pour $100 billion over the next 20 years into the construction of a semiconductor factory in upstate New York, aided by state and federal incentives and funding.
Read full article »

EMPLOYMENT & BENEFITS

5th Circ. Revives Tyson Food Workers' COVID Suit

The Fifth Circuit revived a suit filed by 41 Tyson Foods workers who accused the food processing giant of negligently exposing them to COVID-19, ruling that the employer wasn't acting under federal orders when it decided to keep running a Texas factory during the pandemic.

Opinion attached | Read full article »

FAA Sets 10-Hour Rest Break Rule For Flight Attendants

The Federal Aviation Administration on Tuesday finalized a long-awaited rule requiring U.S. flight attendants to have at least 10 consecutive hours of rest between shifts, a bump up from the current nine-hour rest break rule.
Read full article »

COMPETITION

DOT Says No 'Divergence' From DOJ Airlines Challenge

Association of Flight Attendants-CWA
BNSF Railway Co.
Bank of America Corp.
Bitly Inc.
Brennan Center for Justice
Brinker International Inc.
Caliber Home Loans Inc.
California Attorney Lending
Cantor Fitzgerald
Charter Communications Inc.
Colony Capital Inc.
Counsel Financial Services LLC
DaVita Inc.
Dave & Buster's Entertainment Inc.
Dell Technologies Inc.
Discover Financial Services Inc.
Drexel University
Environmental Defense Fund Inc.
Ernst & Young LLP
Getty Images Inc.
Google LLC
Harvard University
Instagram Inc.
Keebler Foods Co.
Kellogg Co.
Kinney Recruiting LLC
L'Oreal SA
LoanDepot LLC
Michigan State University
Micron Technology Inc.
Monsanto Co.
NAACP Legal Defense and Educational Fund Inc.
National Association for the Advancement of Colored People
National Cable & Telecommunications Association
National Democratic Redistricting Committee
National Telephone Cooperative Association
PG&E Corp.
Paramount Global
Paypal Holdings Inc.
Pinterest Inc.
Salesforce.com Inc.
Sierra Club
Southern African Development Community
Southern Coalition for Social Justice
Space Exploration Technologies Corp.
Standard General LP
Syngenta AG
TA Associates Management LP
Taiwan Semiconductor Manufacturing Co. Ltd.
Tegna Inc.
The Florida Bar
The Motion Picture Association Inc.
Time Inc.
TransUnion LLC
Trump Organization Inc.
Twitter Inc.
Tyson Foods Inc.
U.S. Chamber of Commerce

As JetBlue and American Airlines contend in court that the U.S. Department of Transportation saw value in their joint venture which the U.S. Department of Justice is now challenging, the DOT itself is wading into the court of public opinion to argue the airlines have it all wrong.
Read full article »

GOVERNMENT CONTRACTS

Texas Supreme Court Hears Tex-Mex Chain's Suit Against City

A city refusing to give a Tex-Mex restaurant reimbursements for expanding into the community had the Texas Supreme Court questioning Tuesday whether the municipality could escape breach of contract claims.
Read full article »

INTERNATIONAL TRADE

EU, African Nations Continue Talks On Dispute Resolution

Negotiators from the European Union and five African countries are still developing a procedure for dispute resolution as they work toward an expanded trade partnership, an effort now set against the backdrop of South Africa's challenge to newly enacted EU rules on citrus imports.

Report attached | Read full article »

TAX

EU Confirms Blacklisting Of 3 Island Jurisdictions

The European Union council of member states placed three island jurisdictions on its so-called blacklist of uncooperative jurisdictions for tax purposes Tuesday, confirming a draft document that previewed the decision last week.

1 document attached | Read full article »

BANKRUPTCY

Online Lender Kabbage Says PPP Loan Fights Spurred Ch. 11

Online lender Kabbage Inc. has filed a Chapter 11 liquidation plan in Delaware bankruptcy court, saying it made the move in the face of the "extreme" cost of dealing with disputes stemming from its $7 billion in Paycheck Protection Program loans.

2 documents attached | Read full article »

IMMIGRATION

Bannon's Border Wall Fraud Trial On Track For Fall 2023

A New York state judge tentatively set a November 2023 trial date on Tuesday for former Trump administration strategist Steve Bannon on charges he schemed to siphon off donations meant to pay for a wall along the southern U.S. border.
Read full article »

Divided DC Circ. Backs Foreign STEM Grad Work Program

A divided D.C. Circuit has upheld an Obama-era program allowing STEM graduates on student visas to work up to three years in the U.S. after finishing their degrees, saying Tuesday that the policy serves the purposes of the F-1 visa program.

Opinion attached | Read full article »

Fla. Seeks Trial Over Alleged US Policy Not To Detain Migrants

Florida pushed for a trial to resolve its contention that the Biden administration has a policy of releasing immigrants subject to detention, but asked

United States Telecom Association
University of Virginia
Volkswagen AG
Voya Financial Inc.
Warner Bros. Discovery Inc.
World Wrestling Entertainment Inc.
Xcel Energy Inc.
YouTube Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Indian Affairs
Cherokee Nation
City of League City, Texas
Colorado Department of Public Health and Environment
Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Equal Employment Opportunity Commission
European Commission
European Union
Executive Office of the President
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Flandreau Santee Sioux Tribe
Florida Attorney General's Office
Florida Department of Economic Opportunity
Food Safety and Inspection Service
Illinois Attorney General's Office
International Trade Commission
Michigan Department of Health and Human Services
Morongo Band of Mission Indians
National Archives and Records Administration
National Telecommunications and Information Administration
Navajo Nation
New York Attorney General's Office
New York Department of Financial Services
North Carolina General Assembly
Oneida Tribe of Indians of Wisconsin
Quinault Indian Nation
Small Business Administration
Texas Supreme Court
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Southern District of Florida

a federal judge to first declare that the state has standing to challenge the alleged policy.

Motion attached | Read full article »

WHITE COLLAR

Ex-Trump Ally Implies UAE Ties Were Routine Business

An attorney for Thomas Barrack on Tuesday sought to show jurors during the illicit lobbying trial of the Colony Capital Inc. founder that his close relationship with United Arab Emirates officials was just a normal part of doing business for the globe-trotting former adviser to former President Donald Trump, pointing to the executive's numerous contacts with other world leaders.

Read full article »

NATIVE AMERICAN

High Court Allows Longer Arguments In ICWA Dispute

The U.S. Supreme Court will hear extended oral arguments next month in a case concerning the federal rules around fostering and adopting Native American children, granting a request in which the government said the closely watched litigation involves "numerous issues of constitutional law."

Read full article »

8th Circ. Tosses Order Nixing Non-Native Contract Work Tax

The Eighth Circuit on Tuesday again reversed a lower court ruling that South Dakota cannot tax work performed by a non-tribal company for the Flandreau Santee Sioux Tribe's casino, saying the Indian Gaming Regulatory Act and so-called "Indian trader" statutes do not preempt the tax.

Opinion attached | Read full article »

Feds Want To Argue Seminole Sports Betting Suit Alone

The D.C. Circuit should revive an overturned gaming pact allowing the Seminole Tribe exclusive rights to sports betting across Florida — but not for the reasons outlined by the Seminole Tribe, federal authorities argued in a Monday brief.

Brief attached | Read full article »

Feds Fight Delay Of Cherokee Trust Audit Ruling

The federal government has urged a D.C. federal judge to block the Cherokee Nation's request for a full audit of tribal funds held in federal trust, saying the tribe's request for additional information fails to identify which facts are still needed.

Memorandum attached | Read full article »

TELECOMMUNICATIONS

NTIA Seeking To Waive 'Buy America' For Middle-Mile Program

The National Telecommunications and Information Administration has proposed that "Buy America" requirements for a $42.5 billion broadband deployment program be waived for the "middle mile" infrastructure projects that connect internet hubs to local networks.

Notice attached | Read full article »

Top Groups Lobbying The FCC

Lobbying groups picked up the pace of pitches filed with the Federal Communications Commission in September, as they urged the agency to tackle concerns ranging from cybersecurity to space debris, high-speed deployment, broadband "nutrition" labels and more.

Read full article »

CANNABIS

U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the District of Delaware
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the Central District of Illinois
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Western District of Texas
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Sentencing Commission
U.S. Supreme Court
United States District Court for the District of Nevada
World Trade Organization

Discrimination Suit Can't Stop Ill. Cannabis Licensing

An Arizona man can't stop Illinois from issuing adult-use cannabis dispensary licenses through an allegedly "unconstitutional" process as he didn't apply for a license, which would have allowed him a legal remedy under state administrative review law, a federal judge has found.

Order attached | Read full article »

PEOPLE

Covington Lands Former White House Counsel Remus

Dana Remus, who was President Joe Biden's top lawyer before leaving the administration over the summer, has joined Covington & Burling LLP as a partner in its Washington, D.C., office, the firm said Tuesday.

Read full article »

Patomak Picks Up Ex-CFPB Deputy From Alston & Bird

Financial services consulting firm Patomak Global Partners has grown its banking supervision and regulation group, adding as a managing director the former deputy director of the Consumer Financial Protection Bureau.

Read full article »

EXPERT ANALYSIS

No-Poach Plea Hiccups Point To DOJ's Unsound Theory

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Notice attached | Read full article »

Employer Haziness Lingers After NJ's Cannabis Guidance

New Jersey's recently released guidance on screening workers for cannabis neglects to answer several key questions, from training for employee experts to scientific standards for impairment tests, but employers can still take certain steps toward compliance, says Eric Meyer at FisherBroyles.

1 document attached | Read full article »

How Cos. Can Prep For Calif. Ban On PFAS In Food Packaging

California's ban on a group of chemicals known as PFAS is three months away, meaning food packaging and cookware manufacturers have little time to implement the big changes this law requires, lest they face enforcement actions such as injunctive relief and steep civil penalties, say John Epperson and Peter McGaw at Buchalter.

Read full article »

What Calif. Employers Should Know About Privacy Rights Act

With the California Privacy Rights Act coming into effect on Jan. 1, now is the time for employers to complete a data map of the employee personal information collected internally and by vendors, update technology policies, and ensure a clear understanding of the law's consumer rights provisions, say Liz Harding and Christina Hernandez-Torres at Polsinelli.

Read full article »

How ITC's Junior Atty Program Can Benefit Firms, Clients

Victoria Reines and Philip Marsh at Arnold & Porter offer some thoughts on making the U.S. International

Trade Commission's Nurturing Excellence in Trial Advocates program work for firms and clients, and discuss the benefits of having a junior attorney present an opening statement.
Read full article »

Preparing Your AI Regulatory Compliance Program For 2023
With new legislation governing automated decision making and artificial intelligence coming into effect next year in multiple states and countries, U.S. companies developing, selling, procuring or using these systems may need to build out certain compliance practices from scratch, say Peter Schildkraut and Jami Vibbert at Arnold & Porter.
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LEGAL INDUSTRY

Analysis

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Read full article »

Recruiting Firm Wants DLA Piper, Tauler Smith To Pay Fees
Citing what it said was their "vexatious" and "unreasonable" conduct in the case, a legal recruiting firm that recently won a $3.6 million judgment against an ex-employee has asked a federal judge to force DLA Piper and Tauler Smith LLP to pay a portion of the nearly $2 million it's seeking in fees.
Read full article »

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Read full article »

The Top In-House Hires Of September
Legal department hires last month included high-profile appointments at Pinterest, Voya and the U.S. Chamber of Commerce. Here, Law360 looks at

some of the top in-house announcements from September.
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JOBS

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Senior Deputy General Counsel
Metropolitan Water District
Los Angeles, California

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SUBJECT: Cherokees, Walmart Settle Opioid Fight Amid 10th Circ. Appeal
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 05/10/2022 03:11

LAW360 HEALTH

Wednesday, October 5, 2022 Follow

TOP NEWS

Cherokees, Walmart Settle Opioid Fight Amid 10th Circ. Appeal
The Cherokee Nation and Walmart have agreed to settle the tribe's suit over the retailer's alleged role in the opioid crisis, according to a notice filed Monday in Oklahoma state court.
Notice attached | Read full article »

Interview
Inside A Boutique's $900M FCA Deal, Its Latest Milestone Case
A $900 million settlement of doctor-bribing allegations against Biogen shattered False Claims Act records and gave a boutique Boston firm its second history-making lawsuit under the FCA. The lead counsel for whistleblowers in each case spoke with Law360 about how the resolution could change the pharmaceutical industry's kickback culture, how his earlier suit improved drugmaker conduct, and how he built two of the FCA's seminal cases.
Complaint attached | Read full article »

Fla. Doctor Pleads Guilty To Charge In $681M Fraud Scheme
A Palm Beach County, Florida, doctor pled guilty Tuesday to operating a $681 million scheme to bill for fraudulent tests and treatments for vulnerable patients seeking treatment for drug and alcohol addiction.
2 documents attached | Read full article »

Jury Rejects Claim UMiami Fired Exec To Bury Fraud Probe
A Florida federal jury on Tuesday rejected a former University of Miami compliance officer's claims that he was terminated for his refusal to shut down an

COMPANIES IN TODAY'S NEWS
Alcatel Lucent SA
Allianz Global Investors GmbH
Allianz SE
American Express Co.
AmerisourceBergen Corp.
BNSF Railway Co.
Bank of America Corp.
Biogen Inc.
Bitly Inc.
Blue Cross Blue Shield Association
Blue Cross Blue Shield of Michigan Inc.
BlueCross BlueShield of Kansas City
Brennan Center for Justice
Brinker International Inc.
CVS Health Corp.
Caliber Home Loans Inc.
California Attorney Lending
Cardinal Health Inc.
Counsel Financial Services LLC
DaVita Inc.

investigation into the school's practice of overcharging Medicare.

2 documents attached | Read full article »

Michigan Officials Dodge Felonies Over Flint Conduct

A Michigan state judge on Tuesday tossed charges against seven current and former state and local officials who were accused of criminal misconduct through their roles in the Flint lead-tainted drinking water crisis.

2 documents attached | Read full article »

5 October Court Hearings Benefits Attys Should Watch

In October, the Ninth Circuit will consider whether to revive a sweeping 401(k) mismanagement class action against AT&T, the Tenth Circuit will weigh an insurance claim for residential mental health treatment and chipmaker Nvidia will try to escape a 401(k) suit in California district court. Here's a look at those cases and other upcoming hearings benefits lawyers should keep an eye on.

Read full article »

POLICY & REGULATION

---

3 BCBS Companies Drop Push For DOL Transaction Waivers

The U.S. Department of Labor on Tuesday withdrew proposed transaction exemptions that would have allowed three companies affiliated with the Blue Cross Blue Shield Association to use settlement proceeds to cover payments made to employee retirement plans that experienced steep losses tied to stock market volatility at the start of the pandemic.

Notice attached | Read full article »

LITIGATION

Eli Lilly Can't Slip Teva's Migraine Drug Patent Suit

Drugmakers Eli Lilly and Co. and Teva Pharmaceuticals must take their patent dispute over rival migraine medications to a jury, a Massachusetts federal judge said Monday, denying the bulk of the companies' dueling motions for summary judgment.

Order attached | Read full article »

La. Dental Clinics Lose COVID-19 Coverage Suit

A Louisiana federal judge tossed a COVID-19 business interruption suit from dental clinic owners, finding their claims couldn't overcome binding precedent from the court.

Order attached | Read full article »

Ga. Justices Won't Review Pediatric Dentists' Sanctions

The Supreme Court of Georgia on Tuesday declined the request of Dentistry for Children of Georgia LLC, its affiliate D4C Dental Brands Inc. and staff dentists that it examine a lower court's decision to block them from defending themselves against a sanction for willfully ignoring document requests from the families of children who allegedly became sick after treatment.

Read full article »

Shingles Patients Push To Keep Zostavax MDL Alive

Patients alleging that Merck's Zostavax shingles vaccine actually caused shingles have asked a federal judge to keep their suit alive, rejecting the pharmaceutical company's position that lab tests must be provided to prove causation in 1,100 cases.

Memorandum attached | Read full article »

Doc Says SDNY Judge Showed Bias In $30M Injury Scam Case

Dave & Buster's Entertainment Inc.
Dell Technologies Inc.
Discover Financial Services Inc.
Drexel University
Eli Lilly & Co.
Euclid Fiduciary
Express Scripts Holding Co.
Fidelity Investments Inc.
Google LLC
Greylock McKinnon Associates Inc.
Harvard University
Horizon Air Industries Inc.
Humana Inc.
Keebler Foods Co.
Kellogg Co.
Kinney Recruiting LLC
L'Oreal SA
LoanDepot LLC
Merck & Co. Inc.
NAACP Legal Defense and Educational Fund Inc.
NVIDIA Corp.
National Account Service Co. LLC
National Association for the Advancement of Colored People
National Democratic Redistricting Committee
Nokia Siemens Networks BV
PG&E Corp.
Paramount Global
Paypal Holdings Inc.
Pinterest Inc.
Salesforce.com Inc.
TA Associates Management LP
Teva Pharmaceutical Industries Ltd.
The Florida Bar
The Motion Picture Association Inc.
Time Inc.
Trader Joe's Co.
TransUnion LLC
Triple-S Management Corp.
Twitter Inc.
U.S. Chamber of Commerce
UnitedHealth Group Inc.
Volkswagen AG
Voya Financial Inc.
Walgreens Co.
Walmart Inc.
Warner Bros. Discovery Inc.
World Wrestling Entertainment Inc.
YouTube Inc.

LAW FIRMS IN TODAY'S NEWS

Abir Cohen
Bailey & Glasser
Blasingame Burch
Boies Schiller
Burns & Levinson
Burr & Smith
Clifford Chance
Continental PLLC
Covington & Burling
Cravath Swaine
DLA Piper
Daignault Iyer
Debevoise & Plimpton
Elias Law Group LLP

A New York doctor charged with conducting unnecessary surgeries in a $30 million trip-and-fall fraud scheme asked a Manhattan federal judge to remove himself from the case Tuesday, saying the judge's string of scathing comments shows he has "prejudged" the outcome.

4 documents attached | Read full article »

BANKRUPTCY

Ill. Judge Holds Sanction Bid Over Express Scripts' Doc Dump

An Illinois federal judge on Tuesday shelved a city's bid to sanction Express Scripts for its late discovery of relevant evidence for antitrust litigation targeting Mallinckrodt's anti-seizure drug Acthar, but she called the development "unsettling" and gave the company until Monday to produce the evidence.

Read full article »

EXPERT ANALYSIS

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Notice attached | Read full article »

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Read full article »

Analysis

In State Court Elections, Few Step Up To Take On Incumbents

After record cash was spent in state high court elections two years ago, contentious issues like COVID-19 health rules, state gun laws, and the right to abortion promise to keep public attention on dozens of seats up for grabs this November. But nationwide, a heavy advantage for sitting judges, sky-high campaign costs, and other factors discourage challengers, leaving voters without a choice in thousands of races.

Read full article »

Covington Lands Former White House Counsel Remus

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Read full article »

Justice Jackson's Originalist Case For Voting Rights Act

The Supreme Court was ablaze with debate Tuesday morning over whether the Voting Rights Act allows judges to consider race to remedy unequal

Epstein Becker Green
Eversheds Sutherland
Finnegan
Foliart Huff
Fox Rothschild
Fredman Lieberman
Galloway Johnson
Girardi & Keese
Goodwin Procter
Greene LLP
Hall Estill
Hasty Pope
Haviland Hughes
Herman Herman & Katz
Holden Litigation
Huff Powell
Ifrah Law
Isicoff Ragatz
K&L Gates
Latham & Watkins
Law Offices of Kevin J. Keating
Linklaters
Loanzon LLP
Marc J. Bern & Partners
McDermott Will
McDonald Hopkins
Mitchell Silberberg
Mort Law Firm
Mykkeltvedt & Loftin
Phillips Murrah
Quinn Emanuel
Reno & Zahm
Ropes & Gray
Silverman Thompson
Skadden Arps
Starnes Davis
Steptoe & Johnson LLP
Stoel Rives
Tauler Smith
Thompson Hine
Varnum LLP
Venable LLP
Whitten Burrage
Willey & Chamberlain
Winston & Strawn

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Medicare & Medicaid Services
Cherokee Nation
Employee Benefits Security Administration
Federal Bureau of Investigation
Federal Trade Commission
Food and Drug Administration
Georgia Supreme Court
Louisiana Supreme Court
Michigan Department of Health and Human Services
National Archives and Records Administration
New York Department of Financial Services
Oklahoma Supreme Court
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the Eleventh Circuit

representation, with newly confirmed Justice Ketanji Brown Jackson making an impassioned "originalist" case that the Reconstruction Amendments did not mandate "race-blind" laws.
Read full article »

Analysis

The High Court Cases Threatening Big Tech Immunity
The tech world has been waiting with bated breath to see whether the U.S. Supreme Court would reconsider the broad immunity currently enjoyed by internet giants like Google and Twitter under Section 230 of the Communications Decency Act. But now that the justices have decided to review the protections, the industry must wait to find out what that means for the companies and the millions who use them.
Read full article »

4th Circ. Judge Motz Moves To Senior Status
Judge Diana Gribbon Motz of the Fourth Circuit moved to senior status at the end of September, creating a vacancy on the court before President Joe Biden has named a nominee to succeed her.
Read full article »

Trump Asks High Court To Intervene In Mar-A-Lago Docs Case
Former President Donald Trump on Tuesday asked the U.S. Supreme Court to step in and reverse an Eleventh Circuit order that allowed the U.S. Department of Justice to review classified documents seized from his Florida resort and residence, arguing that the appellate court lacks jurisdiction.
Read full article »

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The Top In-House Hires Of September

U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Veterans Affairs
U.S. District Court for the Central District of California
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Louisiana
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Texas
U.S. Patent and Trademark Office
U.S. Sentencing Commission
U.S. Supreme Court
United States District Court for the District of Nevada

Legal department hires last month included high-profile appointments at Pinterest, Voya and the U.S. Chamber of Commerce. Here, Law360 looks at some of the top in-house announcements from September.
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JOBS

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Bass, Berry & Sims
-, -

Health Care Regulatory & Transactional Attorney
Moore & Van Allen, PLLC
Charlotte, North Carolina

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SUBJECT: Morning Consult Health Presented by the Modern Medicaid Alliance:Juul Said to Be Engaging in Financing Talks for Possible Bankruptcy
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 05/10/2022 05:59

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

OCTOBER 5, 2022

BY MATT BRACKEN

Twitter Email

TODAY'S TOP NEWS

- Juul Labs Inc. has started informal discussions on debtor-in-possession financing for a potential Chapter 11 bankruptcy, people with knowledge of the matter said, though preparations are not final and a spokesman for the e-cigarette manufacturer said other paths are still under consideration. After the Food and Drug Administration banned Juul products on U.S. shelves in June, the company hired bankruptcy advisers Kirkland & Ellis and Alvarez & Marsal. (Bloomberg)

- President Joe Biden will nominate Surgeon General Vivek Murthy to serve as the U.S. representative on the World Health Organization's executive board, according to administration officials, setting the stage for the United States to have its first Senate-confirmed member on the board since 2020. If confirmed, Murthy would still continue in his role under Biden as the top U.S. doctor. (Reuters)

- Vir Biotechnology Inc. was awarded a multiyear, $55 million contract by the Biomedical Advanced Research and Development Authority to develop drugs that combat seasonal and pandemic flu viruses. The deal includes the option for Vir to earn up to $1 billion on the development of other treatments for emerging infectious diseases and medical countermeasures. (Fierce Biotech)

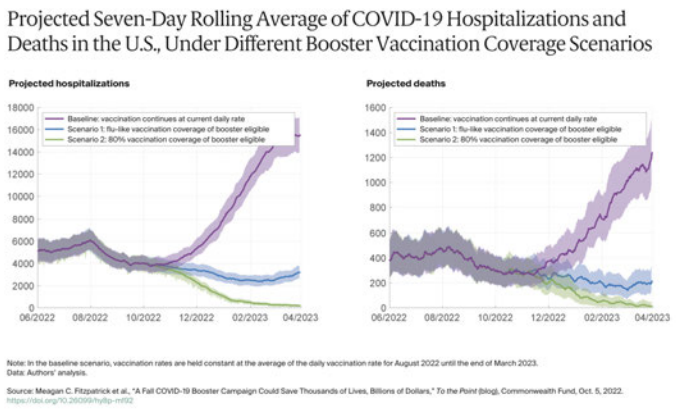
- More than 40 medical and advocacy groups are petitioning the FDA for a label change on mifepristone to include miscarriage management as a use case for the medication abortion pill, while also calling for eased prescribing restrictions on the drug. (The 19th) Danco Laboratories LLC, one of two U.S. mifepristone manufacturers, said it does not currently have plans to submit an application for miscarriage management, but could consider it in the future. (Reuters)

Worth watching today (all times local):

- **2 p.m.** Bipartisan Policy Center event: "Improving Access to and Enrollment in PACE."

CHART REVIEW

A Fall COVID-19 Booster Campaign Could Save Thousands of Lives, Billions of Dollars
The Commonwealth Fund



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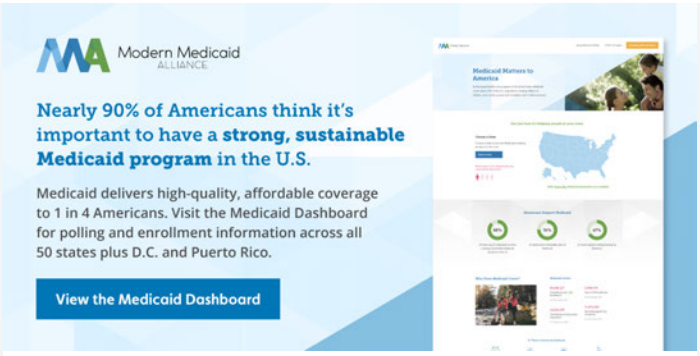

Visit the Medicaid Dashboard: A One-Stop Clearinghouse for Medicaid Data

Americans widely support Medicaid, with an overwhelming majority of voters (88%) wanting to ensure it remains strong and stable for the millions who rely on it. That's according to the Modern Medicaid Alliance's recently updated Medicaid Dashboard, which houses Medicaid enrollment research and polling data for all 50 states plus D.C. and Puerto Rico. Visit the Medicaid Dashboard today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Fauci says he should have been 'more careful' on pandemic messaging: 'No one's perfect'
Joseph Choi, The Hill
Chief White House medical adviser Anthony Fauci on Tuesday said he should have been "much more careful" in his messaging on COVID-19 early on in the pandemic, including doing a better job of conveying the uncertainty present at that time.

Omicron BA.4.6 makes up nearly 13% of COVID variants circulating in U.S.
Reuters
The U.S. Centers for Disease Control and Prevention (CDC) on Tuesday estimated that nearly 13% of the circulating coronavirus variants in the United States were of the BA.4.6 subvariant of Omicron, as of the week ended Oct. 1.

Long COVID may be linked to a totally different and common virus, new study finds
Erin Prater, Fortune
A number of factors may increase the risk of someone developing long COVID, aside from catching COVID itself. They include having asthma, Type 2 diabetes, or autoimmune conditions, and being female.

2 symptoms are emerging as dominant in long COVID cases
L'Oreal Thompson Payton, Fortune
According to new research from The BMJ, at least 15 million adults may experience long-term smell deficiencies, while 12 million adults may struggle with taste. The research also found that only 74% of patients reported smell recovery and 79% reported taste recovery 30 days after initial infection, but recovery rates increased with each passing month.

GENERAL

HHS Secretary Xavier Becerra Filed Paperwork to Run for a California Office
Hanna Kang, Insider
Xavier Becerra, current US secretary of health and human services and former Democratic attorney general of California, recently filed paperwork to run for California Superintendent of Public Instruction in 2030.

Biden, doctors say new abortion laws have chilling impact
Nandita Bose, Reuters
U.S. President Joe Biden and top White House officials announced new guidelines and grants to protect abortion and contraception rights on Tuesday, and said women's rights have already been curtailed since the Supreme Court overturned Roe vs. Wade 100 days ago.

Sheryl Sandberg Donates $3 Million for ACLU's Abortion Fight
Erik Larson, Bloomberg
Sheryl Sandberg, who once sparred with the American Civil Liberties Union, is now one of its biggest benefactors, providing a $3 million grant to boost its political activities around access to abortion.

New research points to health benefits of eating earlier in the day and within a 10-hour window
Aria Bendix, NBC News
Eating relatively early may be beneficial for weight loss, and keeping meals within a 10-hour period could improve blood sugar and cholesterol levels, according to two small studies published Tuesday in the journal Cell Metabolism.

Biden bashes University of Idaho policy on contraception: 'What century are we in?'
Alex Gangitano, The Hill
President Biden on Tuesday bashed the University of Idaho over its new guidance against offering birth control for students, arguing contraception shouldn't be controversial in this day and age.

Texas Attorney General Ordered to Testify in Abortion Case
Madlin Mekelburg, Bloomberg Law
Texas Attorney General Ken Paxton was ordered to give testimony in a legal battle over funding for abortions, after previously fleeing his home to avoid being served a subpoena in the case.

Every 2,000 steps a day could help keep premature death at bay
Linda Searing, The Washington Post
For every 2,000 steps you take each day, your risk for premature death may fall by 8 to 11 percent, according to research published in the journal JAMA Internal Medicine.

U.S. Breast Cancer Death Rates Continue to Fall
Cara Murez, HealthDay
Breast cancer researchers and clinicians have made tremendous progress in reducing death rates in the past three decades, yet a racial gap persists in the United States.

90% of US adults say mental health is a crisis in the United States, CNN/KFF poll finds
Deidre McPhillips, CNN
Nine out of 10 adults said they believed that there's a mental health crisis in the US today. Asked to rate the severity of six specific mental health concerns, Americans put the opioid epidemic near the top, with more than two-thirds of people identifying it as a crisis rather than merely a problem. More than half identified mental health issues among children and teenagers as a crisis, as well as severe mental illness in adults.

PAYERS

Home health groups fight back against proposed cuts
Jessie Hellmann, Roll Call
Lobbyists and some members of Congress are urging the Biden administration to abandon proposed cuts to home health service Medicare payment rates, arguing the cuts could have a lasting impact on the industry.

Anthem must face Medicare Advantage fraud lawsuit, judge rules
Nona Tepper, Modern Healthcare

Anthem must face a Department of Justice lawsuit alleging the Medicare Advantage insurer intentionally submitted inaccurate patient information to the federal government that allowed it to fraudulently collect more than $100 million in overpayments.

Consumers wary about rising healthcare costs, says survey
Frank Diamond, Fierce Healthcare
Open enrollment is coming soon, and foremost on everybody's mind as these windows draw nearer is just how much health insurance will cost, according to a survey by Gravie and Wakefield Research.

PROVIDERS

How tight nursing home capacity is bottlenecking hospital operations
Rebecca Pifer, Healthcare Dive
A Healthcare Dive review of recent financial filings found that even as overall inpatient admissions fell, large hospital operators reported longer lengths of stay, along with difficulties discharging patients, compared to prior years. That trend was evident across both nonprofit and for-profit operators, and contributed to waning operational income for many systems.

Hospitals battle bottlenecks from post-acute staffing gaps
Ginger Christ, Modern Healthcare
On any given day, social workers and case managers at Adventist Health Tillamook call 15 to 20 post-acute care facilities trying to place patients ready to be discharged. Some facilities say they can't accept new residents. Others don't pick up the phone.

Arizona health providers file lawsuit to increase abortion access
Oriana Gonzalez, Axios
Health providers in Arizona on Tuesday filed a lawsuit asking a state court to allow abortions in the state until 15 weeks.

Risking Everything to Offer Abortions Across State Lines
Emily Bazelon, The New York Times
Doctors and midwives in blue states are working to get abortion pills into red states — setting the stage for a historic legal clash.

Hospital System to Refund Poor Patients Who Were Entitled to Free Care
Jessica Silver-Greenberg and Katie Thomas, The New York Times
One of the country's largest nonprofit hospital chains, Providence, will refund payments made by more than 700 low-income patients who were wrongly charged for medical care that should have been free.

Caregiver shortage hits rural areas the hardest
Tina Reed, Axios
States in the Southeastern U.S. have the highest percentage of adults with conditions that interfere with daily activities like dressing or getting around — and the fewest personal care aids per capita to help them, according to a study in Health Affairs.

Safety net system Pipeline Health files for Chapter 11
Dave Muoio, Fierce Healthcare
El Segundo, California-based Pipeline Health System filed for Chapter 11 bankruptcy protection in Texas' Southern District on Tuesday.

Louisiana Renews Bid to Revive Abortion Doctor Privileges Law
Mary Anne Pazanowski, Bloomberg Law
Louisiana once again is asking a federal trial court to do away with an order that blocked the state from requiring doctors who perform abortions to have admitting privileges at local hospitals.

PHARMA, BIOTECH AND DEVICES

The pharmaceutical industry can't give up on Democrats
Caitlin Owens and Peter Sullivan, Axios
Pharmaceutical companies are trying to defang the new drug pricing law without declaring open war on the same congressional Democrats who crafted it and will continue to have powerful sway over the industry's fortunes.

CAR-T therapy doesn't always work for cancer. Now there are clues why
Angus Chen, Stat News
When CAR-T therapy works against blood cancer, it can work spectacularly, but cancer still returns for many patients. In lymphoma, scientists are just beginning to work out why over half of treated patients don't experience lasting remission, depending on the product. Now two separate research teams have identified a possible culprit in the mix of engineered immune cells created as part of CAR-T therapy.

US considers first over-the-counter birth control pill
Jamie Smyth and Caitlin Gilbert, Financial Times
Companies ask regulator to expand access as some states clamp down on abortion.

Scientists win chemistry Nobel Prize for 'click' and 'bioorthogonal' chemistry
Brittany Trang, Stat News
Carolyn Bertozzi of Stanford University, Morten Meldal of the University of Copenhagen, and K. Barry Sharpless of Scripps Research, won the Nobel Prize in chemistry on Wednesday "for the development of click chemistry and bioorthogonal chemistry," methods that have been applied in drug development and studying disease.

Experimental Alzheimer's drug: After promising data, experts say many questions remain
Brenda Goodman, CNN
The experimental Alzheimer's drug lecanemab made big news last week when the companies testing it released trial results that showed the drug met its goals, making it one of the first dementia drugs to return positive results.

Minority Patients Less Likely to Get Newer Alzheimer's Meds
Cara Murez, HealthDay
Cognitive, or mental, impairment in Black, Hispanic and Asian patients is more likely to be caused by forms of dementia unrelated to the amyloid plaques now being treated with anti-amyloid monoclonal antibodies. These drugs are offering fresh hope to those who can receive the treatment, the researchers said.

HHS buying $290M worth of Amgen drug Nplate for radiation sickness in nuclear emergency
Jonathan Block, Seeking Alpha
HHS is purchasing $290M worth of Amgen's Nplate (romiplostim) for acute radiation sickness due to a radiological or nuclear emergency.

A Message From the Modern Medicaid Alliance:

Medicaid provides an essential safety net for those who need it most. From the start of the COVID-19 pandemic, Medicaid and managed care have played a critical role in delivering high-quality, affordable coverage for a growing number of Americans. In fact, Medicaid enrollment has grown by more than 17.5 million people since the onset of COVID-19. For more information on Medicaid during the public health crisis, visit the Modern Medicaid Alliance's recently updated Medicaid Dashboard.

HEALTH TECHNOLOGY

[redacted] Title

At Verily, a growing line of business builds on a revolving door to the FDA
Katie Palmer, Stat News
The Alphabet life sciences spinout is doubling down on the business of evidence generation, trying to build the tools and technical infrastructure that will help pharma and digital health customers run the next generation of clinical trials. It's an area that Verily and its investors — who just poured $1 billion into the company — are predicting can become a lucrative line of business. And Verily is backing up that bet by filling its ranks with some of the Food and Drug Administration's top scientific, policy, and legal experts.

CommonSpirit IT incident affecting multiple regions, facilities
Annie Burky, Fierce Healthcare
CommonSpirit Health is managing an IT security incident affecting some of its facilities in multiple regions, the company said in a statement to Fierce Healthcare.

OPINIONS, EDITORIALS AND PERSPECTIVES

The FDA was right to warn about the 'NyQuil chicken challenge'
Leana S. Wen, The Washington Post
Here's something you might not have expected to hear from the Food and Drug Administration: Don't cook your chicken in NyQuil. The FDA is warning that doing so could be dangerous — even fatal.

RESEARCH REPORTS

Policy Approaches to Reduce What Commercial Insurers Pay for Hospitals' and Physicians' Services
Congressional Budget Office
CBO identified policy approaches that federal lawmakers could adopt to reduce the prices that commercial insurers pay for hospitals' and physicians' services, thereby lowering health insurance premiums and the cost of federal subsidies.

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SUBJECT: FRAC Report: WIC Enhancements Critical to Keeping Millions of YoungChildren Fed During the First Two Years of the Pandemic
FROM: Food Research & Action Center <shayward@frac.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 05/10/2022 07:01

[redacted]

FRAC Food Research & Action Center NEWS RELEASE

Media Contact:
Brittani Riddle
briddle@frac.org
202-640-1089 ext. 3039

FRAC Report: WIC Enhancements Critical to Keeping Millions of Young Children Fed During the First Two Years of the Pandemic

North Carolina, California, Kentucky, New Hampshire, and Massachusetts Show Highest Increases in Participation

WASHINGTON, October 5, 2022 – More families with young children are taking part in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), according to a report released today by the Food Research & Action Center (FRAC).

The *WIC During COVID-19: Participation and Benefit Redemption Since the Onset of the Pandemic* report finds that the program had 6.2 million participants in February 2022, an increase of 1.2 percent from February 2020, the baseline month before COVID-19.

The change in WIC participation varies widely between WIC agencies based on a variety of factors, including the degree of uptake and implementation of pandemic-related WIC flexibilities and WIC agency outreach and capacity.

The report examines changes in WIC participation and food costs for benefit redemption over the first two years of the pandemic among WIC agencies located in all 50 states, the District of Columbia, and Tribal organization WIC agencies, and provides recommendations for strengthening the program.

Key findings:

- Local economies benefited by $7 billion as a result of WIC food redemption over the first two years of the COVID-19 pandemic.
- The states that experienced the greatest increases in participation during COVID-19 were North Carolina (21.0 percent), Kentucky (16.6 percent), New Hampshire (15.7 percent), California (13.9 percent), and Massachusetts (13.9 percent).
- The states that saw the biggest drops in participation were New Mexico (-19.7 percent), Missouri (-18.9 percent), Pennsylvania (-17.7 percent), Ohio (-14.5 percent), and Arkansas (-14.0 percent).
- The change in WIC participation varies widely between WIC agencies based on a variety of factors, including the quality of implementation of pandemic-related WIC flexibilities and WIC agency outreach and capacity.

WIC waivers initiated at the onset of the COVID-19 pandemic have dramatically improved the program and its service.

Participants have been able to enroll and re-enroll in WIC without going to a WIC clinic. For states with Online EBT, WIC participants also have been able to receive their monthly food package benefits and attend appointments off-site via video chat and phone.

The monthly fruit and vegetable benefit boost for WIC participants also has played a key role in keeping hunger at bay for children and expectant or postpartum individuals. Through December 2022, participants can receive additional fruits and vegetables each month: about three times more for children and about four times for pregnant and postpartum individuals.

“Despite modest growth in participation, too few eligible individuals are receiving WIC benefits,” said Luis Guardia, president of FRAC. “More needs to be done to enhance participation to address the alarming spikes in hunger caused by the pandemic. A complete range of crucial improvements is required to modernize and strengthen WIC to ensure families eligible for the program get the nutrition they need for their health and well-being.”

For states with low participation, FRAC advises WIC agencies to offer a full range of WIC services and benefit issuance options, including maximizing remote access to WIC through phone appointments and remote benefit issuance; maximizing partnerships and data sharing with health care providers, Medicaid, and other program operators to streamline processes at WIC clinics, limit unnecessary paperwork, and

reduce participant burden; and coordinating with community partners to conduct community-centered and innovative WIC outreach.

Congressional action is needed to make permanent the improvements that have bolstered WIC services and improved access for families with young children during the COVID-19 pandemic. This includes continuing the enhanced value of WIC's fruit and vegetable benefit at the levels recommended by the National Academies of Science, Engineering and Medicine.

The Healthy Meals, Healthy Kids Act offers a chance to broaden access to and strengthen WIC by maximizing remote access to WIC through phone appointments and remote benefit issuance; requiring WIC clinics to provide services over the phone and via video alternatives; and allowing for online and mobile payments in WIC.

Read the *WIC During COVID-19: Participation and Benefit Redemption Since the Onset of the Pandemic* webpage for more information.

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The Food Research & Action Center improves the nutrition, health, and well-being of people struggling against poverty-related hunger in the United States through advocacy, partnerships, and by advancing bold and equitable policy solutions. To learn more, visit FRAC.org and follow us on Twitter and on Facebook.

About Us

The Food Research & Action Center (FRAC) improves the nutrition, health, and well-being of people struggling against poverty-related hunger in the United States through advocacy, partnerships, and by advancing bold and equitable policy solutions.

Contact Us

Food Research & Action Center
1200 18th Street, NW Suite 400
Washington, District of Columbia 20036
(202) 986-2200
shayward@frac.org

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SUBJECT: Accepted: (V) Roe vs. Wade and How it Pertains to Child Abuse @ FriJul 15, 2022 11am - 12pm (MDT) (davidlitvack@utah.gov)
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: davidlitvack@utah.gov
DATE: 10/07/2022 19:27

Heather Borski (DHHS) has accepted this invitation.

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Internal meeting to get answers to specific questions that impact DHHS and front-line staff prior to meeting with Dr. Campbell.

When
Friday Jul 15, 2022 · 11am – 12pm (Mountain Time - Denver)

Location
Google Meet
View map

Guests
davidlitvack@utah.gov - organizer
cbrummer@utah.gov
thales@utah.gov
dmoore@utah.gov
Heather Borski (DHHS)
swelliver@utah.gov
tracygruber@utah.gov
dwood@agutah.gov
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View all guest info

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SUBJECT: Texas Pol Threatens Sidley With Charges Over Abortion Policy
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 11/07/2022 03:01

LAW360 HEALTH

Monday, July 11, 2022 Follow

TOP NEWS

Texas Pol Threatens Sidley With Charges Over Abortion Policy

The chair of the Texas Freedom Caucus warned Sidley Austin LLP in a letter on Thursday that the firm could face criminal liability and that its attorneys would be disbarred for aiding employees that need abortions, under legislation they plan to introduce in the next session.

Letter attached | Read full article »

Biden Orders Agencies To Protect Abortion Access

President Joe Biden has told his top health official to take measures to make sure patients have access to safe abortions, like medication abortions, in the wake of the U.S. Supreme Court decision erasing the constitutional right to the procedure.

Read full article »

Analysis

W.Va. Opioid Verdict Widens Judge-Jury Split On Vital Theory

A resounding victory by drug distributors in a bench trial over West Virginia's catastrophic opioid crisis underscores a growing gulf between judges and juries in broader opioid litigation, with judges increasingly rejecting a crucial legal theory while juries embrace it.

1 document attached | Read full article »

4 Takeaways From Ex-Theranos Exec Balwani's Fraud Verdict

Former Theranos executive Ramesh "Sunny" Balwani likely faces a tougher sentence for his recent fraud and conspiracy conviction than his co-conspirator, former Theranos CEO Elizabeth Holmes, due in part to his age and experience, but his defense attorneys have teed up clear issues that are ripe for appeal, according to legal experts.

Read full article »

Dental Practices Score Partial Virus Coverage Win

An Illinois federal judge has ruled that an insurance carrier was wrong to limit dental practices with offices across the country to a single payment of $25,000 for disease contamination coverage, saying each government shutdown order in 10 states and jurisdictions they operated in were separate occurrences that should have triggered coverage.

Opinion attached | Read full article »

LITIGATION

Analysis

Pa. Midyear Report: Pay, Carbon, Venue Shopping Drive Regs

Pennsylvania rules and regulations commencing this summer will give tipped workers bigger paychecks and other benefits, while energy companies wanting to join the Regional Greenhouse Gas Initiative will have to wait pending the outcome of a challenge by the coal industry.

Read full article »

Judge Won't Rethink Ruling in Hospitals' Virus Coverage Bid

A Georgia federal judge declined to reconsider his decision dismissing most of the COVID-19 coverage claims by a group of Augusta University hospitals.

COMPANIES IN TODAY'S NEWS

Abu Dhabi National Energy Co.
Affiliated FM Insurance Co.
Amazon.com Inc.
American Bar Association
AmerisourceBergen Corp.
Anda Inc.
Apple Inc.
Bouygues Construction SA
CVS Health Corp.
Cardinal Health Inc.
Centerra Group LLC
Change Healthcare Inc.
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Hill-Rom Can't Beat Surgery Table Infringement Claim

A Massachusetts federal judge shot down Hill-Rom's bid to toss an allegation that the medical technology company and a subsidiary infringed a surgical-table support apparatus patent owned by medical equipment maker Mizuho Orthopedic Systems.

Order attached | Read full article »

Cos. Cite Medical Org's Brief Blasting Insurers' 'Junk Science'

A group of businesses suing Erie Insurance Co. over losses from COVID-19 asked a Pennsylvania federal judge to consider a recent amicus brief in a separate case from the New Hampshire Medical Society characterizing arguments that the virus can be easily removed as "junk science."

Notice attached | Read full article »

Lap-Band Doc Fights Uphill For New Trial In Insurance Scam

A California federal judge said Friday she is leaning towards denying a new trial for a doctor convicted in a $355 million fraudulent billing scheme related to a weight-loss surgery business, who argued that a cooperating witness falsely testified about a call in which he was allegedly threatened about working with prosecutors.

Read full article »

NYS Courts Again Hit With Suit Over Vax Mandate

The New York judiciary has been hit with another lawsuit by court employees attempting to end a mandate that they vaccinate against the COVID-19 virus.

Complaint attached | Read full article »

EXPERT ANALYSIS

6 Effective Legal And Communications Antitrust Strategies

As antitrust issues increasingly expose companies to a broad audience outside the courtroom, key considerations, such as convening a cross-functional team early on, can help counsel, their C-suite partners, clients and others come together to evaluate and plan to address the global risks arising in today's antitrust landscape, say communications consultants at Edelman.

Read full article »

A Former Cannabis Regulator On Shaping A Nascent Industry

Matthew McCarthy at Duane Morris shares three insights gleaned from his time as the lead prosecutor in regulatory enforcement actions at the Maryland Medical Cannabis Commission, highlighting personnel issues stemming from employees' prior experience in the illegal market, lessons from Canada, and recommendations for industry self-governance.

Read full article »

Why J&J's Bankruptcy Is Still Alive And InfoWars' Is Not

A close comparison shows why Johnson & Johnson's bankruptcy survived a motion to dismiss and InfoWars' did not, and provides guidance to practitioners on what strategies might survive a motion to dismiss and what strategies won't, says Donald Swanson at Koley Jessen.

Read full article »

Opinion

Law School Admissions Shouldn't Hinge On Test Scores

The American Bar Association recently granted law schools some latitude on which tests it can consider in admissions decisions, but its continued emphasis on test scores harms student diversity and is an obstacle to holistic admissions strategies, says Aaron Taylor at AccessLex.

Read full article »

PRACTICAL GUIDANCE

How The Pandemic Changed FDA Inspections

The U.S. Food and Drug Administration has updated its inspection practices during the pandemic with new tools and methods — like introducing remote evaluations, increasingly relying on sample testing and records requests for warning

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MasterCard Inc.
Mazor Robotics
McKesson Corp.
Medtronic PLC
Meta Platforms Inc.
Microsoft Corp.
Mizuho Orthopedic Systems Inc.
NFL Enterprises LLC
National Australia Bank Ltd.
National District Attorneys Association
Netflix Inc.
Nicor Gas Co.
PGA TOUR Inc.
Paragon Offshore PLC
Purdue Pharma LP
RELX PLC
Skyworks Solutions Inc.
StoneTurn Group LLP
Teva Pharmaceutical Industries Ltd.
The Gap Inc.
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Morgan Lewis
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letters and import alerts, and more — that are reshaping its oversight, say attorneys at Sidley.
Read full article »

LEGAL INDUSTRY

Legal Sector Adds 3K Jobs In June As Industry Rebounds
The legal industry added 3,000 jobs in June as employment in the sector continued to rebound after a slow start to the year, according to preliminary data released Friday by the U.S. Department of Labor.
Read full article »

Bannon Attorney 'Reluctantly' Seeks To Exit Contempt Case
A Davidoff Hutcher & Citron LLP partner said Friday that he was withdrawing from defending former Trump White House aide Steve Bannon against criminal contempt charges over Bannon's refusal to cooperate with the House committee investigating the Jan. 6 insurrection, saying he might be called to testify at Bannon's trial this month in D.C. federal court.
Read full article »

Allen & Overy To Expand Outsourcing Platform To California
Allen & Overy LLP said Friday that it is poised to bring its flexible sourcing platform Peerpoint to California, after introducing the service in New York last fall, as firms grapple with turmoil in the job market sparked by the pandemic and amid growing economic strains.
Read full article »

Mayer Brown Adds Private Equity Pro From Katten
Mayer Brown LLP has hired a private equity specialist in London from Katten Muchin Rosenman LLP as part of an effort to expand its global practice.
Read full article »

Security Guards Union Loses COVID Protocol Suit For Good
A lawsuit alleging federal courthouses weren't properly cleaned and sterilized during the COVID-19 pandemic met its end in New York federal court Friday, with a judge ruling that the union behind the litigation failed to show how it was harmed by the alleged uncleanliness.
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1 In 20 Death Row Reversals Tied To Prosecutor Misconduct
Over the last 50 years, prosecutor misconduct has played a role in 550 sentence reversals and exonerations of prisoners on death row, a recent study shows.
Read full article »

GC Cheat Sheet: The Hottest Corporate News Of The Week
A former Goldman top lawyer is helping the NFL's Dan Snyder as a U.S. House committee tries to subpoena the embattled Washington Commanders owner, and BigLaw leaders said they're focusing on retaining talent, investing in new technologies and growing. These are some of the stories in corporate legal news you may have missed in the past week.
Read full article »

UK Litigation Roundup: Here's What You Missed In London
The past week in London has seen Warner Bros in two separate suits over copyright, Visa facing another competition suit over its fees, and a Scottish businessman suing a finance company for professional negligence over a failed Scottish news venture. Here, Law360 looks at these and other new claims in the U.K.
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In Case You Missed It: Hottest Firms And Stories On Law360
For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.
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Orrick Herrington
Paul Hastings
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Proskauer Rose
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Shook Hardy
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Silverman Thompson
Simpson Thacher
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Sullivan & Cromwell
Tressler LLP
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Wiggin LLP
Zelle LLP
gunnercooke LLP

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Labor Statistics
European Union
Executive Office of the President
Federal Trade Commission
Food and Drug Administration
Health Canada
Illinois Supreme Court
Maryland Medical Cannabis Commission
New York State Unified Court System
Oklahoma Supreme Court
Pennsylvania Supreme Court
State Bar of Texas
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Northern District of California
U.S. Bankruptcy Court for the District of New Jersey
U.S. Census Bureau
U.S. Department of Justice
U.S. Department of Labor
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
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U.S. District Court for the Southern District of West Virginia
U.S. District Court for the Western District of Pennsylvania
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SUBJECT: GOP lawmakers bashing some ARPA projects as wasteful; States thatsaw residents moving in or out during pandemic; Drivers wanted EVs wellbefore gas prices skyrocketed
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 11/07/2022 05:02

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ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today

July 11, 2022

[redacted]

THE SIMMERING GOP CRITICISM OF STATE AND LOCAL ARPA SPENDING

KERY MURAKAMI | Republican lawmakers in the House and Senate have been bashing projects paid for with American Rescue Plan Act dollars that they see as wasteful. It could be a sign of further scrutiny to come if they take back one or both chambers of Congress.

THE STATES THAT SAW A RISE IN PEOPLE MOVING IN (OR OUT) DURING THE PANDEMIC

MOLLY BOLAN | Overall state-to-state migration in the U.S. decreased after Covid hit. But new research shows the states that saw notable upticks with inbound and outbound movers.

DRIVERS WANTED ELECTRIC VEHICLES EVEN BEFORE GAS PRICES SKYROCKETED

JEAN DIMEO | But barriers remain to widespread adoption, a new survey finds, including lacking awareness about state and federal purchase incentives and a limited charging network.

Brought to you by SAP

Opportunities to Leverage Federal Funds for State and Local Technology Improvements

COVID-19 pandemic, the Infrastructure Investment and Jobs Act (IIJA) and the American Rescue Plan Act (ARPA) provide state and local governments with a unique opportunity to invest in new, transformational cloud technologies. These technologies will help ensure not only the successful implementation of many wide-ranging projects and programs under the IIJA but also set a solid and resilient foundation for future infrastructure-focused innovations unachievable with current fiscal resources, technology tools, and business processes. Consider investing a portion of the funds in these five technology modernization opportunities.

Learn More!

WITHOUT OBERGEFELL, MOST STATES WOULD HAVE SAME-SEX MARRIAGE BANS

ELAINE S. POVICH | STATELINE | The Roe v. Wade ruling has lawmakers returning to an issue many thought was settled law.

VIRTUAL MEETINGS STYMIE CREATIVE TEAMWORK

EDMUND L. ANDREWS | FUTURITY | A new study finds that in-person teams generate more ideas than remote teams working on the same problem -- possibly because when people focus on the narrow field of vision of a screen, their thinking becomes narrower as well.

WHAT THE REVIVAL OF 'BUILD BACK BETTER' COULD MEAN FOR STATE AND LOCAL FUNDING

[redacted]

KERY MURAKAMI | Senate Democrats appear to be moving forward with a slimmed down version of the social and environmental spending package following a failed push last year.

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Opportunities to Leverage Federal Funds for State and Local Technology Improvements

COVID-19 pandemic, the Infrastructure Investment and Jobs Act (IIJA) and the American Rescue Plan Act (ARPA) provide state and local governments with a unique opportunity to invest in new, transformational cloud technologies. These technologies will help ensure not only the successful implementation of many wide-ranging projects and programs under the IIJA but also set a solid and resilient foundation for future infrastructure-focused innovations unachievable with current fiscal resources, technology tools, and business processes. Consider investing a portion of the funds in these five technology modernization opportunities.

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SUBJECT: Morning Consult Health: Biden Mulls Public Health Emergency onAbortion Access
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MORNING CONSULT

Health

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JULY 11, 2022

BY MATT BRACKEN

Twitter Email

TOP STORIES

- President Joe Biden said he is considering declaring a public health emergency in the wake of the Supreme Court striking down Roe v. Wade, which would free up federal resources to better promote abortion access. The White House previously said such a declaration did not seem like "a great option," but Biden noted that he asked officials to "to look at whether I have the authority to do that and what impact that would have," and a public health emergency is one of many approaches his administration is mulling "to accommodate the rights of women." (The Associated Press)

[redacted]

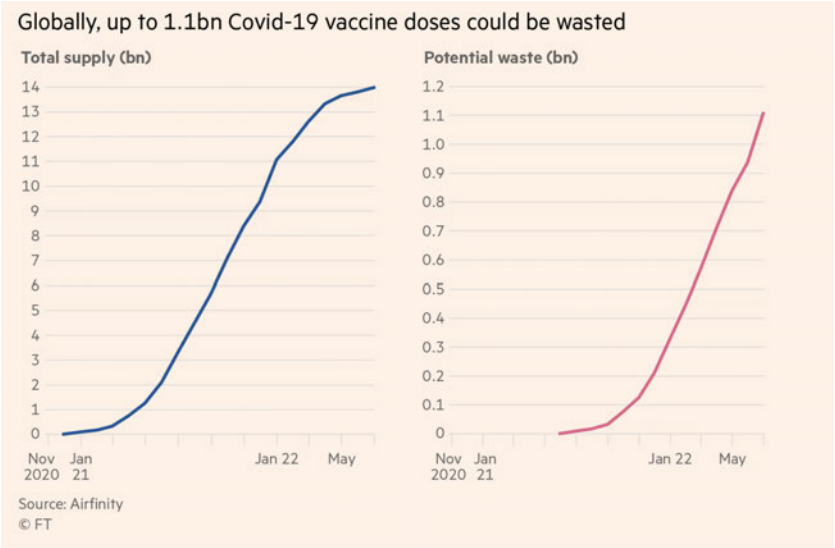
- Senate Democrats are expected to resume talks on their new spending package early this week, with tax credits that lower health insurance premiums for approximately 13 million Americans standing out as one of the most pressing unresolved issues. One person familiar with the matter said Sen. Joe Manchin (D-W.Va.) has rebuffed a Democratic proposal to extend the credits, which cover insurance plans purchased through Affordable Care Act exchanges, though the conservative Democrat and party leaders have talked about the possibility of limiting eligibility based on income to reduce overall costs. (The Washington Post)

- HRA Pharma has asked the Food and Drug Administration to authorize its birth control pill for over-the-counter sales, the first such application in the United States, which comes just weeks after the fall of Roe v. Wade. The French drugmaker's chief strategic and innovations officer said the timing of the application is "a really sad coincidence," while Cadence Health said it is also in contact with the FDA about converting its pill to over-the-counter sales, with an application likely slated for the coming year. (The New York Times)

- Abbott Laboratories has restarted production of its EleCare baby formula at its plant in Sturgis, Mich., following a three-week shutdown due to flooding from severe thunderstorms. The plant was at the center of the nationwide formula shortage after a monthslong shutdown over contaminants and unsanitary conditions, but the FDA said the long-awaited resumption of production "will mean more and more supply is on the way or on store shelves moving forward." (CNN)

CHART REVIEW

More than 1bn Covid vaccine jabs wasted in pandemic, data analysis suggests
Financial Times



EVENTS CALENDAR (ALL TIMES LOCAL)

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A MESSAGE FROM MORNING CONSULT

U.S. Jobs & Labor Market Trends Report

Inflation, financial volatility and talk of a looming recession have weighed heavily on consumer sentiment in 2022, and now the mood among workers is souring as well. Morning Consult examines these trends and more in our latest U.S. Jobs & Labor Report. Download now.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

As the BA.5 variant spreads, the risk of coronavirus reinfection grows

Joel Achenbach, The Washington Post

America has decided the pandemic is over. The coronavirus has other ideas. The latest omicron offshoot, BA.5, has quickly become dominant in the United States, and thanks to its elusiveness when encountering the human immune system, is driving a wave of cases across the country.

Could a universal coronavirus vaccine be the silver bullet that ends this pandemic—and the next?

Erin Prater, Fortune

Could a so-called "pan-coronavirus" vaccine be the long-awaited silver bullet that ends the COVID pandemic—and the next one, too? Answer: It's complicated.

Your COVID protection outside isn't what it was in 2020. Here's why it's time to think more critically about outdoor gatherings

Erin Prater, Fortune

Spreading COVID outside was possible, but not probable, experts advised in 2020, urging cooped-up citizens to turn to Mother Nature as an antidote to the isolation of lockdowns. Events, dining, and even entire classrooms were moved outside, when feasible. But Omicron was a game changer, in more ways than one.

Senate Majority Leader Chuck Schumer tests positive for covid

Marianne Levine, Politico

He is fully vaccinated and double boosted with minor symptoms, spokesperson Justin Goodman said in a statement. He will quarantine and work remotely.

GENERAL

Two long weeks: Inside Biden's struggle to respond to abortion ruling

Ashley Parker et al., The Washington Post

To many increasingly frustrated Democrats, Biden's slow-footed response on abortion was just the latest example of a failure to meet the moment on a wave of conservative rollbacks, from gun control to environmental protections to voting rights. Some aspects of the White House reaction have felt to some Democrats like a routine response, including stakeholder calls and the creation of a task force, to an existential crisis.

U.S. scientists enroll nearly 40,000 patients in high-stakes, $1.2 billion study of long Covid

Spencer Kimball, CNBC

The National Institutes of Health is rolling out one of the largest studies in the world to understand long Covid in a high-stakes effort to find definitive answers about a multitude of seemingly unrelated and

sometimes debilitating symptoms that have plagued patients and confounded physicians.

Vice President Kamala Harris stresses need for "pro-choice Congress" to protect abortion rights

Melissa Quinn, CBS News

Vice President Kamala Harris underscored the importance of voters casting their ballots in the November midterm elections for a "pro-choice Congress" that will enshrine the right to an abortion into law after the Supreme Court overturned Roe v. Wade.

The U.S. May Be Losing the Fight Against Monkeypox, Scientists Say

Apoorva Mandavilli, The New York Times

As epidemics go, the monkeypox outbreak should have been relatively easy to snuff out. The virus does not spread efficiently except through intimate contact, and tests and vaccines were at hand even before the current outbreak.

One in Six Calls to National Suicide Prevention Lifeline End Without Reaching a Counselor

Brianna Abbott et al., The Wall Street Journal

Health officials preparing to broaden the reach of a national mental-health crisis line are working to strengthen an overstretched network of call centers that didn't connect with about one in six callers in recent years, a Wall Street Journal data review showed.

Floating abortion clinic proposed in Gulf to bypass bans

The Associated Press

A California doctor is proposing a floating abortion clinic in the Gulf of Mexico as a way to maintain access for people in southern states where abortion bans have been enacted.

FDA appears to hold off on crackdown on synthetic nicotine products, despite calls from Congress

Nicholas Florko, Stat News

Congress gave the Food and Drug Administration a clear directive to crack down on vape companies skirting the agency's rules. But there are growing signs the agency is not ready to do as instructed. Now, advocates are apoplectic.

The Vasectomy Influencers

Kaitlyn Tiffany, The Atlantic

Doctors who have spent their careers promoting vasectomies are finding themselves thrust into the spotlight.

Pregnant woman given HOV ticket argues fetus is passenger, post-Roe

Timothy Bella, The Washington Post

A pregnant Texas woman who was ticketed for driving in the HOV lane suggested that Roe v. Wade being overturned by the Supreme Court

means that her fetus counted as a passenger and that she should not have been cited.

In America, Cancer Patients Endure Debt on Top of Disease

Noam N. Levey, Kaiser Health News

About two-thirds of adults with health care debt who've had cancer themselves or in their family have cut spending on food, clothing, or other household basics, a poll conducted by KFF for this project found. About 1 in 4 have declared bankruptcy or lost their home to eviction or foreclosure.

Economic fallout from abortion bans will hit the poor hardest

Caitlin Gilbert, Financial Times

Research shows denying access worsens inequality and creates financial hardships for women and their families.

U.S. health laws don't always protect abortion information, but new bills could fill the gaps

Lily Yang and Lauren Feiner, CNBC

The Supreme Court's decision to overturn Roe v. Wade last month raised concerns that data collected by tech companies and clinics could be used to criminally charge people who seek abortions or experience pregnancy loss.

Texas Judge Extends Ban on Transgender Children Care Probes

Shira Stein and Laurel Calkins, Bloomberg Law

A state judge extended a ban on Texas authorities investigating some members of an LGBTQ group who arrange gender-affirming care for children, as the politically fraught issue makes its way through the courts.

Judge allows Louisiana abortion ban to go into effect

Oriana Gonzalez, Axios

A state judge on Friday lifted an order temporarily blocking Louisiana's abortion trigger bans from being in effect — nearly all abortions are now illegal in the state.

Epilepsy patients navigate a murky, unregulated CBD market

Eric Berger, The Washington Post

The FDA does little to regulate CBD, so trade groups admit that the marketplace includes potentially harmful products and that quality varies widely. They say pending bipartisan federal legislation would protect those who use CBD. But some consumer advocacy groups say the bills would have the opposite effect.

PAYERS

Medi-Cal's Reliance on Prisoners to Make Cheaper Eyeglasses Proves Shortsighted

Colleen DeGuzman, Kaiser Health News

To dodge hefty costs for eyewear, California's health insurance program for low-income people, Medi-Cal, has an innovative strategy: It contracts exclusively with the state's prisons, and inmates make glasses for its beneficiaries.

PROVIDERS

AHA blasts 'deeply flawed' proposed HHS post-acute care model

Robert King, Fierce Healthcare

The Department of Health and Human Services (HHS) and the Office of the Assistant Secretary for Planning and Evaluation released a report to Congress (PDF) outlining a unified payment model for long-term care hospitals, rehab facilities, nursing homes and home health agencies. But the American Hospital Association (AHA) said the draft model has major flaws.

Doctors Struggle With State Abortion Restrictions at Odds With Federal Law

Melanie Evans, The Wall Street Journal

Doctors and hospitals are rushing to reconcile laws in their states barring abortion with a federal law that may require the procedure as part of emergency treatment.

Hospitals led healthcare hiring surge in June

Mari Devereaux, Modern Healthcare

Employers in the sector added an estimated 56,700 jobs, up from 15,300 in May, preliminary data show. The industry contributed 15.2% of the 372,000 hires made across the economy in June and added the third-most jobs among all categories.

PHARMA, BIOTECH AND DEVICES

Trump-era federal Covid contract recipient has yet to meet major deadlines

Katherine Ellen Foley, Politico

A pharmaceutical startup that received one of the largest-ever federal pandemic preparedness contracts championed by senior-level Trump White House officials has yet to fulfill its promise to bring cheap, generic drug manufacturing to the U.S.

Some cancer patients forgo life-saving medications because of high cost

Berkeley Lovelace Jr. and Meg Tirrell, NBC News

About one in three Americans on Medicare who don't qualify for low-income subsidies don't fill prescriptions for their cancer drugs, according to a recent study in the journal Health Affairs. Low income is defined as around $15,000 a year for an individual or about $30,000 a year for a married couple, according to the Social Security Administration.

Long Covid Is an Elusive Target for Big Pharma

David Wainer, The Wall Street Journal

The drug industry developed Covid-19 vaccines and treatments at breakneck speed, saving millions of lives in the process. Yet treatments for the post-viral illness known as long Covid, which is afflicting millions, are nowhere close to being developed.

HEALTH TECHNOLOGY

Abortion providers embrace virtual assistants and automation to prepare for new flood of patients

Mohana Ravindranath, Stat News

Clinicians at brick-and-mortar and virtual abortion sites tell STAT they're using and exploring technology like virtual assistants, online scheduling, increased virtual visits, and asynchronous messaging to ensure more convenient access to abortion care. Ideally, these tools could minimize the need for patients traveling from other states to visit clinics and keep wait times low, they say.

CVS names new chief data, digital and technology officer

Paige Minemyer, Fierce Healthcare

CVS Health has tapped Tilak Mandadi as its executive vice president and chief data, digital and technology officer, a newly created role.

Signify Health exits bundled payment program to focus on future growth

Paige Minemyer, Fierce Healthcare

Signify, a platform that leverages analytics and nationwide networks to build and back value-based care programs, will exit the Centers for Medicare & Medicaid Services' Bundled Payments for Care Improvement-Advanced (BPCI-A) model. The main hurdle, the company said, is CMS' newly-released retrospective trend calculations, which reduced the opportunity for savings.

Scientists design a cheap device that can detect ear problems with the help of a smartphone

Edward Chen, Stat News

In a preliminary new study, published last month in Communications Medicine, the researchers report that their smartphone-based device performed nearly as well as commercially available tympanometers that can cost thousands of dollars.

Lobbying heats up to protect evidence in potential abortion cases

Ben Leonard, Politico

Pressure is growing on President Joe Biden to safeguard abortion patients' data, as concerns rise that prosecutors could deploy the information as evidence in states that have banned the procedure.

OPINIONS, EDITORIALS AND PERSPECTIVES

Dobbs decision will rob many medical students of essential abortion training

Kellen Mermin-Bunnell and Ariana M. Traub, Stat News

As medical students — the next generation of physicians — we believe that the Supreme Court's Dobbs v. Jackson Women's Health decision, which overturns Roe v. Wade and Planned Parenthood v. Casey, undermines the health of our future patients and our ability to become competent physicians.

We Are Developing New Male Contraceptives. Our Work Has Never Been More Critical.

Stephanie Page and John Amory, The New York Times

As researchers developing male hormonal contraception, we believe that to reduce unplanned pregnancy and the need for abortion, men need to become more engaged in contraception. Men are involved in 100 percent of unintended pregnancies, and most men remain fertile for much of their lives.

The vaccines were a biomedical triumph. They reached too few.

Editorial Board, The Washington Post

Stop and reflect on the success of the coronavirus vaccines. While most vaccines take five to 10 years to develop and manufacture, the remarkable mRNA shots appeared in less than a year. They were safe, efficacious, free, and dramatically reduced serious illness and death, one of the great biomedical achievements of all time. Yet their results could have been even better.

RESEARCH REPORTS

When Medicaid's COVID-19 Pandemic Continuous Enrollment Guarantee Unwinds, Safety-Net Providers Will Play a Critical Role

Sara Rosenbaum et al., The Commonwealth Fund

When the Secretary of Health and Human Services declares an end to the COVID-19 public health emergency (PHE) period, it also will mark the end of Medicaid's continuous enrollment guarantee that protects beneficiaries from coverage interruptions. Between 2020 and 2022, Medicaid's continuous enrollment protection contributed to a 25 percent increase in Medicaid enrollment, ensuring initial and stable coverage for the pandemic's highest-risk populations, disproportionately people of color.

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July 11, 2022

TOP STORIES

CMS proposes Medicare PFS rules for 2023

The CMS has released a draft Medicare physician fee schedule for 2023, and it includes proposals to reduce the PFS conversion factor from $34.61 to $33.08, allow marriage and family therapists and licensed professional counselors to provide behavioral care services under general supervision, and allow mobile services to provide opioid use treatment and recovery services. The proposal also would make changes to Medicare Shared Savings Program payments, give smaller ACOs more time to shift to downside risk and introduce a health equity adjustment to reward ACOs that deliver high-quality care to underserved groups, among other changes. **Full Story:** Healthcare Finance (7/8), Becker's Hospital Review (7/8)

US COVID-19 cases, deaths down from previous week

The US seven-day average for newly reported COVID-19 cases dropped 3.9% to 106,549 as of Wednesday, while the weekly average for COVID-19 deaths declined by 20.9% to 273 from the prior week, according to the CDC. The seven-day average for COVID-19 hospitalizations

rose 3.1% to 5,080 for the week ending Tuesday, and estimates suggest the Omicron BA.5 subvariant caused 53.6% of all COVID-19 cases in the US for the week ending July 2, while 20.7% of US communities had high levels of COVID-19 as of Thursday. **Full Story:** Becker's Hospital Review (7/8)

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PROVIDERS & SUPPLIERS

Surgeon general addresses health worker stress, burnout

The office of US Surgeon General Vivek Murthy, M.D., has issued a report on the health care employee burnout crisis and its impact on patient care. In a podcast, Murthy discusses the report "Addressing Health Worker Burnout," which also touches on related topics such as cost, preparedness and health disparities. **Full Story:** Kaiser Health News (7/7)

Therapists question digital mental health platforms

(Pixabay)

Online platforms have expanded access to mental health and substance use therapy, and research suggests such therapy can be effective. However, some mental health professionals are concerned about some of the platforms' aggressive advertising, for-profit business models, inadequate training and pay for therapists, asynchronous therapy and overprescribing of medications. **Full Story:** Kaiser Health News (7/8)

MEDICAL UPDATE

Weekend-only exercise still provides benefits

Adults who only have time to exercise on the weekends can still reap benefits from the physical activity, according to a study published in JAMA Internal Medicine. Researchers examined data from nearly 351,000 adults who took part in the National Health Interview Survey from 1997 to 2013, followed participants for a median of 10.4 years, and found that weekend exercisers and those who worked out more often had similar all-cause mortality hazard ratios, especially when compared with people who were inactive. **Full Story:** The Hill (7/7)

US cardiomyopathy cases projected to outnumber other nations

The US is expected to see far higher numbers of familial and acquired cardiomyopathy cases by 2031 than six other major market nations -- Japan, France, Italy, Germany, the UK and Spain -- according to the Cardiomyopathies Epidemiology Analysis and Forecast report from GlobalData. New US cases could reach more than 2.3 million by that time, and US residents likely will represent 83% of global cases, mostly due to poor lifestyle habits. **Full Story:** Cardiovascular Business online (7/7)

TOUCHPOINTS PODCAST

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Why your CX is only as good as your EX

Health care is as personal as it gets, yet employees who feel overwhelmed and unheard can't deliver the kind of compassion and care members need. Ingrid Lindberg of Chief Customer and Michele Gabron of Wellframe share what health plan leaders need to know to meet the needs of their teams, so they can meet the needs of their members. **Listen to the episode.**

EMERGING TRENDS

How health insurers support women's contraceptive access

AHIP President and CEO Matt Eyles and Senior Vice President of Clinical Innovation and Strategic Partnership Kate Berry say health insurance providers are fully committed to women's health care, and they have supported and delivered on Affordable Care Act provisions involving access to contraception. "We continue to work hard every day to ensure that people have access to many affordable contraception choices," Berry said, noting that many plans go well beyond the ACA requirements that members have access to one product within each contraceptive category without cost-sharing. **Full Story:** Apple Podcasts (7/8)

Sleep apnea test from ResApp cleared

The FDA has given 510(k) clearance to ResApp Health for its SleepCheckRx, a sleep apnea test application for smartphones. The test, which is available on Apple phones, is a prescription-only software-as-a-medical device. **Full Story:** MobiHealthNews (7/7)

HEALTH INSURANCE PROVIDER COMPANY NEWS

- **Statement from Aflac Incorporated Chairman and CEO Dan Amos on the passing of former Japan Prime Minister Shinzo Abe**
- **Centene's Ambetter Health named entitlement partner for Atlanta's spring NASCAR Cup Series race**
- **Cigna: 5 Ways Employers Can Encourage Whole-Person Health**
- **CVS Health names Tilak Mandadi Executive Vice President and Chief Data, Digital and Technology Officer**
- **Straight from the Highmark Health CEO David Holmberg: Health Is the Hero**
- **HPI Acquires Employers Health Network (EHN) of Irving, Texas**
- **Independence Blue Cross awards 2022 Clinical Care Innovation Grants to Jefferson Health, Temple Health, Penn Medicine, and Trinity Health Mid-Atlantic**
- **L.A. Care and Blue Shield of California Promise Health Plans' Community Resource Centers Distribute Free Backpacks and School Supplies in July and August**

SOLUTIONS PROVIDER NEWS

- **Cotiviti's Quality Intelligence Earns NCQA Certified Measures Status for the 2022 Measurement Year**
- **Quest Diagnostics Releases 2021 Corporate Responsibility Report**

HOT TOPICS

- **Health insurance price transparency rule takes effect**
  Kaiser Health News
- **Lawmakers call for dental coverage expansion in Medicare**
  Healthcare Finance
- **1.2M Americans spend over 40% of family income on insulin**
  HealthDay News
- **Merative, Fortune release list of top hospitals**
  Fortune (tiered subscription model)

- **Poll: 20% of US adults continue to get unexpected bills**
  Morning Consult

PHARMA NEWS

FDA grants full approval to Pfizer/BioNTech adolescent COVID-19 vaccine

Pfizer and BioNTech's COVID-19 vaccine has been granted full approval by the FDA for use in children ages 12 to 15. The agency granted the approval based on data from 2,260 adolescents, in a study that documented 30 cases of COVID-19 in the placebo group and none in the group that was vaccinated. **Full Story:** MedCity News (7/10)

POLICY WATCH

HHS releases tools to improve Medicaid, CHIP quality of care

HHS and the CMS released a collection of resources intended to help improve the quality of care provided through state Medicaid and Children's Health Insurance Program managed care organizations. The new resources include a tool providing targeted support to Indian Health Care Providers and standardized templates for reporting on medical loss ratios and network adequacy. **Full Story:** Health Payer Intelligence (7/7)

WHO to meet again as monkeypox cases surpass 6,000

Lab-confirmed cases of the monkeypox virus have climbed 77% since June 27 to surpass 6,000, and the World Health Organization will hold a second meeting to discuss whether the outbreak constitutes a global health emergency sometime in the next two weeks. "I continue to be concerned by the scale and spread of the virus across the world," says WHO Director-General Dr. Tedros Adhanom Ghebreyesus, noting it is likely many cases are unreported because of a lack of testing. **Full Story:** Reuters (7/6), The Malay Mail (Malaysia)/Agence France-Presse (7/8)

AHIP NEWS

View from NIAC: Balancing data security and privacy

What role should privacy play in driving consumer connectedness? During AHIP's Consumer Experience & Digital Health Forum, (Sept. 12 through 14 in Nashville), Maryland Insurance Commissioner Kathleen A. Birrane will explore the tech/privacy connection. Don't miss her keynote session: NAIC's Evolving View of Technology, Data Security, and Consumer Privacy. Register by July 29 and save with early reg discounts.

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Caring for people who are LGBTQIA+

Health insurance providers agree that everyone should have an equal opportunity to thrive and achieve their best health and are providing access to the health services and medications that are often needed by people who are LGBTQIA+, according to a recent AHIP article. Read more.

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Delmore Schwartz,
poet

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TOP STORY

Unemployment claims rise more than expected

(Bloomberg/Getty Images)

Initial jobless claims for the week ending July 2 rose to a seasonally adjusted 235,000, according to the Labor Department, exceeding economist forecasts of 230,000. Meanwhile, layoffs in June reached 32,517, the highest monthly total since February 2021, according to a report from job placement firm Challenger, Gray & Christmas. **Full Story:** Reuters (7/7), CNBC (7/7)

How to Attract, Engage, and Hire Hourly Workers

Recruiting and hiring the hourly workforce is uniquely challenging, especially for HR professionals. Finding, engaging, and hiring the right people is only possible if you can do it faster than your competitors. In this guide, we take a deep dive into the features and tech that can take your recruitment strategy and processes to the next level. **Download the guide**

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RECRUITING & RETENTION

Workforce reentry programs can help former prisoners

Employers may be hesitant to hire people who were formerly incarcerated, but the current labor shortage is opening up new and better jobs for such individuals. Workforce training and reentry programs such as Hinds County Reentry Program prepare former prisoners to find and hold a job, which is key to rebuilding their lives and staying out of prison, studies show. **Full Story:** The Associated Press (7/10)

Webinar: The Role of Technology in Restaurant Recruitment

Join SmartBrief on **July 21 2022, 2pm EDT** to explore how technology can help restaurant operators hire, support and retain employees. We'll cover the key drivers of the restaurant labor shortage, how restaurants can use technology tools to cast a wider net for potential employees and what employees are looking for from foodservice employers. **Register today!**

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LEADERSHIP & DEVELOPMENT

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Here's what CEOs need from CFOs
CFO (7/8)

Tech pros should avoid these career missteps
Forbes (tiered subscription model) (7/5)

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Quick Reference Guide – Time Management

Quick Reference Guide – Office 365 Essentials

HEALTH & WELLNESS

Study: Weekend-only exercise still confers benefits

Adults who only have time to exercise on the weekends can still reap benefits from the physical activity, researchers reported in JAMA Internal Medicine. They examined data on nearly 351,000 adults who took part in the National Health Interview Survey from 1997 to 2013, followed participants for a median of 10.4 years, and found that weekend exercisers and those who worked out more often had similar all-cause mortality hazard ratios, especially compared with people who were inactive. **Full Story:** The Hill (7/7)

BENEFITS & COMPENSATION

How health insurers support women's contraceptive access

AHIP President and CEO Matt Eyles and Senior Vice President of Clinical Innovation and Strategic Partnership Kate Berry say health insurance providers are fully committed to women's health care, and they have supported and delivered on Affordable Care Act provisions involving access to contraception. "We continue to work hard every day to ensure that people have access to many affordable contraception choices," Berry said, noting that many plans go well beyond the ACA requirements that members have access to one product within each contraceptive category without cost-sharing. **Full Story:** Apple Podcasts (7/8)

THE HR LEADER

Negotiations can be relationship-building opportunities

Approaching a negotiation as a "win-win" situation and a chance to build relationships instead of using strong-arm tactics can result in better outcomes, says Darden professor Allison Elias, who focuses particularly on the benefits for female leaders. "There's a great deal to be said for building relational capital with others, especially if these are parties with whom you might have to negotiate repeatedly in the future," Elias says. **Full Story:** Darden Ideas to Action (University of Virginia) (7/6)

MOST READ

Will a 4-day workweek become the norm?
National Public Radio

Moodsonic creates a nature-inspired sound for offices
Installation

Economic output is falling, but so is unemployment
The Wall Street Journal

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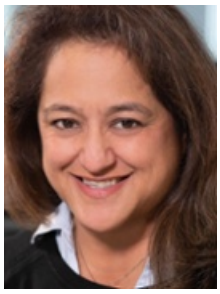
BBC

Train your managers in order to keep your employees
Entrepreneur

ABOUT THE EDITOR


Kanoe Namahoe

I was in high school when my parents brought home a gal named Linda to live with us for a short time. Linda had recently been released from prison and was part of a rehabilitation program at our church. It was my first time meeting someone who had been incarcerated.

Linda fascinated me. She was young -- in her 30s -- and covered in tattoos. She looked hard but was very kind and humble. And protective of our family. When a neighbor boy stopped by to see me, she sized him up and told him he'd have to come back when my parents were home. (He didn't.) She had brains and street sense and was determined to rebuild her life to get her children back.

I thought of Linda when I read today's Recruiting & Retention story about reentry programs -- like Mississippi Center for Re-entry and MagCor -- aimed at helping people who were formerly incarcerated find work. Programs like these are doing great work helping folks like Linda and Tyrone "TMan" Gladney -- another former felon who I covered -- get back on their feet and build new careers. "If you give somebody who's been incarcerated a chance at a job, eight times out of 10 they will prove to be one of the most loyal persons to you because you were actually looking out for them and giving them a chance," Gladney told me.

To be clear, giving people second chances doesn't overlook the fact that they committed a crime. That is fair. Gladney made that clear to me in our interview. He knew he had an uphill climb in gaining trust from potential employers. So did Linda. They didn't dwell on this or complain that it was unfair. They seemed to accept that this was part of the process of rebuilding their lives. I can respect this.

I don't know where Linda is today. I like to think she's doing well and has established new relationships with her children and family. Gladney did. He has a lucrative trucking business and enjoys spoiling his grandchildren. Second-chance programs *can* work.

Are you working with reentry programs or employing ex-felons? Let me know! And if you enjoy this brief, tell others so they can benefit also.

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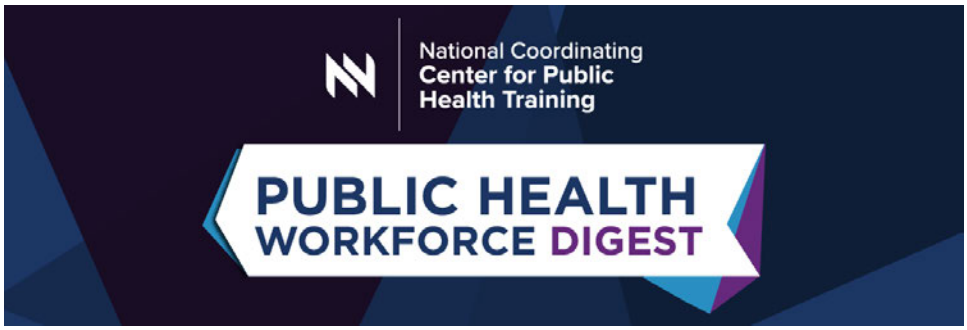
[redacted]

SUBJECT: NCCPHT Public Health Workforce Digest
FROM: National Coordinating Center for Public Health Training <training@nnphi.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 11/07/2022 12:00

NCCPHT Public Health Workforce Digest View this email in your browser



WORKFORCE NEWS

The Public Health Learning Navigator is currently recruiting pilot testers for our new subscription-based Learning Pathways. And for a limited time, you can experience everything the Learning Navigator has to offer–**for free**. We are looking for organizations to help us pilot test and improve the Learning Navigator subscription-based platform that will be rolled out in early 2023.

It's time for you to take control of your team's learning and performance with the Public Health Learning Navigator. We take online learning to the next level with curated on-demand tools and resources that unlock your team's potential.

If your team can benefit from comprehensive learning pathways, online learning communities, and access to more than one hundred peer-reviewed online training courses, contact us at trainings@nnphi.org to schedule a meeting or fill out the form here.

LEARNING OPPORTUNITIES

ONLINE TRAINING:

Addressing Social Determinants of Health

Rocky Mountain Public Health Training Center

Learn more and register here.

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WEBINAR:

Legislative Trends and Developments in Health Equity: What We Observed in 2021, What Has Happened in 2022, and Future Directions

New England Public Health Training Center

Learn more and register here.

WEBINAR:

Abortion Access is Public Health

Northwest Center for Public Health Practice

Learn more and register here.

FROM THE NAVIGATOR:

Cultural Competency Program for Disaster Preparedness and Crisis Response

U.S. Department of Health and Human Services Office of Minority Health

Access the training here.

MORE LEARNING OPPORTUNITIES

July 13: Health Equity Practice Among Today's Youth (*Building Health Equity)*

July 14: Pain in the Nation: The Epidemics of Alcohol, Drug, and Suicide Deaths *(Trust for America's Health, Well Being Trust)*

July 19: Social Determinants of Health (SDOH) Information Exchange: Policy and Funding *(Office of the National Coordinator for Health Technology)*

July 19: Making Social Connections for Community Health *(County Health Rankings & Roadmaps)*

July 26- 28: 2nd National Conference on American Indian and Alaska Native Injury and Violence Prevention *(Centers for Disease Control and Prevention, Indian Health Service)*

July 28: Predicting Human Disease Risk From Animal-borne Pathogens *(Alabama Regional Center for Infection Prevention and Control Training and Technical Assistance (ARC IPC))*

COMMUNITIES OF PRACTICE

Join one of NNPHI's online Communities of Practice to connect and share tools with public health and multi-sector professionals from around the country.

- COVID-19 Learning and Action Collaborative

- NNPHI Member Institute COVID-19 Community
- Public Health Performance Improvement Network (phPIN)

JOIN A COMMUNITY OF PRACTICE

RESOURCES AND REPORTS

REPORT: Think Globally, Adapt Locally: Colorado Counties Health and Climate Index

This 2022 Health and Climate Index, the first update to the original report released in 2019, analyzes the risks Colorado counties face in four areas:

1. Exposure to climate-related hazards
2. Health outcomes and access to care
3. Social factors that have been linked to climate vulnerability
4. Plans and perceptions related to climate change and health

Minimizing climate change-related harm to human health requires reducing greenhouse gas emissions and taking steps to adapt to a changing environment.
The Index highlights a need for more targeted climate adaptation planning and capacity building across Colorado to respond to the changes that are already occurring and prepare for future impacts. Much of this work must take place at a local level and reflect local needs and realities.

The Health and Climate Index can help Coloradans identify vulnerabilities and develop approaches to supporting health equity in a changing climate that reflect their area's unique needs.

Access the full report here.

JOB OPPORTUNITIES

Program Analyst, Emergency, Preparedness, Response, and Recovery (EPRR)
National Network of Public Health Institutes

Manager, Human Resources
National Network of Public Health Institutes

Program Manager, Partner Relationships
National Network of Public Health Institutes

Intern, Communities of Practice
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SUBJECT: White House Policy Update and Call Invites
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 11/07/2022 19:07

THE WHITE HOUSE
WASHINGTON

Health Community Updates

Friends – Please join us for our next bi-weekly White House Health Community Call on Wednesday, July 13th at 2:30pm ET. You can RSVP here. Please invite colleagues and members of your community – all are welcome. We also want to share updated guidance on the Emergency Medical Treatment and Active Labor Act (EMTALA) and an invite to a stakeholders call to learn more, included below.

Following President Biden's Executive Order to Protect Access to Reproductive Health Care, HHS Announces Guidance to Clarify that Emergency Medical Care Includes Abortion Services

Today, the U.S. Department of Health and Human Services (HHS) announced new guidance and communication to ensure all patients — including pregnant women and others experiencing pregnancy loss — have access to the full rights and protections for emergency medical care afforded under the law. This announcement follows President Biden's executive order on reproductive health issued Friday. HHS, through the Centers for Medicare & Medicaid Services (CMS), issued clarifying guidance on the Emergency Medical Treatment and Active Labor Act (EMTALA) and reaffirmed that it protects providers when offering legally-mandated, life- or health-saving abortion services in emergency situations. In addition to the guidance, Secretary Xavier Becerra, in a letter to providers, made clear that this federal law preempts state law restricting access to abortion in emergency situations - PDF*.

The EMTALA statute requires that Medicare hospitals provide all patients an appropriate medical screening, examination, stabilizing treatment, and transfer, if necessary, irrespective of any state laws or mandates that apply to specific procedures. Stabilizing treatment could include medical and/or surgical interventions, including abortion. If a state law prohibits abortion and does not include an exception for the health or life of the pregnant person — or draws the exception more narrowly than EMTALA's emergency medical condition definition — that state law is preempted.
Read the Secretary's letter to health care providers - PDF*.
Read the EMTALA guidance issued.
EMTALA Policy Call
CMS leadership invites you to a call to discuss our policy with respect to hospitals, staff, and physicians regarding their obligations and protections under the Emergency Medical Treatment and Labor Act (EMTALA). The purpose of this meeting is to discuss EMTALA with the provider community and to answer questions.
Date: Tuesday, July 12, 2022
Time: 1:00 PM ET
Who should attend: This webinar is designed for hospitals, clinicians, related professional associations, and State Agencies, particularly those in states enacting or implementing restrictions to the provision of reproductive care services including abortion.
RSVP: https://cms.zoomgov.com/webinar/register/WN_34Nk0d1vQiW5-V3DL_eZiQ
After registering, you will receive a confirmation email containing information about joining the webinar. Your link will include an email for questions, please use this for logistical questions only – we will not be able to respond to policy questions via that email address.
This meeting is closed to press.

All best,

White House Office of Public Engagement

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SUBJECT: 7th Circ. Revives Indiana Doc's Antitrust Claims Against Univ.
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 12/07/2022 01:48

HEALTH

Tuesday, July 12, 2022

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TOP NEWS

7th Circ. Revives Indiana Doc's Antitrust Claims Against Univ.
The Seventh Circuit has resurrected a surgeon's antitrust suit against Indiana University Health, finding that the doctor has indeed alleged a plausible market under antitrust law, and his claims should've survived the health system's motion to dismiss.

Opinion attached | Read full article »

NY AG Says Teva's Parent Belongs Back In Opioid Case
The New York attorney general told a Long Island judge there's new evidence that the Israel-based parent company of Teva USA falsely portrayed its interactions with its American subsidiary and its role in the opioid industry to shield itself from accountability and avoid paying Teva USA's damages.

Memorandum attached | Read full article »

Hospitals Must Provide Emergency Abortion Care, Feds Say
Federal health officials issued guidance Monday instructing hospitals to continue providing abortion services to patients in all emergency situations, no matter what restrictions their states have passed following the U.S. Supreme Court decision erasing the constitutional right to the procedure.

Letter attached | Read full article »

After Dobbs, FTC Pledges To Police Sharing Of Sensitive Data
Days after President Joe Biden said he would do "everything in his power" to ensure abortion access, including protecting the privacy of individuals seeking reproductive health care services, a Federal Trade Commission official announced Monday that the agency is cracking down on the illegal sharing of sensitive medical and location data.
Read full article »

FDA Asked To Make Birth Control Pill Available OTC
A Perrigo Co. unit has asked the U.S. Food and Drug Administration to greenlight a birth control pill it currently sells by prescription for over-the-counter use, a move that comes not long after the U.S. Supreme Court erased the constitutional right to abortion.
Read full article »

Personal Injury, Med Mal Cases To Watch In 2nd Half Of 2022
A California high court case over employer liability in connection with "take-home COVID" claims and an imminent trial in the Kobe Bryant crash site photos suit are among the cases injury and malpractice attorneys will be following in the second half of 2022.
Read full article »

ENFORCEMENT & COMPLIANCE

Veterinarian Gets 11 Years In Horse Doping Crackdown
A former veterinarian was sentenced to 11 years in prison Monday after a Manhattan federal jury found him guilty of a nearly two-decade scheme to sell millions of dollars worth of homemade performance-enhancing drugs to elite racehorse trainers, including now-disgraced industry star Jorge Navarro.
Read full article »

COMPANIES IN TODAY'S NEWS

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PAI Partners AB
Perrigo Co. PLC
Purdue Pharma LP

[redacted]

'Yellowstone' Actress Charged With Disability Benefits Fraud
Actress Q'orianka Kilcher, who rose to fame playing Pocahontas in Terrance Malick's 2005 historical drama "The New World," has been charged with workers compensation insurance fraud after allegedly obtaining over $90,000 in disability benefits while working on the television series "Yellowstone," state regulators announced Monday.
Read full article »

LITIGATION

Workers Can't Keep IDs Masked In Vaccine Suit, 1st Circ. Says
The First Circuit won't pause a Maine federal judge's order that requires a group of health care workers in the Pine Tree State to publicly reveal their identities in their suit challenging the constitutionality of the state's COVID-19 vaccine mandate for the health sector.

Opinion attached | Read full article »

Microsoft's New AI Medical Imaging Biz Defeats Patent Suit
An artificial intelligence company Microsoft bought last year for close to $20 billion has beaten an infringement suit in Delaware federal court from a small Texas software company by winning an Alice ruling that axed claims in five patents covering a way of hosting 3D medical imaging data.

Decision attached | Read full article »

Monsanto Beats Delaware's Suit Over PCB Contamination
A Delaware trial court on Monday dismissed the state's suit alleging that Monsanto Co. knew for decades it was producing toxic chemicals that were contaminating Delaware waterways, finding the claims as stated were invalid under state law.

Opinion attached | Read full article »

Hospital Agrees To $5.7M Deal In Retiree Health Benefits Suit
More than 200 nonunion retirees of a Huntington, West Virginia, hospital struck a $5.7 million deal to settle litigation accusing their former employer of breaking its health insurance promises, according to documents filed in West Virginia federal court.

2 documents attached | Read full article »

Ky. Court OKs COVID Liability Shield Law, Axes Exposure Suit
A Kentucky state appeals court rejected a couple's bid to overcome the state law which provides immunity to businesses and health care providers for COVID-19 related personal injury lawsuits, saying the statute properly shields assisted-living service companies with qualified immunity.

Opinion attached | Read full article »

Texas Presses Court To Nix Federal Gender Identity Guidance
Texas state officials have called on a federal court to wipe out guidance from federal agencies on gender- and sexuality-based workplace discrimination and gender-affirming care, arguing that the government is stretching the U.S. Supreme Court's watershed Bostock ruling too far.

Brief attached | Read full article »

Catching Up With Delaware's Chancery Court
Images of the Delaware Chancery Court filled many a Twitter thread last week after the company said it would bring Elon Musk to justice for walking away from a $44 billion promise. Other post-holiday fireworks included several multimillion-dollar settlements, the breakup of a company board and an irritated slap-down from the court's top chancellor.

Order attached | Read full article »

Cannabis Shops' Racial Bias Suit Over Licenses Tossed
A Washington federal judge has thrown out a suit by the owners of two former medical cannabis dispensaries

Raytheon Technologies Corp.
Skanska AB
SoftBank Group Corp.
Solutia Inc.
St. Joseph Health System
State Bar of California
T-Mobile US Inc.
TD Ameritrade Holding Corp.
Tesla Inc.
Teva Pharmaceutical Industries Ltd.
Texas Hospital Association
The Charles Schwab Corp.
Twitter Inc.
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Vertex Pharmaceuticals Inc.
Vimicro International Corp.

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Greenspoon Marder
Jones Day
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McDermott Will
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Napoli Shkolnik
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Rimon PC
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Stoll Berne
Stoll Keenon
SulmeyerKupetz
Susman Godfrey
Thompson Miller
Weil Gotshal
White and Williams

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Department of Insurance
California Supreme Court
Centers for Disease Control and Prevention
Delaware Court of Chancery
Equal Employment Opportunity Commission
Executive Office of the President
Federal Trade Commission
Food and Drug Administration
Government Accountability Office

alleging they were pushed out of the market because they're Black, ruling the bulk of the claims were filed too late.

Order attached | Read full article »

DEALS

2 Firms Lead $320M Vertex Buy Of Diabetes Treatment Co.
Vertex Pharmaceuticals Inc., repped by Skadden, plans to acquire Cooley-steered biotechnology company ViaCyte Inc. for $320 million in a merger that would unite the companies in working to find a cure for Type 1 diabetes, Vertex announced Monday.
Read full article »

PEOPLE

Shumaker Advisors Adds Former Hillsborough County Official
Shumaker Advisors is continuing its massive growth spurt in Florida, this time with the addition of a former Hillsborough County official.
Read full article »

EXPERT ANALYSIS

Notes On Social Equity From A Former Cannabis Regulator
Duane Morris' Matthew McCarthy, former lead prosecutor in regulatory enforcement actions at the Maryland Medical Cannabis Commission, shares observations on the multifaceted efforts by government and the cannabis business community to build a more equitable industry and foster diverse ownership, highlighting the role of data reporting and community outreach.
Read full article »

Agreement Among Litigants Key To Using E-Discovery Tech
Parties are increasingly using e-discovery technologies to control costs, but as a New York federal court order in Actos Antitrust Litigation shows, a well-drafted, negotiated protocol allows them to address potential objections prior to use and helps protect against later claims of incomplete production, say attorneys at McGuireWoods.

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LEGAL INDUSTRY

Former Rimon Lawyers Open IP Boutique In Silicon Valley
A group of six lawyers has left Rimon PC to launch a new Silicon Valley-based boutique focusing on intellectual property and complex commercial litigation.
Read full article »

Greenspoon Marder Adds Bankruptcy Firm SulmeyerKupetz
Greenspoon Marder LLP has added all nine attorneys from Los Angeles bankruptcy boutique SulmeyerKupetz, the firm announced Monday.
Read full article »

Pinsent Masons Elects New Senior Partner
Pinsent Masons LLP has elected a longtime corporate, transactional and private equity partner to serve as the firm's leader, the firm announced Monday.
Read full article »

Crowell Adds Ex-Squire Patton Energy Global Chair In DC
Crowell & Moring LLP has added an energy attorney who previously served as global chair of Squire Patton Boggs' energy and natural resources practice as a partner in Washington, D.C., the firm announced Tuesday.
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Ex-AG Barr Subpoenaed In Dominion's Del. Defamation Suit
Former Attorney General William Barr has been subpoenaed in Dominion Voting Systems' massive defamation suit alleging Fox News Network published

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New York Attorney General's Office
New York State Commission on Judicial Conduct
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Delaware
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of Mississippi
U.S. District Court for the Southern District of New York
U.S. District Court for the Southern District of West Virginia
U.S. District Court for the Western District of Texas
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
Washington Attorney General's Office

unfounded election fraud claims, according to a docket entry in the Delaware state court case.
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Exclusive

NY Chief Judge Faces Ethics Probe As She Leaves Office

New York Chief Judge Janet DiFiore, who said Monday she plans to resign at the end of August, is currently under investigation by the state judicial ethics watchdog, according to documents obtained by Law360 and a person familiar with the matter.
Read full article »

Calif. Bar Seeks Further Discipline For Ex-Director

The State Bar of California filed disciplinary charges against its former executive director last week, claiming he spent State Bar funds on a trip to Mongolia and misled leadership into supporting a controversial bill.
Read full article »

Durbin Expresses Skepticism About Possible Ky. Judicial Pick

Sen. Dick Durbin, D-Ill., the chairman of the Senate Judiciary Committee, expressed concern Monday over the possible nomination of Chad Meredith, a conservative, anti-abortion attorney whom President Joe Biden had planned to name to a Kentucky judicial vacancy.
Read full article »

Ex-Baker Donelson Lobbyist Wants Timber Scam Counts Axed

A former Baker Donelson lobbyist charged in an immense timber-industry Ponzi scam asked a Mississippi federal judge Friday to throw out two securities charges he faces along with a firm partner.
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SUBJECT: NY Chief Judge Faces Ethics Probe As She Leaves Office
FROM: Public Policy Law360 <news-q@law360.com>

[redacted]

TO: hborski@utah.gov

DATE: 12/07/2022 02:28

PUBLIC POLICY

Tuesday, July 12, 2022

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Letter attached | Read full article »

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Read full article »

Mass. Justices OK Early Voting Law, Rejecting GOP Suit

Massachusetts's high court on Monday said the state can move forward with its expansion of mail-in and early voting, ruling against a state Republican Party challenge to the voting law.

Order attached | Read full article »

Bannon Loses Bid To Delay July Contempt Trial

A D.C. federal judge on Monday rejected former Trump White House aide Steve Bannon's motion to delay his July contempt of Congress trial to mid-October, clearing the way for jury selection to begin next week.

Read full article »

5th Circ. Says No Address, No Right To Deportation Notice

The Fifth Circuit said a Guatemalan immigrant couldn't use a faulty notice to appear in immigration court to contest a 17-year-old removal order, saying he wasn't entitled to proper notice as he hadn't given immigration officers his home address.

Opinion attached | Read full article »

BANKING & SECURITIES

CFPB Will Issue Small-Biz Lending Data Rule By March 2023

A California federal judge signed off Monday on a settlement deadline that gives the Consumer Financial Protection Bureau just under nine months to finalize regulations creating an expansive new data collection regime covering the $1.4 trillion small business lending market.

Order attached | Read full article »

Calif. Regulator Presses Usury Case Against Fintech OppFi

A California state regulator is defending its claims accusing fintech firm Opportunity Financial LLC of ripping off borrowers in the state with high-cost, "rent-a-bank" lending, telling a Los Angeles state court that the company's bid for

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[redacted]

dismissal clashes with California's approach to combating usury.

1 document attached | Read full article »

ENERGY & ENVIRONMENTAL

Monsanto Beats Delaware's Suit Over PCB Contamination

A Delaware trial court on Monday dismissed the state's suit alleging that Monsanto Co. knew for decades it was producing toxic chemicals that were contaminating Delaware waterways, finding the claims as stated were invalid under state law.

Opinion attached | Read full article »

Pa. Court Halts State's Carbon Limits On Power Plants

Pennsylvania's plan to make power companies buy allowances for carbon emissions is on hold, after a Commonwealth Court judge granted a preliminary injunction requested by four Republican state senators against the Keystone State's entry into the Regional Greenhouse Gas Initiative.

Opinion attached | Read full article »

CWA Doesn't Cover 'Soggy Lot,' Idahoans Tell Supreme Court

Two Idaho landowners told the U.S. Supreme Court on Friday the "soggy residential lot" where they want to build a house is far from the kind of thing Congress intended to protect under the Clean Water Act, asking the court to overturn the government's interpretation of that law.

Brief attached | Read full article »

Green Groups Slam BLM Analysis Of Arctic Drilling Project

Environmental groups are criticizing the U.S. Bureau of Land Management's revised environmental impact statement for a proposed oil and gas drilling project in the Arctic, saying an approval would conflict with the Biden administration's stated climate and public lands goals.

Read full article »

Gov't Tells 10th Circ. EPA Ruling Shouldn't Halt Wage Hike

The U.S. Supreme Court decision on the EPA's ability to regulate greenhouse gas emissions doesn't back two outdoor groups' argument that a rule increasing federal contractors' hourly minimum wage to $15 is unlawful, the government told the Tenth Circuit on Monday.

Letter attached | Read full article »

GOP AGs Ask 5th Circ. To Revive Short-Cycle Appliance Rules

A dozen Republican attorneys general want the Fifth Circuit to order the U.S. Department of Energy to reinstate Trump-era rules governing quick-cycle dishwashers, washing machines and dryers, arguing that the Biden administration failed to justify the rollback.

Brief attached | Read full article »

9th Circ. Told Community Needs Voice In Water Pipeline Fight

Community advocacy groups told the Ninth Circuit they deserve to partake in litigation challenging a key right of way for a water pipeline project, telling the court their participation became vital after the Biden administration decided not to defend the previous administration's past decision.

Brief attached | Read full article »

HEALTH & LIFE SCIENCES

Ky. Court OKs COVID Liability Shield Law, Axes Exposure Suit

A Kentucky state appeals court rejected a couple's bid to overcome the state law which provides immunity to businesses and health care providers for COVID-19 related personal injury lawsuits, saying the statute properly shields assisted-living service companies with qualified immunity.

Opinion attached | Read full article »

Miller & Chevalier
Morgan Lewis
Munger Tolles
Myron M. Cherry & Associates
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Regard Law Group
Rimon PC
Shook Hardy
Silverman Thompson
Sloan Eisenbarth
Sonosky Chambers
Squire Patton
Stoll Berne
Stoll Keenon
SulmeyerKupetz
Susman Godfrey
Thompson Miller
White and Williams

COMPANIES IN TODAY'S NEWS

Alibaba Group Holding Ltd.
Alliance for Children's Rights
American Society Of Composers Authors & Publishers
Apple Inc.
Association of Village Council Presidents
Bayer AG
Broadcast Music Inc.
Cadiz Inc.
Campaign for Tobacco-Free Kids
Center for Biological Diversity
Competitive Enterprise Institute
ConocoPhillips Co.
Defenders of Wildlife
Democracy Forward Foundation
Earthjustice
Fox Corp.
Fox News Network LLC
George Washington University
Georgetown University
Google LLC
LinkedIn Corp.
Minority Cannabis Business Association
Monsanto Co.
Mortgage Bankers Association
National Parks Conservation Association
National Shooting Sports Foundation Inc.
Native American Rights Fund Inc.
Navient Corp.
New York Post
Nike Inc.
Opportunity Financial, LLC
PAI Partners AB
Pacific Legal Foundation
Perrigo Co. PLC
Planned Parenthood Federation
Raytheon Technologies Corp.
Sierra Club
Skanska AB
Solutia Inc.
Spotify Technology SA
St. Joseph Health System
State Bar of California
StockX LLC
Texas Hospital Association
The Kroger Co.
University of California Irvine
Verizon Communications Inc.
Vimicro International Corp.

FDA Asked To Make Birth Control Pill Available OTC

A Perrigo Co. unit has asked the U.S. Food and Drug Administration to greenlight a birth control pill it currently sells by prescription for over-the-counter use, a move that comes not long after the U.S. Supreme Court erased the constitutional right to abortion.

Read full article »

IP & TECHNOLOGY

USPTO Floats Rule Aiming To Smooth Patent Term Adjustment

The U.S. Patent and Trademark Office on Monday proposed requiring patent applicants to use a standard form when submitting some statements that have implications for patent term adjustment, saying it will make the process more streamlined and accurate.

Notice attached | Read full article »

USPTO, Copyright Office To Study NFTs' IP Impact

The U.S. Patent and Trademark Office and U.S. Copyright Office are launching a joint study on nonfungible tokens, following a request to do so by lawmakers who said it was "imperative" to understand NFTs' impact on intellectual property rights.

Read full article »

MEDIA & ENTERTAINMENT

Ex-AG Barr Subpoenaed In Dominion's Del. Defamation Suit

Former Attorney General William Barr has been subpoenaed in Dominion Voting Systems' massive defamation suit alleging Fox News Network published unfounded election fraud claims, according to a docket entry in the Delaware state court case.

Read full article »

BMI Hits Back Against Radio Group's New Rate Request

Music licensing group BMI is pushing back against a bid by radio stations to have the same judge set licensing rates for both BMI and the American Society of Composers, Authors and Publishers, arguing long-standing orders forbid a joint proceeding.

3 documents attached | Read full article »

EMPLOYMENT & BENEFITS

Texas Presses Court To Nix Federal Gender Identity Guidance

Texas state officials have called on a federal court to wipe out guidance from federal agencies on gender- and sexuality-based workplace discrimination and gender-affirming care, arguing that the government is stretching the U.S. Supreme Court's watershed Bostock ruling too far.

Brief attached | Read full article »

CYBERSECURITY & PRIVACY

After Dobbs, FTC Pledges To Police Sharing Of Sensitive Data

Days after President Joe Biden said he would do "everything in his power" to ensure abortion access, including protecting the privacy of individuals seeking reproductive health care services, a Federal Trade Commission official announced Monday that the agency is cracking down on the illegal sharing of sensitive medical and location data.

Read full article »

Calif. Privacy Agency Officially Starts Clock On Rulemaking

California's new privacy agency has set an Aug. 23 deadline for stakeholders to weigh in on its first effort to craft regulations to guide companies in implementing tighter restrictions on how they use and share consumers' personal information, marking the first step in its highly anticipated rulemaking process.

1 document attached | Read full article »

CONSUMER PROTECTION

Baby Food Co. Must Face Claims Labels Violate FDA Rules

GOVERNMENT AGENCIES IN TODAY'S NEWS

Alaska Department of Law
Bureau of Land Management
Cabazon Band of Mission Indians
California Air Resources Board
California Supreme Court
Centers for Disease Control and Prevention
Colorado Department of Labor and Employment
Colorado Supreme Court
Consumer Financial Protection Bureau
Equal Employment Opportunity Commission
European Union
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Trade Commission
Food and Drug Administration
Government Accountability Office
Illinois Department of Agriculture
Kansas Attorney General's Office
Maryland Medical Cannabis Commission
Massachusetts Supreme Judicial Court
Nevada Department of Taxation
New York State Commission on Judicial Conduct
Office of Foreign Assets Control
Pennsylvania Department of Environmental Protection
Pennsylvania Supreme Court
State Bar of Texas
U.S. Attorney's Office
U.S. Attorney's Office for the District of Colorado
U.S. Copyright Office
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Alaska
U.S. District Court for the District of Columbia
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of Mississippi
U.S. District Court for the Southern District of New York

A California federal judge trimmed a proposed class action on Monday alleging that Sprout Foods' baby and toddler food products falsely advertise the products' health benefits, but he gave consumers another chance to amend and said the company must face claims its labels violate U.S. Food and Drug Administration regulations.

Order attached | Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Personal Injury, Med Mal Cases To Watch In 2nd Half Of 2022

A California high court case over employer liability in connection with "take-home COVID" claims and an imminent trial in the Kobe Bryant crash site photos suit are among the cases injury and malpractice attorneys will be following in the second half of 2022.

Read full article »

INTERNATIONAL TRADE

Treasury Sanctions Arms Dealer For Mexican Cartel

The U.S. Department of the Treasury on Monday sanctioned a suspected firearms dealer associated with a Mexican cartel that is known to traffic fentanyl and other drugs into the United States.

Read full article »

IMMIGRATION

9th Circ. Says Gov't Reasons For Denying Man Asylum Fail

A Ninth Circuit panel has sent an Armenian man's asylum request back to the U.S. Board of Immigration Appeals, saying nearly all purported inconsistencies the board relied upon when shutting down the man's asylum bid were not supported by the record.

Opinion attached | Read full article »

Feds Renew Venezuelans' Protections, But Won't Widen Them

The Biden administration extended deportation protections and work permits for more than 340,000 Venezuelans on Monday, but declined to shield newly arriving Venezuelans from the prospect of return to their country, roiled by economic and political turmoil.

Read full article »

NATIVE AMERICAN

56 Tribes, Fishers Wade Into Alaska Fishing Dispute

Subsistence fishers and an alliance of 56 tribes say a state order that would have opened a stretch of Alaskan river to gill net fishing would directly harm them and other rural residents.

Complaint attached | Read full article »

TELECOMMUNICATIONS

FCC Says 'Character' Case Not Ripe For Constitutional Debate

The Federal Communications Commission has told an agency administrative judge that efforts to pull a Tennessee radio station's license after the owner's felony conviction do not trample his free-speech rights, but he still has "ample opportunity" to eventually make that case in federal appeals court.

3 documents attached | Read full article »

FCC Says Verizon Should Pay $100K Over Voicemail Concerns

The Federal Communications Commission wants to fine Verizon $100,000 for not giving the agency enough data to figure out whether its Premium Visual Voicemail service fell short in accessibility for disabled users.

Notice attached | Read full article »

CANNABIS

Analysis

Can Strict Policing Turn Nev. Pot Biz Into The 'Gold Standard'?

U.S. District Court for the Western District of Texas
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Kansas

The Nevada Cannabis Compliance Board is proving to be a forceful presence two years into its existence, having doled out millions of dollars in fines to licensees for violations ranging from expired licenses and serving underage customers to not having paper towels in facility restrooms. It's a hard-line approach that the agency says will push the industry to become the "gold standard" of regulated markets.
Read full article »

Illinois Hit With 11 More Lawsuits Over Pot Grower Licenses
Nearly a dozen would-be cannabis growers have filed lawsuits in Illinois state court contesting the rejections of their applications for the 48 craft grow licenses the state issued in June, after the process had been held up for more than a year due to pending litigation.

11 documents attached | Read full article »

Kansas Gov. Seeks Ax Of Hemp Co. Product Seizure Suit
A Kansas cannabinoid seller who lost $120,000 during a local police raid doesn't have the right to sue the state's attorney general or governor in federal court over the seizure, the AG told a district court judge, adding that the state's criminal statute needs to be hashed out in Kansas court first.

2 documents attached | Read full article »

PEOPLE

Former Top Aide To US Senators Joins Kelley Drye In DC
Kelley Drye & Warren LLP announced last week that it hired a senior government relations counsel with experience working for three U.S. senators and a variety of nonprofits in its Washington, D.C., office.
Read full article »

Ex-Dykema Gossett Member Joins Bradley Arant In Dallas
A financial services-focused attorney has joined Bradley Arant Boult Cummings LLP after most recently working as a Dykema Gossett PLLC member for over four years, the firm recently announced.
Read full article »

EXPERT ANALYSIS

Opinion

Congress Should Fix High Court's Tribal Sovereignty Error
The U.S. Supreme Court's recent decision in Oklahoma v. Castro-Huerto has been rightly decried as undermining tribal sovereignty, and though tribes have some tools to mitigate the decision's impact, it is really up to Congress to right this wrong, say attorneys at Brownstein Hyatt.

Opinion attached | Read full article »

Notes On Social Equity From A Former Cannabis Regulator
Duane Morris' Matthew McCarthy, former lead prosecutor in regulatory enforcement actions at the Maryland Medical Cannabis Commission, shares observations on the multifaceted efforts by government and the cannabis business community to build a more equitable industry and foster diverse ownership, highlighting the role of data reporting and community outreach.
Read full article »

What Gov't Contractors Can Do With Scant Inflation Guidance
The limited federal guidance issued thus far to address record inflation that government contractors face is helpful for contractors entering into new agreements or with existing flexibly priced arrangements, but those with fixed-price contracts may need to consider other forms of relief, say attorneys at Miller & Chevalier.
Read full article »

How Multistate Employers Can Tackle Paid Leave Compliance
As more paid family and medical leave legislation winds through statehouses across the country, multistate employers must pay careful attention to the many practical and elemental differences between these laws, which create significant administrative and compliance challenges, say Anne Dana and Matthew Krimski at King & Spalding.

Read full article »

Agreement Among Litigants Key To Using E-Discovery Tech

Parties are increasingly using e-discovery technologies to control costs, but as a New York federal court order in Actos Antitrust Litigation shows, a well-drafted, negotiated protocol allows them to address potential objections prior to use and helps protect against later claims of incomplete production, say attorneys at McGuireWoods.

Order attached | Read full article »

LEGAL INDUSTRY

Former Rimon Lawyers Open IP Boutique In Silicon Valley

A group of six lawyers has left Rimon PC to launch a new Silicon Valley-based boutique focusing on intellectual property and complex commercial litigation.

Read full article »

Greenspoon Marder Adds Bankruptcy Firm SulmeyerKupetz

Greenspoon Marder LLP has added all nine attorneys from Los Angeles bankruptcy boutique SulmeyerKupetz, the firm announced Monday.

Read full article »

Pinsent Masons Elects New Senior Partner

Pinsent Masons LLP has elected a longtime corporate, transactional and private equity partner to serve as the firm's leader, the firm announced Monday.

Read full article »

Crowell Adds Ex-Squire Patton Energy Global Chair In DC

Crowell & Moring LLP has added an energy attorney who previously served as global chair of Squire Patton Boggs' energy and natural resources practice as a partner in Washington, D.C., the firm announced Tuesday.

Read full article »

Calif. Bar Seeks Further Discipline For Ex-Director

The State Bar of California filed disciplinary charges against its former executive director last week, claiming he spent State Bar funds on a trip to Mongolia and misled leadership into supporting a controversial bill.

Read full article »

Ex-Baker Donelson Lobbyist Wants Timber Scam Counts Axed

A former Baker Donelson lobbyist charged in an immense timber-industry Ponzi scam asked a Mississippi federal judge Friday to throw out two securities charges he faces along with a firm partner.

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SUBJECT: Deadliest metro areas for pedestrians; A big guaranteed incomeprogram gets underway; Broadband funding deadlines approach
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
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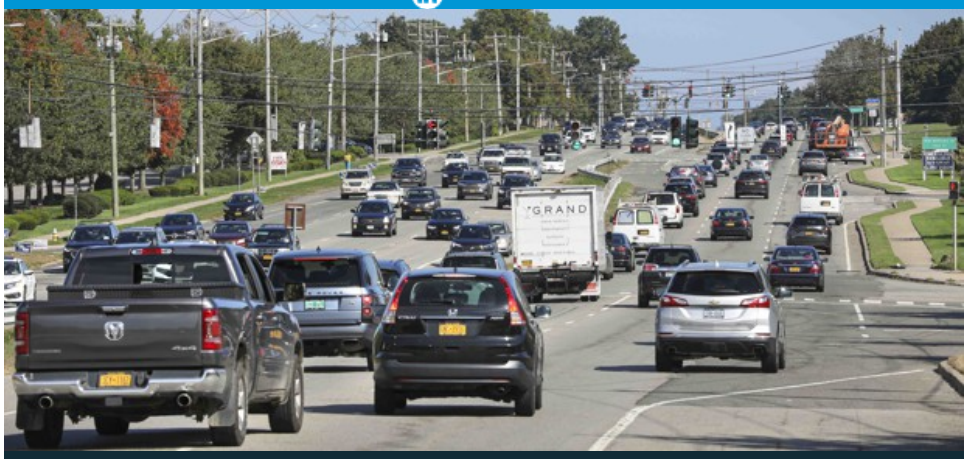
ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today

July 12, 2022



THE DEADLIEST US METRO AREAS FOR PEDESTRIANS

DANIEL C. VOCK | Crashes that killed people on foot went up after the pandemic began. New research looks at the places that saw the sharpest increases and the factors that make their streets especially dangerous.

ONE OF THE NATION'S BIGGEST CITIES BEGINS CASH PAYMENTS TO LOW-INCOME RESIDENTS

MOLLY BOLAN | For the next year, Chicago plans to distribute $500 a month to thousands of households who can use the money as they see fit.

DEADLINES APPROACH FOR BILLIONS IN BROADBAND FUNDING

KERY MURAKAMI | The federal grant programs will support state and local efforts to expand high-speed internet access and improve digital equity.

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Special purpose government districts in utilities, transit, libraries and more, are preparing for the future with funding opportunities from the Infrastructure Investment and Jobs Act. But navigating the sheer number of programs can be challenging. Learn strategies to best use federal funding to deliver broadband to underserved constituents and modernize and protect critical infrastructure in the IIJA Handbook.
Continue reading

ENERGY-PRODUCING STATES LAG IN LATEST ECONOMIC NUMBERS

TIM HENDERSON | STATELINE | Energy companies, short of workers, aren't ready to increase production.

ABORTION PROVIDERS ARE TRYING TO OPEN NEW CLINICS AS CLOSE AS POSSIBLE TO STATES WITH BANS

SHEFALI LUTHRA | THE 19TH | Providers hope the new clinics can help serve the surge of patients now expected to travel for abortions.

THE SIMMERING GOP CRITICISM OF STATE AND LOCAL ARPA SPENDING

KERY MURAKAMI | Republican lawmakers in the House and Senate have been bashing projects paid for with American Rescue Plan Act dollars that they see as wasteful. It could be a sign of further scrutiny to come if they take back one or both chambers of Congress.

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Historic investment in our nation's critical infrastructure
Special purpose government districts in utilities, transit, libraries and more, are preparing for the future with funding opportunities from the Infrastructure Investment and Jobs Act. But navigating the sheer number of programs can be challenging. Learn strategies to best use federal funding to deliver broadband to underserved constituents and modernize and protect critical infrastructure in the IIJA Handbook.
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FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 12/07/2022 06:08

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 12, 2022

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BY MATT BRACKEN

Twitter Email

TOP STORIES

- The Biden administration is eyeing a second round of COVID-19 booster shots for all adults, a plan that has the support of Dr. Anthony Fauci and White House coronavirus coordinator Dr. Ashish Jha, according to five officials familiar with the discussions, though the move would still require formal approval from regulators and public health officials. (The Washington Post) The discussions come amid rising cases of the omicron BA.5 subvariant and as the Department of Health and Human Services is set to renew the public health emergency designation for COVID-19, with the extension scheduled to take effect Friday, a person familiar with the matter said. (Bloomberg)

- HHS Secretary Xavier Becerra said federal law supersedes state abortion bans when emergency care for the mother is necessary, adding that the federal government can levy penalties on providers or institutions that refuse to perform abortions as needed in the case of medical emergencies such as ectopic pregnancies or miscarriages. Becerra cited the Emergency Medical Treatment and Active Labor Act, which protects providers over clinical actions they take with pregnant people in emergencies. (CNN)

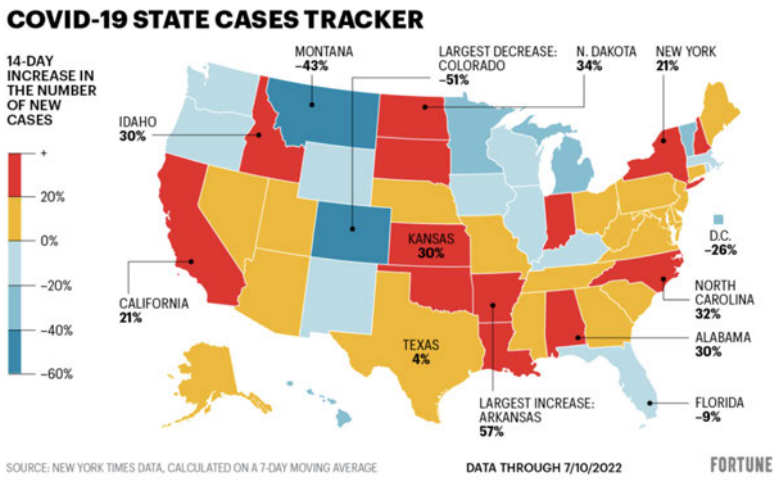
- A Government Accountability Office report said the Centers for Disease Control and Prevention's system for tracking international air passenger contact information for public health purposes is in need of "substantial improvement," highlighting an "outdated data management system" that hinders "the agency's ability to monitor public health risks and facilitate contact tracing." HHS said the CDC is in the early stages of a "complete redesign" of its reporting system, in addition to pursuing a project to improve travel data collection and compatibility with public health departments. (Reuters)

- The Biden administration said it will buy 3.2 billion doses of Novavax Inc.'s protein-based COVID-19 vaccine, which is expected to be authorized by federal regulators soon. Terms of the deal were not immediately disclosed by the federal government. (The New York Times)

CHART REVIEW

New Omicron subvariants are causing COVID rates to increase. These are the states where it's most contagious right now

Fortune



EVENTS CALENDAR (ALL TIMES LOCAL)

View Full Calendar

A MESSAGE FROM MORNING CONSULT

U.S. Jobs & Labor Market Trends Report

Inflation, financial volatility and talk of a looming recession have weighed heavily on consumer sentiment in 2022, and now the mood among workers is souring as well. Morning Consult examines these trends and more in our latest U.S. Jobs & Labor Report. Download now.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Moderna to advance two Omicron vaccine candidates against newer variants

Reuters

Moderna Inc said on Monday it was advancing two Omicron vaccine candidates for the fall, one designed against the BA.1 variant and another against the BA.4 and BA.5.

Is BA.5 the 'Reinfection Wave'?

Ed Yong, The Atlantic

Well, here we go again. Once more, the ever-changing coronavirus behind COVID-19 is assaulting the United States in a new guise—BA.5, an offshoot of the Omicron variant that devastated the most recent winter. The new variant is spreading quickly, likely because it snakes past some of the immune defenses acquired by vaccinated people, or those infected by earlier variants. Those who have managed to avoid the virus for close to three years will find it a little harder to continue that streak, and some who recently caught COVID are getting it again. "People shouldn't be surprised if they get infected, and they shouldn't be surprised if it's pretty unpleasant," Stephen Goldstein, a virologist at the University of Utah, told me.

When will you get COVID again? If you haven't had the new Omicron yet, it could be any day now

Erin Prater, Fortune

Those who had the original strain of COVID were able to be reinfected with Delta. Those who had Delta were able to be reinfected with Omicron. And now, this: If you've had COVID in the past but haven't had Omicron subvariants BA.5 or BA.4, coming down with one of the two is possible, if not likely—even if you've had another version of Omicron in the past, experts tell Fortune.

Hopes of Covid-19 Reprieve Fade as BA.5 Subvariant Takes Over

Jon Kamp and Jared S. Hopkins, The Wall Street Journal

Covid-19 levels are high in a fifth of U.S. counties, according to the Centers for Disease Control and Prevention's metric based on case and hospital data, a share that has been mostly rising since mid-April. BA.5 is estimated to represent more than half of recent U.S. cases that are averaging just more than 100,000 a day, CDC data show. The true number of infections may be roughly six times as high, some virus experts said, in part because so many people are using at-home tests state health departments largely don't track.

Undercounted Covid-19 cases leave US with a blind spot as BA.5 variant becomes dominant

Deidre McPhillips, CNN

Official Covid-19 case metrics severely undercount the true number of infections, leaving the United States with a critical blind spot as the most transmissible coronavirus variant yet takes hold.

GENERAL

NBC health analyst Vin Gupta passes on Biden admin role

Adam Cancryn, Politico

Public health commentator Vin Gupta has taken himself out of the running for a senior Food and Drug Administration job aimed at bolstering the agency's messaging operation, three people with knowledge of the matter told POLITICO.

Roe reversal spurs worries about miscarriage care

Ariel Cohen, Roll Call

The state laws enacted since the Supreme Court's June 24 decision in Dobbs v. Jackson Women's Health Organization have come in rapid succession: A doctor in South Dakota accused of inducing an abortion could be guilty of a Class 6 felony punishable by two years in prison.

911 for mental health is here. Officials are downplaying the launch.

Megan Messerly and Sarah Owermohle, Politico

State health officials, unsure they have the money or staff to respond to an expected flood of calls to 988 — the new mental health hotline number — are tempering expectations just days ahead of its launch.

White House Slams Texas Republicans Targeting Sidley on Abortion

Meghan Tribe and Courtney Rozen, Bloomberg Law

President Joe Biden's spokesperson on Monday condemned Texas Republican lawmakers' threat to penalize Sidley Austin and other Texas law firms that have pledged to pay for out-of-state abortions.

Abortion bans force U.S. students to rethink college plans

Sharon Bernstein and Rose Horowitch, Reuters

The U.S. Supreme Court's decision in June to overturn the 1973 Roe v. Wade case that legalized abortion nationwide has some students rethinking their higher education plans as states rush to ban or curtail abortion, according to interviews with 20 students and college advisers across the country.

Drinking alone when younger linked to alcoholism in mid-30s

Sandee LaMotte, CNN

Drinking alone during adolescence and young adulthood can strongly increase the risk for alcohol abuse later in life, especially if you are a woman, a new study finds.

Sleep joins the list of eight key factors for heart health

Linda Searing, The Washington Post

Routinely getting a good night's sleep has been added to the American Heart Association's list of key components of cardiovascular health, lengthening the list to eight factors the association believes can lead to a longer, higher-quality life without heart disease.

Michigan advocates submit signatures for abortion rights ballot measure

Nathaniel Weixel, The Hill

A coalition of advocacy groups, including the American Civil Liberties Union (ACLU) of Michigan and Planned Parenthood Advocates of Michigan, said it secured nearly 754,000 signatures to put an abortion rights constitutional amendment on the ballot in November.

Weed-killing chemical found in majority of U.S. urine samples

Kate Gibson, CBS News

A widely used but controversial herbicide linked to cancer is showing up in people, with a government study finding glyphosate in more than 80% of urine samples from U.S. kids and adults.

Scientists are searching for solutions after studies show pulse oximeters don't work as well for people of color

Jacqueline Howard, CNN

On a person of color, the pulse oximeter could indicate a patient's oxygen levels are normal, suggesting they could be discharged home — but then their blood samples might show low oxygen levels, suggesting they not only needed additional care but also oxygen support.

District court temporarily blocks Arizona law granting "personhood" rights to fetuses

Shawna Chen and Oriana Gonzalez, Axios

A U.S. district court on Monday temporarily blocked a 2021 Arizona law that grants "personhood" rights to fetuses, embryos and fertilized eggs.

In the label 'adult failure to thrive,' medicine reveals its own failures

Eric Boodman, Stat News

The death certificate made everything worse. Seth Fischer was already angry: a physical feeling, an overwhelming internal buzz. He would go for runs, only to find himself passing the white bulk of mobile morgues, refrigeration whirring — and his mind would end up back on his dad, in respiratory distress, dying of Covid or Alzheimer's, he'd never know which. He'd requested a post-mortem coronavirus test, and had been told there weren't enough. I don't want to be offensive, someone from the health department had said, but he's already dead, what good's it going to do?

PAYERS

Insurers propose premium increases as subsidy cliff looms

Jessie Hellmann, Roll Call

Insurers in the individual market are proposing significant rate increases for 2023 — a move that will add more pressure for Congress to extend subsidies that help people buy health insurance.

Supreme Court to decide if Medicaid providers, patients can sue states

Nona Tepper, Modern Healthcare

A federal court's ruling that a Chicago hospital can sue the state Medicaid agency for allegedly failing to ensure proper payment from private insurers sets the stage for a deluge of similar suits from providers—if the nation's highest court preserves Medicaid participants' right to sue.

Business Group: These are employers' key concerns following Supreme Court abortion ruling

Paige Minemyer, Fierce Healthcare

The Business Group on Health issued a letter to the departments of Health and Human Services, Labor and the Treasury outlining four steps the agencies could take to make it easier for employers to navigate challenges that could arise following the Dobbs v. Jackson Women's Health Organization ruling.

PROVIDERS

Hospital price data reveals wide variation in facility fees

Alex Kacik, Modern Healthcare

Larger, for-profit hospitals charged patients higher facility fees for emergency care than not-for-profit hospitals, a new study found.

Hospital-Acquired Pneumonia Is Killing Patients. Yet There Is a Simple Way to Stop It.

Brett Kelman, Kaiser Health News

Hospital patients not getting their teeth brushed, or not brushing their teeth themselves, is believed to be a leading cause of hundreds of thousands of cases of pneumonia a year in patients who have not been put on a ventilator. Pneumonia is among the most common infections that occur in health care facilities, and a majority of cases are non-ventilator hospital-acquired pneumonia, or NVHAP, which kills up to 30% of those infected, Giuliano and other experts said.

TikTok doc makes physicians laugh at themselves

Dawn Fallik, The Washington Post

Emergency room doctors savor adrenaline and bike helmets. Orthopedic doctors are bros who love the gym. Neurosurgeons are just a tad confident. And medical students are living in a special kind of hell, from match day to rotations. They have one thing in common — being mocked by Will Flanary, an ophthalmologist known to millions in the medical world as "Dr. Glaucomflecken," a term for a sign of glaucoma.

PHARMA, BIOTECH AND DEVICES

Teva lied about opioid role, New York says

Jonathan Stempel, Reuters

New York's attorney general on Monday said Teva Pharmaceutical Industries Ltd (TEVA.TA) lied to evade accountability for helping fuel the state's opioid crisis, and should be restored to litigation where the Israeli company's U.S. unit had been found liable.

Sanofi's New Jevtana Patent Claims Should Be Barred, Judge Says

Christopher Yasiejko, Bloomberg Law

Sanofi's allegations that generic versions of Jevtana proposed by Apotex Inc. and Sandoz Inc. infringe "substitute" claims of a patent for the prostate cancer treatment should be dismissed because Sanofi already sued them over the patent and lost, a Delaware federal magistrate judge recommended.

HEALTH TECHNOLOGY

Optum forms joint venture with healthcare media group

Nona Tepper, Modern Healthcare

Optum has partnered with media company Red Ventures to combine consumer healthcare news and information with online pharmacy and telehealth services.

Primary care company Forward cuts 5% of workforce amid 'extremely tough' market conditions

Heather Landi, Fierce Healthcare

Primary care company Forward, reportedly worth more than $1 billion, is the latest digital health startup to feel pressure from the current market downturn. The company confirmed to Fierce Healthcare it cut 5% of its workforce.

Using Artificial Intelligence to Predict the Next Covid Variants

Riley Griffin, Bloomberg

As pharmaceutical companies struggle to keep up with the rapidly mutating coronavirus, a startup in Cambridge, Mass., says it can help them by using artificial intelligence to predict future variants. Apriori Bio models the ways a virus might change and predicts how it will behave. The company says it's harnessing that information to design "variant-proof" vaccines and treatments that can fight current and future strains—and provide an early warning to governments, sort of like a hurricane alert, to guide the public-health response.

Market downturn dampens digital health funding, M&A in 2022. These sectors raked in the most cash

Heather Landi, Fierce Healthcare

After reaching a fever pitch in 2021, digital health funding cooled down in 2022, raising $10.3 billion across 329 deals in the first six months.

OPINIONS, EDITORIALS AND PERSPECTIVES

In Defense of Pharmacy Benefit Managers

Joe Grogan and Casey B. Mulligan, The Wall Street Journal

Washington is a town not known for bipartisan agreement. But its swarms of drug-company lobbyists appear to have united both parties in opposition to pharmacy benefit managers. PBMs are taking the blame for high drug prices.

FDA rule would facilitate prescription-to-OTC switches but nix a third class of drugs

Martha Rumore, Stat News

After a decade-long wait, the Food and Drug Administration finally issued a proposed rule in late June that would make it easier for pharmaceutical companies to switch products from prescription-only to over-the-counter status while still retaining a prescription version.

RESEARCH REPORTS

Contact Tracing for Air Travel: CDC's Data System Needs Substantial Improvement

Government Accountability Office

The U.S. Centers for Disease Control and Prevention collects information on air passengers to help local public health authorities trace the potential spread of communicable diseases (e.g., COVID-19). But some of the ways in which CDC collects and manages passengers' information make it harder to effectively facilitate contact tracing. For example, the outdated data management system CDC uses doesn't allow it to connect related cases or easily report the number of passengers exposed to a single infected person on a flight. We recommended ways to improve CDC's air passenger data system.

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July 12, 2022

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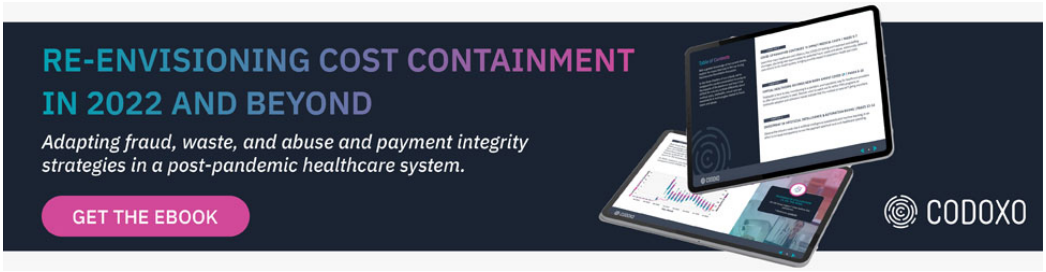


TOP STORIES

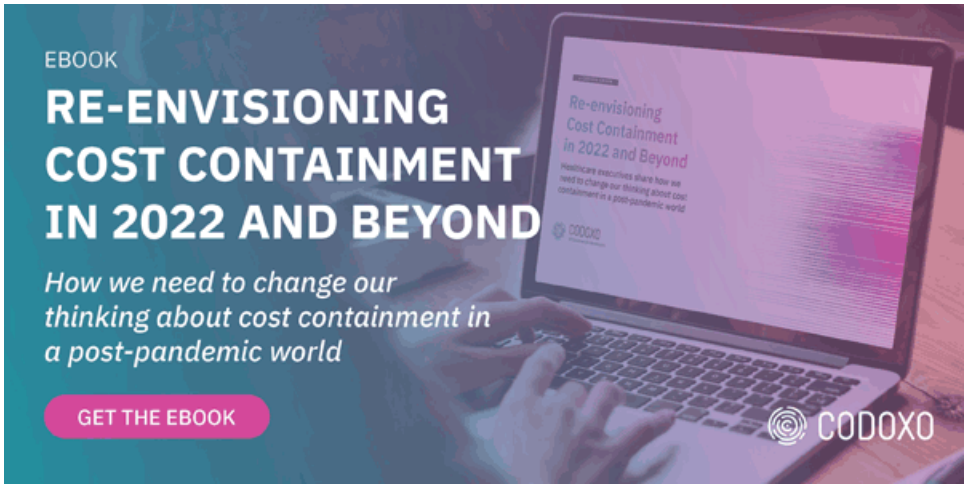
Administration mulls 2nd booster dose for all adults

(Joe Raedle/Getty Images)

The Biden administration is considering a plan to allow all American adults to receive a second round of COVID-19 vaccine boosters, pending authorization from the FDA and the CDC, as the contagious BA.5 and other Omicron subvariants continue to spread. New COVID-19 cases have held relatively steady, but hospitalizations have been rising, and the plan under discussion would allow administration of second boosters of existing vaccines this summer, as well as with reformulated versions of the vaccine this fall. **Full Story:** Politico (7/11), The Washington Post (tiered subscription model) (7/11)

COVID-19 cases are severely undercounted, experts say

The US has been reporting a daily average of about 107,000 new COVID-19 cases for the past two weeks, but the actual case count may be around seven times higher, according to the Institute for Health Metrics. Health experts say the underreporting, driven by increased reliance on at-home COVID-19 tests and shifting attitudes among the public, could make it difficult to direct resources, manage public health responses to emerging variants and limit the spread of disease. **Full Story:** CNN (7/11)



New Codoxo eBook: Re-envisioning Cost Containment in 2022 and Beyond

COVID-19 has driven healthcare executives to re-shape their strategies and think differently about medical costs, telehealth, virtual care, and investments in technologies related to fraud, waste and abuse and payment integrity. **Get your copy of Codoxo's eBook today!**

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PROVIDERS & SUPPLIERS

How health system leaders can reduce inequality

(Pixabay)

The fee-for-service health care system subtly encourages bias, but inequity costs the US some $320 billion in health care spending each year, according to a Deloitte report. Health system leaders can use data and technology to improve both financial stability and health equity by eliminating barriers to care for the patient populations they serve, forming cross-sector partnerships, measuring inequality and progress, addressing individual and community barriers to equality, and building public trust, Deloitte researchers say. **Full Story:** HealthLeaders Media (7/7)

Efficiency, productivity and automation are all positive goals that we strive for, but in health care it can mean more than just a better run business, it can save lives.

Join us July 14th for an in-depth look at how you can deliver high-quality whole person care from anywhere and meet these challenges head on!

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MEDICAL UPDATE

Study: Regularly adding salt to food may raise mortality risk

(Pixabay)

Regularly adding salt to food was associated with a 28% greater risk of premature death, compared with rarely adding salt, according to a study published in the European Heart Journal. The study took into account dietary, exercise, smoking and drinking habits, as well as weight and health conditions like diabetes. Registered dietitian Whitney Linsenmeyer, a spokesperson for the Academy of Nutrition and Dietetics, said people often add salt out of habit and sometimes "it just takes a bit of raised consciousness to break that habit." **Full Story:** HealthDay News (7/11), MedPage Today (free registration) (7/10)

Hormone therapy, oral contraceptives may up stroke risk

Research published in the journal Stroke suggests that oral contraceptives and hormone therapy may contribute to an increased risk for stroke in women who use them. Researchers examining data from more than 250,000 patients in the UK Biobank found higher hazard rates of any type of stroke and cause-specific stroke in the first year of hormone use compared to nonusers, and they also found a higher risk of stroke during hormone therapy and after its discontinuation. **Full Story:** Healio (free registration)/Cardiology Today (7/9)

Behavioral Health Impact on Hospitalizations

In our latest white paper, MCG Physician Editor and ASAM member, Dan Bristow, MD, explores the significant impact of mental health comorbidities on hospitalizations and potential solutions to help payers optimize the treatment of these disorders. **Read more.**

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TOUCHPOINTS PODCAST

This episode is brought to you by Wellframe

Why your CX is only as good as your EX

Health care is as personal as it gets, yet employees who feel overwhelmed and unheard can't deliver the kind of compassion and care members need. Ingrid Lindberg of Chief Customer and Michele Gabron of Wellframe share what health plan leaders need to know to meet the needs of their teams, so they can meet the needs of their members. **Listen to the episode.**

EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

Inaccurate pulse oximeter readings lead to care disparities for people of color

A study of 3,069 ICU patients at a Boston hospital from 2008 to 2019 showed Black, Asian and Hispanic patients received significantly less supplemental oxygen than white patients due to inaccurate pulse oximeter readings of their blood oxygen levels related to their skin pigment. The findings were published in JAMA Internal Medicine. **Full Story:** Boston (7/11), Reuters (7/11)

Telemedicine effective for thoracic cancer care, but access is uneven

Unsuccessful telemedicine visits were associated with poor clinical outcomes for patients with thoracic cancer, and patients who are Black, are covered by Medicaid or live in areas with high cancer mortality rates are the least likely to complete an audio-visual telemedicine visit, researchers reported in JAMA Network Open. Patients who did not complete a scheduled telemedicine visit had a higher likelihood of visiting an emergency department or urgent care clinic or being hospitalized than patients who completed a visit, while patients with successful telemedicine visits were less likely to die than patients with in-person visits only. **Full Story:** Healio (free registration)/HemOnc today (7/7)

Racial disparities seen in outcomes among patients with leukemia

A study in the journal Blood Advances found that Black patients with acute myeloid leukemia had poorer responses to clinical trial treatments compared with white patients. The analysis of data for 89 Black patients and 566 white patients found that white patients had a

median survival of 10.2 years compared with Black patients at 1.3 years. **Full Story:** HealthDay News (7/7)

Report: Focus on SDOH may lead to better T2D outcomes

Nonmedical interventions that target social determinants of health -- such as food supplementation with referral and diabetes support, skills training to improve financial status and housing relocation -- may help reduce risks and improve outcomes for individuals with type 2 diabetes, according to researchers at the Medical College of Wisconsin. These strategies "may be used as a guide to build that empirical foundation to improve clinical outcomes for adults with type 2 diabetes," they wrote in a literature review published in Health Affairs.
Full Story: HealthDay News (7/10)

Avoid Costly Prescription Mistakes

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Alignment Healthcare to Introduce Award-Winning Medicare Advantage Plans with its Unique Care Model to Half a Million Medicare-Eligible Adults in Florida

Cigna: How Businesses Can Turn their Employee Health Plan into a Growth Plan

Consumers want a more connected, personal health care experience, new CVS Health study reveals

Independence Blue Cross is collaborating with Philadelphia-based Cocolife.black and Cayaba Care to address maternal health equity challenges

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SOLUTIONS PROVIDER NEWS

- **American Health Plans Selects the BPaaS Offering from RAM Technologies, Inc. (RAM Health Services) for the Administration of I-SNP Business**
- **WorldClinic Earns URAC Telehealth Accreditation**
- **Vitality Group Appoints Health Solutions and Technology Expert Maia Surmava as New CEO**

PHARMA NEWS

FDA OKs Horizon's pegloticase for uncontrolled gout

The FDA has approved Horizon Therapeutics' supplemental biologics license application to use its Krystexxa or pegloticase injection in combination with methotrexate to help patients with uncontrolled gout achieve a complete therapy response. The approval was based on trial data that showed patient response was more than 30% higher among patients who received the Krystexxa and methotrexate combination compared with those who received Krystexxa and placebo. **Full Story:** The American Journal of Managed Care (7/9)

POLICY WATCH

USPTO, FDA unite to address "incremental" drug patents

The US Patent and Trademark Office, in partnership with the FDA, plans to scrutinize drug patenting procedures that prevent or delay the launch of lower-cost generics or biosimilar drugs. The initiative will focus on the practice of patenting "incremental, obvious changes to existing drugs that do not qualify" for new protections. **Full Story:** FiercePharma (7/7)

AHIP NEWS

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Webinar: Managing end-stage kidney disease - register today.

Join us on Thursday, July 28 from 2 to 3 p.m. ET for "Get Back to Basics: CX Lessons from Members & Health Plans" as Zipari gets back to the basics of engaging members in their health journeys, focusing on 5 key lessons learned from health insurance providers and members, and their own experiences in the industry.

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SUBJECT: July 12th Wellness and Prevention Digest
FROM: Trust for America's Health <info@tfah.org>
TO: hborski@utah.gov
DATE: 12/07/2022 09:06

Wellness and Prevention Digest

TODAY'S NEWS - July 12th, 2022

Reports and Announcements

- Authors from CDC's Division of Nutrition, Physical Activity, and Obesity recently published Trends in Anemia Among Pregnant Women Participating in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), United States 2008-2018, in the *Morbidity and Mortality Weekly Report.* This study found that anemia prevalence increased significantly in 36 (64%) of the 56 agencies in states, DC, and territories, and decreased significantly in 11 (20%).

- Supported by the Robert Wood Johnson Foundation, *Raising the Bar* provides an actionable framework for the entire healthcare sector—from providers, to payers, to the public health community—to embed equity throughout its work and help achieve optimal health for all. *Raising the Bar* worked with healthcare leaders and those who experience inequities to craft foundational, central principles that can serve as healthcare's gravitational force to continuously center equity work. Essential roles healthcare must play revolve around these principles, each with corresponding concrete actions that can improve equity.

- Applications for the The Culture of Health Leadership Institute for Racial Healing (CoHLI) close on July 14th. CoHLI is an 18-month leadership experience supported by the Robert Wood Johnson Foundation that uses the Truth, Racial Healing and Transformation (TRHT) framework to strengthen the ecosystem of practitioners who are advancing racial and health equity in their work. The program is designed to shift narratives about racial hierarchy and expand the network of practitioners putting the TRHT framework into practice. The program provides participants with opportunities to connect with a national community of like-minded people who support and help one another as they gain tools and resources that accelerate actionable and transformative change.

- The New York Academy of Medicine (NYAM) has announced Ann Kurth, PhD, MPH, MSN, CNM, FAAN, FACNM, as its next President, effective January 1, 2023. Dr. Kurth, who currently serves as Dean of the Yale School of Nursing, will be the first non-physician and first nurse to lead the organization in its 175-year history. Read more.

[redacted]

- Arlington, Virginia, has been named “America’s Fittest City” in the annual American Fitness Index® rankings published by the American College of Sports Medicine (ACSM) and the Elevance Health Foundation, the philanthropic arm of Elevance Health. The ACSM / Elevance Fitness Index evaluated America’s 100 largest cities using 34 evidence-based indicators. Rounding out the top 10 fittest cities are Madison, Wisconsin; Minneapolis, Minnesota; Washington, D.C.; Seattle, Washington; Irvine, California; Portland, Oregon; St. Paul, Minnesota; Denver, Colorado; and Chicago, Illinois (first time in the top 10). Full rankings and scores, a summary report, city comparison tool and other insights are accessible on the Fitness Index website.

Events

- Reminder - Join TFAH and Well Being Trust on July 14th for a national webinar on our recently released report, Pain in the Nation: The Epidemics of Alcohol, Drug, and Suicide Deaths. The report is the latest in a series of reports tracking the nation’s deaths of despair crisis. Deaths associated with alcohol, drugs, and suicide took the lives of 186,763 Americans in 2020, a 20 percent one year increase in the combined death rate and the highest number of substance misuse deaths ever recorded for a single year.

- The Bipartisan Policy Center is hosting the National Convening to Inform the White House Conference on Hunger, Nutrition, and Health on July 14th. This event, in advance of the White House Conference this fall, will help develop a roadmap to improve nutrition, end hunger, and reduce diet-related chronic diseases in the United States by 2030.

- Reminder - TFAH's next Age-Friendly Public Health Systems Training will take place on July 21st and focus on the importance of data in addressing social determinants of health among older adults. This session will also highlight how some states have developed and used data on older adults to advance healthy aging in their communities. You can register here and view June's training session on food security and nutrition here.

- The National Indian Health Board (NIHB) and the Alzheimer's Association invite you to join the July 26th National Brain Health Webinar, Four Paths to Addressing Dementia in Tribal Communities, highlighting the work of four Tribal sub awardees in addressing Alzheimer's disease and related dementias (ADRD) in their communities.

Take Action

- The Protecting the Health of America's Older Adults Act (H.R. 6302) would create a healthy aging program at CDC, including grants to states for public health approaches to healthy aging. A fact sheet to the bill, which includes a list of endorsing organizations, can be found here. To endorse the bill, fill out this form (no need to fill it in if your organization is already listed).

- The Improving Social Determinants of Health Act of 2021 (S. 104/H.R. 379) would create a SDOH program at CDC, including grants to states for a public health approach to SDOH. A fact sheet to the bill, which includes a list of endorsing organizations, can be found here. To endorse the bill, fill out this form (no need to fill it in if your organization is already listed).

Opportunities and Deadlines

Sign On Documents and Opportunities for Input

- The Office of Minority Health (OMH) at the U.S. Department of Health and Human Services has released a funding opportunity announcement soliciting applications from public and non-profit private entities to be demonstration sites that identify and implement innovative strategies to enhance language access services through (1) policy development and implementation; (2) technology utilization; (3) education for individuals with limited English proficiency (LEP); and (4) education for providers, including medical support staff. The deadline to apply is July 15th.

- The Art & Science of Health Promotion Conference is now accepting proposals for the 2023 conference. Proposals are welcome for sessions that present health promotion strategies and programs that produce the best outcomes from a science and practice perspective, also address how to develop, implement and measure programs as well as explore emerging concepts. The 2023 Conference theme is The Wisdom of Rethinking: Promoting & Practicing Intellectual Humility to Advance Health & Well-Being. The deadline to submit a proposal is July 31st.

- USDA is interested in learning from stakeholders how we can better meet the needs of customers seeking kosher or halal foods through The Emergency Assistance Food Program (TEFAP). So far, USDA has held discussions with several advocacy organizations, 9 State Agencies, and food banks in those states that serve communities with kosher and/or halal food needs. USDA is reviewing the information gathered through these conversations to determine some actions and next steps we can take to better meet the needs of customers seeking kosher and halal foods. USDA is interested in feedback from States and food banks in all States and territories about how to best meet their customers' needs. Feedback can always be shared with your State Agency or sent to USDAFoods@usda.gov.

- U.S. Surgeon General Vivek Murthy is calling for research, data, and personal experiences related to health misinformation, in an effort to deepen our collective understanding of its sources and impact. In 2021, the Surgeon General released a Surgeon General's Advisory on Confronting Health Misinformation, accompanied by a toolkit for community leaders. As the next step in this work, and as part of an ongoing dialogue with the American public, the Surgeon General is now putting out a Request for Information (RFI) on the Impact of Health Misinformation in the Digital Information Environment in the United States Throughout the COVID-19 Pandemic.

- The Asian & Pacific Islander American Health Forum (APIAHF) has launched a crowdsourcing project to collect Asian American and Native Hawaiian & Pacific Islander in-language COVID-19 resources. APIAHF will gather all of the responses and organize them by language here so that people can see the variety of available resources. Please fill out the form here to submit a resource. Resources will be compiled on a rolling basis.

- Johns Hopkins Bloomberg School of Health and the de Beaumont Foundation recently released the report Seven Ways Business Can Align with Public Health for Bold Action and Innovation. To support collaboration between business and public health, the organizations are collecting endorsements and stories of alignment, which are reflections on how organizations are applying recommendations from the report as well as endorsements, which will be accepted on a rolling basis.

Funding Opportunities and Awards

- EPA has launched the Let's Talk About Heat Challenge, a national competition to identify innovative and effective communication strategies that inform people of the risks of extreme heat and offer ways to keep safe during the hottest days. The challenge was developed in support of the National Climate Task Force's Extreme Heat Interagency Working Group, which is being led by EPA, the National Oceanic and Atmospheric Administration (NOAA), and the U.S. Department of Health and Human Services (HHS) with support from the White House. Winning solutions will include identification of and engagement with people known to be most susceptible to extreme heat risks, including but not limited to underserved and overburdened communities. The challenge will award up to 10 prizes from a total prize pool of $120,000. Submissions are due by July 22nd.

- The National Headache Foundation is seeking nominations of Headache Heroes, a campaign to recognize people who have made a difference in the headache and migraine community, in the following categories. Nominations are due July 31st.
    - Healthcare Professional: Any healthcare provider who has made a difference.
    - Patient: Someone living with migraine disease or headache disorders.
    - Caregiver: The unsung hero caring for someone living with migraine disease or headache disorders.
    - Advocate: An individual or organization that is pursuing legislative, regulatory, or funding opportunities on behalf of the headache and migraine community.

- CDC recently announced a Notice of Funding Opportunity for Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems Department of Health and Human Services. This funding is a first of its kind, non-categorical and cross-cutting programs, intended to help meet critical infrastructure and workforce needs in the short-term; and it should also make possible strategic investments that will have lasting effects on public health agencies across the United States. To that end, it will support strategically strengthening public health capacity and systems related to the workforce, foundational capabilities, data modernization, physical infrastructure and support from national public health partners. The deadline to apply is August 15th.

- The National Headache Foundation (NHF) announced a new annual award, the Ellen Aubry Memorial Award, to recognize the accurate depiction of headache and migraine disorders in film and television. Nominations are now being accepted and can be submitted by both viewers and producers for consideration until August 15, 2022. The

winners will be recognized at the NHF's 36th Annual Gala on October 8, 2022, in Chicago, Ill.

- Applications are open for the de Beaumont Foundation's Modernized Anti-Racist Data Ecosystems (MADE) for Health Justice grant opportunity. The grants seek to accelerate the development of health-focused local data ecosystems that center principles of anti-racism, equity, justice, and community power. Through MADE for Health Justice, non-profit organizations will be funded to build and facilitate multi sector teams tasked with creating local data ecosystems. These ecosystems must focus on improving community health, connecting data across multiple sectors of local government, prioritizing the needs and voices of communities oppressed by structural racism, and ultimately driving just and equity-centered decision making. The deadline to apply is August 31st.

- NIH's Office of Nutrition Research (ONR) has issued the notice of special interest (NOSI) Stimulating Research to Understand and Address Hunger, Food and Nutrition Insecurity. The purpose of this NOSI is to encourage research on the efficacy of interventions that address nutrition security and the mechanisms of food insecurity on a variety of health outcomes. It also calls for the development of new measures for nutrition security and assessment of food insecurity that are broadly applicable. It was developed by the ONR Implementation Working Group on Nutrition and Health Disparities in collaboration with NIH Institutes and Centers (ICs) and Offices in support of the goals and objectives of the Strategic Plan for NIH Nutrition Research. Deadline, October 5th.

- The Center for Science in the Public Interest's (CSPI's) first round of grantmaking for 2022 is now open. CSPI seeks to support communities as they explore local, state, and federal policy interventions to elicit systemic change and advance a just and equitable food environment. CSPI is focused on identifying strategies and passing policies aimed at increasing purchasing power for, and access to, nutritious food that meets people's needs, supporting a healthier food environment, and reducing health disparities across demographic groups. Several opportunities are currently open, with details available here.

- Evidence for Action's released an open and rolling call for proposals, Innovative Research to Advance Racial Equity. Through this CFP they seek to fund researchers, practitioners, community leaders, advocates, policymakers, and/or other stakeholders to investigate the impacts of various social interventions on health and racial equity outcomes. They are interested in projects that develop and disseminate evidence about what works to advance racial equity and improve health and well-being outcomes for people and communities of color.

Other

- Learn how your health department can protect workers and diners from COVID-19 with a new, video-based, interactive training developed by the Public Health Foundation, in partnership with the Food and Society Program at the Aspen Institute. The training, Safety First: Helping Restaurants Reduce the Spread of COVID-19, is now available through the TRAIN Learning Network.

- The National Headache Foundation (NHF) launched Primary Care Migraine, a new educational training program available at no cost to health practitioners. The program was announced by Tom Dabertin, Executive Director and Chief Executive Officer of the National Headache Foundation. The course also offers a diagnosis tool to assist one in quickly diagnosing migraines while interviewing and examining patients.

- Prevent Blindness is seeking applicants for the A.S.P.E.C.T. (Advocacy, Support, Perspective, Empowerment, Communication, and Training) Program, which aims to equip participants with the knowledge, skills, and confidence to become advocates for vision and eye health- at the individual, peer-to-peer, community, state, or national levels via an 8-week educational series.

Upcoming Events

Today's Additions in Red

Live Conversation: A New Vision for the Future of Childcare
Sponsored by the Robert Wood Johnson Foundation
Friday, July 15th, 1:00 p.m. (ET) - webinar
For more information and to register

Emergency Response for People Living with Dementia and Their Caregivers: Preparing for Emergencies via Coordinated Efforts of First Responders and Local Aging Organizations
Sponsored by NADRC
Tuesday, July 19th, 1:00 - 2:00 p.m. (ET) - webinar
For more information and to register

Office of the National Coordinator for Health Information Technology's (ONC) Social Determinants of Health (SDOH) Information Exchange Learning Forum Webinar
Tuesday July 19th, 1:30 - 3:00 p.m. (ET) - webinar
For more information and to register

Summit on Mental Health in America
Sponsored by the Alliance for Health Policy
Wednesday, July 20th
Washington, DC
For more information and to register

Harvard Chan C-CHANGE Youth Summit on Climate, Equity, and Health
July 24th - 30th
Boston, MA
For more information and to register

2nd National Conference on American Indian/Alaska Native Injury and Violence Prevention
Sponsored by CDC and Indian Health Service
July 26th - 28th - virtual
For more information and to register

SHIFT Summit
Sponsored by GP RED
October 17th - 20th (Presentation Proposal Deadline June 15th)
Fort Collins, CO
For more information and to register

SOPHE Advocacy Summit
October 21st - 24th
Washington, DC
For more information and to register
Abstracts due July 1st

2022 Mom and Baby Action Network Summit
Sponsored by March of Dimes
October 24th - 25th
Atlanta, GA and virtual
For more information and to register

Active Living Conference
Sponsored by GP RED
March 13th - 16th, 2023
Bethesda, MD
For more information and to register

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FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 12/07/2022 09:46

July 12, 2022

BECKER'S

HOSPITAL REVIEW

Virtual Events • Webinars • Whitepapers • OnDemand Learning • Podcasts

1. HHS clarifies: All US hospitals must provide abortions in emergency cases **Full story**
2. UNC flagship hospital's Medicare contract in jeopardy **Full story**
3. Nurse, paramedic stabbed at SSM Health hospital **Full story**
4. Labor represents 60% of hospital costs. You understand the pressure to reduce labor costs while maintaining high quality patient care. Learn how mobilizing local clinical professionals will help you do just that.
5. How to launch a PBM, Mark Cuban style **Full story**
6. Mass General Brigham plans huge expansion of remote patient monitoring **Full story**
7. Hospital leaders are using the wrong information to make expensive operating room decisions. Here's how one Florida hospital increased primetime utilization by more than 8%.
8. Optum's new joint venture includes Healthgrades **Full story**
9. LA sets $25 minimum wage for about 20,000 healthcare workers **Full story**
10. St Luke's Hospital announces CEO **Full story**
11. 69% of hospitals rely on vendor solutions that could exacerbate revenue leakage. Set a new course for financial excellence here.
12. As BA.5 spreads, experts wonder: Where are the masks? **Full story**
13. Meritus Health to open medical school **Full story**
14. 10 most, least stressed US cities **Full story**

Becker's Whitepapers

15. Stats by state:

- COVID-19 hospitalization rates
- COVID-19 test positivity rates
- Percentage of population fully vaccinated
- COVID-19 death rates
- ICU utilization
- Staffing shortages
- Booster rates
- COVID-19 vaccination rates up/down
- COVID-19 cases trend

innovation and the future of care delivery
Winning the patient access game: 7 ways provider groups can deliver more for less with centralized scheduling
How Preferred-Language Communication Improves Care and the Patient Experience

Becker's Learning Opportunities

1. Is your organization meeting evolving marketing and user engagement needs? Learn how a CDP helps health marketers individualize their outreach strategies.
2. Hospitals generate mountains of data but many can't use the information when they need it. Get the 9 steps needed to connect with your content.
3. Patients are tired of seeing 'pay in full' as the only option on their medical statements. Drive better payment results with these strategies.

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BECKER'S Clinical Leadership & Infection Control

BECKER'S ASC REVIEW

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 12/07/2022 15:28

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
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It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

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- 7th or 8th grade
- 9th or 10th grade

[redacted]

[redacted]

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

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> My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.
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> Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of
> Health & Human
> Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

> Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?
>
> --
> **Jenny Johnson, MPH, CHES**
> Public Information Officer

[redacted]

[redacted]

C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!

—

Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------

From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>

Date: Mon, Jul 11, 2022 at 10:55 AM

Subject: Underage Drinking Advisory Council

To: Brook Dorff <bdorff@utah.gov>

Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the

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representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 12/07/2022 15:29

[redacted]

[redacted]

*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Spanish media line: 385.264.2685
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Date: Mon, Jul 11, 2022 at 10:55 AM

Subject: Underage Drinking Advisory Council

To: Brook Dorff <bdorff@utah.gov>

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SUBJECT: US-Canada Solar Deal Sees Biden Admin. Balance Priorities
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 13/07/2022 01:53

PUBLIC POLICY

Wednesday, July 13, 2022

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TOP NEWS

Analysis

US-Canada Solar Deal Sees Biden Admin. Balance Priorities

The new U.S.-Canada agreement on solar product trade demonstrates adept policymaking at a delicate moment for the Biden administration, bolstering the renewable energy sector while reducing reliance on Chinese imports allegedly made with forced labor.

Memorandum attached | Read full article »

Jan 6. Panel Says Defiant Trump Egged On March To Capitol
Former President Donald Trump ignored advisers' admonitions that his paths to challenge the election were closed, according to new testimony Tuesday from the House committee investigating the attack on the U.S. Capitol. Instead, he egged on supporters to attend the Jan. 6 rally, promising in a tweet it would be "wild!"
Read full article »

Gun Owners Challenge NY's New Concealed Carry Law
Gun rights advocates have lodged two separate lawsuits in New York federal court challenging the constitutionality of a package of gun control laws recently enacted by the Empire State in response to the U.S. Supreme Court's recent Bruen decision, saying New York can't "thumb its nose" at the high court.
2 documents attached | Read full article »

Pa. Says 3 Counties Still Refuse To Count Undated Ballots
Pennsylvania is still unable to finalize the results of the May primary election and has filed a lawsuit in Commonwealth Court seeking to make three counties submit their tallies of undated mail-in ballots that state election officials say must be counted under recent state and federal court decisions.
2 documents attached | Read full article »

Biden Picks 5 For 3rd Circ., Pa. Courts
President Joe Biden on Tuesday announced five new judicial nominees for the Third Circuit and the Eastern District of Pennsylvania, a batch that includes partners at BakerHostetler, Fox Rothschild and what would be the appeals court's first Asian-American member.
Read full article »

DC Superior Court Picks Questioned Over Case Backlogs
Members of a U.S. Senate committee pressed a trio of D.C. Superior Court nominees during a hearing Tuesday morning over how they would address a backlog of cases that have dammed up the district's trial courts since the beginning of the COVID-19 pandemic.
Read full article »

Senate Confirms BakerHostetler Partner As ATF Director
The U.S. Senate on Tuesday afternoon narrowly confirmed a BakerHostetler white collar practice leader and former U.S. attorney for the Northern District of Ohio to head the Bureau of Alcohol, Tobacco, Firearms and Explosives.
Read full article »

BANKING & SECURITIES

NY Moves To Restrict Some Overdraft Fee Practices At Banks
New York's financial services regulator issued guidance on Tuesday that it said prohibits certain "deceptive or unfair" overdraft fee-related practices at banks in the state as part of a broader financial inclusion agenda.
1 document attached | Read full article »

ENERGY & ENVIRONMENTAL

Analysis

The Biggest Environmental Rulings Of 2022: Midyear Report
The U.S. Supreme Court made its mark on environmental law this year by limiting the federal government's power to regulate power plant emissions, reviving a Trump-era Clean Water Act rule while an appeal plays out and leaving intact a ruling that allows the Biden administration to use cost estimates for greenhouse gas harms in new regulations. Here, Law360 recaps the top environmental rulings so far in 2022.
Read full article »

Mass. Top Court Upends Local Coastal Development Plans
Massachusetts's top court on Tuesday struck down the use of locally crafted, state-approved harbor development plans, siding with downtown Boston residents challenging a 600-foot waterfront skyscraper.
Read full article »

NJ Enviro Agency Defeats Farmer's Oyster Seizure Suit

LAW FIRMS IN TODAY'S NEWS

Akin Gump
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Bradley Arant
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Clifford Chance
Coffey Kaye
Cohen Milstein
Cooper & Kirk
Dechert LLP
Eichhorn & Eichhorn
Epstein Becker Green
Foley Hoag
Fox Rothschild
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Goulston & Storrs
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Herbert Smith Freehills
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Hogan Lovells
Holland & Knight
Husch Blackwell
Keller Postman
King & Spalding
Lamb McErlane
Law Offices of Omar Figueroa
Levin Sedran
Levinger PC
Lewis Roca
Linklaters
Lipsitz Green
McDermott Will
MoloLamken
Morgan Lewis
Nixon Peabody
Norton Rose
Nutter McClennen
Paul Hastings
Prince Lobel
Quinn Emanuel

A New Jersey state appeals court on Tuesday torpedoed an oyster farmer's lawsuit against the state Department of Environmental Protection for confiscating and discarding mollusks he harvested in waters not fit for human consumption, saying the agency is shielded from liability since it acted "in good faith" to protect public health.

Opinion attached | Read full article »

Green Groups Tell Congress EPA Enforcement Needs Funding

Green groups are urging congressional leaders to pony up for the U.S. Environmental Protection Agency's enforcement programs, saying increased funding is necessary to replace lost workers and improve compliance with laws and regulations.

Letter attached | Read full article »

HEALTH & LIFE SCIENCES

Ariz. Abortion Law Stopped For Now On Vagueness Ground

An Arizona federal judge has blocked for now a state policy giving unborn children the same rights as others in the state, just weeks after the U.S. Supreme Court overturned Roe v. Wade.

2 documents attached | Read full article »

Senate Committee Explores Post-Dobbs Abortion Landscape

With a murky legal landscape settling in after the U.S. Supreme Court eliminated the constitutional right to abortion, maternal mortality rates will likely rise because of abortion bans while "mass chaos" is already unfolding in emergency rooms, experts told the Senate Judiciary Committee on Tuesday.

Read full article »

Arthrex Tells Full Fed. Circ. USPTO Can't Cherry-Pick Leader

Arthrex has asked the full Federal Circuit to evaluate whether former Patent Commissioner Drew Hirshfeld was allowed to conduct director reviews while he headed the U.S. Patent and Trademark Office between leaders, saying the agency undermined the law governing vacant leadership roles.

Petition attached | Read full article »

MEDIA & ENTERTAINMENT

DC Circ. Says FCC Overstepped On Foreign Sponsorship Rule

The D.C. Circuit on Tuesday ruled the Federal Communications Commission overstepped its bounds by requiring broadcasters to double-check that foreign governments are not seeking to sponsor U.S. programs.

Opinion attached | Read full article »

EMPLOYMENT & BENEFITS

Analysis

4 Benefits Policy Developments To Watch In 2022's 2nd Half

President Joe Biden's administration plans to unveil several high-profile rules affecting benefit plans regulated by the Employee Retirement Income Security Act before year's end, while Congress is negotiating differences between the House and Senate on a broad retirement policy omnibus bill. Here, Law360 takes a look at four important legislative and regulatory policy developments affecting employee benefits that experts are watching for in the second half of 2022.

Read full article »

Boston Can't Escape Former Top Cop's Termination Suit

A federal judge said Tuesday the former Boston police commissioner can move forward with defamation and invasion of privacy claims against the city tied to the previous mayor's airing of domestic abuse allegations against the top cop, while throwing out other parts of the case.

Order attached | Read full article »

Norfolk Southern Can't Evade Pa. Jurisdiction, Justices Told

Sandler Travis
Schnader Harrison
Schwegman Lundberg
Seyfarth Shaw
Shook Hardy
Sidley Austin
Slaughter and May
Stamboulieh Law
Sugarman Rogers
Sullivan & Cromwell
Tavenner & Beran PLC
Thompson Hine
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Waller Lansden
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Communications Workers of America
Conservation Law Foundation
Daimler AG
Duke Energy Corp.
Earthjustice
Electric Reliability Council of Texas Inc.
Energy Capital Partners LLC
Fenway Sports Group LP
Ford Motor Co.
Georgia-Pacific LLC
Goodyear Tire & Rubber Co.
Insured Retirement Institute Inc.
International Cannabis Bar Association
International Paper Co.
International Shoe Co.
KPMG International
MasterCard Inc.
McKinsey & Co. Inc.
Miller Energy Resources Inc.
NCR Corp.
National Association of Broadcasters
National Consumer Law Center
National Organization for the Reform of Marijuana Laws
Norfolk Southern Corp.
Northeastern University
Omnicare Inc.
Planned Parenthood Federation
Sierra Club
Smart Approaches to Marijuana
Smith & Nephew plc
Starbucks Corp.
Stout Risius Ross LLC
TD Ameritrade Holding Corp.
Temple University
The Center for Reproductive Rights
The Greenlining Institute
The National Cannabis Industry Association
The Utility Reform Network
TransDigm Group Inc.

Plaintiffs-side attorneys and consumer advocates backed a former railroad worker's U.S. Supreme Court bid to revive his Federal Employers' Liability Act claims against Norfolk Southern Railway in a closely watched dispute concerning Pennsylvania's jurisdiction over out-of-state companies that has significant implications for corporate litigation.

3 documents attached | Read full article »

CYBERSECURITY & PRIVACY

Quiet WikiLeaks Jury Mulls Ex-CIA Coder's Fate For 3rd Day

A Manhattan federal judge on Tuesday coached a jury deliberating the fate of former CIA coder Joshua Schulte on a technical legal point, answering the only substantive question jurors deliberating espionage charges against Schulte have asked over three days.

Read full article »

GOVERNMENT CONTRACTS

Analysis

Top Gov't Contracting Policies To Watch In 2nd Half Of 2022

Proposed bills intended to prevent conflicts of interests between contractors' federal and commercial work and stop alleged price gouging, alongside new climate change-related policy and pending cybersecurity rules, are among several policy initiatives for government contractors to watch this year. Here, Law360 highlights five initiatives that merit contractors' attention in the second half of 2022.

Read full article »

AEROSPACE & DEFENSE

DOD Watchdog Flags Transparency Of $6.5B Ukraine Fund

The U.S. Department of Defense's current process of reporting transactions made under a Biden administration act allocating $6.5 billion in supplemental funds to help Ukraine raises traceability and transparency concerns, according to a department watchdog advisory.

1 document attached | Read full article »

IMMIGRATION

Ark. Investor Biz Sues Feds Over 2-Year Wait On EB-5 Status

A Little Rock, Arkansas economic development business has sued U.S. Citizenship and Immigration Services, accusing the agency of dragging its feet on giving the business an answer on whether it can designate one of its projects as an "exemplar" project for immigrant investors to invest in.

Complaint attached | Read full article »

TELECOMMUNICATIONS

Public Advocates Slam 'Narrow' ISP View Of Digital Redlining

Public interest groups are blasting a "narrow" view of discrimination in the digital marketplace that paints what they say is a too-rosy picture of how different demographics are served with high-speed internet.

Letter attached | Read full article »

CANNABIS

Cannabis Corner

The Opposing View On Cannabis Legalization

Kevin Sabet, the president and CEO of Smart Approaches to Marijuana, or SAM, occupies a lonely role in the landscape of cannabis policy advocacy, standing athwart the whirlwind legalization movement and imploring stakeholders, politely but gravely, to pause. *Note: Cannabis Corner is a recurring Q&A about the industry.*

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EXPERT ANALYSIS

Crypto Bill Would Put Energy Use Of Digital Assets In Context

A bill recently introduced in the U.S. Senate that would mandate collection of data about the energy usage of cryptocurrency could facilitate a better understanding of

Twitter Inc.
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UnitedLex Corp.
University of Virginia
Volkswagen AG
Weyerhaeuser Co.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arizona Attorney General's Office
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Bureau of Citizenship and Immigration Services
California Air Resources Board
California Department of Food and Agriculture
Central Intelligence Agency
Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Department of Cannabis Control
Employee Benefits Security Administration
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Florida Supreme Court
Food and Drug Administration
International Trade Commission
Massachusetts Department of Environmental Protection
Massachusetts Supreme Judicial Court
New Jersey Department of Environmental Protection
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New York State Police
Office of Surface Mining Reclamation and Enforcement
Pennsylvania Supreme Court
Solicitors Regulation Authority
Texas Attorney General's Office
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Defense Office of Inspector General

bitcoin mining's impact on the electric grid, and contextualize it relative to the energy demands of other activities, says Miguel Suazo at Husch Blackwell.
Read full article »

California's Cannabis Appellations Plan Charts A New Frontier
As California rolls out the world's first formal appellations program for cannabis, stakeholders should note the differences between the proposed terroir-based system and its wine industry counterpart, the requirements of the petitioning process, and the potential economic impacts of this pioneering plan, say attorneys at the Law Offices of Omar Figueroa.
Read full article »

Adapting To SEC's Heightened Scrutiny Of Private Funds
In light of the U.S. Securities and Exchange Commission's increasing focus on enhancing market transparency in the private fund industry, investment advisers should consider making five changes to their compliance protocols to account for likely regulatory changes and shifting investor attitudes, say Jaclyn Grodin at Goulston & Storrs and Joel Cohen at Stout Risius.
Read full article »

Strategies For Effectively Marketing Law Firm ESG Practices
As law firms increasingly launch stand-alone environmental, social and corporate governance practices amid rising client demands, they should consider new marketing and client development practices that illuminate their capabilities as well their own sustainability and ethics-related initiatives, says Elle Walch at Ball Janik.
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U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. District Court for the District of Arizona
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Tennessee
U.S. District Court for the Northern District of Indiana
U.S. District Court for the Northern District of New York
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of New York
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court

bankruptcy partner Kenneth Leonetti who reached his term limit.
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Investors' Attys Get $11.7M From $35M KPMG Settlement

A Tennessee federal judge approved $11.7 million in attorney fees from the $35 million settlement that the accounting giant KPMG agreed to pay to end a class action from Miller Energy Resources Inc. investors who said the firm helped the now-defunct company falsify financials about its oil and gas assets.
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Texas Says Gov. Can Pick Judges In VW, Audi Emissions Suit

Texas says its governor must be allowed to pick two temporary Texas Supreme Court justices to consider whether Volkswagen and Audi must face claims they violated state anti-tampering and environmental laws, despite objections from the automakers.
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London Court OKs NFT To Serve Anonymous Defendant

A London judge recently recognized non-fungible tokens, or NFTs, as a valid device for serving a legal notice in a fraud case involving $2.1 million in cryptocurrency, not long after a New York court made a similar approval.
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Deputy General Counsel – Legal Department (LEG)
International Monetary Fund
Washington, District of Columbia

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SUBJECT: Senate Committee Explores Post-Dobbs Abortion Landscape
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 13/07/2022 03:10

HEALTH

Wednesday, July 13, 2022

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Senate Committee Explores Post-Dobbs Abortion Landscape

With a murky legal landscape settling in after the U.S. Supreme Court eliminated the constitutional right to abortion, maternal mortality rates will likely rise because of abortion bans while "mass chaos" is already unfolding in emergency rooms, experts told the Senate Judiciary Committee on Tuesday.
Read full article »

Ariz. Abortion Law Stopped For Now On Vagueness Ground
An Arizona federal judge has blocked for now a state policy giving unborn children the same rights as others in the state, just weeks after the U.S. Supreme Court overturned Roe v. Wade.

2 documents attached | Read full article »

$58M Opioid Deal Cuts Allergan, Teva From SF Bellwether Trial
San Francisco struck settlements worth almost $58 million with Allergan and Teva Pharmaceuticals on Tuesday in the sole ongoing trial over the pharmaceutical industry's role in a nationwide crisis of opioid abuse, leaving Walgreens as the last company in the closely watched showdown.

1 document attached | Read full article »

Walgreens Allowed Iffy Opioid Orders, SF Says At Trial Wrap
Walgreens didn't maintain effective controls to prevent prescription opioids from being diverted to individuals for illicit uses, lawyers for San Francisco told a federal judge Tuesday during closing trial arguments that followed an announcement that defendants Allergan and Teva struck settlements worth nearly $58 million to exit the litigation.
Read full article »

Ex-Theranos CEO Holmes' Sentencing Delayed Until October
Convicted former Theranos CEO Elizabeth Holmes' sentencing for four counts of wire fraud and conspiracy has been delayed three weeks from Sept. 26 to Oct. 17, according to a clerk's notice filed in California federal court Monday.
Read full article »

Analysis

4 Benefits Policy Developments To Watch In 2022's 2nd Half
President Joe Biden's administration plans to unveil several high-profile rules affecting benefit plans regulated by the Employee Retirement Income Security Act before year's end, while Congress is negotiating differences between the House and Senate on a broad retirement policy omnibus bill. Here, Law360 takes a look at four important legislative and regulatory policy developments affecting employee benefits that experts are watching for in the second half of 2022.
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POLICY & REGULATION

Cannabis Corner

The Opposing View On Cannabis Legalization
Kevin Sabet, the president and CEO of Smart Approaches to Marijuana, or SAM, occupies a lonely role in the landscape of cannabis policy advocacy, standing athwart the whirlwind legalization movement and imploring stakeholders, politely but gravely, to pause. *Note: Cannabis Corner is a recurring Q&A about the industry.*
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LITIGATION

Norfolk Southern Can't Evade Pa. Jurisdiction, Justices Told
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3 documents attached | Read full article »

7th Circ. Affirms Lupron Suit Dismissal As Too Late
The Seventh Circuit won't let a woman revive her claims that a drug made by Abbott Laboratories and AbbVie Inc. caused

COMPANIES IN TODAY'S NEWS

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Abbott Laboratories
Allergan PLC
Alliance Defending Freedom
American Association for Justice
American Civil Liberties Union
American Legislative Exchange Council
AmerisourceBergen Corp.
Anda Inc.
AstraZeneca PLC
Audi AG
Aurora Health Care Inc.
Binance Holdings Ltd.
CVS Health Corp.
Cardinal Health Inc.
Chevron Corp.
Daimler AG
Endo International PLC
Fenway Sports Group LP
Ford Motor Co.
Goodyear Tire & Rubber Co.
Insured Retirement Institute Inc.
International Shoe Co.
Johnson & Johnson
KPMG International
Kindeva Drug Delivery
Lightspeed Management Co. LLC
MasterCard Inc.
McKesson Corp.
Miller Energy Resources Inc.
Mylan NV
Norfolk Southern Corp.
Northeastern University
Omnicare Inc.
Planned Parenthood Federation
Purdue Pharma LP
Smart Approaches to Marijuana
Starbucks Corp.
TD Ameritrade Holding Corp.
Temple University
Teva Pharmaceutical Industries Ltd.
The Center for Reproductive Rights
Theory LLC
Twitter Inc.
U.S. Chamber of Commerce

her harmful side effects, saying the record clearly shows that she filed her initial suit long after any applicable statute of limitations had expired.

Opinion attached | Read full article »

Mylan Can't Stop AstraZeneca's Asthma Drug Patent Suit

A West Virginia federal judge on Tuesday refused to toss AstraZeneca's patent lawsuit against Mylan Pharmaceuticals and drug delivery service Kindeva, finding that AstraZeneca plausibly claims that the pair's recently FDA-approved generic version of its asthma treatment Symbicort infringes one of its drug patents.

Order attached | Read full article »

Discrimination Suit Against Health Care Co. Tossed

A Wisconsin federal judge has thrown out a woman's suit alleging that Aurora Health Care Inc. withdrew an employment offer because of her race and disability, finding that she has offered no evidence to contradict the company's argument that it was acting under its drug-free policy.

Order attached | Read full article »

Catalyst Inks Deal To End Its 'Orphan Drug' Case

Florida-based Catalyst Pharmaceuticals Inc. has inked a deal to settle its patent case against a rival involving a drug that treats a rare autoimmune disease, ending litigation that made its way to the U.S. Supreme Court.

Read full article »

Health Co. Says No Confusion Over CBD Co.'s Trademark

A California-based health services website is suing a similarly named company that produces skin care treatments that include CBD products, asking a federal judge to rule that the likeness in their names is not an infringement on the skin care seller's trademark.

Complaint attached | Read full article »

DEALS

Venture Capital Firm Lightspeed Lands Over $7B In Funding

Venture capital firm Lightspeed Venture Partners said Tuesday it raised about $7.1 billion across four new funds to support early and growth stage companies as well as businesses around the world.

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EXPERT ANALYSIS

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Jan 6. Panel Says Defiant Trump Egged On March To Capitol

Former President Donald Trump ignored advisers' admonitions that his paths to challenge the election were closed, according to new testimony Tuesday from the House

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Sullivan & Cromwell
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West & Associates A PC
Wilkinson Stekloff
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GOVERNMENT AGENCIES IN TODAY'S NEWS

Arizona Attorney General's Office
California Air Resources Board
Employee Benefits Security Administration
Executive Office of the President
Food and Drug Administration

committee investigating the attack on the U.S. Capitol. Instead, he egged on supporters to attend the Jan. 6 rally, promising in a tweet it would be "wild!"
Read full article »

Biden Picks 5 For 3rd Circ., Pa. Courts
President Joe Biden on Tuesday announced five new judicial nominees for the Third Circuit and the Eastern District of Pennsylvania, a batch that includes partners at BakerHostetler, Fox Rothschild and what would be the appeals court's first Asian-American member.
Read full article »

Senate Confirms BakerHostetler Partner As ATF Director
The U.S. Senate on Tuesday afternoon narrowly confirmed a BakerHostetler white collar practice leader and former U.S. attorney for the Northern District of Ohio to head the Bureau of Alcohol, Tobacco, Firearms and Explosives.
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United States District Court for the Eastern District of Wisconsin
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FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 13/07/2022 06:09

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Health

Essential health care industry news & intel to start your day.

JULY 13, 2022

BY MATT BRACKEN

Twitter Email

Most State-Level Abortion Restrictions Are Unpopular

Republican-led states have rushed in the aftermath of the Supreme Court's Roe v. Wade decision to restrict abortion, enacting bans and pursuing efforts to criminalize those who seek care.

In this week's Morning Consult/Politico survey, we asked voters whether they supported or opposed 13 state-level anti-abortion initiatives, and found that almost across the board, majorities were against such

[redacted]

measures. About 7 in 10 voters said they are opposed to absolutist abortion bans, travel restrictions and criminalizing those who pursue abortion care.

Check out the full story here: Republican-Led States Are Pushing Through Abortion Restrictions Opposed by Most Voters.

TOP STORIES

- The Department of Justice announced the creation of a Reproductive Rights Task Force, an initiative tied to President Joe Biden's executive order on abortion that will focus on ways to protect reproductive rights following the Supreme Court's ruling to overturn Roe v. Wade. The task force will "monitor and evaluate" legislation and enforcement at the state and local levels that impede a person's ability to seek reproductive care, ban medication abortion or levy criminal or civil penalties on federal workers who provide abortion services that are legal under federal law. (CNN)

- Superbug infections and deaths in U.S. hospitals jumped approximately 15% in 2020, a surge fueled by the COVID-19 pandemic that reversed years of progress in the fight against antimicrobial resistance, a Centers for Disease Control and Prevention analysis found. From 2012 to 2017, a public health push to stamp out superbug infections in hospitals resulted in a 30% decline, but CDC Director Rochelle Walensky said the pandemic pushed health systems "near their breaking points," with hospitals overwhelmed by sicker patients and an overreliance on antibiotic prescriptions, which put patients at risk of developing a resistance to drugs. (The Washington Post)

- Disproportionate levels of "excess deaths" unattributed to COVID-19 were found in states with high uninsured rates during the pandemic, a White House Council of Economic Advisers report found, with lackluster care in overwhelmed hospitals among the primary reasons. The CEA estimated that an increase of 10 percentage points in the pre-COVID-19 uninsured rate was connected with a 4.8-point jump in excess mortality. (Axios)

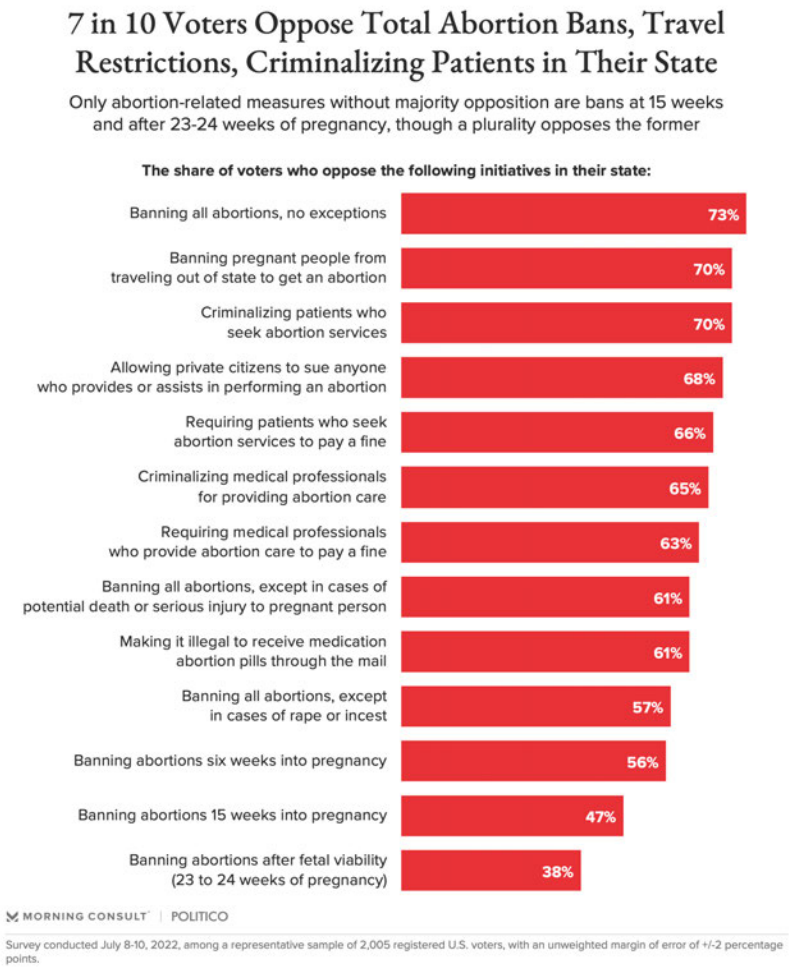
- Teva Pharmaceutical Industries Ltd. and AbbVie Inc.'s Allergan unit will pay $34 million in cash and $20 million worth of overdose reversal drug Narcan to settle a federal lawsuit brought by San Francisco alleging that the drugmakers fueled the opioid surge, creating a public nuisance in the city. San Francisco, which is also pursuing action against Walgreens Boots Alliance Inc., saw a

roughly 500% increase in opioid-related overdose deaths between 2015 and 2020, according to the city attorney's office. (The Associated Press)

CHART REVIEW

Republican-Led States Are Pushing Through Abortion Restrictions Opposed by Most Voters

Morning Consult



EVENTS CALENDAR (ALL TIMES LOCAL)

View Full Calendar

A MESSAGE FROM MORNING CONSULT

U.S. Jobs & Labor Market Trends Report

Inflation, financial volatility and talk of a looming recession have weighed heavily on consumer sentiment in 2022, and now the mood among workers is souring as well. Morning Consult examines these trends and more in our latest U.S. Jobs & Labor Report. Download now.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

FDA to authorize Novavax's Covid-19 vaccine

Adam Cancryn and Katherine Ellen Foley, Politico

The Food and Drug Administration is expected to authorize Novavax's coronavirus vaccine for emergency use as early as Wednesday, two people with knowledge of the matter told POLITICO.

White House urges caution on COVID variants, pushes boosters

Zeke Miller, The Associated Press

The Biden administration is calling on people to exercise renewed caution about COVID-19, emphasizing the importance of getting booster shots for those who are eligible and wearing masks indoors as two new highly transmissible variants are spreading rapidly across the country.

White House: COVID booster "will not preclude" shot for later variants

Oriana Gonzalez, Axios

People who get boosted for COVID-19 now will still be eligible to get a variant-specific vaccine in the fall, the White House COVID-19 Response Team said Tuesday.

If you were infected with the original Omicron, you don't have 'a lot of good protection against BA.4 and BA.5,' Fauci says

Erin Prater, Fortune

Those who were infected with COVID during the first wave of Omicron "really don't have a lot of good protection" against dominant U.S. subvariants BA.4 and BA.5, Dr. Anthony Fauci, chief medical adviser to the president, said Tuesday.

WHO Chief Warns of Rising Infections, Deaths From New Covid Wave

Andy Hoffman, Bloomberg

Sub-variants of the omicron strain are lifting case numbers and leading to further fatalities, Director General Tedros Adhanom Ghebreyesus said at a briefing in Geneva on Tuesday. Tedros, as the head of the WHO is known, recommended the revival of protocols like mask-wearing to stop the spread.

US pins faith on Pfizer's 'living with Covid' pill

Hannah Kuchler, Financial Times

The antiviral drug Paxlovid is being widely prescribed but there are questions about its effectiveness.

AstraZeneca says COVID vaccine as effective as mRNA shots in review

Reuters

AstraZeneca (AZN.L) said on Wednesday a review of real-world data showed its COVID-19 vaccine provided equally effective protection against hospitalisation and death after two doses as with current mRNA shots from Pfizer and Moderna (MRNA.O).

GENERAL

WHO to convene second emergency meeting to decide if monkeypox is a global health threat as cases rise to 9,200

John Rosevear and Spencer Kimball, CNBC

The World Health Organization said Tuesday that it will convene a second emergency meeting next week to decide if monkeypox poses a global health threat as cases rise to 9,200.

Senate Democrats unveil bill to protect women who cross state lines for abortions

Joseph Choi, The Hill

A group of Senate Democrats on Tuesday unveiled legislation to protect a person's ability to travel across states to acquire reproductive care like abortions and contraception.

Senate Judiciary kicks off series of abortion policy hearings

Sandhya Raman, Roll Call

An hour before the Supreme Court issued its June 24 decision overturning the national right to an abortion, the chief medical officer for Planned Parenthood of the St. Louis Region and Southwest Missouri issued a personal plea to Health and Human Services Secretary Xavier Becerra: Please declare a public health emergency related to abortion.

Pig organ transplants inch closer to success as doctors test operation in brain-dead people

The Associated Press

New York researchers transplanted pig hearts into two brain-dead people over the last month, the latest in a string of developments in the long quest to one day save human lives with animal organs.

Where Biden and Dems stand on abortion access 3 weeks into the deadlocked fight

Olivia Olander and Matt Berg, Politico

Updated guidance assuring doctors they can perform abortions in emergencies. A "first step" executive order critics say didn't go far enough. But perhaps most prominently, a stalemate seemingly across the federal government, as Democrats both lack the votes to codify changes and fear rocking the boat under a conservative Supreme Court.

Brain-eating amoeba that infected a swimmer in Iowa is increasingly found in northern states

Elisha Fieldstadt, NBC News

The brain-eating amoeba that sickened a Missouri resident who'd recently visited Iowa has been found in northern states more often in recent years as air and water temperatures rise, according to the Centers for Disease Control and Prevention.

Americans support extending child support payments to pregnancy, survey finds

Mariel Padilla, The 19th

About half of surveyed Americans favor laws that would require child support payments to begin at the moment of conception, a stance that demonstrates the breadth and complexity in how policymakers may have to reconcile the concept of personhood before birth and determine when and how to establish rights in the aftermath of the Supreme Court case that overturned Roe v. Wade.

Liver disease, deaths fall with lowered barriers to hepatitis drugs

Arielle Dreher, Axios

Treating intravenous drug users with hepatitis drugs at the community level significantly drove down liver disease and deaths over more than a decade, researchers reported in the Annals of Internal Medicine.

Amazon, research center partner on cancer vaccine

Julia Mueller, The Hill

Amazon will collaborate with the Fred Hutchinson Cancer Center in Seattle on a Food and Drug Administration-approved clinical trial for a cancer vaccine.

Amended veterans toxic exposure bill teed up in House

Roll Call

The core of the veterans bill would make servicemembers who contracted any of 23 conditions — from brain cancer to hypertension — after being deployed to an Iraq or Afghanistan combat zone automatically

eligible for veterans health care and disability benefits. That's a change from current law, which requires veterans to prove their illnesses were a direct result of their deployments rather than some other factor.

Sen. Hawley accused of transphobic questioning at abortion hearing

Mariana Alfaro, The Washington Post

Sen. Josh Hawley (R-Mo.), during a Senate Judiciary Committee hearing Tuesday on the legal impact of the end of Roe v. Wade, was accused by a congressional witness of employing a transphobic line of questioning.

A Weight Loss Program by Any Other Name Is Still a Diet

Emma Court, Bloomberg Businessweek

Companies push lifestyle changes instead of prescriptive eating to help people slim down, but it's hard to overcome the yo-yo effect.

PAYERS

Democrats race to reach deal to prevent spike in health premiums

Tony Romm and Rachel Roubein, The Washington Post

Roughly 13 million Americans could see their health insurance costs rise next year — and millions more may not have care at all — unless congressional Democrats can reach agreement over a critical portion of their long-stalled economic spending legislation. The uncertainty loomed over lawmakers as they huddled again on Tuesday in pursuit of a wide-ranging deal that can balance the promises they made during the election with winning support from Sen. Joe Manchin III (D-W.Va.), the crucial swing vote in the narrowly divided chamber.

The cost of giving birth with insurance: $2,854, a new study says

Shefali Luthra, The 19th

The out-of-pocket costs represent insurance-related bills related to pregnancy, labor and delivery, and postpartum care. And "this is maybe the smallest of the costs."

Association for Community Affiliated Plans launches resource hub to help members address social drivers

Anastassia Gliadkovskaya, Fierce Healthcare

The Center for Social Determinants of Health Innovation aims to help health plans and other stakeholders understand and better address social drivers, reducing health disparities. ACAP partnered with Spring Street Exchange, a health policy consulting firm, to put the hub together.

Employers Are Sharing Health Price Data, but Real Change Is Slow

Sara Hansard, Bloomberg Law

Employer-sponsored health plans and health insurers are expected to be more compliant with rules requiring them to make their price data public than hospitals were in 2021.

PROVIDERS

House lawmakers search for ways to shore up Medicare hospital trust fund

Robert King, Fierce Healthcare

New legislation seeks to close key tax loopholes in a bid to extend the solvency of the Medicare Hospital Insurance Fund by another decade and avert a looming shortfall.

Hospital adverse event rates decline over a decade, JAMA study finds

Susan Kelly, Healthcare Dive

Adverse event rates among hospitalized patients declined significantly from 2010 through 2019 in a large study of medical records for adults admitted for acute myocardial infarction, heart failure, pneumonia, major surgical procedures and other conditions, according to a JAMA investigation.

Doctors Fearing Legal Blowback Are Denying Life-Saving Abortions

Lauren Coleman-Lochner et al., Bloomberg

Hospitals and doctors are struggling to toe the line between providing life-saving measures for women and wading into a legal gray area that's emerged in the absence of abortion rights.

PHARMA, BIOTECH AND DEVICES

Merck sues HHS to avoid fine over 340B contract pharmacy restrictions

Robert King, Fierce Healthcare

Merck is suing the Biden administration to avoid potential fines for cutting off 340B contract pharmacies from getting discounted products.

Mylan $264 Million EpiPen Price-Gouge Deal Gets Final Court Nod

Mary Anne Pazanowski, Bloomberg Law

Consumers and insurers leading price-gouging litigation over the EpiPen, a treatment for life-threatening allergic reactions, won final approval from a federal judge in Kansas for their $264 million settlement with affiliates of Mylan NV, which markets the device.

Biogen's High Court Patent Case Bid Backed by Science Advocates

Samantha Handler, Bloomberg Law

Biogen Inc. won the support of a science and legal advocacy group in its bid for US Supreme Court review of a Federal Circuit ruling that will allow Mylan Pharmaceuticals Inc. and other generic drugmakers to sell copycats of the multiple sclerosis drug Tecfidera.

Siga gets $28 mln antiviral drug orders as monkeypox spreads

Reuters

Drugmaker SIGA Technologies (SIGA.O) said on Tuesday it has received new orders worth about $28 million for its oral antiviral drug, as

monkeypox cases spread globally.

HEALTH TECHNOLOGY

Mid-year 2022: 20M patients' data exposed in healthcare breaches

Jessica Kim Cohen, Modern Healthcare

Nearly 20 million patients had their personal and health information exposed in data breaches reported to the federal government in the first half of 2022, according to a Modern Healthcare analysis.

Verve Therapeutics begins human tests of first 'base editor,' aiming at heart disease

Matthew Herper and Megan Molteni, Stat News

Somewhere in New Zealand, the first patient ever has been dosed with a kind of gene-editing treatment known as a base editor, a newer way of utilizing CRISPR for gene editing. The company studying the treatment, Verve Therapeutics, announced the news Tuesday.

OPINIONS, EDITORIALS AND PERSPECTIVES

Intellectual property rights need stronger global protections

Stephen Ubl, Modern Healthcare

Top trade officials from countries all over the world, including the U.S., recently gathered in Geneva, Switzerland, and waived certain intellectual property protections on COVID-19 vaccines. Their decision undermines the very IP rights that enabled hundreds of collaborations to produce vaccines on a global scale.

The Biden administration's bold embrace of harm reduction will save lives

Leana S. Wen, The Washington Post

"Harm reduction" is a phrase previous administrations have used sparingly, if at all, when discussing drug policy. But the Biden administration not only uses it often regarding the escalating epidemic of overdose deaths, which claimed more than 100,000 lives last year; it has made it the centerpiece of its national drug control strategy.

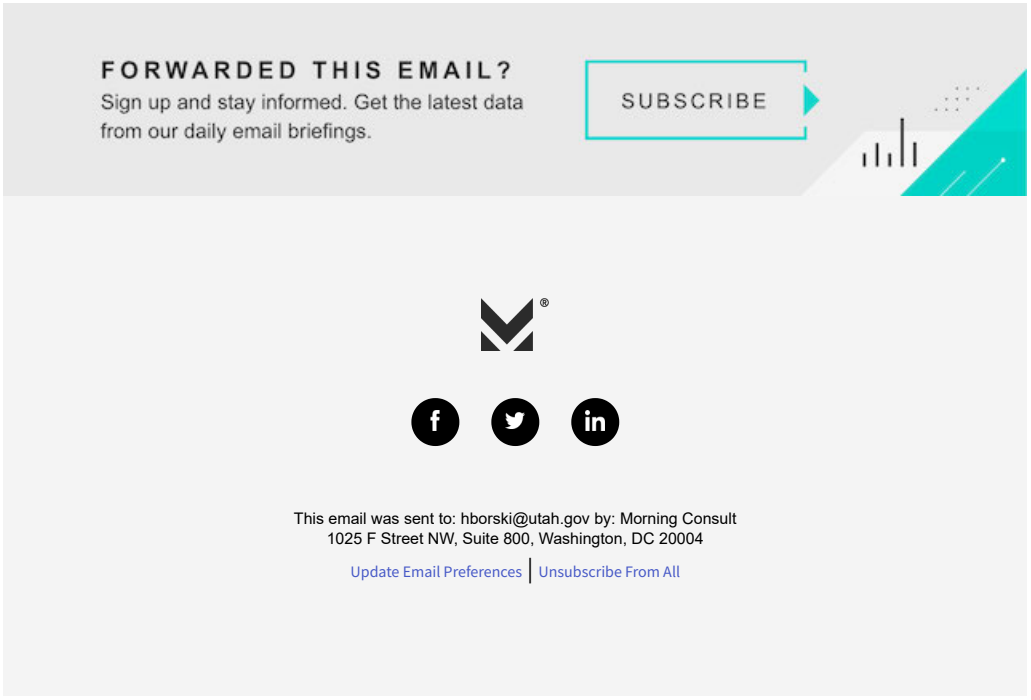
RESEARCH REPORTS

Expanding Capacity for Vaccines Against Covid-19 and Future Pandemics: A Review of Economic Issues

Susan Athey et al., National Bureau of Economic Research

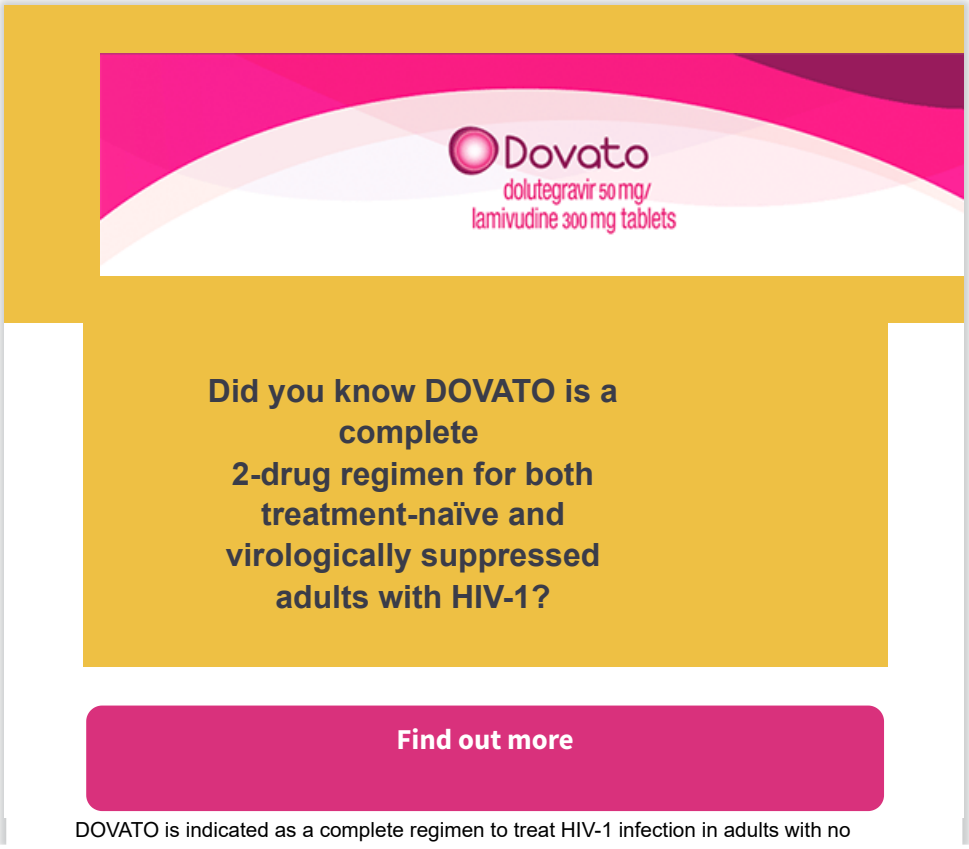
We review economic arguments for using public policy to accelerate vaccine supply during a pandemic. Rapidly vaccinating a large share of the global population helps avoid economic, mortality, and social losses, which in the case of Covid-19 mounted into trillions of dollars. However,

pharmaceutical firms are unlikely to have private incentives to invest in vaccine capacity at the socially optimal scale and speed.



SUBJECT: It takes 2 to “TANGO”
FROM: Managed Care News <managedcare_news@newsletter.docwirenews.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 13/07/2022 07:02

This email was funded and developed by ViiV Healthcare.



antiretroviral (ARV) treatment history or to replace the current ARV regimen in those who are virologically suppressed (HIV-1 RNA <50 copies/mL) on a stable ARV regimen with no history of treatment failure and no known resistance to any component of DOVATO.

IMPORTANT SAFETY INFORMATION

BOXED WARNING: PATIENTS CO-INFECTED WITH HEPATITIS B VIRUS (HBV) AND HIV-1: EMERGENCE OF LAMIVUDINE-RESISTANT HBV AND EXACERBATIONS OF HBV

All patients with HIV-1 should be tested for the presence of HBV prior to or when initiating DOVATO. Emergence of lamivudine-resistant HBV variants associated with lamivudine-containing antiretroviral regimens has been reported. If DOVATO is used in patients co-infected with HIV-1 and HBV, additional treatment should be considered for appropriate treatment of chronic HBV; otherwise, consider an alternative regimen.

Severe acute exacerbations of HBV have been reported in patients who are co-infected with HIV-1 and HBV and have discontinued lamivudine, a component of DOVATO. Closely monitor hepatic function in these patients and, if appropriate, initiate anti-HBV treatment.

Please see full Prescribing Information, including Boxed Warning, for DOVATO.

ABOUT 66% OF PEOPLE DIAGNOSED WITH HIV-1 ARE VIROLOGICALLY SUPPRESSED[1]

IT'S IMPORTANT TO MAKE SURE ALL YOUR MEMBERS WITH HIV-1 HAVE ACCESS TO DOVATO, IF APPROPRIATE*

The TANGO clinical study shows that DOVATO—a complete 2-drug HIV regimen for virologically suppressed adults—is clinically proven to control HIV as effectively as TAF-containing regimens.[2,3†]

AS THE LOWEST-PRICED, INSTI-BASED STR AT WAC,‡ DOVATO OFFERS STRONG SUPPORT FOR INCLUSION ON YOUR FORMULARY

Learn more about how DOVATO, a complete, single-tablet, 2-drug regimen, has durable virologic suppression and a high barrier to resistance for both treatment-naïve and virologically suppressed adults with HIV-1.[4]

Find out more

*As determined to be medically eligible by the patient's prescriber/prescribing HCP.

†TANGO is an ongoing Phase 3, noninferiority trial in virologically suppressed (HIV-1 RNA <50 copies/mL) adults with HIV-1 in which all participants were on a TCR and stable for >6 months. At baseline across both treatment arms, 98% had CD4+ T-cell count ≥200 cells/mm^3. Participants had no history of virologic failure, no documented NRTI or INSTI resistance, and were HBV negative. This trial included 39% of patients with unknown genotypic resistance history. Primary endpoint: Proportion of participants with HIV-1 RNA ≥50 copies/mL at Week 48 using

FDA Snapshot analysis (ITT-E) with 4% noninferiority margin, -8% noninferiority margin for secondary endpoint. Primary endpoint results: <1% vs <1% for DOVATO (N=369) and TCR (N=372) arms, respectively (treatment difference: -0.3% [95% CI; -1.2%, 0.7%]). From Week 148 onward, all patients were switched to DOVATO. In TANGO, no treatment-emergent resistance was detected. Only participants meeting CVW criteria (0 for DOVATO, 3 for TCR) were evaluated for treatment-emergent resistance. CVW was defined as HIV-1 RNA ≥50 copies/mL followed by a second consecutive HIV-1 RNA ≥200 copies/mL.[2,5]

‡Based on 6 INSTI-based single-tablet regimens with a WAC price range of $2,652.19 to $3,759.41. IBM Micromedex® RED BOOK. Accessed April 28, 2022.

CVW=confirmed virologic withdrawal; DHHS=Department of Health and Human Services; FDA=Food and Drug Administration; HCP=healthcare provider; INSTI=integrase strand transfer inhibitor; ITT-E=intention-to-treat–exposed; NRTI=nucleoside reverse transcriptase inhibitor; STR=single-tablet regimen; TAF=tenofovir alafenamide; TCR=TAF-containing regimen; WAC=wholesale acquisition cost.

IMPORTANT SAFETY INFORMATION (cont'd)

Contraindications

- Do not use DOVATO in patients with previous hypersensitivity reaction to dolutegravir or lamivudine
- Do not use DOVATO in patients receiving dofetilide

Warnings and precautions

Hypersensitivity Reactions:

- Hypersensitivity reactions have been reported with dolutegravir and were characterized by rash, constitutional findings, and sometimes organ dysfunction, including liver injury
- Discontinue DOVATO immediately if signs or symptoms of severe skin or hypersensitivity reactions develop, as a delay in stopping treatment may result in a life-threatening reaction. Clinical status, including liver aminotransferases, should be monitored and appropriate therapy initiated

Hepatotoxicity:

- Hepatic adverse events have been reported, including cases of hepatic toxicity (elevated serum liver biochemistries, hepatitis, and acute liver failure), in patients receiving a dolutegravir-containing regimen without pre-existing hepatic disease or other identifiable risk factors
- Patients with underlying hepatitis B or C or marked elevations in transaminases prior to treatment may be at increased risk for worsening or development of transaminase elevations with use of DOVATO. In some cases, the elevations in transaminases were consistent with immune reconstitution syndrome or hepatitis B reactivation, particularly in the setting where anti-hepatitis therapy was withdrawn
- Monitoring for hepatotoxicity is recommended

Embryo Fetal Toxicity:

- Assess the risks and benefits of DOVATO and discuss with the patient to determine if an alternative treatment should be considered at the time of conception through the first trimester of pregnancy due to the risk of neural tube defects
- Pregnancy testing is recommended before initiation of DOVATO. Individuals of childbearing potential should be counseled on the consistent use of effective contraception

Lactic Acidosis and Severe Hepatomegaly With Steatosis:
Fatal cases have been reported with the use of nucleoside analogs, including lamivudine. Discontinue DOVATO if clinical or laboratory findings suggestive of lactic acidosis or pronounced hepatotoxicity develop, including hepatomegaly and steatosis in the absence of marked transaminase elevations.
Adverse Reactions or Loss of Virologic Response Due to Drug Interactions with concomitant use of DOVATO and other drugs may occur (see Contraindications and Drug interactions).
Immune Reconstitution Syndrome, including the occurrence of autoimmune disorders with variable time to onset, has been reported with the use of DOVATO.

Adverse reactions

The most common adverse reactions (incidence ≥2%, all grades) with DOVATO were headache (3%), nausea (2%), diarrhea (2%), insomnia (2%), fatigue (2%), and anxiety (2%).

Drug interactions

- Consult full Prescribing Information for DOVATO for more information on potentially significant drug interactions
- DOVATO is a complete regimen. Coadministration with other antiretroviral medications for the treatment of HIV-1 infection is not recommended
- Drugs that induce or inhibit CYP3A or UGT1A1 may affect the plasma concentrations of dolutegravir
- Administer DOVATO 2 hours before or 6 hours after taking polyvalent cation-containing antacids or laxatives, sucralfate, oral supplements containing iron or calcium, or buffered medications. Alternatively, DOVATO and supplements containing calcium or iron can be taken with food

Use in specific populations

- **Pregnancy:** There are insufficient human data on the use of DOVATO during pregnancy to definitively assess a drug-associated risk for birth defects and miscarriage. An Antiretroviral Pregnancy Registry has been established. Advise individuals of childbearing potential of the potential risk of neural tube defects. Assess the risks and benefits of DOVATO and discuss with the patient to determine if an alternative treatment should be considered at the time of conception through the first trimester of pregnancy or if pregnancy is confirmed in the first trimester

- **Lactation:** Breastfeeding is not recommended due to the potential for HIV-1 transmission, developing viral resistance in HIV-positive infants, and adverse reactions in a breastfed infant

- **Females and Males of Reproductive Potential:** Pregnancy testing is recommended before initiation of DOVATO. Counsel individuals of childbearing potential taking DOVATO on the consistent use of effective contraception

- **Renal Impairment:** DOVATO is not recommended for patients with creatinine clearance <30 mL/min. Patients with a sustained creatinine clearance between 30 and 49 mL/min should be monitored for hematologic toxicities, which may require a dosage adjustment of lamivudine as an individual component

- **Hepatic Impairment:** DOVATO is not recommended in patients with severe hepatic impairment (Child-Pugh Score C)

Dovato
dolutegravir 50 mg/
lamivudine 300 mg tablets

Please see full Prescribing Information, including Boxed Warning, for DOVATO.

References: 1. Centers for Disease Control and Prevention. HIV surveillance supplemental reports: volume 26, number 2: Monitoring selected national HIV prevention and care objectives by using HIV surveillance data–United States and 6 dependent areas, 2019. May 2021. Accessed May 17, 2022. http://www.cdc.gov/hiv/library/reports/hiv-surveillance.html **2.** van Wyk J, et al. *Clin Infect Dis*. 2020;71(8):1920-1929 **3.** Osiyemi O, et al. Published online January 25, 2022. *Clin Infect Dis*. doi:10.1093/cid/ciac036 **4.** Cahn P, et al. *AIDS*. 2022;36(1):39-48. **5.** Data on file, ViiV Healthcare.

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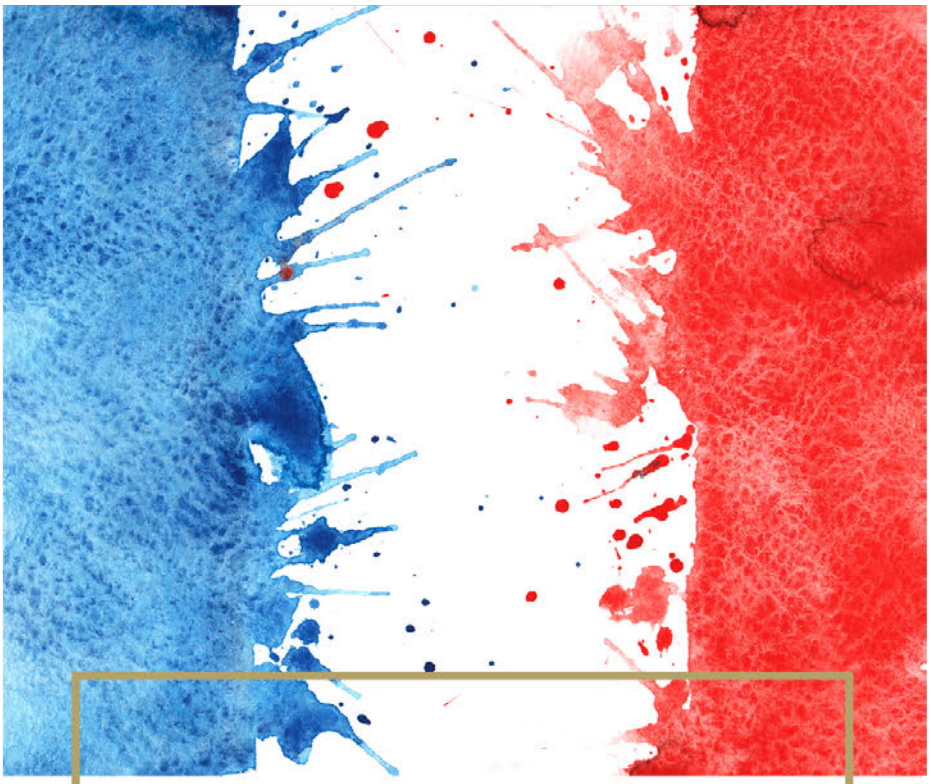

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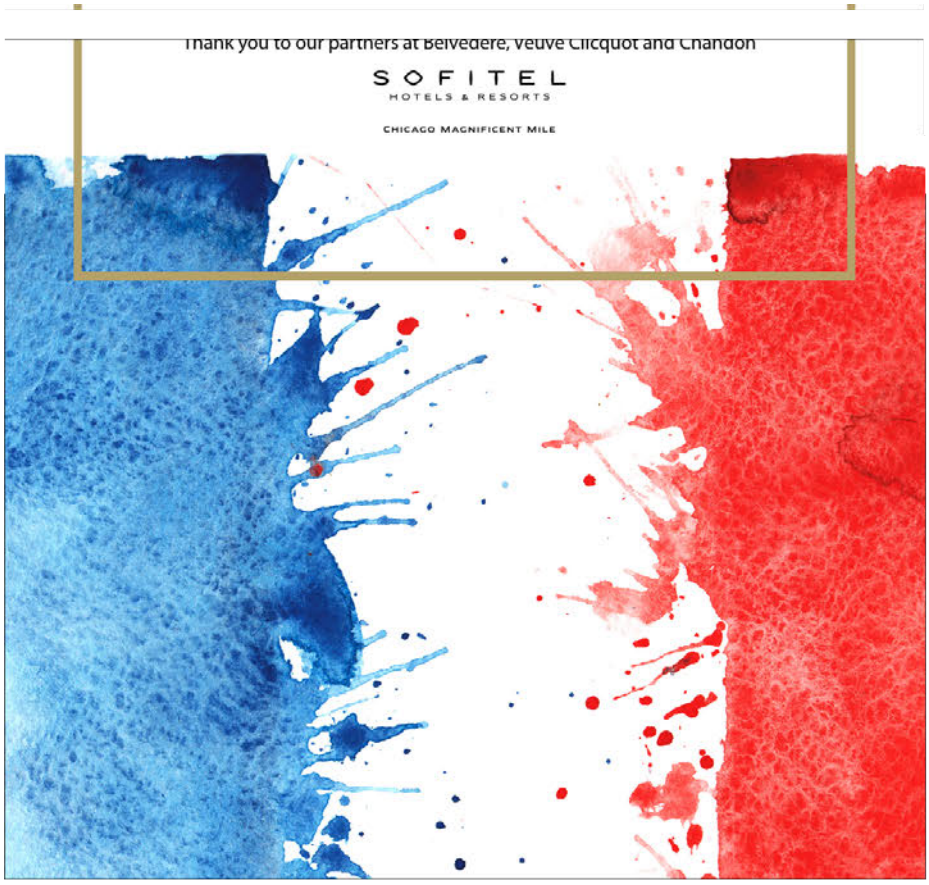

MENU

COUNTRY HAM PATE
MUSTARD, HOUSE PICKLES, SOURDOUGH

SMOKED SALMON BEIGNETS
DILL CREMA, PICKLED RED ONION

DEVILLED EGGS
BEETROOT, SALMON ROE, DILL

GRILLED FRENCH HOT DOG
LAMB MERGUEZ, DIJON MUSTARD, BAGUETTE

CREPES
STRAWBERRY, NUTELLA, HAZELNUT

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TOP STORIES

States with more uninsured see more excess mortality

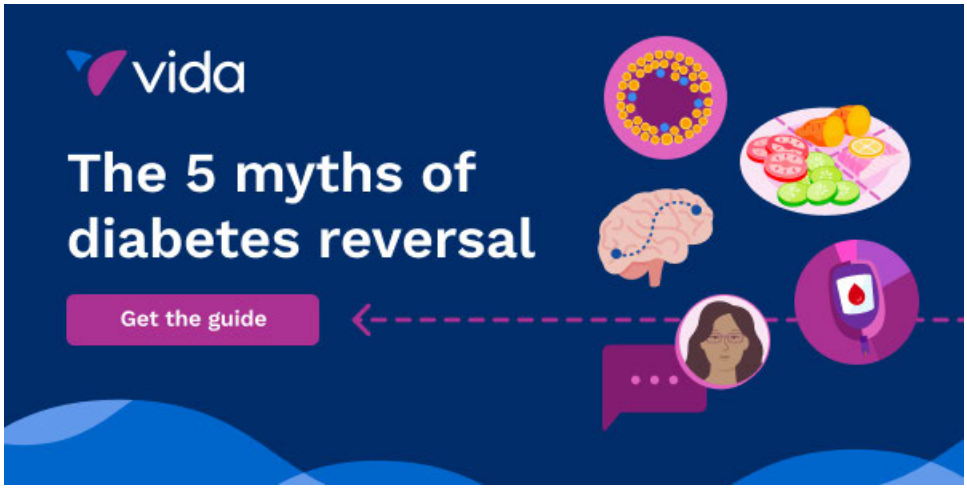
A report from the White House Council of Economic Advisors found substantial variation in excess mortality across the US from March 2020 to March 2022, ranging from a high of 27.4% in Arizona to a low of 5.7% in Hawaii. States with greater percentages of uninsured residents reported more excess non-COVID-19 deaths attributed to poor access to care as hospitals were overwhelmed during the first two years of the pandemic. **Full Story:** Axios (7/12)

Americans urged to get vaccines, boosters as BA.5 spreads

White House COVID-19 response coordinator Dr. Ashish Jha encouraged Americans to stay up to date on their COVID-19 vaccines and urged people age 50 and older to get booster doses as the more infectious Omicron BA.5 subvariant continues to spread. CDC Director Dr. Rochelle Walensky said the BA.5 subvariant accounted for 65% of COVID-19 cases in the US as of last

(Pool/Getty Images)

week, and the CDC said average daily hospital admissions have more than doubled to over 5,000 admissions since May 1. **Full Story:** Reuters (7/12), CNBC (7/12)



Diabetes reversal: fact or fiction?

Separating fact from fiction when it comes to diabetes management is key to providing a solution that offers your members a realistic approach to stronger, more sustainable outcomes. Download the guide, The 5 Myths of Diabetes Reversal, to learn more on the truths behind "diabetes reversal". **Learn more.**

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PROVIDERS & SUPPLIERS

Superbug infections, deaths up 15% in 2020

Infections and deaths caused by antimicrobial-resistant pathogens rose by 15% in the US in 2020, as use of antimicrobials increased during the pandemic, according to a CDC report. Over 29,400 individuals died from superbug infections in 2020, and almost 40% of them were infected while hospitalized. **Full Story:** Reuters (7/12), The Washington Post (tiered subscription model) (7/12)

Greater diversity needed in the field of cardiology

The racial and ethnic diversity of cardiology clinicians and fellows in training does not reflect the diversity of the US population, and systematic efforts are needed to improve the situation, researchers wrote in the Journal of the American College of Cardiology. Underrepresented groups made up 7% of practicing cardiologists in 2016 and 11.6% of

fellows in training in 2018, though making up 32% of the overall US population, the researchers wrote.

Full Story: Healio (free registration) (7/11)

Public Health Emergency & Health Equity

Efficiency, productivity and automation are all positive goals that we strive for, but in health care it can mean more than just a better run business, it can save lives. **Join us July 14th** for an in-depth look at how you can deliver high-quality whole person care from anywhere and meet these challenges head on!

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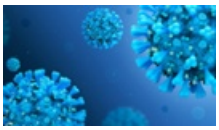
MEDICAL UPDATE

Study links healthful habits to lower prostate cancer risks

Men with a genetic risk of prostate cancer who exercised regularly, ate a healthful diet favoring fish over processed meat, were not overweight and did not smoke had a 1.6% risk of dying from the disease, compared with a 5.3% risk among those who did not maintain those habits, according to a 27-year study published in European Urology. Researchers said men who maintained at least four of six lifestyle factors had a 45% lower risk of dying from prostate cancer, compared with men who adhered to few or none of the habits. **Full Story:** HealthDay News (7/11)

More repeat COVID-19 cases expected as BA.5 spreads

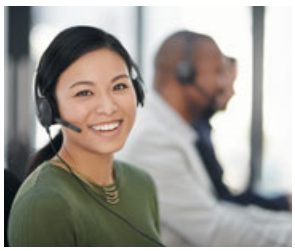


(Pixabay)

The Omicron BA.5 variant of SARS-Cov-2 is spreading quickly, and while people who have been vaccinated or recovered from COVID-19 are unlikely to experience severe effects, the subvariant evades some vaccine- and infection-induced antibodies, and infection rates are rising. Experts say allowing the variant to spread unchecked will result in more deaths, hospitalizations and cases of long COVID, but the public and political will for preventive measures, such as wearing masks and ventilating spaces, has waned. **Full Story:** The Atlantic (tiered subscription model) (7/12)

Experts critical of US monkeypox response

US public health experts criticized the US response to the monkeypox outbreak and warned that mistakes made during the COVID-19 pandemic are being repeated. Dr. Leana Wen, a health policy professor at George Washington University, said the most significant mistake the US has made is the lack of testing, while Eric Toner at the Johns Hopkins Center for Health Security at the Bloomberg School of Public Health said the outbreak could signal the world is entering an "age of epidemics." **Full Story:** The Hill (7/11)



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Download this new Global State of Customer Experience in Financial Services 2022 report that explores the current trends shaping the financial services industry and features experts offering advice and solutions to challenges. **Download the Report**

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TOUCHPOINTS PODCAST

This episode is brought to you by Wellframe

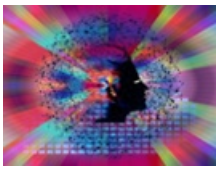
Why your CX is only as good as your EX

Health care is as personal as it gets, yet employees who feel overwhelmed and unheard can't deliver the kind of compassion and care members need. Ingrid Lindberg of Chief Customer and Michele Gabron of Wellframe share what health plan leaders need to know to meet the needs of their teams, so they can meet the needs of their members. **Listen to the episode.**

EMERGING TRENDS

AI could reduce health care administrative costs

A greater percentage of each health care dollar goes to administrative costs in the US than in other countries, and just as EHRs and decision support technology have reduced spending and improved outcomes in the clinic, artificial intelligence can reduce administrative costs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and improve efficiency, write Duquesne University professor Joan Kiel and associate professor Faina Linkov. AI also promises to improve research and guide biomedical discoveries, clinical decision-making and disease surveillance, but HIPAA must be updated to protect patient privacy, they write. **Full Story:** Journal of AHIMA online (7/11)

Survey: Over half of US adults use medical alert system

More than half of American adults say they use or an adult they care for uses a medical alert system, according to a OnePoll survey of 2,000 adults. Eighty-six percent of those using a medical alert system say it has saved them from at least one incident, and 50% say that it helped save them from a possible catastrophe. **Full Story:** Forbes (tiered subscription model) (7/12)

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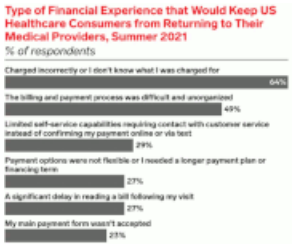
Centene's subsidiary Delaware First Health Awarded Statewide Medicaid Contract

L.A. Care Commits Nearly $8 Million in Medical School Loan Repayment Grants

Report: Modernizing Medical Payments

How can healthcare providers modernize their payment infrastructures to meet new consumer demands and increase revenues? The pandemic has heightened the need for medical payments innovation and providers



must take a patient-centered approach to enhancing their payment infrastructures. **Get the Report >**

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- **Happify Health Weaves a New Path as Twill, the Intelligent Healing Company**
- **URAC President and CEO, Shawn Griffin Join National Quality Foundation Leadership Consortium**

PHARMA NEWS

Moderna: Updated booster yields better antibody response

Moderna released data from a late-stage trial indicating its updated COVID-19 vaccine booster candidate yields a better neutralizing antibody response against the BA.5 and BA.4 Omicron subvariants than its current COVID-19 booster. Patients vaccinated with the new formulation experienced a 6.3-fold increase in neutralizing antibody titers, compared with 3.5-fold for the previous formulation. **Full Story:** Becker's Hospital Review (7/11)

POLICY WATCH

Maine expands Medicaid, CHIP coverage

Immigrants younger than 21 who live in Maine and residents of the state who are pregnant are now eligible to receive health care through MaineCare, the state's Medicaid program, or the state's Children's Health Insurance Program. The coverage expansion, which took effect July 1, stems from a budget agreement completed by Gov. Janet Mills and state legislators last year. **Full Story:** Beacon (Augusta, Maine) (7/11)

AHIP NEWS

Webinar: Get back to CX basics - register today.

Join us on Thursday, July 28 from 2 to 3 p.m. ET for "Get Back to Basics: CX Lessons from Members & Health Plans" as Zipari gets back to the basics of engaging members in their health journeys, focusing on 5 key lessons learned from health insurance providers and members, and their own experiences in the industry.

In search of conference session proposals

Does your health insurance provider organization have timely news about a breakthrough that's guiding greater health for more Americans? Tell your story during one of AHIP's conferences. Proposals may be submitted throughout the year but be sure to check the deadlines for each conference. Learn more.

DM programs to improve care while managing costs

AHIP's DM Direct members offer products, services, and strategies that can help health insurance providers leverage their DM programs to improve care and deliver value. Envolve is the life, health, and wellness company dedicated to helping people transform their lives with support, encouragement, and motivation. The company offers an inclusive people-centered approach designed to help in all stages of life.

Webinar: Post-acute and home health care - register today.

Join us on Wednesday, Aug. 3 from 1 to 2 p.m. ET for "How Health Insurance Providers Can Address Post-Acute and Home Health Care Challenges" as myNEXUS and panelists discuss management of post-acute care delivered outside the home, the home setting as an opportunity to focus on whole person care, and tactics to improve CMS stars ratings and HEDIS measures.

LEARN MORE ABOUT AHIP:

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NORTH ATLANTIC STATES CARPENTERS BENEFIT FUNDS - *Wilmington, MA, US*

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[redacted]

[redacted]

[redacted]

SUBJECT: July 2022 UPHA Newsletter
FROM: UPHA <upha@memberclicks-mail.net>
TO: hborski@utah.gov
DATE: 13/07/2022 10:13

Utah Public Health Association

JULY 2022 NEWSLETTER

PRESIDENT'S MESSAGE

[redacted]

UPHA President Letter July 2022

As I write this article, the news that Roe v. Wade has been overturned by the Supreme Court has recently been announced. I'm feeling discouraged by the dismantling of evidence-based public health practices and threats to public health infrastructure. We've seen over the past several years this happening both in Utah and nationally. Local government overturning sound public health recommendations, an exodus of experienced public health workers to early retirement or career shifts, burnout among staff and partners. My heart goes out to all of us, the public health workforce who has been in the thick of it for years.

But I also feel encouraged as the UPHA board has risen to the challenges public health is facing. We are developing a strategic plan to strengthen our organization. We are working hard to build relationships with policy makers and other stakeholders. We are advocating to fortify public health, both in funding and regard. I invite you to join with us, not just as a member, but also as an advocate. We are stronger together and we need your voice. The Utah Public Health Association is a place we can come together, strategize, recommend, and speak out. We are a safe space to express your thoughts and feelings and we are in this for the long haul.

Over the next few months, there will be several opportunities for UPHA members to participate in surveys. We want to know how you are doing and how we can help. I also encourage you to join a committee if you are able. UPHA will continue advocating for public health and its workforce, because we know that public health is the foundation for a healthy Utah.

I welcome your thoughts and feedback. You can email me at president@upha.org.

SUPPORTING THE MENTAL HEALTH AND EMOTIONAL WELL-BEING OF RACIAL AND ETHNIC COMMUNITIES

Join APHA and the Centers for Disease Control & Prevention (CDC) for a webinar highlighting the key aspects of the mental health challenges that racial and ethnic communities are currently facing and what CDC and its partners are doing to support communities in need.

As a participant, you will hear from the CDC regarding recent data on mental and behavioral health trends. You will also hear from the How Right Now/Qué Hacer Ahora (HRN) communications campaign, which is supported by CDC and CDC Foundation, on its latest formative work that has informed new campaign messages and materials. The event will be moderated by Dr. Hazel Dean, editor-in-chief of Public Health Reports, the official scientific journal of the Office of the U.S. Surgeon General and U.S. Public Health Service.

This session will allow ample time for questions and discussion.

Wednesday, July 13, 2022
12:30 - 1:30 p.m. EDT
REGISTER NOW!

COLORADO PUBLIC HEALTH IN THE ROCKIES

Are you ready to register for the largest public health conference in the region? We have received an abundance of excellent abstracts this year highlighting the amazing public health work happening in Colorado. Get ready to Forge Forward Together! REGISTER NOW and don't forget to book your hotel! Conference registration early bird rates end 8/12/22. Our conference website is www.publichealthintherockies.org.

CELEBRATING SUCCESS IN PUBLIC HEALTH- USOPHE CONFERENCE 2022

THE ANNUAL USOPHE CONFERENCE WILL BE HELD VIRTUALLY ON WEDNESDAY, NOVEMBER, 2, 2022 FROM 8:30 AM-4:00 PM. THE THEME THIS YEAR IS "CELEBRATING SUCCESS IN PUBLIC HEALTH". USOPHE WANTS TO CELEBRATE, HIGHLIGHT, AND RECOGNIZE ALL THE WONDERFUL ACTIVITIES HAPPENING IN UTAH'S PUBLIC HEALTH WORLD. BREAKOUT SESSIONS AND KEYNOTE SPEAKERS WILL PRESENT ON SUCCESSFUL HEALTH PROGRAMS, HEALTH RESEARCH, OR SHARE SUCCESS STORIES.

REGISTRATION AND CALL FOR ABSTRACTS FOR USOPHE ARE OPEN.
REGISTER HERE:
HTTPS://REGISTRATION.SOCIO.EVENTS/E/USOPHE2022

BOARD MEMBER SPOTLIGHT: NICKEE ANDJELIC

Role on UPHA Board: Nominations Unit
Tell us about your talents/skills/superhero powers: I am not sure this is much of a skill, but I am good at naming songs, mainly from the 90s, in a few notes. I have developed presentation and public speaking skills throughout my career, and I have grown to love talking with people and helping them develop healthier habits and lifestyles.
Favorite hobbies: I enjoy reading and hiking.
Lesson you have learned in your career: Sometimes, it is not about helping everyone but knowing that you're helping one or two people improve their lives and health is enough.
Why you enjoy working in public health: I like working with the people of Utah. I hope that when interacting with them through classes, social media posts, or health fairs, they leave the conversation with a little more knowledge and the skills necessary to become the best version of themselves they can be.
What book has influenced your career, or you wish everyone in public health would read and why? I am currently reading Your Body Keeps the Score by Bessel Van Der Kolk, M.D. It is an excellent book about trauma and how it impacts so much of our life, relationships, and health. We are all coming off two years of trauma. This book has helped me understand my own trauma from the pandemic but has given me hope that it will get better.

WHAT ELSE YOU NEED TO KNOW

- APHA's ongoing webinar/event calendar
- Connect with UPHA on Instagram, Facebook, and LinkedIn

FOLLOW UPHA ON SOCIAL MEDIA

Here are the links to: Facebook, Instagram, LinkedIn

This email was sent to hborski@utah.gov by communications@upha.org

Utah Public Health Association • PO Box 9387, Millcreek, Utah 84109, United States • (801) 849-1708

[redacted]

SUBJECT: Embargoed MMWR Weekly Preview for Thursday, July 14, 2022
FROM: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
TO:
DATE: 13/07/2022 15:59

[redacted]

[redacted]

All information in this email is embargoed. Please do not distribute or share this information through email, print, the Internet, or social media until after 1:00 pm (ET), Thursday, July 14, 2022. Information and dates are subject to change.

The MMWR is embargoed until 1 PM ET Thursday, July 14, 2022
Synopsis for July 15, 2022

Public Health Surveillance and Reporting for Human Toxoplasmosis — Six States, 2021
A review of state surveillance systems for toxoplasmosis found that case definitions are not standardized across states, which makes it hard to know how much disease there is in the United States, what the sources are, or who is affected.
Toxoplasmosis, a disease caused by the parasite *Toxoplasma gondii*, is generally mild or asymptomatic in people with healthy immune systems but can be severe in people with weakened immune systems. Women who are infected during or shortly before pregnancy can pass the infection to their fetuses, potentially resulting in a range of adverse outcomes. Based on estimates from 2011 to 2014, around 11% of the U.S. population has been infected. Toxoplasmosis is not a nationally notifiable illness in the United States, so no standardized national-level surveillance data are available. It is, however, a reportable disease in eight states. This review sought to better understand how toxoplasmosis surveillance data are collected and utilized in states where the disease is currently reportable. Case definitions varied across states, highlighting the need for a standardized surveillance case definition. Standardized case definitions are important so that cases are classified and counted consistently, regardless of jurisdiction, making it easier to compile or compare data across states. As a result of this review, the participating states are pursuing the creation of a standardized surveillance case definition, which would be available to any state that wants to make toxoplasmosis a reportable disease.
Link once embargo lifts: https://www.cdc.gov/mmwr/volumes/71/wr/mm7128a1.htm?s_cid=mm7128a1_w

Pediatric HIV Case Identification Across 22 PEPFAR-Supported Countries during the COVID-19 Pandemic, October 2019–September 2020
Data from 22 countries supported by the U.S. President's Emergency Plan for AIDS Relief (PEPFAR) show reduced pediatric HIV testing and diagnoses during the COVID-19 pandemic. However, some testing strategies increased, suggesting these strategies reduced the impact of the COVID-19 pandemic on pediatric HIV case identification.
During 2020, an estimated 150,000 children aged 0-14 years acquired HIV globally. Case identification is the first step to ensure children living with HIV are linked to life-saving treatment, achieve viral suppression, and live long, healthy lives. In this study, changes in HIV testing and diagnoses in children aged 0-14 years were assessed in 22 PEPFAR-supported countries during October 2019-September 2020. During the first 3 months of the COVID-19 pandemic, HIV testing and case identification among children in these countries decreased by 40% and 29%, respectively. Although outpatient testing decreased, testing increased for other strategies, including mobile testing, facility-based index testing (offering an HIV test to partners and biological children of HIV-positive individuals), and testing children with signs or symptoms of malnutrition, suggesting these strategies can be used to reduce the impact of the COVID-19 pandemic on pediatric case identification. To sustain and accelerate progress toward global targets for controlling HIV, HIV programs can use programmatic, surveillance, and financial data to determine the optimal mix of testing strategies during the COVID-19 pandemic.
Link once embargo lifts: https://www.cdc.gov/mmwr/volumes/71/wr/mm7128a2.htm?s_cid=mm7128a2_w

Safety Monitoring of COVID-19 mRNA Vaccine First Booster Doses Among Persons Aged ≥12 Years with Presumed Immunocompromise Status — United States, January 12, 2022–March 28, 2022
A new CDC study found that among people aged 12 years or older with weakened immune systems, reactions were less frequently reported to v-safe after the first mRNA booster (dose 4) than after dose 3 of the primary series. In the United States, during January 12, 2022–March 28, 2022, more than 5000,000 people aged 12 years and older received a fourth dose. Serious reactions after the first mRNA booster (dose 4) were rare. People aged 12 years and older with weakened immune systems should receive a first booster (dose 4) at least 3 months after a 3-dose primary COVID-19 vaccination series and a second booster (dose 5) at least 4 months after the first booster (dose 4).

People with moderate-to-severe immunocompromising conditions are at risk for severe COVID-19, and their immune response to COVID-19 vaccination might not be as robust as the response in people who have healthy immune systems. The Advisory Committee on Immunization Practices recommends that immunocompromised people aged 12 years and older complete a 3-dose primary mRNA COVID-19 vaccination series followed by a first booster dose (dose 4) at least 3 months after dose 3 and a second booster dose (dose 5) at least 4 months after dose 4. To characterize the safety of a booster dose among people with weakened immune systems aged 12 years and older, CDC reviewed reports received to v-safe and VAERS during the week after receipt of a first mRNA COVID-19 booster dose (dose 4). Data identified no unusual or unexpected patterns of adverse events. Mild-to-moderate reactions,

[redacted]

[redacted]

such as injection site pain, fatigue, headache, and muscle pain, following their first booster dose were similar to those among people with healthy immune systems. Reactions were less common following the booster dose (dose 4) than following the last dose of a primary series (dose 3). CDC will continue to monitor vaccine safety and provide updates as needed to guide COVID-19 vaccination recommendations.

Link once embargo lifts: https://www.cdc.gov/mmwr/volumes/71/wr/mm7128a3.htm?s_cid=mm7128a3_w

Rapid Diagnostic Testing for Response to the Monkeypox Outbreak — Laboratory Response Network, United States, May 17–June 30, 2022
Link: https://www.cdc.gov/mmwr/volumes/71/wr/mm7128e1.htm?s_cid=mm7128e1_w

Notes from the Field: **Outbreak of *Salmonella* Enteritidis at a Correctional Facility Using Mechanically Separated Chicken — Nebraska, 2022**
Mechanically separated chicken products are more often contaminated with Salmonella *bacteria compared to other poultry products and pose a greater food safety risk if handled improperly. Providing greater oversight of food safety procedures can reduce the likelihood of foodborne illness in correctional settings.*
On January 14, 2022, the Lincoln-Lancaster County (Nebraska) Health Department notified the Nebraska Department of Health and Human Services (NDHHS) of two cases of laboratory-confirmed *Salmonella* in inmates at a correctional facility. The county health department initiated an investigation in collaboration with NDHHS to identify the source of the outbreak and develop recommendations. The investigation linked consumption of mechanically separated chicken to illness. Mechanically separated chicken is a poultry product produced by separating edible chicken from bone and cartilage under pressure and is purchased for use in prisons, jails, and correctional facilities due to its affordability. Substandard cooking processes were identified. Mitigating the risks of food handling and processing and cooking in vulnerable populations and institutions requires two key actions: 1) providing a less highly contaminated poultry product in the absence of contamination threshold regulatory requirements for poultry products and 2) implementing a preventive food safety management system to ensure thawing, cooking, and cooling processes meet food safety requirements.

Link once embargo lifts: https://www.cdc.gov/mmwr/volumes/71/wr/mm7128a4.htm?s_cid=mm7128a4_w

***QuickStats*: Percentage of Uninsured Adults Aged 18–64 Years, by Race, Hispanic Origin, and Selected Asian Subgroups — National Health Interview Survey, United States, 2019–2020**
Link once embargo lifts: https://www.cdc.gov/mmwr/volumes/71/wr/mm7128a5.htm?s_cid=mm7128a5_w

Upcoming *MMWR* Report for July 22, 2022
Information and dates are subject to change.

- Influenza Activity and Composition of the 2022–23 Influenza Vaccine — United States, 2021–2022 Season
- Results from the 2021 Public Health Workforce Interest and Needs Survey
- Assessment of Mental Health Symptoms Among State, Tribal, Local, and Territorial Public Health Workers — United States, March 14-25, 2022
- Safety Monitoring of COVID-19 mRNA Vaccine Second Booster Doses — United States, March 2022-May 2022

[redacted]

***MMWR* Weekly COVID-19 Briefing Podcast: Week of June 27**
The latest *MMWR* Weekly COVID-19 Briefing is live. This episode covers three reports, including reports highlighting motor vehicle crash deaths in the United States compared with other high-income countries, COVID-19 vaccine recommendations for children ages 6 months to 5 years and more. Listen and subscribe on: Apple Podcasts, Stitcher, Spotify, and Google Play.
For questions, please contact MMWRCommunications@cdc.gov.
To subscribe to MMWR: Click here

SUBJECT: NY Top Judge's Intervention In Critic's Case Alarms Ethicists
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 14/07/2022 01:46

PUBLIC POLICY

Thursday, July 14, 2022

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TOP NEWS

Analysis
NY Top Judge's Intervention In Critic's Case Alarms Ethicists
New York Chief Judge Janet DiFiore likely violated state judicial ethics rules by intervening in the disciplinary case of a longtime critic who had threatened to smear her, experts told Law360, even as her Monday resignation casts uncertainty over the probe.
Read full article »

Analysis
Rulings Put Bannon's Contempt Trial Defense On Thin Ice
Steve Bannon suffered back-to-back blows earlier this week when a D.C. federal judge gutted the longtime Trump ally's defense strategy to fight his contempt of Congress charges, leaving one of Bannon's attorneys questioning the purpose of going to trial on July 18.
Read full article »

Senate Confirms Michael Barr As Fed's Supervision Vice Chair
President Joe Biden's nominee for the top bank regulatory job at the Federal Reserve was confirmed on Wednesday by the U.S. Senate, concluding a months-long effort by the White House to fill an array of vacancies on the central bank's governing board.
Read full article »

9th Circ. Pick Commits To Isolate Rulings From Political Views

An Arizona attorney nominated to the Ninth Circuit defended her record working on contentious election cases and pledged to keep her personal and political views separate from her rulings on the bench during a Senate committee hearing Wednesday.

Read full article »

Biden Names District Court Picks For 4 States

President Joe Biden announced six new district court nominees on Wednesday, tapping picks for vacancies in Massachusetts, Washington, Virginia and New York, all states with two Democratic senators.

Read full article »

FDA Clears Novavax, Adding Option For COVID Vax Holdouts

The U.S. Food and Drug Administration on Wednesday approved emergency use of Novavax Inc.'s COVID-19 vaccine for adults, providing a new option for coronavirus vaccine holdouts.

Read full article »

McGuireWoods Asks Full 4th Circ. To Undo Atty Fee Precedent

McGuireWoods LLP and several attorneys who challenged a now-repealed Virginia law denying driver's licenses to residents with unpaid court debt are urging the full Fourth Circuit bench to overturn a precedent they say unfairly bars them from recouping legal fees for preliminary wins in civil rights cases.

Read full article »

BANKING & SECURITIES

SEC Pares Back Trump-Era Proxy Oversight Rules

A divided U.S. Securities and Exchange Commission on Wednesday pared back Trump-era regulations that increased oversight of proxy advisory firms, while proposing new rules that would make it easier for shareholders to generate proposals.

Read full article »

Judge Slams SEC's 'Hypocrisy' In Ripple Discovery Battle

The U.S. Securities and Exchange Commission is trying to have it both ways in its fight to shield early drafts of former official Bill Hinman's speech about cryptocurrencies, but it must hand them over to blockchain company Ripple, a U.S. magistrate judge has found.

Opinion attached | Read full article »

Senate Democrats Say Fed Ethics Rules Need 'Real Teeth'

A group of Democratic senators is calling on the Federal Reserve to shore up what they argue are weaknesses in its recently adopted ethics policy on Fed senior officials' personal investments, saying there need to be "real teeth" to the rules to help ensure compliance and accountability.

Letter attached | Read full article »

ENERGY & ENVIRONMENTAL

1st Circ. Keeps Seasonal Closures On Maine Lobster Fishing

The First Circuit on Tuesday vacated a lower court order blocking the National Marine Fisheries Service from enforcing limits on lobster fishing off the coast of Maine during winter months to protect North Atlantic right whales, rejecting the fishers' argument that data showed no whale presence in the restricted area.

Opinion attached | Read full article »

FERC Defends Grid Power Project Replacement Order

The Federal Energy Regulatory Commission says it properly determined that Mid-Atlantic transmission owners retain the authority to plan for new projects that replace their aging facilities and that regional grid operator PJM Interconnection should not include such projects in its planning process.

Brief attached | Read full article »

Forest Service Skipped Review Of Ore. Logging, Groups Say

LAW FIRMS IN TODAY'S NEWS

Abel Bean
Abelman Frayne
Advocates for the West
Akrivis Law Group
Andrus Anderson LLP
Arnold & Porter
Ballard Spahr
Bartlit Beck
Beatty & Wozniak
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Davis Polk
Davis Wright
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Deily & Glastetter
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Frankfurt Kurnit
Gibson Dunn
Gunderson Palmer
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Shutts & Bowen
Sidley Austin
Simmons Hanly
Skadden Arps
Steptoe & Johnson LLP
Struck Love
Thompson Hine
Troutman Pepper
Verrill Dana
Wachtell Lipton
Weitz & Luxenberg
Wilson Sonsini
Witham Mahoney
Womble Bond

COMPANIES IN TODAY'S NEWS

Acacia Communications Inc.

The U.S. Forest Service inappropriately approved commercial logging plans on federal forests in Oregon without a thorough environmental review, environmental groups who want those approvals tossed allege in a new lawsuit.

Complaint attached | Read full article »

Chesapeake Says Federal Oil Lease Fight Can't Be In Idaho

Chesapeake Exploration says efforts to void $8.4 million of its Wyoming oil and gas leases on federal land can't be heard in Idaho federal court, where a broader lawsuit seeks to void $161 million worth of federal leases.

Motion attached | Read full article »

HEALTH & LIFE SCIENCES

Walgreens Says SF Opioid Case Has 'Fatal Flaw' As Trial Ends

Left as the lone defendant in a bellwether bench trial brought by San Francisco over the city's opioid crisis, Walgreens argued during its closing arguments Wednesday that the city didn't show any evidence its pharmacists dispensed medically inappropriate drugs — a "fatal flaw" in the case against it.

Read full article »

EMPLOYMENT & BENEFITS

Diversity Quotas In $1.2T Infrastructure Act Illegal, Suit Says

A white businessman sued the Biden administration in Florida federal court on Wednesday, claiming the $1.2 trillion infrastructure bill signed into law in November discriminates against white men by unlawfully setting aside contracts for businesses owned by women and certain minorities.

Read full article »

COMPETITION

Mid-Year Update: No Antitrust Redux Yet Despite Stack Of Bills

Despite beginning the year with a slew of antitrust legislation, the prospect of Congress passing any significant competition-related proposals during the current session appears to be dwindling, though a bill targeting Big Tech platforms continues to garner attention.

Read full article »

Obstruction Charges Added Against Ex-Pilgrim's Pride Exec

A former Pilgrim's Pride executive facing criminal price-fixing charges has been hit with additional charges for allegedly intimidating a witness during the investigation and destroying evidence.

1 document attached | Read full article »

DOJ's Army Swag Bid-Rigging Case Can Move Ahead

A Florida federal court has refused to toss antitrust charges against a man accused of rigging bids for customized promotional products sold to the U.S. Army after finding the indictment has enough specifics for the case to move ahead.

Order attached | Read full article »

CYBERSECURITY & PRIVACY

Ex-CIA Coder Found Guilty In WikiLeaks Case

A Manhattan federal jury on Wednesday convicted former CIA programmer Joshua Schulte of espionage for stealing government hacking secrets and feeding them to WikiLeaks to get back at coworkers, rejecting Schulte's contention that he was an innocent bystander targeted as a scapegoat.

Read full article »

Amazon Faces Heat For Giving Police Access To Ring Videos

Amazon's Ring unit has turned over video recordings to law enforcement without a warrant or users' permission nearly a dozen times so far this year, the company disclosed in response to privacy and government surveillance concerns raised by a Democratic senator.

Letter attached | Read full article »

Aerojet Rocketdyne Holdings Inc.
Allergan PLC
Amazon.com Inc.
American Bar Association
American Municipal Power Inc.
Anda Inc.
Apple Inc.
Bausch Health Cos. Inc.
Cable News Network Inc.
Center for Biological Diversity
Cisco Systems Inc.
Competitive Enterprise Institute
Conservation Law Foundation
ContextLogic Inc.
CoreCivic Inc.
Crag Law Center
Credit Suisse Group AG
Defenders of Wildlife
Endo International PLC
Glass Lewis & Co. LLC
Google LLC
Impossible Foods Inc.
Institutional Shareholder Services Inc.
International Association of Machinists & Aerospace Workers
Johnson & Johnson
Koch Foods
LS Power
Legal Aid Justice Center
LinkedIn Corp.
Lockheed Martin Corp.
Martin Marietta Materials Inc.
Morgan Stanley
National Association of Manufacturers
Native American Rights Fund Inc.
Natural Resources Defense Council
New York Post
New York University
Novavax Inc.
PJM Interconnection LLC
Pershing Square Capital Management LP
Pfizer Inc.
Pilgrim's Pride Corp.
Princeton University
Purdue Pharma LP
Ripple Labs Inc.
Smithfield Foods Inc.
SoftBank Group Corp.
Spectrum Management Holding Co.
State Street Corp.
TelexFree LLC
Tesla Inc.
Trump Organization Inc.
Twitter Inc.
Tyson Foods Inc.
Vulcan Materials Co.
Walgreens Co.
WeWork Co. Inc.
YouTube Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Citizenship and Immigration Services
Bureau of Land Management
Central Intelligence Agency
Delaware Court of Chancery
Equal Employment Opportunity Commission
Executive Office of the President
Federal Bureau of Investigation

[redacted]

AEROSPACE & DEFENSE

Dems Seek To End 'Loopholes' In Security Assistance Laws
Democratic lawmakers have introduced a bill to close "loopholes" in laws meant to prevent the U.S. from providing security assistance to foreign entities that violate human rights, saying certain Pentagon programs are currently allowed to skirt vetting procedures.

Bill attached | Read full article »

IMMIGRATION

Biden Says 'Remain In Mexico' Ruling Moots Border Appeal
The Biden administration says last month's ruling by the U.S. Supreme Court in a case concerning the controversial "Remain in Mexico" immigration policy means that a Texas federal trial court can resume litigation challenging the administration's decision to slow construction of the U.S.-Mexico border wall.

2 documents attached | Read full article »

House Panel Sends 'Documented Dreamer' Proposal To Floor
A proposal that would protect so-called Documented Dreamers from aging out of their immigration statuses advanced out of the House of Representatives' Rules Committee, heading to the floor for a vote.

1 document attached | Read full article »

Feds, CoreCivic Deny Detention Led To Migrant's Miscarriage
The Biden administration and prison company CoreCivic urged a California federal judge to toss allegations that an asylum-seeker miscarried due to negligence and poor prison conditions, saying her pregnancy wasn't viable even before she entered the U.S.

Motion attached | Read full article »

NATIVE AMERICAN

Sioux Tribe Says SD County's Voting Plans Creating 'Chaos'
The Lower Brule Sioux Tribe pressed a South Dakota federal judge on Wednesday to require Lyman County officials to use a revised map of political districts for upcoming elections, saying that it's not too late to do so and that any difficulty sticking to the state's election schedule is the county's own fault.

1 document attached | Read full article »

TELECOMMUNICATIONS

Bill Extending FCC Auction Authority Moved To House Floor
A congressional panel on Wednesday easily cleared an 18-month extension of the Federal Communications Commission's power to auction the airwaves and to use revenues from upcoming spectrum sales to fund major public safety initiatives.

4 documents attached | Read full article »

PEOPLE

Ex-Assistant US Atty Rejoins Steptoe & Johnson In DC
After a nearly four-year stint as an assistant U.S. attorney at the agency's Maryland office, a former government investigations and enforcement associate has rejoined Steptoe & Johnson LLP in Washington, D.C.
Read full article »

EXPERT ANALYSIS

How Congress Is Reshaping Its Role In Economic Sanctions
The recent bipartisan reauthorization of the Global Magnitsky Human Rights Accountability Act exemplifies a trend that sees Congress asserting itself in what is traditionally an area of presidential authority, adding complexity to the sanctions landscape, say attorneys at Debevoise.
Read full article »

Federal Communications Commission
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
National Security Council
New York State Commission on Judicial Conduct
Office of Foreign Assets Control
Small Business Administration
U.S. Army
U.S. Attorney's Office
U.S. Attorney's Office for the District of Colorado
U.S. Attorney's Office for the District of Idaho
U.S. Attorney's Office for the District of Maine
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U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Fourth Circuit
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U.S. Department of Commerce
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U.S. Department of Justice
U.S. Department of State
U.S. Department of the Treasury
U.S. District Court for the District of Idaho
U.S. District Court for the District of Oregon
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. Forest Service
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Colorado

[redacted]

Do NY's Cannabis Marketing Regs Violate 1st Amendment?
New York's recently approved draft regulations for the retail packaging, labeling and advertising of adult-use cannabis include both sweeping prohibitions and detailed mandatory provisions, raising potential First Amendment questions about cabining or compelling cannabis companies' speech, say attorneys at Ballard Spahr.
Read full article »

Tips For Online Pesticide Industry Amid Growing EPA Scrutiny
Recently ramped up U.S. Environmental Protection Agency enforcement against online retailers selling pesticide products in the U.S. means those companies must take proactive measures to stay ahead of potential liability from federal and state actions, say attorneys at Sidley.
Read full article »

Avoiding DHS Work Permit Extension's I-9 Compliance Pitfalls
The U.S. Department of Homeland Security's new automatic extension of work authorization for certain employees awaiting renewal determinations may mitigate labor interruptions caused by processing backlogs, but employers should take steps to address I-9 compliance issues the changes raise, say Morgan Bailey and John Corgan at Mayer Brown.
Read full article »

LEGAL INDUSTRY

Meet The Lawyers Backing Twitter Against Elon Musk
Both Elon Musk and Twitter Inc. are breaking out the big guns in a Delaware Chancery Court fight that will determine whether the eccentric billionaire can back out of his promise to buy the social media company for $44 billion.
Read full article »

Legal Ethics: A 2022 Midyear Review
The first half of the year has seen some remarkable legal ethics news, from an investment by a judge's wife upending a $2.75 billion judgment to a Democratic-aligned lawyer facing down a special prosecutor. Here, Law360 looks at five legal ethics highlights so far in 2022.
Read full article »

Womble Bond Combines With Bay Area Firm, Opens In SF
Continuing its growth spree, Womble Bond Dickinson announced Wednesday that it will merge with Bay Area law firm Cooper White & Cooper LLP, opening a new San Francisco office and adding over a dozen new lawyers to the firm.
Read full article »

Analysis

Life After 'Varsity Blues': What's Next For The Boston Feds
After more than three years, 57 defendants and a boatload of billable hours, the "Varsity Blues" prosecution is finally winding down, leaving the Boston U.S. Attorney's Office to contemplate its next act.
Read full article »

Class Member Rips $20M Fee Bid In Morgan Stanley Deal
A class member in a $68.2 million settlement with Morgan Stanley over data security incidents has filed an objection in New York federal court ripping plaintiffs attorneys for their $20 million fee request, saying the deal "gives credence to the worst stereotypes of class action abuse."
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SUBJECT: Morning Consult Health: Manchin Won't Commit to Extension of ACASubsidies
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 14/07/2022 06:07

MORNING CONSULT

Health

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JULY 14, 2022

BY MATT BRACKEN

Twitter Email

New Data: Democrats' Drug Pricing Measures Are Broadly Popular

As Senate Democrats furiously negotiate a number of policy items as part of a revamped reconciliation package, a new Morning Consult/Politico survey finds the drug pricing-related provisions under consideration to be especially popular.

Morning Consult senior editor Cameron Easley writes that at least 7 in 10 voters support the following measures: Allowing Medicare to negotiate some prescription drug prices; placing caps on prescription drug price increases; and limiting annual out-of-pocket prescription drug costs to $2,000. And all three measures have broad, bipartisan support.

[redacted]

[redacted]

Check out the full story here: Democrats' Drug Pricing and Medicare Plans Garner Broad Bipartisan Voter Support

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TOP STORIES

- As Senate Democrats eye a slimmer reconciliation package that is likely to include an agreement on drug pricing reforms, Sen. Joe Manchin (D-W.Va.) said that he's wary of adding an extension for enhanced subsidies for Affordable Care Act plans to the deal, citing a fear of anything he believes would contribute "to the horrible inflation triggers we have." Insurers and regulators hope for clarity on ACA subsidies soon, given that rates for 2023 need to be locked in well ahead of the Nov. 1 open enrollment period and no extension would result in substantial premium hikes. (Fierce Healthcare)

- The Department of Health and Human Services is sending guidance to more than 60,000 retail pharmacies, warning that refusal to fill orders for contraception or medication abortion, or discriminating based on pregnancy, is a violation of federal civil rights. (Politico) White House officials, meanwhile, are said to be continuing discussions on whether to declare abortion access a public health emergency, with several top aides to President Joe Biden expressing reservations over the lack of fresh funding and powers that would result from the move, a White House official and two people familiar with the talks said. (The Washington Post)

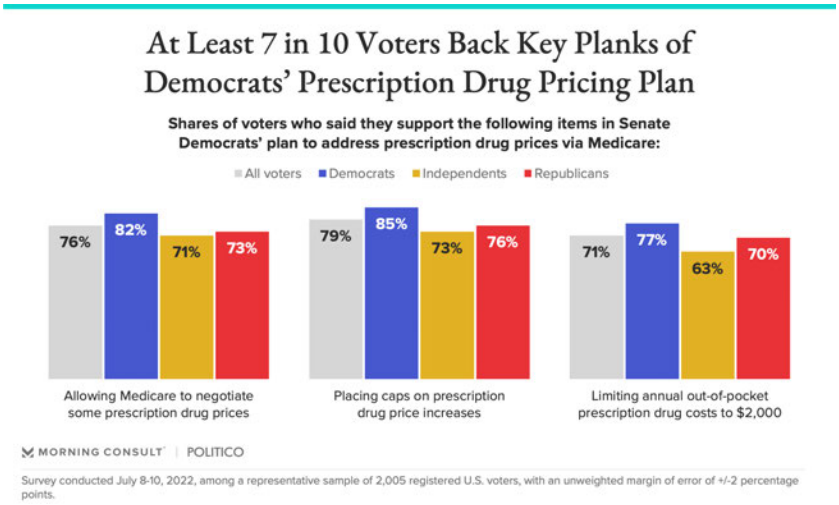
- The Food and Drug Administration authorized Novavax Inc.'s two-dose COVID-19 shot for emergency use for adults, putting Americans one step away from a fourth vaccine option. Novavax, whose COVID-19 vaccine is the first in the United States that uses traditional protein-based technology as opposed to mRNA, now awaits clearance from the Centers for Disease Control and Prevention. (CNBC)

- Reckitt Benckiser Group PLC flew the equivalent of 2 million 8-ounce servings of its Enfamil baby formula from its Singapore plant to Chicago, a move that Robert Cleveland, the company's senior vice president for North America and Europe Nutrition, said would help "play a significant role in putting an end" to the country's monthslong shortage. The formula is scheduled to hit retail shelves in the United States by early August. (Reuters)

[redacted]

CHART REVIEW

Democrats' Drug Pricing and Medicare Plans Garner Broad Bipartisan Voter Support
Morning Consult



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A MESSAGE FROM MORNING CONSULT

Webinar - Most Trusted Brands 2022

With a recession looming, brand trust is more important now than ever before. Good value is crucial to building trust, but how can brands build trust? And what are the top trusted brands today?

Discover the answer to these questions and more in Morning Consult's upcoming Most Trusted Brands 2022 webinar. Join us on Tuesday, July 19 at 1 PM ET.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Low demand for young kids' Covid vaccines is alarming doctors

Krista Mahr and Lauren Gardner, Politico

States where parents have hesitated to inoculate their children against Covid-19 are now ordering fewer doses of the vaccines for children under 5 than others, underscoring the challenge facing the Biden administration as a highly transmissible variant sweeps the nation.

Covid emerges as a complication for a Democratic economic deal

Mike DeBonis, The Washington Post

In recent months, the members of Congress who have publicly reported coronavirus cases overwhelmingly have been Democrats — including the party's two top leaders on Capitol Hill — posing a big and ironic problem for the majority party.

How Novavax is different from other coronavirus vaccines

Bonnie Berkowitz et al., The Washington Post

The newest entry into the U.S. arsenal of coronavirus vaccines uses the oldest technology of the bunch.

Astra's Covid Vaccine Saved Over Six Million Lives in First Year

James Paton, Bloomberg

Covid vaccines from AstraZeneca Plc and Pfizer Inc. had the biggest impact in preventing deaths in the first year of the global rollout, saving an estimated 12 million lives.

Health systems watch for next COVID surge amid rising cases

Caroline Hudson, Modern Healthcare

After a short lull in cases, healthcare systems are once again reviewing the COVID-19 playbook as new strains of the omicron variant cause a steady rise in hospitalizations nationwide.

WHO Panel Advises Against Generic Antidepressant to Treat Covid

Marthe Fourcade, Bloomberg

A generic antidepressant and a gout medicine that garnered some popularity as Covid-19 treatments shouldn't be used for mild infection because there's no evidence they help, according to a panel of experts advising the World Health Organization.

GENERAL

Durbin, Collins blast FDA for failure to ban certain synthetic e-cigarettes

Nicholas Florko, Stat News

Two key senators say the FDA "appears to be on the brink of failing yet again at protecting our nation's children," because the agency has not yet taken action against certain illegal vaping companies despite a clear congressional directive to pull these products off the market.

FDA issues more than 100 warnings over new synthetic nicotine law

Julia Shapero and Rebecca Falconer, Axios

The FDA said it has issued warnings to two manufacturers for marketing synthetic vaping products without authorization and sent 107 other warning letters to retailers for illegally selling such products to underage buyers in recent days.

House Democrats advance bills to bolster abortion access

Mychael Schnell, The Hill

House Democrats on Wednesday advanced two bills that seek to bolster abortion rights, less than one month after the Supreme Court issued a ruling that reversed Roe v. Wade.

Democratic cities in Republican states seek ways around abortion bans

Scott Wilson, The Washington Post

Democratic-controlled cities within Republican states have launched improvisational efforts to preserve abortion services, even as officials acknowledge they will probably fall short of protecting doctors and patients sufficiently to serve as a substitute for a constitutional right to the procedure.

Doctors worry that online misinformation will push abortion-seekers toward ineffective, dangerous methods

Naomi Thomas, CNN

Now that Roe v. Wade has been overturned and some states are putting strict limits on abortions, there's widespread confusion about whether the procedures are available and to whom. Physicians and poison control officials say they're worried that people seeking abortions will turn to ineffective and dangerous methods shared online, potentially delaying or preventing safe, proven abortion care.

Over 80 House Democrats urge Biden to declare public health emergency on abortion

Oriana Gonzalez, Axios

More than 80 House Democrats sent a letter to President Biden urging him to issue a national emergency declaration and a public health emergency declaration in response to the Supreme Court overturning Roe v. Wade.

FTC commits to enforcing privacy laws after Roe falls

Arielle Dreher, Axios

The Federal Trade Commission reaffirmed it would protect consumers who share sensitive health information or location data with mobile apps or websites, threatening to use federal privacy laws against companies that exploit personal data.

Republican Senator Richard Burr Slams US Monkeypox Response

Madison Muller, Bloomberg

A fierce critic of the US Covid-19 strategy, Republican Senator Richard Burr condemned the Biden administration's response to the outbreak of monkeypox virus and called again for the creation of a new government office to deal specifically with pandemics.

Monkeypox vaccine appointment website crashes in New York City

Caroline Vakil, The Hill

New York City's monkeypox vaccine appointment website crashed on Tuesday "due to overwhelming traffic," the city announced as the nation sees an uptick in cases.

Relaxed methadone rules appear safe, researchers find

Carla K. Johnson, The Associated Press

As the coronavirus pandemic shut down the nation in March of 2020, the U.S. government told methadone clinics they could allow stable patients with opioid addiction to take their medicine at home unsupervised.

Compromise veterans bill passes House, heads back to Senate

David Lerman, Roll Call

On a 342-88 vote, the House sent back to the Senate — as an amendment to an unrelated bill — legislation to provide easier access to health care and disability benefits to more than 3.5 million veterans who were exposed to toxic substances while serving overseas.

Studies Probe Adenovirus Link to Childhood Hepatitis Cases

Emily Anthes, The New York Times

For months, scientists around the world have been investigating cases of severe, unexplained hepatitis, or liver inflammation, in previously healthy children. At least 920 probable cases have been detected in 33 countries since October, according to the World Health Organization. About 5 percent have required liver transplants, and 18 deaths have been reported.

Voters, Prosecutors Back Abortion Rights as States Get Grilled

Jalen Brown, Bloomberg Law

Prosecutors refusing to enforce anti-abortion laws and voters campaigning to put reproductive rights on the ballot are just some of the efforts that communities and advocates are taking to defend abortion rights statewide as Congress holds a series of hearings on the matter this week.

PAYERS

Navitus Health Solutions signs on with CivicaScripts to address high-cost generics

Paige Minemyer, Fierce Healthcare

Pharmacy benefit manager Navitus Health Solutions will join CivicaScript as a founding member, the company announced Wednesday.

N.Y. Medicaid Billing Errors May Cost Taxpayers $292 Million

Keshia Clukey, Bloomberg Law

New York taxpayers may be on the hook for $292 million for insufficient oversight of Medicaid payments, according to an audit released Wednesday by the state comptroller's office.

Delaware awards statewide Medicaid contracts to 3 insurers

Samantha Liss, Healthcare Dive

The award means Centene will enter its 30th state, expanding its reach as the nation's largest Medicaid managed care provider, the St. Louis-based insurer said.

PROVIDERS

How the spread of Catholic-owned healthcare facilities may complicate access to reproductive care

Samantha Liss, Healthcare Dive

Catholic facilities must follow ethical and religious directives that say they can't provide abortion or sterilization services and may not "promote or condone" contraceptives.

Citing inequity, hospitals campaign to overturn LA's new $25 minimum wage for healthcare workers

Dave Muoio, Fierce Healthcare

California hospitals have launched a campaign to roll back Los Angeles' newly enacted $25 per hour minimum wage for many private sector healthcare workers.

DOJ files False Claims Act case against dialysis giant Fresenius alleging unnecessary vascular procedures

Heather Landi, Fierce Healthcare

The federal government filed a civil complaint Tuesday in federal court in Brooklyn against the country's largest dialysis provider alleging that the company performed unnecessary procedures on dialysis patients.

Rural Hospital Rescue Program Is Met With Skepticism From Administrators

Sarah Jane Tribble and Tony Leys, Kaiser Health News

The Rural Emergency Hospital program, slated to launch in January, will offer to pay small, struggling hospitals to drop their inpatient beds and focus solely on emergency and outpatient care. It will be the first new federal payment program for rural hospitals in 25 years, and lawmakers

hope it stems the flow of rural hospital closures that accelerated over the past decade.

PHARMA, BIOTECH AND DEVICES

Mylan Can't Shake AstraZeneca Infringement Claim Over Inhaler

Kelcee Griffis, Bloomberg Law

Mylan Pharmaceuticals Inc. must face AstraZeneca Pharmaceuticals AP's patent-infringement claim over a planned generic of the asthma inhaler Symbicort, a West Virginia federal judge ruled.

Gilead Faces Trimmed Suit Linking Hepatitis Drug, Liver Cancer

Julie Steinberg, Bloomberg Law

Gilead Sciences Inc. and its unit Asegua Therapeutics LLC face a narrowed suit alleging a hepatitis C drug caused a man's death from liver cancer, after a federal court in Pennsylvania allowed only negligence claims to advance.

HEALTH TECHNOLOGY

NewYork-Presbyterian invests $15M in AI partnership

Jessica Kim Cohen, Modern Healthcare

NewYork-Presbyterian Hospital has struck a partnership with two Cornell University institutions to develop artificial-intelligence tools for cardiovascular care, the system said Wednesday.

Digital addiction clinic Quit Genius offers at-risk payment model to employers, payers

Heather Landi, Fierce Healthcare

Digital addiction clinic Quit Genius is moving to a full-risk payment model for employers and health plans as enterprise customers show an increased interest in value-based care arrangements.

OPINIONS, EDITORIALS AND PERSPECTIVES

BA.5 should not change how Americans think about living with covid

Leana S. Wen, The Washington Post

A new variant of the coronavirus, even more contagious than previous strains, is now dominant in the United States. But rising cases should not prompt calls for most Americans to hunker down or policymakers to reimpose restrictions. Instead, the rapid spread of the BA.5 omicron subvariant is a window into what the future with this coronavirus looks like.

Empower primary care with adequate payments and technology

Hoangmai Pham and Michael O. Leavitt, Stat News

The resilience of primary care cannot be taken for granted. Signs abound of the strain on many practices under current financing and payment arrangements. Primary care lost an estimated $15 billion in 2020 and, a year later, fully one-third of practices reported not having recovered financially. As a result, a growing number of once-independent practices have been acquired by hospitals or private equity firms.

Medicare Cuts for Diagnostic Tests Would Show the Government Has Taken the Wrong Lessons from COVID-19

Matt Sause and William Morice II, Real Clear Policy

COVID-19 has had a profound impact on the world and taught all of us critical lessons. Chief among these is the importance of ensuring everyone has access to affordable, reliable testing when they need it most. For a highly contagious disease like COVID-19, testing wasn't simply important for individual health. It was essential to minimize community spread, especially while treatments and vaccines were limited or not yet available.

RESEARCH REPORTS

How Well-Targeted are the American Rescue Plan Act's Premium Tax Credits?

Michael Simpson et al., Urban Institute and Robert Wood Johnson Foundation

Extending the American Rescue Plan Act's (ARPA) enhanced premium tax credits would primarily benefit those living at or below 400 percent of the federal poverty level. Over three million more people with incomes at or below 400 percent of the FPL would see reduced monthly marketplace premiums in 2023 if the credits are extended into 2023. Currently, the credits are set to expire at the end of the year.

Associations between low Apgar scores and mortality by race in the United States: A cohort study of 6,809,653 infants

Emma Gillette et al., PLOS Medicine

Apgar scores measure newborn health and are strongly associated with infant outcomes, but their performance has largely been determined in primarily white populations. Given the majority of the global population is not white, we aim to assess whether the association between low Apgar score and mortality in infants varies across racial groups.

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FROM: "The Studio at Harvard Chan School" <studio@hsph.harvard.edu>
TO: hborski@utah.gov
DATE: 14/07/2022 07:22

THE STUDIO | HARVARD T.H. CHAN SCHOOL OF PUBLIC HEALTH

Presented jointly with Reuters

AFTER ROE: WHAT'S NEXT FOR ABORTION ACCESS, LAW, AND POLITICS

Today, Thursday, July 14, 2022, 12-1 pm ET

Register for free to submit your questions.

In overturning Roe v. Wade, the U.S. Supreme Court has ignited fundamental legal and political questions and radically shifted the healthcare landscape. Amidst the furor, those who want to keep abortion safe and legal ponder the path forward. This panel of experts from across Harvard will assess the fallout, evaluate a variety of responses to the ruling, and share their roadmaps to a post-Roe America.

Welcome

Michelle A. Williams (@HarvardChanDean)

Dean of the Faculty

Harvard T.H. Chan School of Public Health

Angelopoulos Professor in Public Health and International Development

Harvard T.H. Chan School of Public Health and Harvard Kennedy School

Speakers

Evelynn Hammonds

Barbara Gutmann Rosenkrantz Professor of the History of Science,

Professor of African and African American Studies and Professor in the

Department of Social and Behavioral Sciences at Harvard T.H. Chan School of Public Health

Elizabeth Janiak (@JaniakElizabeth)

Assistant Professor

Harvard Medical School and Harvard T.H. Chan School of Public Health

Research Investigator, Brigham and Women's Hospital

Director of Social Science Research, ASPIRE Center at Planned Parenthood League of Massachusetts

Jane Mansbridge

Adams Professor of Political Leadership and Democratic Values, Emerita

Harvard Kennedy School

Mary Ziegler (@maryrziegler)

Professor, UC Davis School of Law

Visiting Professor of Constitutional Law, Harvard Law School (spring 2022)

Moderator

Gabriella Borter (@gabriellaborter)

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SUBJECT: Responding to Audit Findings
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: hborski@utah.gov
DATE: 14/07/2022 08:03

Webinar

Responding to Audit Findings

Thursday, July 21 at 1 PM ET

MONTHLY HEALTH CENTER COMPLIANCE WEBINAR

Throughout the public health emergency, health centers received billions of dollars in federal funds. As the audits of CARES Act funds and others begin, health centers may face audit findings, despite paying careful attention to complying with federal grant terms and conditions. Understanding the purpose of the audit and the role of the auditor, along with risk areas in the audit will help health centers evaluate possible courses of action at each stage of the audit process.

On **Thursday, July 21 at 1 PM ET**, join FTLF attorney **Ted Waters** as he covers:

- The do's and don'ts in the audit process
- Resources and opportunities available during the audit
- Strategies and practical guidance for audit resolution

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This webinar is included in the **Premium Plan Subscription**.
Contact us for your registration code.

FTLF HAS DESIGNED THIS WEBINAR FOR THE FOLLOWING HEALTH CENTER AUDIENCE:

- CFOs
- COOs
- Other Health Center staff responsible for managing and responding to a government audit

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Health Center Webinars On-Demand

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Conflicts of Interest: Compliance Requirements and Case Studies
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Student Health and Education Records: Compliance with HIPAA and FERPA
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Deconstructing Scope of Project
Register

Key Disability Rights Laws and the Role of the Health Center
Register

Making the Informed Consent Process Work for Your Health Center
Register

FQHCs in Medicaid: PPS Rates and Beyond
Register

Compliance Program Policies and Procedures: Basics and Best Practices
Register

Responding to Subpoenas, Court Orders, and Law Enforcement Requests for Records
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SUBJECT: July 14, 2022 - Dems mull extending ACA enhancements in spendingpackage
FROM: "AHIP Solutions SmartBrief" <ahip@smartbrief.com>

[redacted]

[redacted]

TO: hborski@utah.gov
DATE: 14/07/2022 08:47

July 14, 2022

TOP STORIES

Dems mull extending ACA enhancements in spending package

Senate Democrats are exploring their options for passing an extension of enhanced Affordable Care Act premium subsidies, which are set to expire by year-end, as part of a broad spending package they hope to pass before leaving Washington, D.C., in August. Millions of Americans could lose health insurance coverage and face higher premiums if the enhancements are not extended, but supporters must allay concerns from Sen. Joe Manchin, D-W.Va., whose vote could block the measure. **Full Story:** The Washington Post (tiered subscription model) (7/13)

Bill would close tax loophole to shore up Medicare

Rep. Lloyd Doggett, D-Texas, introduced legislation this week that would close a tax loophole and direct the resulting revenue to the Medicare Hospital Insurance Fund. Estimates suggest the fund's reserve will be exhausted in 2028, at which point the program's income will allow it to pay out only 90% of total scheduled benefits. **Full Story:** Healthcare Finance (7/12)

Reduce Costs by Optimizing Post-Acute Care Coordination

In a recent study, post-acute utilization declined in 2020, yet costs increased by 4%. With 80 million Americans enrolling in Medicare by 2030, health plans are finding

[redacted]

innovative solutions to streamline post-acute care coordination and uncover new cost savings - without disrupting workflows. **Learn More.**

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PROVIDERS & SUPPLIERS

Poll: Many consumers want personalized care

Eighty-five percent of people responding to a CVS Health survey of 1,000 people said personalized care is important, and 83% indicated they want their primary care provider to have access to information about their genetics, family medical history and inherited lifestyle habits that affect their health. In addition, nearly 60% said having access to telehealth and virtual care remains important to them. **Full Story:** FierceHealthcare (7/13)

MEDICAL UPDATE

Better dental hygiene may cut hospital-acquired pneumonia

Lack of dental care during inpatient stays may be responsible for hundreds of thousands of hospital-acquired infections each year, including nonventilator hospital-acquired pneumonia, which can be fatal in up to 30% of infected patients, especially those lying flat or staying immobile for long periods of time. A greater focus on brushing patients' teeth regularly during hospital stays is needed, some experts say. **Full Story:** Kaiser Health News (7/12)

Adult visceral adiposity tied to higher mortality risks

Data from the UK Biobank show that adults who have a higher visceral adiposity index score could be at greater risk for all-cause mortality and some mortalities with specific causes. A large study published in the journal Nutrition, Metabolism & Cardiovascular Diseases showed that adults in the highest VAI quartile had greater risk for all-cause, cancer and cardiovascular mortality than those in the lowest quartile, and people in the highest quartile also demonstrated greater risk for lung and bronchial cancer death and ischemic heart disease mortality. **Full Story:** Healio (free registration) (7/13)

Grow your career with Health Insurance 101

AHIP's **Health Insurance 101** online course is perfect if you're new to the health insurance industry or want to fill gaps in what you already know. Examine health insurance products, regulations, and the key need-to-knows about today's health insurance industry. **Learn more** and **enroll today!**

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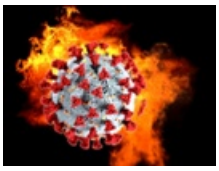
EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

Pa. insurer takes step to address maternal care disparities

Independence Blue Cross has teamed up with Philadelphia-based maternal health firm Cayaba Care to tackle racial inequities in maternal health care, allowing eligible pregnant or postpartum commercial plan members to access Cayaba's services, including personalized in-home, in-office and virtual services such as mental and emotional support, benefit navigation, and symptom management. The insurer also agreed to collaborate with maternal health firm Cocolife.black, which offers access to education and community resources such as free formula, diapers and child care services to pregnant and postpartum women of color. **Full Story:** Becker's Payer Issues (7/11)

Cardiometabolic health, SDOH may factor into COVID-19 severity



(Pixabay)

A 2,873-patient study published in the journal Obesity suggests that adults with greater cardiometabolic staging scores who are affected by high levels of social vulnerability may also be at greater risk for severe COVID-19 illness. "Our work here, as well as other current work and work among other researchers, is beginning to justify the need to look at these measures and to pair them with clinical measures to better capture the patient's unique experience and improve risk stratification," said researcher Carrie Howell of the University of Alabama at Birmingham. **Full Story:** Healio (free registration)/Endocrine Today (7/11)

Health systems support affordable housing in Atlanta

Mercy Care, Trinity Health Care and Saint Joseph's Health System are supporting the construction of a 170-unit affordable housing project beside Mercy Care Clinic in Atlanta. Stable housing is considered a social driver of health, and the complex will have 30 units dedicated for very low-income residents in need of supportive services, while Mercy Care will control 10 units as temporary housing for patients waiting for permanent homes. **Full Story:** The Atlanta Journal-Constitution (7/12)

HEALTH INSURANCE PROVIDER COMPANY NEWS

- **Blue Cross NC Expands Mental Health Care for Children, Underserved Areas Through Collaboration with Headway**
- **CareSource Increases Access to Adaptive Equipment**
- **Building Equity and Equality: 4 Ways Cigna Supports the Black Community**
- **DentaQuest Announces 2022 Health Equity Heroes: Disruptors in Health Systems**
- **GuideWell Named Top Healthcare Diversity Organization**
- **Molina Healthcare to Acquire My Choice Wisconsin**
- **Point32Health Adds Travel Benefit for Members Impacted by the Dobbs v. Jackson Women's Health Organization Supreme Court Decision as well as State Laws Preventing Gender Affirming Surgeries**

SOLUTIONS PROVIDER NEWS

- **Connect America Partners with Euclid RCM to Provide Medical Billing Solutions to Connect America's Rapidly Growing Government Payer Business**
- **Innovaccer Expands into Public Sector to Facilitate More Equitable and Coordinated Care**
- **Inovalon Launches Race & Ethnicity Data Enrichment Offering as Part of its QSI-XL Software Solution**
- **Quit Genius Becomes The First Substance Use Disorder Treatment Provider To Put 100% of Fees at Risk, Guaranteeing Performance and Value For Virtual Addiction Treatment**
- **Virgin Pulse Expands Curated Ecosystem with Five New Partners that Address Rising Health and Wellbeing Needs**

PHARMA NEWS

FDA grants EUA for Novavax's COVID-19 vaccine

The FDA granted emergency use authorization on Wednesday to a COVID-19 vaccine made by Novavax, which uses a more traditional protein-based formulation that may appeal to people who are concerned about mRNA vaccines. The two-dose vaccine is authorized for use among US adults, though the CDC still needs to grant approval before the vaccine can be made available to the public. **Full Story:** Reuters (7/13)

POLICY WATCH

Pandemic still a global health emergency, WHO says

Almost two and a half years after the coronavirus pandemic was declared a global health emergency, the World Health Organization announced that the designation remains in place. The agency's Emergency Committee of independent health experts said that viral evolution, increasing case numbers and continued pressure on health care organizations around the world are behind the decision, and WHO Director-General Tedros Adhanom Ghebreyesus said the pandemic is "nowhere near over." **Full Story:** Reuters (7/12)

AHIP NEWS

Webinar: Simplifying prior authorizations for admissions - register today.

Join us on Tuesday, July 26 from 2 to 3 p.m. ET for "Reducing Administrative Burden in Admission Authorizations" as MCG Health discusses a project that automated manual authorization submissions and made emergent inpatient admission authorizations fully electronic. Hear about feedback from early adopters and realized savings.

The national footprint of employer-provided coverage

In nearly 30 U.S. states, at least half the state population receives health care through an employer, according to a recent article from AHIP's Coverage@Work campaign. In Utah, for example, more than 60% of the population is enrolled in employer-provided coverage, and in Nevada, nearly half the workforce has access to dental insurance through their employer.

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LHP MSO, LLC - *Chicago, IL, US*

Medicare Advantage ISNP Sales- Base salary plus commission– Orlando, FL

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SUBJECT: Our Best Intel: July 14, 2022
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 14/07/2022 16:00

To view this email as a web page, click here

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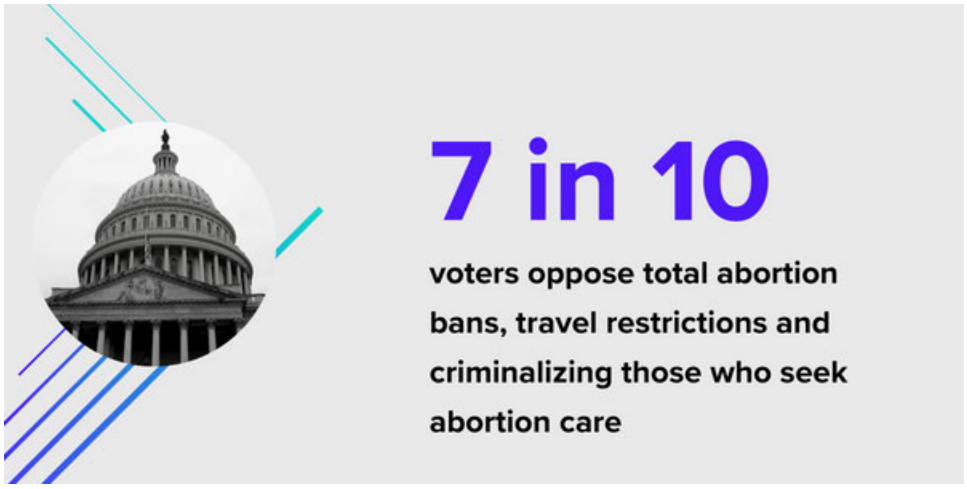
SHORT SURVEY

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short questions about your experience with Morning Consult's news and analysis: Take the survey now.



HEALTH

Republican-Led States Are Pushing Through Abortion Restrictions Opposed by Most Voters

The Supreme Court's ruling last month to overturn Roe v. Wade triggered dozens of state-level abortion bans, along with a fresh set of legal challenges as various governors and legislatures push further to restrict abortion care. A new Morning Consult/Politico survey finds that most voters are opposed to almost a dozen state-level initiatives that curb or criminalize the procedure. Read more.

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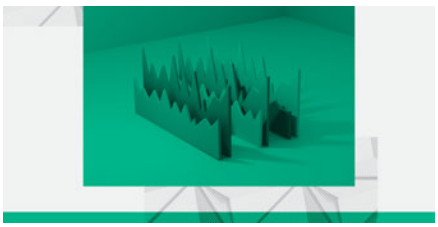

[redacted]

WEBINAR

Most Trusted Brands 2022 Webinar

With a recession looming, brand trust is more important now than ever before. Discover how brands can build trust in Morning Consult's upcoming Most Trusted Brands 2022 webinar on Tuesday, July 19 at 1PM ET.

Register now.

REPORT

Supply Chains & Inflation Report: July 2022

Affordability concerns are becoming widespread as inflation remains elevated. Morning Consult examines these trends and more in our latest U.S. Supply Chains & Inflation Report.

Download today.

FROM OUR ANALYSTS

GEOPOLITICS

Democrats' Renewed Interest in Scaling Back China Tariffs to Fight Inflation Will Increase Companies' Leverage to Overturn Them: A plurality of Democrats (44%) now support reducing tariffs on China to fight inflation, reversing course relative to May 2022, when our data showed the opposite. Read more.

GEOPOLITICS

As Beijing Cools on Foreign Investors, Chinese Consumers Are Not Ready to Freeze Them Out: The Chinese Communist Party is ramping up efforts to ring-fence foreign investment and reprioritize state-led growth, but over two-thirds of Chinese adults still view FDI as important to achieving the country's development goals, a critical source of party legitimacy. Read more.

WHAT WE'RE TRACKING

Smart Cart

Use of in-store pickup and same-day delivery for apparel purchases has ticked up over the last three months, from 31% in March to 38% in June for in-store

Trust in U.S. Institutions

Average trust for U.S. adults in all U.S. institutions dipped in June to 47.3% and less than half of U.S. adults trust the Supreme Court. Learn more.

Global Leader Approval

After his announcement of resignation, Boris Johnson, Prime Minister of the United Kingdom saw a 7-point drop in net approval and dropped to a tracking low of -47. Learn more.

pickup and from 28% to 35% for same-day delivery. Learn more.

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TO: hborski@utah.gov
DATE: 15/07/2022 02:33

PUBLIC POLICY

Friday, July 15, 2022

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Analysis

Heat Wave Underscores Urgency Of Texas Grid Policy Reform

Texas utility regulators on Thursday boosted electricity conservation incentives amid heat wave-induced supply crunches, but experts say the grid's recent close shaves will increase the pressure to finalize changes to the state's power sector spurred by last year's deadly winter blackouts.
Read full article »

Analysis

Illinois Cases To Watch In 2nd Half Of 2022

Justices on the Illinois Supreme Court could offer clarity in the coming months on two key interpretations of the state's landmark biometric privacy law. Here, Law360 breaks down

[redacted]

those and other cases Illinois attorneys should be watching in the second half of the year.

Read full article »

Bannon, Again, Loses Bid To Delay Monday Contempt Trial

A D.C. federal judge on Thursday declined for the second time this week to delay the Monday start of former Trump White House aide Steve Bannon's trial for criminal contempt of Congress.

Read full article »

Senate Confirms Iowa Judge, Advances Childs' DC Circ. Nom

The Senate confirmed President Joe Biden's first district court nominee from a state with two Republican senators Thursday and voted 58-33 on a procedural motion setting up a confirmation vote for U.S. District Judge J. Michelle Childs to the D.C. Circuit, a significant show of bipartisan support for two of Biden's judicial picks.

Read full article »

BANKING & SECURITIES

Fed Reserve OIG Clears Powell, Clarida Of Improper Trading

Federal Reserve Chair Jerome Powell and former Vice Chair Richard Clarida did not violate the law or the central bank's policies with their trading activities, the bank's independent investigative entity said Thursday.

Report attached | Read full article »

Calif. Can't Enforce Board Diversity Law During Appeal

A California judge who invalidated a state law requiring publicly held corporations to appoint people from "underrepresented communities" on boards refused to pause his order pending appeal, ruling that his order does not change the status quo or force the state to take action to comply with it.

Read full article »

Whistleblower Strikes At Mortgage Co.'s Defense In FCA Row

A whistleblower asked a California federal court for an early win on several defenses brought by a mortgage lender she accused of writing unfit Federal Housing Administration loans, arguing that Academy Mortgage Corp. hasn't shown that the government knew and allowed its alleged misconduct.

Motion attached | Read full article »

ENERGY & ENVIRONMENTAL

States Seek Summary Judgment To End Drilling Lease Ban

Thirteen states urged a Louisiana federal judge Wednesday to grant their motion for summary judgment that would put a permanent stop to the Biden administration's temporary ban on oil and gas drilling leases on public lands and offshore, claiming it is an unlawful order and should be reviewed by the court.

Memorandum attached | Read full article »

Chemours Takes On EPA Drinking Water Chemical Advisory

The Chemours Co. filed a petition with the Third Circuit on Wednesday challenging the U.S. Environmental Protection Agency's recent drinking water health advisories for a group of chemicals that were developed to replace an older variety.

Petition attached | Read full article »

Wis. Counties Want 7th Circ. To Block $500M Power Line Work

Two Wisconsin counties have told the Seventh Circuit a district court's ruling against a $500 million power line project didn't go far enough since no injunction is in place that would stop the developer from steaming ahead with damaging construction.

1 document attached | Read full article »

POST-ROE FALLOUT

Texas Sues Feds Over Emergency Abortion Care Guidance

LAW FIRMS IN TODAY'S NEWS

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Cassiday Schade
Cooley LLP
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Mayer Brown
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Ogletree Deakins
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Peters Murdaugh
Pierce Atwood
Quinn Emanuel
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Commonwealth Edison Co.
Dairyland Power Cooperative

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Texas sued the U.S. Department of Health and Human Services on Thursday over guidance it issued earlier this week mandating that doctors are required to perform abortions deemed necessary in emergency situations, regardless of state abortion restrictions.

3 documents attached | Read full article »

Republicans Block Bill To Protect Interstate Abortion Travel

Senate Republicans on Thursday refused to fast-track a Democratic bill that would protect the right of pregnant people to cross state lines to obtain abortions, and would also shield those who transport them, as well as providers in states where abortion remains legal from lawsuits and prosecution.

Bill attached | Read full article »

Pa. AG Pledges To Defend Abortion Access From Other States

Pennsylvania Attorney General Josh Shapiro on Thursday decried the U.S. Supreme Court's ruling eliminating the federal right to abortion and pledged to use his office's resources to fight any attempts by other states to bring criminal or civil actions against providers or patients in Pennsylvania.

Read full article »

Dems Push Biden For Health Emergency On Abortion

President Joe Biden is facing increasing pressure from congressional Democrats to declare emergencies related to reproductive rights, with leaders in the U.S. Senate on Wednesday citing concerns about the recent U.S. Supreme Court decision allowing states to ban abortions.

Letter attached | Read full article »

INSURANCE

San Jose Gun Insurance Edict Not Ripe For Block, Judge Says

A California federal judge indicated Thursday she'll likely deny a gun rights group's bid to block the city of San Jose's new ordinance requiring gun owners to purchase insurance and pay an annual fee, saying the group's constitutional claims aren't ripe yet because the law hasn't taken effect.

Read full article »

EMPLOYMENT & BENEFITS

Arbitrator Erred By Creating Quarantine Pay, Pa. County Says

A Pennsylvania county urged a state court to reverse an arbitration award giving paid time off to union-represented corrections officers who quarantined after exposure to COVID-19, arguing the arbitrator exceeded his power under the labor contract by creating new benefits.

Petition attached | Read full article »

COMPETITION

Amazon Proposes 2nd Buy Box Offer In EU Antitrust Deal

Amazon.com on Thursday floated several commitments to appease European competition enforcers who have accused the e-commerce giant of misusing its access to third-party seller information and giving preference to its own offerings and logistics customers.

Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

AAU Must Face Negligence Suit Over Teen Athlete Sex Assault

A Wisconsin appeals court on Thursday revived a suit from a former teen athlete against the Amateur Athletic Union alleging its negligence led to her sexual assault by a coach, saying a state law allowing such claims to be brought until a victim is 35 is not limited to claims against religious organizations.

Opinion attached | Read full article »

GOVERNMENT CONTRACTS

DOL Revives Nondisplacement Rule For Service Contractors

Edison Electric Institute Inc.
Electric Reliability Council of Texas Inc.
FTI Consulting Inc.
Fortress Investment Group LLC
Fresenius Kabi AG
Gartner Inc.
Google LLC
Illinois Trial Lawyers Association
Intel Corp.
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Midcontinent Independent System Operator Inc.
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Perceptron, Inc.
Planned Parenthood Federation
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The Chemours Co.
The New York Times Co.
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Volkswagen AG
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GOVERNMENT AGENCIES IN TODAY'S NEWS

California Air Resources Board
California Attorney General's Office
California Secretary of State
Congressional Research Service
Delaware Court of Chancery
Dormitory Authority of the State of New York
European Commission
European Union
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Housing Administration
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Ho-Chunk Nation
Illinois Supreme Court
Indian Health Service
Internal Revenue Service
International Trade Commission
Massachusetts Legislature
Navajo Nation
Occupational Safety and Health Administration
Public Utility Commission of Texas
Rosebud Sioux Tribe
Rural Utilities Service
Texas Attorney General's Office
Texas Commission on Environmental Quality
Texas Supreme Court
U.S. Attorney's Office for the Northern District of Illinois
U.S. Bankruptcy Court for the Eastern District of Virginia

The U.S. Department of Labor on Thursday issued a proposal to require federal service contractors to give first right of refusal to incumbent employees when taking over agencies' existing requirements, effectively reviving and expanding on a rescinded Obama-era rule.

Proposed Rule attached | Read full article »

AEROSPACE & DEFENSE

House Passes $850.4B Defense Budget Bill

The U.S. House of Representatives on Thursday passed an $850.4 billion defense policy and budget bill for 2023 after rejecting attempts to trim the budget in a marathon debate session.

Bill attached | Read full article »

TAX

Strike Shuts Down South African Tax Agency Offices

Striking employees forced dozens of South African Revenue Service branch offices to shut down Thursday for at least the second day in a row, according to a notice on the tax agency's website.

Read full article »

IMMIGRATION

ICE Must Safeguard Migrant Family Unity Under Biden Memo

U.S. Immigration and Customs Enforcement officers must take steps to keep immigrant families together "to the greatest extent possible" while carrying out arrests, deportations or other enforcement actions, according to a new policy released by the Biden administration on Thursday.

Memorandum attached | Read full article »

Maine Urges 1st Circ. To Restore Law Punishing H-2A Hiring

The Maine Attorney General urged the First Circuit to restore a law that punishes businesses for hiring foreign logging truck drivers through the H-2A visa program, saying the law is solely concerned with employment and doesn't conflict with federal immigration authority.

Brief attached | Read full article »

WHITE COLLAR

Ex-ComEd CEO, Lobbyists Set For March Bribery Trial

Commonwealth Edison Co.'s former CEO and several ex-lobbyists and consultants are now set to go to trial in Chicago on March 6 on charges of conspiracy and bribery to push for energy regulation favorable to the utility.

Read full article »

NATIVE AMERICAN

Senate Indian Panel OKs Biden's Pick For IHS Director

Roselyn Tso, President Joe Biden's nominee to become the director of the Indian Health Service at the U.S. Department of Health and Human Services, has won the Senate Committee on Indian Affairs' approval to serve in the position.

Read full article »

TELECOMMUNICATIONS

FCC Targets Call Traffic Pumping Loophole

The Federal Communications Commission moved Thursday to revamp intercarrier fee rules to prevent phone companies from using the internet to end-run FCC regulations against juicing up call traffic.

5 documents attached | Read full article »

FCC Wants Outfit Behind 'ScammerBlaster' Fined $116M

The Federal Communications Commission on Thursday floated a $116 million fine over an alleged scheme to send nearly 10 million robocalls to businesses in order to generate unwarranted dialing fees from toll-free carriers.

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U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. District Court for the Middle District of Tennessee
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Northern District of Texas
U.S. District Court for the Western District of Louisiana
U.S. Environmental Protection Agency
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Western District of Wisconsin
Upper Sioux Community
Wage and Hour Division

CANNABIS

NY Cannabis Regulators OK Rules For 1st Retail Applications
Empire State cannabis regulators on Thursday approved rules governing how applications for the first batch of adult-use cannabis retail licenses will be meted out.
Read full article »

Rastafarian Church's Suit Paused For Minister's Criminal Trial
A Rastafarian church's First Amendment lawsuit against the city of Madison, Wisconsin, and its officials over a police drug raid must wait, a federal judge ruled Tuesday, saying the state criminal case accusing its minister of growing and selling cannabis must be adjudicated first.
2 documents attached | Read full article »

EXPERT ANALYSIS

EPA Ruling Signals Arrival Of 'Major Questions Doctrine'
While the specific subject of the U.S. Supreme Court's decision in West Virginia v. U.S. Environmental Protection Agency was how the EPA may regulate greenhouse gas emissions under the Clean Air Act, the ruling's lasting legacy will be the elevation of the so-called major questions doctrine, which could constrain federal regulatory authority in many areas, says Allison Wood at McGuireWoods.
Read full article »

FTC Authority To Ban Noncompetes Shaky After EPA Ruling
The recent U.S. Supreme Court decision in West Virginia v. Environmental Protection Agency provides a potentially viable argument that the Federal Trade Commission lacks the authority to regulate noncompetes, and supports the invocation of the major questions doctrine to limit the FTC's powers, say Erik Weibust and Stuart Gerson at Epstein Becker.
Opinion attached | Read full article »

A Close Look At The Decentralized Effort To Tax Digital Assets
Clarity on taxation is one of the biggest hurdles to mass adoption of cryptocurrency, and although digital asset innovation has consistently outpaced worldwide government regulation, recent efforts in the U.S. and elsewhere hint at an emerging standard, says Joshua Smeltzer at Gray Reed.
Read full article »

How New USPTO Guidance Fine-Tunes Fintiv Application
The U.S. Patent and Trademark Office's recent guidance on discretionary denials following the precedential Fintiv case is intended to address inefficiency and gamesmanship, and may reduce the Patent Trial and Appeal Board's denials of institution based on Fintiv, say attorneys at Finnegan.
Read full article »

Using Int'l Discovery Statute After High Court Limits Its Scope
While a U.S. Supreme Court decision last month undoubtedly limits Section 1782 discovery in private international arbitration, it remains available to a wide swath of litigants, who should consider the current framework various courts employ in evaluating such requests, say Anthony Pierce and Allison Coffin at Akin Gump.
Read full article »

Tips For Handling Audio Data In E-Discovery Post-Pandemic
The rise of remote meetings during the COVID-19 pandemic has boosted the volume and importance of audio data in e-discovery — so organizations in highly regulated industries must collect and process that data, and establish complex strategies to manage their audio records, says Jack Bullen at FTI Consulting.
Read full article »

LEGAL INDUSTRY

Atty Murdaugh Charged With Killing Wife And Son

Disgraced South Carolina attorney Alex Murdaugh has been charged in the murder of his wife and son, more than a year after the pair were found shot to death at a rural hunting estate while Murdaugh's storied legal career was unraveling amid a series of financial scandals that shocked the local legal community.

Read full article »

Biden Announces 5 New District Court Picks

President Joe Biden announced five new picks for district courts in four states Thursday, the third slate of judicial nominees the White House has released this week.

Read full article »

Judge Leery Of Trustee Challenge To $21M LeClairRyan Deal

The Virginia federal judge leading the LeClairRyan LLC bankruptcy case questioned Thursday whether the U.S. trustee could challenge a $21 million settlement struck by a Chapter 7 trustee with legal services giant UnitedLex.

Read full article »

VW Decries Texas Gov.'s Bias In Choosing Emissions Judges

Volkswagen says there's an impermissible conflict of interest in letting the Texas governor appoint two temporary justices to the state Supreme Court to decide whether Texas can pursue claims the automaker allegedly violated environmental laws by rigging vehicle emissions.

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SUBJECT: Texas Sues Feds Over Emergency Abortion Care Guidance
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 15/07/2022 03:01

HEALTH

[redacted]

Friday, July 15, 2022

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3 documents attached | Read full article »

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Bill attached | Read full article »

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Letter attached | Read full article »

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Pennsylvania Attorney General Josh Shapiro on Thursday decried the U.S. Supreme Court's ruling eliminating the federal right to abortion and pledged to use his office's resources to fight any attempts by other states to bring criminal or civil actions against providers or patients in Pennsylvania.
Read full article »

Doctors Sue DHS, Medical Boards Over Freedom Of Speech
The U.S. Department of Homeland Security and three specialty medical boards were hit with allegations of working together to censor doctors who disapproved of COVID-19 vaccines and mandates, abortion and contraception by labeling their speech as false information.

Complaint attached | Read full article »

POLICY & REGULATION

Senate Indian Panel OKs Biden's Pick For IHS Director
Roselyn Tso, President Joe Biden's nominee to become the director of the Indian Health Service at the U.S. Department of Health and Human Services, has won the Senate Committee on Indian Affairs' approval to serve in the position.
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ENFORCEMENT & COMPLIANCE

Med Biller Posing As NBA, NFL Figures Guilty Of $600M Scam
A federal jury convicted a Long Island medical biller of bilking over $600 million from insurance companies by submitting false and exaggerated claims for his doctor clients, allegedly pocketing $63 million in commissions while impersonating patients including Boston Celtics star Marcus Smart and NFL General Counsel Jeffrey Pash.
Read full article »

LITIGATION

Airmen Get Class Cert. In Suit Challenging Air Force Vax Rule
An Ohio federal judge granted on Thursday a group of U.S. Air Force servicemen class certification in their suit alleging the Air Force violated thousands of airmen's religious freedoms by requiring them to get a COVID-19 vaccination without religious exceptions.

Order attached | Read full article »

Bristol-Myers Opts To Drop Suit Rather Than Publish Award

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Goodwin Procter
Greenberg Traurig
Hall Booth
Heidell Pittoni
Holland & Knight
Irell & Manella
Jackson Lewis P.C.

[redacted]

Bristol-Myers Squibb Co. has decided to quietly dismiss its lawsuit seeking to enforce an arbitral award it won in a fight with Novartis Pharma AG over transgenic mice rather than be forced to place the award on the public docket.

Notice attached | Read full article »

IP Forecast: 'Pulp Fiction' NFT Feud To Play In LA Court

A federal judge in Los Angeles next week will hear lawyers for director Quentin Tarantino argue that a non-fungible token that recently sold for more than $1 million was based on his own handwritten screenplay for "Pulp Fiction" and doesn't belong to the movie studio that owns the copyright on his hit 1994 movie. Here's a look at that case — plus all the other major intellectual property matters on deck in the coming week.

Read full article »

No New Med Mal Trial Despite Atty Flub, NY Court Says

A New York appellate panel has refused to order a new trial in a medical malpractice case against North Shore University Hospital despite an "inexcusably careless" action by defense counsel in front of the jury.

Opinion attached | Read full article »

Supplement Co. Wants $476K Atty Fees In Kratom TM Row

A vitamin supplement company is asking a Georgia federal court to award $476,000 in attorney fees after winning summary judgment in a trademark dispute, saying the litigation was frivolous and nearly bankrupted the company.

Memorandum attached | Read full article »

Aetna Urges Court To Toss Yale Health Coverage Suit

Aetna Life Insurance Co. urged a Connecticut federal court to toss a proposed class action for lack of standing filed by a Yale University health plan beneficiary who alleged the insurer violated federal benefits laws by using overly restrictive medical necessity guidelines when it denied coverage for physical therapy.

Memorandum attached | Read full article »

Ex-Novartis Sales Rep Claims Firing Was Retaliatory

Novartis Pharmaceuticals Corp. and two employees were accused of wrongfully firing a sales specialist for reporting that a co-worker falsified records and caused her to have a lower number of sales.

Complaint attached | Read full article »

Greenhouse Maker Says Cannabis Grower Infringed Patent

Cannabis grower Copperstate Farms has been accused by a greenhouse design patent holder of stealing its unique design complete with a climate control section and of infringing its patent.

Complaint attached | Read full article »

PEOPLE

Winston & Strawn Adds Ex-HHS Regulatory Atty In DC

Winston & Strawn LLP has added a health care and life sciences regulatory attorney to its Washington, D.C., office, the firm announced Thursday.

Read full article »

Jackson Lewis Taps Arrowood Atty As Boston Litigation Chief

Jackson Lewis PC announced recently that it's rehired an Arrowood LLP employment law partner as a litigation manager for the firm's Boston office.

Read full article »

EXPERT ANALYSIS

Questions To Consider In High Court FCA Dismissals Case

Next term, when the U.S. Supreme Court reviews whether the government has authority to dismiss a False Claims Act suit after initially declining to proceed with the action in Polansky v. Executive Health Resources, it will likely require

Jones Day
Kercsmar & Feltus
Kirkland & Ellis
Krieger Kim
Levinger PC
Littler Mendelson
Mayer Brown
McDermott Will
Miner Barnhill
Multnomah Defenders
Nelson Mullins
Peters Murdaugh
Preti Flaherty
Proskauer Rose
Quinn Emanuel
Robinson & Cole
Silver Golub
Siri & Glimstad
Strong & Hanni
Sullivan & Cromwell
Tavenner & Beran PLC
Willkie Farr
WilmerHale
Winston & Strawn

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Air Resources Board
Congressional Research Service
Executive Office of the President
Food and Drug Administration
Indian Health Service
Navajo Nation
Texas Attorney General's Office
Texas Commission on Environmental Quality
Texas Supreme Court
U.S. Air Force
U.S. Attorney's Office for the Eastern District of New York
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Connecticut
U.S. District Court for the Eastern District of New York
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Navy
U.S. Patent and Trademark Office
U.S. Senate
U.S. Supreme Court
United States District Court for the Southern District of Ohio

the government to intervene before seeking dismissal, says Christina Lehm at Nelson Mullins.
Read full article »

Tips For Handling Audio Data In E-Discovery Post-Pandemic
The rise of remote meetings during the COVID-19 pandemic has boosted the volume and importance of audio data in e-discovery — so organizations in highly regulated industries must collect and process that data, and establish complex strategies to manage their audio records, says Jack Bullen at FTI Consulting.
Read full article »

LEGAL INDUSTRY

Atty Murdaugh Charged With Killing Wife And Son
Disgraced South Carolina attorney Alex Murdaugh has been charged in the murder of his wife and son, more than a year after the pair were found shot to death at a rural hunting estate while Murdaugh's storied legal career was unraveling amid a series of financial scandals that shocked the local legal community.
Read full article »

Biden Announces 5 New District Court Picks
President Joe Biden announced five new picks for district courts in four states Thursday, the third slate of judicial nominees the White House has released this week.
Read full article »

Senate Confirms Iowa Judge, Advances Childs' DC Circ. Nom
The Senate confirmed President Joe Biden's first district court nominee from a state with two Republican senators Thursday and voted 58-33 on a procedural motion setting up a confirmation vote for U.S. District Judge J. Michelle Childs to the D.C. Circuit, a significant show of bipartisan support for two of Biden's judicial picks.
Read full article »

Judge Leery Of Trustee Challenge To $21M LeClairRyan Deal
The Virginia federal judge leading the LeClairRyan LLC bankruptcy case questioned Thursday whether the U.S. trustee could challenge a $21 million settlement struck by a Chapter 7 trustee with legal services giant UnitedLex.
Read full article »

VW Decries Texas Gov.'s Bias In Choosing Emissions Judges
Volkswagen says there's an impermissible conflict of interest in letting the Texas governor appoint two temporary justices to the state Supreme Court to decide whether Texas can pursue claims the automaker allegedly violated environmental laws by rigging vehicle emissions.
Read full article »

JOBS

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Schoen Legal Search
New York City, New York

Corporate partner for NY office of well-known NY/NJ mid-sized firm
Schoen Legal Search
New York City, New York

Well known mid-sized FULL SERVICE law firm SEEKS MATRIMONIAL/FAMILY LAW PARTNER
Schoen Legal Search
New York, New York

Health Care Regulatory & Transactional Attorney
Moore & Van Allen, PLLC
Charlotte, North Carolina

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SUBJECT: Morning Consult Health: Manchin Said to Commit to Supporting ACASubsidies Extension
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 15/07/2022 06:19

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 15, 2022

BY MATT BRACKEN

Twitter Email

TOP STORIES

- Sen. Joe Manchin (D-W.Va.) reportedly told Senate Majority Leader Chuck Schumer (D-N.Y.) that he is prepared to support a two-year extension of subsidies for Affordable Care Act plans as part of Democrats' reconciliation spending bill, in addition to measures aimed at lowering prescription drug prices for seniors, for which he has previously expressed support. Manchin also said he would not back a reconciliation bill in August on climate change or new taxes of any kind, according to a Democratic source, despite having recently signed on to a plan to address Medicare solvency by closing a loophole that allows high-income Americans to shield their income. (Roll Call)

- UnitedHealth Group Inc. raised its full-year profit forecast after reporting an 18% rise in second-quarter revenue to $45.1 billion in

[redacted]

[redacted]

its Optum health care services unit. UnitedHealth noted that the strong sales from Optum helped the company weather turmoil in its insurance business due to pandemic-spurred changes in consumers' use of medical services. (Reuters)

- Texas Attorney General Ken Paxton filed a lawsuit against the Biden administration over recent guidance warning providers that refusing to provide abortions in emergency situations is a violation of federal law. The lawsuit claims that the guidance "forces hospitals and doctors to commit crimes and risk their licensure under Texas law," while the White House said in a statement that the action amounts to "yet another example of an extreme and radical Republican elected official." (Politico)

- Sen. James Lankford (R-Okla.) blocked a request from Sen. Catherine Cortez Masto (D-Nev.) and other Senate Democrats to unanimously pass a bill that would protect interstate travel for abortion, saying "there's a child in this conversation as well." The measure would have also protected those who provide abortions to out-of-state patients. (The Hill)

CHART REVIEW

Rural hospitals again face financial jeopardy

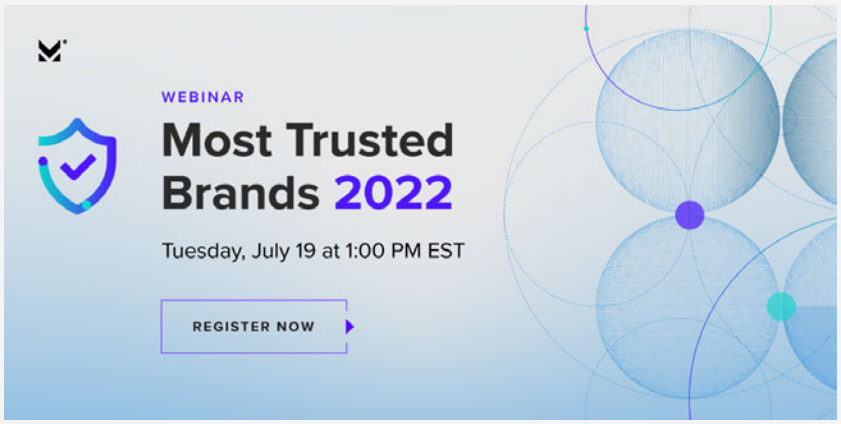
Axios

[redacted]

EVENTS CALENDAR (ALL TIMES LOCAL)

View Full Calendar

A MESSAGE FROM MORNING CONSULT



Webinar - Most Trusted Brands 2022

With a recession looming, brand trust is more important now than ever before. Good value is crucial to building trust, but how can brands build trust? And what are the top trusted brands today?

Discover the answer to these questions and more in Morning Consult's upcoming Most Trusted Brands 2022 webinar. Join us on Tuesday, July 19 at 1 PM ET.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

The BA.5 Wave Is What COVID Normal Looks Like

Katherine J. Wu, The Atlantic

After two-plus years of erupting into distinguishable peaks, the American coronavirus-case curve has a new topography: a long, never-ending plateau. Waves are now so frequent that they're colliding and uplifting like tectonic plates, the valleys between them filling with virological rubble.

More than 1 in 2 Americans now live in an area where CDC urges indoor masking to curb COVID-19 surges

Alexander Tin, CBS News

More than half of Americans now live in communities where the Centers for Disease Control and Prevention urges indoor masking and other measures to curb a surge in COVID-19, according to figures published Thursday by the agency.

WHO: COVID-19 cases rise for the 5th week, deaths stable

The Associated Press

In the U.N. health agency's weekly review of the COVID-19 pandemic, WHO said there were 5.7 million new infections confirmed last week, marking a 6% increase. There were 9.800 deaths, roughly similar to the previous week's figure.

A Twitter 'rando' named a new coronavirus variant Centaurus and it stuck

Ellen Francis, The Washington Post

"I have just named BA.2.75 variant after a galaxy," wrote Xabier Ostale, who often uses his Twitter account to share coronavirus news. He dubbed the latest coronavirus subvariant that's drawing attention from scientists "Centaurus."

GENERAL

Virus that can cause severe illness in babies seen in multiple states, CDC cautions

Tim Stelloh, NBC News

Health care providers in multiple states have reported a virus that can cause seizures, meningitis and other severe illnesses in infants under 3 months old, federal officials said Thursday.

Indiana AG eyes criminal prosecution of 10-year-old rape victim's abortion doc

Alice Miranda Ollstein, Politico

Indiana Attorney General Todd Rokita is threatening criminal charges against the doctor who performed an abortion on a 10-year-old rape survivor from Ohio — a major escalation in the ongoing saga that has put the midwestern state on the frontlines of the post-Roe war.

National Right to Life official: 10-year-old should have had baby

Megan Messerly and Adam Wren, Politico

The 10-year-old Ohio girl who crossed state lines to receive an abortion in Indiana should have carried her pregnancy to term and would be required to do so under a model law written for state legislatures considering more restrictive abortion measures, according to the general counsel for the National Right to Life.

Indiana asks Supreme Court to let it enforce parental-notice abortion law

John Kruzel, The Hill

Indiana asked the Supreme Court on Thursday to let it enforce a law that would stiffen parental notice requirements in cases where a minor seeks an abortion.

Ready or Not, 988 Mental Health Helpline Set to Launch

Steven Ross Johnson, U.S. News & World Report

Starting Saturday, the National Suicide Prevention Lifeline - funded through the Substance Abuse and Mental Health Services Administration and administered by the nonprofit Vibrant Emotional Health - is scheduled to expand and receive calls or texts sent to the new three-digit, 988 emergency number, along with fielding calls and messages to its prior hotline at 1-800-273-8255.

US regulators clear way for more monkeypox vaccine shipments

Matthew Perrone, The Associated Press

Thousands more doses of monkeypox vaccine are expected to soon begin shipping to the U.S. after federal health officials said they had completed an inspection of the overseas plant where they were manufactured.

Doctors warn US monkeypox response is lagging

Ariel Cohen, Roll Call

The Centers for Disease Control and Prevention has identified more than 1,000 cases of monkeypox in the United States, but even though the federal government has ample treatments and vaccinations on hand, physicians say bureaucratic red tape is hindering their ability to respond to and contain the outbreak.

Tobacco-Free Vape Makers Face First FDA Enforcement Moves

Celine Castronuovo, Bloomberg Law

The FDA said it's issued warnings to more than 100 retailers for illegally selling synthetic nicotine products to underage Americans, marking its first enforcement steps in an area that has long gone without federal oversight.

Baby-Formula Shortage Deepens, Defying Replenishment Efforts

Jesse Newman and Jaewon Kang, The Wall Street Journal

Availability of powdered formula products in U.S. stores earlier this month dropped to the lowest level so far this year, with about 30% of products out of stock for the week ended July 3, according to the market-research firm IRI. While availability improved slightly last week, out-of-stock levels remain higher than in recent months, and shortages remain acute in states including Alaska, Utah and Wyoming, IRI data showed.

25 million children missed out on lifesaving vaccines in 2021, WHO and UNICEF data shows

Naomi Thomas, CNN

Vaccine coverage continued to decline worldwide in 2021, with 25 million children missing out on lifesaving vaccines, according to data published Thursday by the World Health Organization and UNICEF.

Senate Democrats call on Biden to declare public health emergency on abortion

Oriana Gonzalez, Axios

Nearly 20 Senate Democrats are urging President Biden to "immediately" declare a public health emergency on abortion following the Supreme Court's ruling overturning Roe v. Wade.

Taking On Chicago's Gun Violence With Public-Health Strategies

Madison Muller, Bloomberg Businessweek

The Centers for Disease Control and Prevention has begun backing programs such as ShootSafe, an interactive website that aims to teach children how to avoid accidental shootings. And researchers are collecting surveillance data with the aim of reducing injuries in large urban communities with high levels of gun violence. Others are looking at hospital-based prevention programs that connect gun violence victims with firearm safety counseling.

As Y Chromosomes Vanish With Age, Heart Risks May Grow

Gina Kolata, The New York Times

A new study using male mice genetically engineered to lose their Y chromosomes provides insight. The paper, published on Thursday in the journal Science, found that when the Y chromosome was gone from blood cells in those mice, scar tissue built up in the heart, leading to heart failure and a shortened life span.

PAYERS

Reconciliation talks so far quiet on Medicaid expansion

Lauren Clason and Jessie Hellmann, Roll Call

Advocates are pushing to squeeze Medicaid expansion and home health funding into a potential budget reconciliation bill after Majority Leader Charles E. Schumer, D-N.Y., renewed negotiations with moderate West Virginia Democrat Joe Manchin III.

TeamHealth sues UnitedHealthcare over denied payments for emergency services in Nevada

Samantha Liss, Healthcare Dive

TeamHealth filed suit in federal court on Wednesday alleging that UnitedHealthcare wrongly denied and underpaid for services its emergency physicians provided to patients in Nevada.

Clover to enter 13 new markets for 2023 amid rising expenses

Rebecca Pifer, Healthcare Dive

Clover plans to offer Medicare Advantage plans in 13 new counties across Georgia, South Carolina and Tennessee next year as the insurtech, facing rising expenses, zeroes in on growth markets.

Molina to acquire Wisconsin Medicaid plan in $150M deal

Paige Minemyer, Fierce Healthcare

The Medicaid managed care organization has offered services in the state for 22 years and, as of May, covered 44,000 Medicaid and managed long-

term services and supports (MLTSS) members. That accounts for about $1 billion in premium revenue in the 12 months ending March 31.

AIDS Healthcare Foundation sues Express Scripts over Medicare 'clawbacks'

Paige Minemyer, Fierce Healthcare

In the lawsuit, filed in Missouri federal court, AHF alleges that the pharmacy benefit manager manipulates Medicare star ratings to ensure participating pharmacies get unfairly low scores. Thanks to these scores, the PBM then claws back Medicare benefits from pharmacies to pad its bottom line.

PROVIDERS

Outlier megadeal brings Q2 hospital M&A average, total deal size to 'historic' heights

Dave Muoio, Fierce Healthcare

While the pace of merger and acquisition deals among hospitals and health systems remains low compared to pre-pandemic years, "historic" total transacted revenue during the second quarter of 2022 far exceeded that of any prior year's second quarter, according to Kaufman Hall's latest industry report.

Mental-Health Care Shortage Is Being Treated With Outdated Ratios

Joshua Zumbrun, The Wall Street Journal

One statistic captures this shortage and drives the nation's response to it: Whether or not they know it, over 150 million Americans live in a mental-health-professional shortage area, according to the Health Resources and Services Administration, part of the U.S. Department of Health and Human Services.

St. Jude expanding investment for research, additional jobs

Adrian Sainz, The Associated Press

St. Jude Children's Research Hospital is increasing its investment by $1.4 billion for a strategic plan that includes programs advancing the study and treatment of pediatric cancer and other catastrophic diseases, the hospital said.

PHARMA, BIOTECH AND DEVICES

Congress Flounders on Bipartisan Attempt to Lower Insulin Costs

Alex Ruoff, Bloomberg Law

Senate Democrats put a central piece of their drug pricing agenda into the hands of their Republican colleagues, only to learn they're not rushing to hand over a win.

As Big Pharma Loses Interest in New Antibiotics, Infections Are Only Growing Stronger

Arthur Allen, Kaiser Health News

Forget covid-19, monkeypox, and other viruses for the moment and consider another threat troubling infectious disease specialists: common urinary tract infections, or UTIs, that lead to emergency room visits and even hospitalizations because of the failure of oral antibiotics.

Pharma Companies Sue for the Right to Buy Blood From Mexicans Along Border

Stefanie Dodt, ProPublica and ARD German TV

A year after the U.S. barred Mexicans from crossing the border to sell their blood, pharmaceutical companies have acknowledged that those donations provided as much as 10% of the plasma collected nationwide as they seek to have the ban overturned.

A Supreme Court review of a contentious patent issue would change the way pharma claims discoveries

Ed Silverman, Stat News

In the coming weeks, the Supreme Court is expected to decide whether to review a wonky, but exceedingly important, debate over patents that has the pharmaceutical industry on edge.

FDA delays decision on BeiGene's cancer drug on China COVID curbs

Reuters

China-based drug developer BeiGene (6160.HK) said on Thursday the U.S. Food and Drug Administration (FDA) has delayed a decision on its cancer drug as COVID-19 curbs in the country prevented the regulator from conducting inspections.

Kroger Fails to Shed Class Claims Over Generic Drug Prices

Mary Anne Pazanowski, Bloomberg Law

Kroger Co. will face a proposed class action asserting that it defrauded customers and their insurers over its "usual and customary" price for generic prescription drugs, a federal court in Ohio said.

HEALTH TECHNOLOGY

Northwell Health inks deal with Google for cloud, AI technologies

Heather Landi, Fierce Healthcare

Northwell Health will be tapping Google's cloud, artificial intelligence and machine learning technologies to develop new predictive analytics capabilities around patient care and operations.

OPINIONS, EDITORIALS AND PERSPECTIVES

New competencies on diversity, equity, and inclusion for medical education across the continuum

David J. Skorton and Henri R. Ford, Stat News

Turning students into competent physicians in just four years is a tall order. They have so much to learn: anatomy and physiology and genetics,

disease processes, how to diagnose disease and communicate with patients, and more. It's made even harder by the fact that medical knowledge continues to evolve at an accelerating pace, necessitating ongoing learning throughout a physician's career.

RESEARCH REPORTS

Women's Coverage Losses in 2023 If the American Rescue Plan Act's Premium Tax Credits Expire

Jessica Banthin et al., Urban Institute

About 850,000 additional adult women of reproductive age (19 to 44) will be uninsured in 2023 if the enhanced premium tax credits (PTCs) passed under the American Rescue Plan Act (ARPA) are allowed to expire at the end of 2022 as they are slated to under current law. Uninsured women are at higher risk than insured women of having an unintended pregnancy due to more limited access to free or low-cost reproductive health services, including the most effective forms of contraception.

Profits, medical loss ratios, and the ownership structure of Medicare Advantage plans

Richard G. Frank and Conrad Milhaupt, USC-Brookings Schaeffer Initiative for Health Policy

There is a great deal of controversy and uncertainty regarding profits in the Medicare Advantage (MA) program. Interest in these issues is growing as the share of beneficiaries grows. The Medicare Payment Advisory Commission, or MedPAC, recently reported that MA enrollment grew 10% from July 2020 to July 2021. This means MA accounted for 46% of all Medicare beneficiaries in 2021, with payments to MA plans totaling $350 billion.

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SUBJECT: Abortion Education Module
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, "Lynne Nilson (DHHS)" <lpnilson@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 15/07/2022 06:56

Good Morning Laurie -

I hope you are doing well. I have a clarifying question regarding the Abortion Education Module post-SB 174. If the new law goes into effect, will individuals seeking an abortion due to rape or incest be required to complete the Abortion Education Module as it is currently or will the individual be required to review only certain sections of the module? If only certain sections will be required to be completed, do you know which sections they are?

As context, this question came-up in a recent meeting with the Lt. Governor and she would appreciate clarification on the Abortion Education Module for victims of rape and incest if the new law takes effect.

I hope my question makes sense. When I look at the FAQs it does not sound like there will be any changes to what sections of the education module will be required, but I do want to clarify and provide that information to the Lt. Governor.

Thank you!

David
David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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SUBJECT: Beyond Flexner Alliance Summer 2022 Newsletter
FROM: Beyond Flexner Alliance <info@beyondflexner.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 15/07/2022 08:59

BFA BEYOND FLEXNER ALLIANCE
Social Mission in Health Professions Education

[redacted]

[redacted]

Beyond Flexner Alliance Summer 2022 Newsletter

"Or when I would feel overwhelmed by what was going on in the world, I would just say to myself: "Hope is a discipline."... the practice of making a decision every day, that you're still gonna put one foot in front of the other, that you're still going to get up in the morning…we have an opportunity at every moment to push in a direction that we think is actually a direction towards more justice." - Mariame Kaba, Organizer and Transformative Justice Practitioner, Author of, "We Do This 'Til We Free Us"

These are trying times for many of us in the health professions committed to social mission. The Supreme Court's verdict gutting Roe v. Wade has been a massive blow to the rights of women and pregnant people to access safe abortion care. With abortion care no longer a guaranteed right, women and pregnant people lose a crucial safety net on which they can fall back on in unforeseen circumstances. In a country where the maternal mortality rate reaches unimaginably high levels, outlawing abortion ignores the larger picture relating to healthcare access. The reversal of this protection from a federal to a states' rights issue has implemented trigger laws in a handful of states, making abortion a criminal medical procedure, putting both patients and practitioners at risk of criminalization. Our institutions have been impacted as well, as the training of our learners in these states that criminalize abortion are now jeopardized. Now, many of our future providers are faced with an uphill battle to receive the education they need around family planning and abortion care.

President Biden's most recent federal declaration to protect abortion rights for medical emergencies has been welcome news for many providers, many of whom have their hands tied when it came to whether they could provide life saving care for unsafe pregnancies. However, even with this silver lining, it is hard not to acknowledge how daunting the situation has felt in a situation that many feel as hopeless. But we cannot stop now. In the words of organizer Mariame Kaba, "Hope is a discipline". It is not the feeling of hope that sustains us through difficult times, it is the practice of struggle that brings us over towards the change that we seek. Our commitment to social mission, our commitment to improving the institutions we are a part of and the clinical settings in which we operate, is an unwavering one. Through this practice of hope, we implore you to take up the mantle to continue advancing the work of transforming our institutions, both for the providers we and our learners want to become, and to serve as entities that can step up to the plate in advocating for the needs of our patients. We hope that in this newsletter you may find ways in which we may take those first steps, together.

In solidarity,

The Beyond Flexner Alliance Team

July Ally Spotlight

We at the BFA comms team launched the BFA Ally Spotlight to promote important organizations and the valuable work that they do and to maintain strong relationships with our network. This month, we are highlighting Vot-ER!

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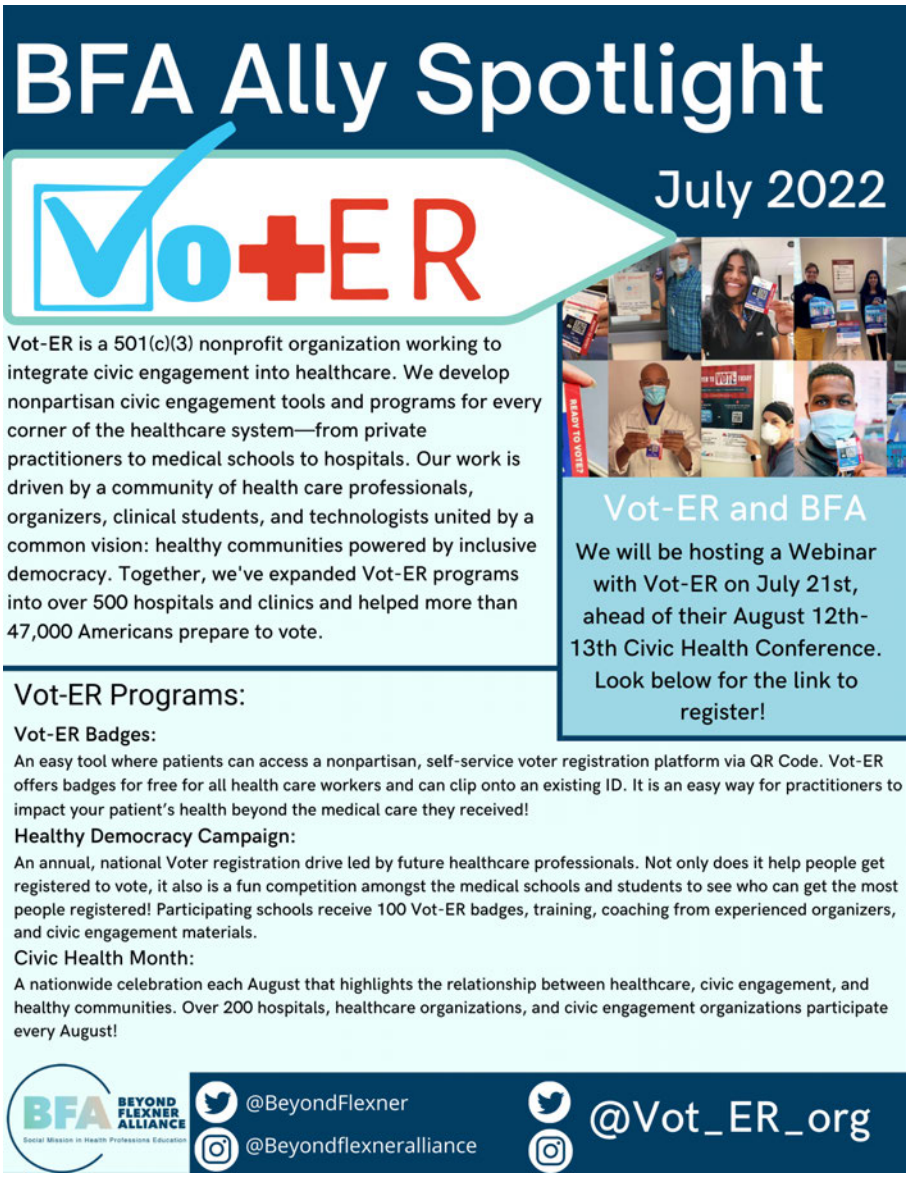


Check out our July Ally Spotlight on our Twitter**,** Instagram**, and** LinkedIn **to get connected!**

Come join the Beyond Flexner Alliance and Vot-ER on Thursday, July 21 at 8pm EST, to discuss the importance of integrating civic engagement in health care settings! In a moment where the political landscape of the nation consistently affects healthcare, come learn of ways in which you can be more civically engaged while making a difference in your community! Register here, we hope to see you on July 21st!

Health Justice Fellowship

The Beyond Flexner Alliance's Health Justice Fellowship Program aims to nurture the talents of trainees who already show promise and commitment to advancing health

justice in health professional training. Within this space, fellows hone their skills and broaden their networks in ways that will sustain them in pushing health professional institutions to be more socially accountable. The Inaugural Health Justice Fellowship has concluded for the year and this year our fellows had a chance to hone in their Op-Ed writing skills, social media advocacy skills, and organizing skills! See what some of our fellows had to say about this year's program:

"The community, the guest speakers, camaraderie, our trip to Arizona for the conference, and the student assembly were some of the most valuable aspects! It is hard to pick one part since the entirety of the fellowship was invaluable and one of the best decisions I've ever made."

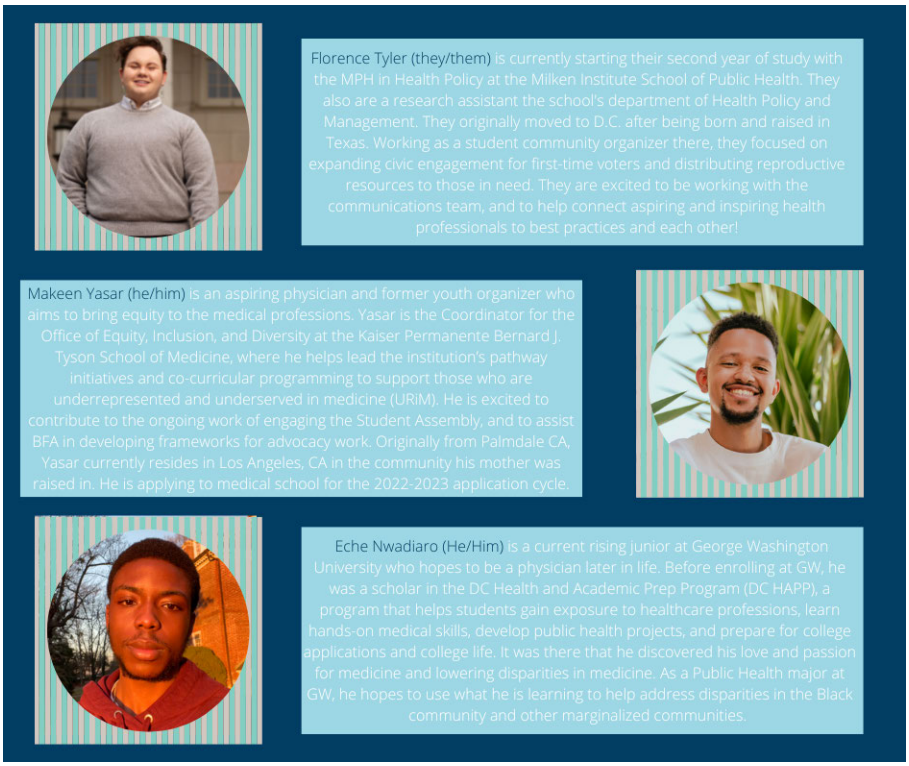
"There was a strong sense of community throughout the entire fellowship and for the first time in what feels like forever, I found a group of people who supported me like we didn't just meet. I found a group of people that I know will support me forever and with all the ideas I want to bring to life."
We'll be recruiting for 6 positions in next year's cohort in mid-late August. The application for the 2022-2023 cohort of fellows is now open and more information can be found here. Fellows Daniel Tounsel, JD, NP and Zena Ahmed, MTM, MPH will be staying on to assist in running the fellowship in the next academic year.

Join Beyond Flexner Alliance on Slack!

As we move forward with mobilizing and building community, the Beyond Flexner Alliance is launching a Slack group to continue discussing how we can all advance social mission together. We hope that this will serve as a virtual convening medium, a discussion forum, and a platform to exchange ideas to create a more equitable healthcare system. Click here to join our Beyond Flexner Alliance slack community!

Organizational Updates:

This summer, we have expanded our BFA team! Please join us in welcoming our new Administrative and Communications Assistant, Florence Tyler, and our two summer interns, Makeen Yasar and Eche Nwadiaro!



Health Workforce Diversity Tracker

The Health Workforce Diversity Tracker Initiative continues to push for equity and diversity through the creation of research reports, data collection partnerships, and presentations. After its launch in the fall of 2021, the initiative has continued its efforts on improving its Health Workforce Diversity Tracker, through the addition of new data. One recent update includes the release of the California Health Workforce report, prepared with the support from the California Endowment. Along with the release of this report, the team held 2 webinars to share the findings with key stakeholders in California. Meetings were also held with leaders at the University of California and the California Health Care Access and Information (HCAI) agency to discuss the findings and the need for action to make the health workforce more representative of the CA population.

The team is also working with the National Association of Community Health Centers (NACHC) and an advisory committee of health centers to design a data collection instrument to support the development of a Diversity Index that would show the diversity of the health center workforce compared to the population being served and similar health centers. A pilot test of the survey instrument is scheduled for the coming months.

Lastly, the team made two presentations to the Clinicians of Color Task Force established by the Louisiana Department of Health to develop a strategic plan to increase the diversity of the health workforce in the state to make it more reflective of the diversity of the population in the state.

Social Mission Metrics Initiative

Social Mission Metrics Initiative

Thirty dental, medical and nursing schools received summary reports for their field test participation of the Social Mission Metrics Self-Assessment. The research team presented on social mission at the Beyond Flexner Conference and the Association of American Medical Colleges (AAMC) Health Workforce Research Conference. Concurrently, our newest manuscript, “Analysis of Social Mission Commitment at Dental, Medical, and Nursing Schools in the US,” was published in JAMA Network Open.

Other Articles of Interest

Association of Sociodemographic Characteristics with US Medical School Attrition **by Nguyen et al., 2022**

Oral Health Equity Cannot Be Achieved Without Racial Equity | Health Affairs **by Fleming et al., 2022**

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SUBJECT: MMWR Early Release Preview for Friday, July 15, 2022
FROM: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
TO: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
DATE: 15/07/2022 09:00

[redacted]

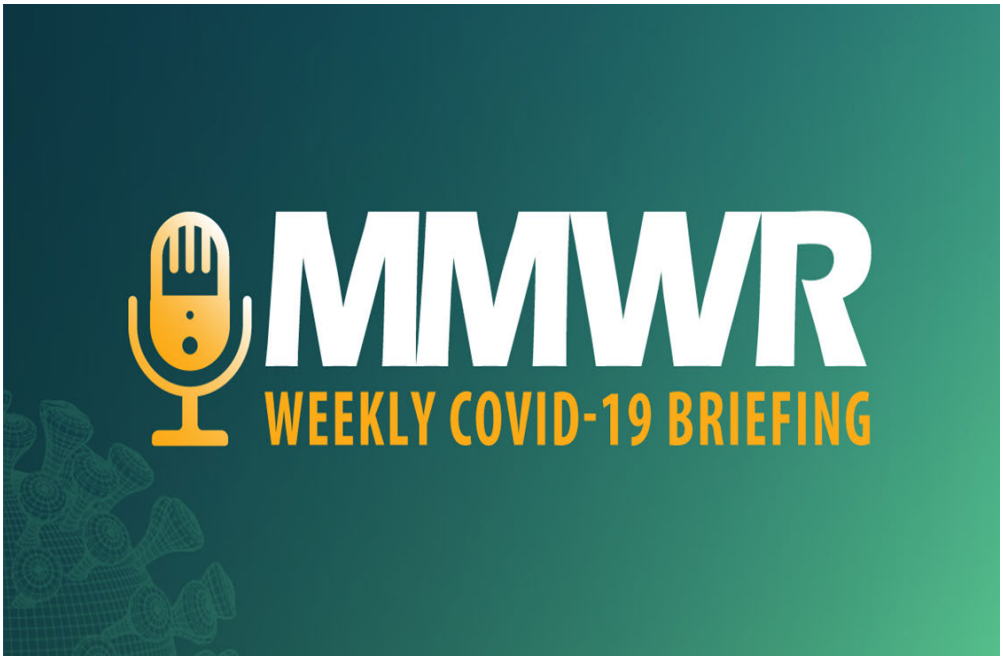
[redacted]

All information in this email is embargoed. Please do not distribute or share this information through email, print, the Internet, or social media until after 1 pm (ET), Friday, July 15, 2022. Information and dates are subject to change.

MMWR Morbidity and Mortality Weekly Report

The MMWR is embargoed until 1 PM ET Friday, July 15, 2022

Effectiveness of 2, 3, and 4 COVID-19 mRNA Vaccine Doses Among Immunocompetent Adults During Periods when SARS-CoV-2 Omicron BA.1 and BA.2/BA.2.12.1 Sublineages Predominated — VISION Network, 10 States, December 2021–June 2022
Link when live: https://www.cdc.gov/mmwr/volumes/71/wr/mm7129e1.htm?s_cid=mm7129e1_w



***MMWR* Weekly COVID-19 Briefing Podcast: Week of June 27**
The latest *MMWR* Weekly COVID-19 Briefing is live. This episode covers three reports, including reports highlighting motor vehicle crash deaths in the United States compared with other high-income countries, COVID-19 vaccine recommendations for children ages 6 months to 5 years and more. Listen and subscribe on: Apple Podcasts, Stitcher, Spotify, and Google Play.

For questions, please contact MMWRCommunications@cdc.gov.
To subscribe to MMWR: Click here

SUBJECT: 13 hospitals cutting services | UnitedHealth profit tops $5B |Nurse shortage gets worse | Mo. hospital CEO abruptly exits | NashvilleGeneral could move | 76 hospital closures, state by state | How Geisinger'srefund program is faring
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 15/07/2022 09:49

[redacted]

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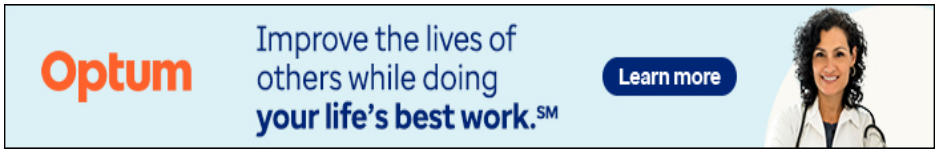

1. 13 hospitals cutting services **Full story**
2. UnitedHealth Group's profit tops $5B in Q2 **Full story**
3. Missouri hospital CEO abruptly exits **Full story**
4. Physician payments should be easy: Discover 7 steps innovative hospitals must take to remove admin barriers and compliance risk for uncomplicated compensation. Download a quick guide.
5. How Geisinger's refund program is faring amid patient experience crisis **Full story**
6. State-by-state breakdown of 76 hospital closures **Full story**
7. Nursing shortage gets worse as COVID-19 subvariant spreads **Full story**
8. Texas sues Biden administration over rules on emergency abortion **Full story**
9. Surgery is still a gateway to long-term opioid use. Learn how a New York hospital protects patients with drug-free pain management during this virtual session.
10. Megadeals lift healthcare M&A to $19.2B in Q2 **Full story**
11. UNC Health settles with patients who accused system of violating their civil rights Full story
12. Nashville General Hospital looks to new locations Full story
13. Simple objectives to address staffing shortages — A retention-focused discussion with Lurie's Children's Hospital and KPMG.
14. 4 health systems cutting IT jobs Full story
15. Stats by state:

- **COVID-19 hospitalization rates**
- **COVID-19 test positivity rates**
- **Percentage of population fully vaccinated**
- **COVID-19 death rates**
- **ICU utilization**
- **Staffing shortages**
- **Booster rates**
- **COVID-19 vaccination rates up/down**
- **COVID-19 cases trend**

Becker's Learning Opportunities

Becker's Whitepapers

Building an 'Epic' team: A hiring guide for health IT leaders
What to do with all that data: Patient Matching, Identity Access Management, and Interoperability
How did Novartis boost patient engagement?

[redacted]

1. Is your organization meeting evolving marketing and user engagement needs? Learn how a CDP helps health marketers individualize their outreach strategies.
2. The cost of in-office procedures is rising. See how leading ENT practices are reining them in, while still expanding care here.
3. This California hospital reduced pressure injuries by 68% in less than two years. Find out how here.

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BECKER'S SPINEREVIEW

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17 N. State, Suite 1800 | Chicago, IL 60602
Becker's Hospital Review, A Becker's Healthcare Publication

SUBJECT: Re: Abortion Education Module
FROM: "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, "Lynne Nilson (DHHS)" <lpnilson@utah.gov>, Heather Borski <hborski@utah.gov>, Clover Meaders <crmeaders@utah.gov>
DATE: 15/07/2022 10:05

[redacted]

[redacted]

Hi David -

We don't have a clear answer to this question. There is no language in the current code that specifically provides direction on who and who is not required to view the module, the language is about what the physician is required to provide and document. SB174 does not repeal any of the requirements related to the informed consent module.

In 76-7-305, Informed Consent Requirements (https://le.utah.gov/xcode/Title76/Chapter7/76-7-S305.html), subsection 8 states:
(8) A physician is not guilty of violating this section for failure to furnish any of the information described in Subsection (2) (information module) or (3) (face to face consultation), or for failing to comply with Subsection (5) (ultrasound), if:
(a) the physician can demonstrate by a preponderance of the evidence that the physician reasonably believed that furnishing the information would have resulted in a severely adverse effect on the physical or mental health of the pregnant woman;
(b) in the physician's professional judgment, the abortion was necessary to avert: (i) the death of the woman on whom the abortion is performed; or (ii) a serious risk of substantial and irreversible impairment of a major bodily function of the woman on whom the abortion is performed;
(c) the pregnancy was the result of rape or rape of a child, as described in Sections 76-5-402 and 76-5-402.1;
(d) the pregnancy was the result of incest, as defined in Subsection 76-5-406(2)(j) and Section 76-7-102; or
(e) at the time of the abortion, the pregnant woman was 14 years old or younger.

Section 76-7-305.5 of the Utah Code (https://le.utah.gov/xcode/Title76/Chapter7/76-7-S305.5.html) outlines the requirements of the informed consent module. This section of the statute notes that the Department may develop a version of the module that omits the information about the responsibility of the father and child support (2)(j) and (2)(k) if the pregnancy is the result of rape. The rest of the module components are left for viewing. We did incorporate this into the development. The module asks the viewer if the pregnancy is a result of rape and if they respond "yes", they skip these sections as they progress through to the completion certificate. There is no reference to incest in this section of the code.

I consulted with Clover Meaders and the interpretation of these codes is that viewing of the module is still in effect (unless the code is changed), but that a physician will not be be guilty of violation for not providing information about the module if the pregnancy is a result of rape or incest.

Laurie

On Fri, Jul 15, 2022 at 6:56 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie -
>
> I hope you are doing well. I have a clarifying question regarding the Abortion Education Module post-SB 174. If the new law goes into effect, will individuals seeking an abortion due to rape or incest be required to complete the Abortion Education Module as it is currently or will the individual be required to review only certain sections of the module? If only certain sections will be required to be completed, do you know which sections they are?
>
> As context, this question came-up in a recent meeting with the Lt. Governor and she would appreciate clarification on the Abortion Education Module for victims of rape and incest if the new law takes effect.
>
> I hope my question makes sense. When I look at the FAQs it does not sound like there will be any changes to what sections of the education module will be required, but I do want to clarify and provide that information to the Lt. Governor.
>
> Thank you!
>
> David
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099

[redacted]

[redacted]

davidlitvack@utah.gov

Utah Department of Health & Human Services

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--

Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Family Health

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SUBJECT: Re: Abortion Education Module
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, "Lynne Nilson (DHHS)" <lpnilson@utah.gov>, Heather Borski <hborski@utah.gov>, Clover Meaders <crmeaders@utah.gov>
DATE: 15/07/2022 13:04

Laurie -

Thank you! This is very helpful information for me to start and will reach-out to you if I have any additional questions.

Thank you!

David

David Litvack
Deputy Director
He/Him/His

[redacted]

[redacted]

O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 15, 2022 at 10:05 AM Laurie Baksh (DHHS) <lbaksh@utah.gov> wrote:

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[redacted]

[redacted]

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Deputy Director
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O: 385.382.6099
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Utah Department of
Health & Human
Services

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Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: White House Health Community Newsletter
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 15/07/2022 16:54

THE WHITE HOUSE
WASHINGTON

Health Community Updates

Friends – Please join us for our next bi-weekly White House Health Community Call on **Tuesday** (note: this is a change from our typical Wednesday calls, but only for this particular call), July

[redacted]

[redacted]

26th at 2:30pm ET. You can RSVP here. Please invite colleagues and members of your community – all are welcome.

Below are several important updates from this week. Have a wonderful weekend.

Statement: President Biden Calls for Senate to Pass Legislation to Reduce Health Care Costs for Families

Today, President Biden issued this statement urging the Senate to pass legislation to reduce health care costs for American families before the August recess. This is a concrete step Congress can take to fight inflation. Families will sleep easier if Congress takes this action. Please read and share with members of your community.

988 Announcement and Briefing Invitation

On July 16, 2022, the ten-digit suicide prevention lifeline will be transitioning to a three-digit number, 9-8-8, where compassionate, accessible care and support is available for anyone experiencing mental health-related distress. Americans can also dial 988 if they are worried about a loved one who may need crisis support.

To help YOU, our partners, communicate about 988, we have developed a downloadable print files for wallet cards, magnets, and posters to its 988 Partner Toolkit. The toolkit already includes logo and brand guidelines, key messages, frequently asked questions, fact sheets (English and Spanish), radio PSA scripts (English and Spanish), and more.

You are also invited to join Secretary Becerra, Assistant Secretary for Mental Health and Substance Use Dr. Miriam Delphin-Rittmon, and HHS senior leadership on Monday, July 18th at 3:00PM ET for a briefing on the National Suicide Prevention Lifeline's transition to 988 this upcoming weekend. All information is below.

Date: Monday, July 18
Time: 3:00 PM ET
Register for the briefing here: https://www.zoomgov.com/webinar/register/WN_cDuFeKHZQ-qmfXKsc79CSA

This Week's Administration Policy Announcements on Reproductive Rights

- **Emergency Care**: On 7/11/22, HHS issued guidance affirming that the Emergency Medical Treatment Active Labor Act (EMTALA) protects providers that offer abortion services in emergency situations. Secretary Becerra also issued a letter to providers making clear that federal law preempts state law restricting access to abortion in emergency situations.
- **DOJ Reproductive Rights Task Force**: On 7/12/22, the DOJ announced a Reproductive Rights Task Force, which will monitor and evaluate state and local actions that infringe on federal protections relating to the provision or pursuit of reproductive care, impair women's ability to seek reproductive care where it's legal, impair individuals' ability to inform and counsel each other about the reproductive care that is available in other states, ban medication abortion, or impose criminal or civil liability on federal employees who provide legal reproductive health services.
- **The FTC**: On 7/12/22, the FTC committed to fully enforcing the law against illegal use and sharing of highly sensitive data, including location and health information contained in fertility and period tracking data. The FTC urged companies to consider that sensitive data is protected by numerous state and federal laws, claims that data is "anonymous" are often deceptive, and the FTC has a track record of cracking down on companies that misuse consumer data.
- **Federal Law**: On 7/12/22, the White House released Statements of Administration Policy on H.R. 8296 – Women's Health Protection Act of 2022 and H.R. 8297 – Ensuring Access to Abortion Act of 2022.

[redacted]

- **Guidance to Retail Pharmacies**: On 7/13/22, HHS issued guidance to roughly 60,000 U.S. retail pharmacies to remind them of their obligations under federal civil rights laws to ensure access to comprehensive reproductive health care services. The guidance makes clear that as recipients of federal financial assistance, pharmacies are prohibited under law from discriminating on the basis of race, color, national origin, sex, age, and disability in their programs and activities. This includes supplying medications; making determinations regarding the suitability of a prescribed medication for a patient; and advising patients about medications and how to take them.

FDA Educational Resources for Parents and Caregivers to Support Confidence for Imported Infant Formula Products

Yesterday, the FDA announced the availability of educational resources for parents and caregivers with questions about using the hundreds of millions of bottles worth of imported infant formula headed to the U.S. Increased flexibilities regarding infant formula products announced by the FDA on May 16 have resulted in the infant formula products from nine countries, with a total estimated quantity of 23 million cans, or 35 million pounds or more than 520 million full-size, 8-ounce bottles, headed to the U.S.

The FDA has created resources, including infographics and a Consumer Update for parents and caregivers to learn more about the factors the agency considered in determining whether to exercise flexibilities for these products and how they should be used. Additionally, the agency has created a series of short consumer videos of consumers' most frequently asked questions.

Consumers should have confidence that the infant formula that is being imported to the U.S. through FDA flexibilities involved a thorough review of the information provided by the companies, including details about the product's nutritional adequacy and safety, microbiological testing results, labeling information, and importantly, details about the manufacturing facility's food safety production practices and inspection history.

Additionally, because formula that is available in the U.S. under FDA flexibilities is primarily coming from other countries, the labels and directions may have terms not normally used in the U.S., such as metric measurements. To help safely prepare imported infant formula, consumers are encouraged to use the FDA's conversion chart to convert milliliters to fluid ounces and common conversions from Celsius (°C) to Fahrenheit (°F).

Biden Administration Outlines Strategy to Manage BA.5

This week, the White House COVID-19 Team announced its strategy to manage BA.5. The strategy relies on ensuring that Americans continue to have easy and convenient access to the vaccines, treatments, tests, and other tools that protect against and treat COVID-19. These tools – even in the face of BA.5 – work to prevent serious illness, keep people out of the hospital, and save lives – and we can prevent nearly all COVID-19 deaths with them. You can read more here.

To confront BA.5, the Administration will continue mobilizing the full strength and capabilities of the federal government and working with state and local leaders, health care workers, the private sector, and community- and faith-based organizations to ensure that the American people have easy and convenient access to and use vaccines, tests, and treatments.

Recap: White House Cancer Cabinet Meeting

On Wednesday, July 13th, the Biden-Harris Administration made progress toward realizing the goals for the re-ignited Cancer Moonshot – to reduce the death rate from cancer by at least 50 percent over the next 25 years, and improve the experience of people and their families living with and surviving cancer. Leaders came together from across the Cabinet and the White House joining the First Lady to unveil priority actions for the Cancer Cabinet – the realization of President Biden's vision for a whole-of-government approach to end cancer as we know it. These include: (1) close the screening gap, (2) understand and address environmental exposure, (3) decrease the impact of preventable cancers, (4) bring cutting edge research through the pipeline to patients and communities, and (5) support patients and caregivers. This Cancer Cabinet also

added the Departments of Commerce and Labor, the National Aeronautics and Space Administration, and the White House Gender Policy Council. You can read more details in the fact sheet including the announcement a new slate of experts appointed to the President's Cancer Panel and highlights of progress made by agencies as part of the Cancer Moonshot over the last few months.

The Cancer Moonshot goals are big and bold and to get there, we know it will take all of us, working together, and working hard in every way we can, to move the mission forward. Join us at wh.gov/cancermoonshot by sharing your story, your ideas, or new actions and collaborations you will contribute. Let's end cancer as we know it, together.

All best,

White House Office of Public Engagement

STAY IN THE KNOW

Share and amplify our community updates by encouraging your networks to sign up to receive this newsletter using the following link.
http://eepurl.com/hIdkdf

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SUBJECT: White House | Women's Community Update
FROM: The Office of Public Engagement <noreply@mail.whitehouse.gov>
TO: <hborski@utah.gov>
DATE: 15/07/2022 17:16

THE WHITE HOUSE
WASHINGTON

Women's Community Update

All,

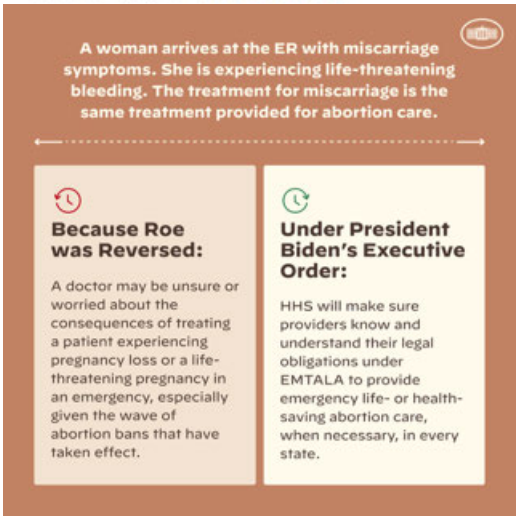
Read below for updates on the Biden-Harris Administration's response to the Supreme Court's decision overturning *Roe v. Wade,* Commemoration of the Passage of the Bipartisan Safer Communities Act, and the Fourth Convening of the Trilateral Working Group on Violence Against Indigenous Women and Girls.

Administration Actions on Protecting Reproductive Rights

Since President Biden signed his Executive Order Protecting Access to Reproductive Health Services on July 8, his Administration has announced further actions to protect reproductive rights:

Protecting Emergency Medical Care

The U.S. Department of Health and Human Services (HHS), through the Centers for Medicare & Medicaid Services (CMS), announced new guidance affirming that the Emergency Medical Treatment and Active Labor Act (EMTALA) protects providers when offering legally-mandated, life- or health-saving abortion services in emergency situations. Secretary Becerra also issued a letter to providers making clear that federal law preempts state law restricting access to abortion in emergency situations.



Guidance to Retail Therapies

HHS issued guidance to roughly 60,000 U.S. retail pharmacies, reminding them of their obligations under federal civil rights laws. The guidance makes clear that as recipients of federal financial assistance, including Medicare and Medicaid payments, pharmacies are prohibited under law from discriminating based on race, color, national origin, sex, age, and disability in their programs and activities. This includes supplying prescribed medications; making determinations regarding the suitability of prescribed medications for a patient; and advising a patient about prescribed medications and how to take them.

Department of Justice Announces Reproductive Rights Task Force

The Department of Justice (DOJ) announced a Reproductive Rights Task Force, which will monitor and evaluate state and local actions that infringe on federal protections relating to the provision or pursuit of reproductive care, impair women's ability to seek reproductive care where it's legal, impair individuals' ability to inform and counsel each other about the reproductive care that is available in other states, ban medication abortion, or impose criminal or civil liability on federal employees who provide legal reproductive health services.

Federal Trade Commission Commits to Protecting Privacy and Sensitive Health Data

The Federal Trade Commission (FTC) committed to fully enforcing the law against illegal use and sharing of highly sensitive data, including location and health information contained in fertility and period tracking data. The FTC urged companies to consider that sensitive data is protected by numerous state and federal laws, claims that data is "anonymous" are often deceptive, and the FTC has a track record of cracking down on companies that misuse consumer data.

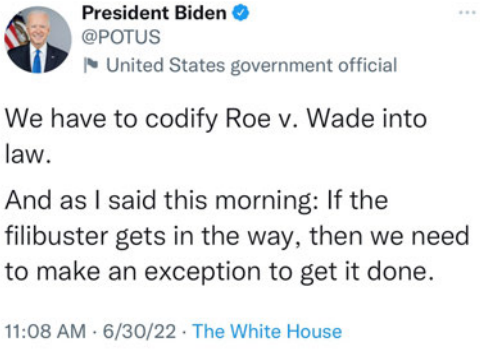
ICYMI: President Biden Signed Executive Order Protecting Access to Reproductive Health Care Services

Last week, President Biden signed an Executive Order Protecting Access to Reproductive Health Care Services. This Executive Order builds on the actions his Administration has already taken to defend reproductive rights by:

- Safeguarding access to reproductive health care services, including abortion and contraception;
- Protecting the privacy of patients and their access to accurate information;
- Promoting the safety and security of patients, providers, and clinics; and
- Coordinating the implementation of Federal efforts to protect reproductive rights and access to health care.

Calling for the Establishment of Abortion Rights into Federal Law

President Biden continues to call on Congress to codify the right to abortion into federal law. On June 30th, 2022, the President made clear he would support an exception to the filibuster in order to codify a woman's right to choose into law. This week, the White House released Statements of Administration Policy on H.R. 8296 – Women's Health Protection Act of 2022 and H.R. 8297 – Ensuring Access to Abortion Act of 2022.



ICYMI: Administration Engagements and Convenings

Commemoration of the Passage of the Bipartisan Safer Communities Act

This week, the White House commemorated the passage of the Bipartisan Safer Communities Act. In his remarks, President Biden made clear that this law saves the lives of Americans and noted: "If we keep guns out of the hands of domestic abusers, we can save the lives of their partners, and we can also stop more mass shootings." Read the President's full Remarks here.

Fourth Convening of the Trilateral Working Group on Violence Against Women and Girls

This week, the United States hosted the fourth convening of the Trilateral Working Group on Violence Against Indigenous Women and Girls (TWG). The TWG is an initiative between the governments of the United States, Canada, and Mexico to reaffirm and advance our respective national and regional commitments to prevent and respond to gender-based violence impacting Indigenous peoples in North America through increased access to justice and services, with an intersectional, gender-responsive, human rights and culturally-responsive approach. See the full Readout here.

Vice President Harris in Florida

Yesterday, Vice President Harris traveled to Florida to meet with state legislators on reproductive rights.

Mayors on Reproductive Rights

Wednesday, White House Senior Officials met with mayors on reproductive rights – as seen in Axios.

Domestic Violence and Sexual Assault Organizations

White House Officials convened a listening session on the impact that abortion bans and other restrictions have on survivors of sexual assault and/or domestic violence.

Upcoming: Vice President Harris in Pennsylvania

Tomorrow, Saturday, July 16 Vice President Harris will travel to Philadelphia, Pennsylvania to meet with state legislators and other leaders to discuss the fight to protect reproductive rights.

Stay Connected

Make sure you are following The White House Gender Policy Council on Twitter
https://twitter.com/WhiteHouseGPC

[redacted]

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 15/07/2022 17:19

Did this get finalized?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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[redacted]

[redacted]

On Tue, Jul 12, 2022 at 3:28 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;

(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;

(d)the director of the Division of Child and Family Services or the director's designee;

(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

[redacted]

[redacted]

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

> Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?
>
> --
> **Jenny Johnson, MPH, CHES**
> Public Information Officer
> C: 385.290.7826
> jennyjohnson@utah.gov
>
> Utah Department of Health & Human Services
>
> On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:
>
> > Hi Tracy!
> >
> > I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.
> >
> > Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.
> >
> > Thanks!
> > —
> > **Brook Dorff, MA, CHES** (she/her)
> > Public Information Officer
> > C: 801.556.0633
> > 24-hour media line: 801.520.2777
> > Spanish media line: 385.264.2685
> > bdorff@utah.gov

[redacted]

---------- Forwarded message ---------

From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>

Date: Mon, Jul 11, 2022 at 10:55 AM

Subject: Underage Drinking Advisory Council

To: Brook Dorff <bdorff@utah.gov>

Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: Morning Consult Health: What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 17/07/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 17, 2022

BY MATT BRACKEN

Twitter Email

[redacted]

Good morning to you, health readers. It was a busy week on Capitol Hill, as Senate Democrats resumed their rush to negotiate an economic spending package ahead of the August recess (more on that below). One item that appears to be a safe bet for said package: allowing Medicare to negotiate some prescription drug prices. What share of voters said they support that measure?

A: 47%
B: 53%
C: 64%
D: 76%

You can find the answer at the bottom of the newsletter.

WHAT'S AHEAD

Senate Democrats are moving forward with their extremely slimmed-down reconciliation bill after President Joe Biden urged them to accept Sen. Joe Manchin's demands for a limited measure to provide a two-year extension of subsidies for Affordable Care Act plans and grant Medicare the power to negotiate lower prescription drug prices for seniors. The conservative Democrat from West Virginia spared those health priorities after telling Senate Majority Leader Chuck Schumer (D-N.Y.) that he wouldn't back climate change provisions or tax hikes on the wealthy or corporations before he sees the inflation report for July.

The Hill's Future of Health Care Summit on Tuesday features a who's who of current and former federal health officials and industry leaders. Among those scheduled to speak are National Institute of Allergy and Infectious Diseases Director Anthony Fauci, Centers for Medicare and Medicaid Services Administrator Chiquita Brooks-LaSure, former Food and Drug Administration Commissioner Stephen Hahn, former CMS Administrator Mark McClellan and Dr. Atul Gawande, assistant administrator for USAID's Bureau for Global Health, among others. The policymakers and health experts will cover myriad health topics, ranging from pandemic preparedness to technology and care delivery.

Senate Finance Committee Chairman Ron Wyden (D-Ore.) will join Stat News on Wednesday at 1 p.m. for a discussion on drug pricing and whether this is Democrats' last chance for reform. There should be plenty of ground for Wyden to cover after last week.

Three health-related hearings on the Hill to watch this week: The House Select Subcommittee on the Coronavirus Crisis will address long COVID and its consequences on Tuesday at 10 a.m.; the House Energy and Commerce Subcommittee on Oversight and Investigations will hold a

hearing on Tuesday at 10:30 a.m. on the impact of the Supreme Court's decision to overturn Roe v. Wade; and FDA Commissioner Dr. Robert Califf and three agency officials will testify about food and safety before a Senate Appropriations subcommittee on Wednesday at 10:10 a.m.

Earnings season is heating up again. On Wednesday, the insurer formerly known as Anthem Inc. will report its second-quarter earnings under its new Elevance Health Inc. corporate rebrand. Abbott Laboratories, fresh off the reopening of the troubled Michigan plant where it makes EleCare baby formula, is also scheduled to report Wednesday. Quest Diagnostics Inc. and Tenet Healthcare Corp. are among those on the docket for Thursday.

Centers for Disease Control and Prevention Director Rochelle Walensky will join Washington Post Live on Friday at 1 p.m. for a conversation about the omicron variant BA.5, how the surge has impacted the country's plans to move beyond pandemic precautions and the Biden administration's ongoing response to COVID-19's continuing public health threat. She'll also weigh in on the monkeypox outbreak and other health topics.

EVENTS CALENDAR

View Full Calendar

A MESSAGE FROM MORNING CONSULT

Webinar - Most Trusted Brands 2022

With a recession looming, brand trust is more important now than ever before. Good value is crucial to building trust, but how can brands build trust? And what are the top trusted brands today?

Discover the answer to these questions and more in Morning Consult's upcoming Most Trusted Brands 2022 webinar. Join us on

[redacted]

Tuesday, July 19 at 1 PM ET.

WEEK IN REVIEW

COVID-19 vaccines: The Biden administration is eyeing a second round of COVID-19 booster shots for all adults, a plan that has the support of Fauci and Dr. Ashish Jha, the White House's coronavirus coordinator, according to five officials familiar with the discussions, though the move would still require formal approval from regulators and public health officials.

The FDA authorized Novavax Inc.'s two-dose COVID-19 shot for emergency use for adults, putting Americans one step away from a fourth vaccine option. Novavax, whose COVID-19 vaccine is the first in the United States that uses traditional protein-based technology as opposed to mRNA, now awaits CDC clearance. Earlier in the week, the administration said it would buy 3.2 billion doses of Novavax's vaccine.

Abortion battles continue: White House officials are said to be continuing discussions on whether to declare abortion access a public health emergency, with several top Biden aides expressing reservations over the lack of fresh funding and powers that would result from the move, a White House official and two people familiar with the talks said. In a 219-210 vote Friday, the House passed a bill to protect abortion access, though the legislation has no chance of advancing in the Senate.

Health and Human Services Secretary Xavier Becerra said federal law supersedes state abortion bans when emergency care for the mother is necessary, adding that the federal government can levy penalties on providers or institutions that refuse to perform abortions as needed in the case of medical emergencies such as ectopic pregnancies or miscarriages.

Texas Attorney General Ken Paxton filed a lawsuit against the Biden administration over the HHS guidance, claiming that it "forces hospitals and doctors to commit crimes and risk their licensure under Texas law." The White House said in a statement that Paxton's move amounts to "yet another example of an extreme and radical Republican elected official."

The Department of Justice announced the creation of a Reproductive Rights Task Force, an initiative tied to Biden's executive order on abortion that will focus on ways to protect reproductive rights.

HHS sent guidance to more than 60,000 retail pharmacies, warning that refusal to fill orders for contraception or medication abortion, or discriminating

[redacted]

based on pregnancy, is a violation of federal civil rights.

STAT OF THE WEEK

73%

The share of registered voters who said they're opposed to an abortion ban, without exceptions, in their state. Eleven out of 13 anti-abortion measures we tested in last week's Morning Consult/Politico survey were opposed by a majority of voters.

THE MOST READ STORIES THIS WEEK

1) Your COVID protection outside isn't what it was in 2020. Here's why it's time to think more critically about outdoor gatherings
Erin Prater, Fortune

2) New Omicron subvariants are causing COVID rates to increase. These are the states where it's most contagious right now
Andrew Marquardt, Fortune

3) Democrats race to prevent spike in health premiums amid record inflation
Tony Romm and Rachel Roubein, The Washington Post

4) "Excess" pandemic deaths linked to insurance status
Adriel Bettelheim, Axios

5) Biden says he's mulling health emergency for abortion access
Hannah Fingerhut, The Associated Press

6) In Defense of Pharmacy Benefit Managers
Joe Grogan and Casey B. Mulligan, The Wall Street Journal

7) Democrats see hope for spending deal with Manchin as Congress returns
Tony Romm, The Washington Post

8) Manchin reluctant to add ACA subsidy extension to narrow spending deal
Robert King, Fierce Healthcare

9) Biden officials push to offer second booster shot to all adults
Dan Diamond et al., The Washington Post

10) Democrats' Drug Pricing and Medicare Plans Garner Broad Bipartisan Voter Support
Cameron Easley, Morning Consult

OTHER HEALTH NEWS

- UnitedHealth to Drop Copays on Some Widely Used Drugs (The Wall Street Journal)
- UnitedHealth lifts profit outlook as slow elective-care recovery cuts costs (Reuters)
- F.D.A. to Weigh Over-the-Counter Sale of Contraceptive Pills (The New York Times)
- GOP senator blocks bill to protect interstate travel for abortion (The Hill)
- Enfamil maker Reckitt flies baby formula to U.S. from Singapore (Reuters)
- Allergan, Teva to pay $54M in San Francisco opioid lawsuit (The Associated Press)
- "Excess" pandemic deaths linked to insurance status (Axios)
- Pandemic fueled surge in superbug infections and deaths, CDC says (The Washington Post)
- U.S. CDC plans to improve international air contact tracing data collection (Reuters)
- The BA.5 Wave Is What COVID Normal Looks Like (The Atlantic)
- Virus that can cause severe illness in babies seen in multiple states, CDC cautions (NBC News)

The answer to this week's quiz question is **D:** 76% of registered voters said they support a provision in Senate Democrats' plan to allow Medicare to negotiate some prescription drug prices. That share includes 82% of Democrats), 71% of independents and 73% of Republicans. Check out the full story here: Democrats' Drug Pricing and Medicare Plans Garner Broad Bipartisan Voter Support.

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SUBJECT: Can States Legally Ban FDA-Approved Abortion Pills?
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 18/07/2022 02:06

PUBLIC POLICY

Monday, July 18, 2022

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TOP NEWS

Analysis

Can States Legally Ban FDA-Approved Abortion Pills?

As conservative state governments plow ahead with prohibitions on abortions following the U.S. Supreme Court's reversal of Roe v. Wade, courts are being pressed to decide whether states also have authority to restrict access to the U.S. Food and Drug Administration-approved abortion pill.

2 documents attached | Read full article »

Analysis

Plans To Rein In Building Emissions Face Bumpy Road

Cities across the country are using building code regulations to try to cut down on greenhouse gas emissions, but implementation is being dogged by supply chain woes, unfamiliarity with emerging technologies, and even skepticism from landlords that they will face punishment for noncompliance.

Read full article »

Analysis

Calif., NY Employment Legislation To Watch In 2nd Half Of '22

While President Joe Biden has brought a staunch pro-worker attitude to the White House during his first year and a half in office, traditionally progressive states have remained on the cutting edge when it comes to affording legal protections to employees. Here, Law360 looks at a few notable bills and new laws in worker-friendly hotbeds California and New York that employment attorneys should have on their radar in the back half of 2022.

6 documents attached | Read full article »

Analysis

LAW FIRMS IN TODAY'S NEWS

Alston & Bird
Baker & Hostetler
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Cravath Swaine

Long-Running Feud Over SEC's Proxy Rules Isn't Over
The U.S. Securities and Exchange Commission's partial rollback of rules governing proxy advisory firms left parties on both sides unsatisfied, indicating that the agency's attempt to balance corporate and investor interests is not settled.
Read full article »

Biden Scraps Plan To Nominate McConnell-Backed Judge Pick
President Joe Biden has scrapped a plan to nominate a conservative, anti-abortion attorney, who was backed by Sen. Mitch McConnell, to a new vacancy in the Eastern District of Kentucky after fellow Kentuckian Sen. Rand Paul opposed the nomination, the White House said Friday.
Read full article »

Interview

Chicken Price-Fixing Atty Tells How 3rd Trial Was The Charm
A defense lawyer in the ultra-rare third criminal trial against poultry supplier executives opened up to Law360 about the price-fixing acquittals and the experience of three matchups in a row against the U.S. Department of Justice.
Read full article »

Meet The US Atty Tapped For Historic Seat On 3rd Circ.
President Joe Biden has tapped longtime public servant and current U.S. Attorney Cindy K. Chung to serve on the U.S. Court of Appeals for the Third Circuit. If she is confirmed, she would be the first Asian American judge to sit on the court's bench.
Read full article »

Kavanaugh Murder Attempt Suspect Wants Confession Sealed
A California man recently charged with attempting to murder U.S. Supreme Court Justice Brett Kavanaugh is urging a Maryland federal court to suppress all statements made to law enforcement, including his alleged confession that he intended to assassinate the jurist over the leaked draft abortion ruling overturning Roe v. Wade.
1 document attached | Read full article »

Trump's Testimony Delayed In NY Probe After Ex-Wife's Death
Testimony by former President Donald Trump and two of his children in the New York attorney general's probe of the Trump Organization has been postponed due to Ivana Trump's death, a spokesperson said Friday.
Read full article »

BANKING & SECURITIES

Analysis

Fed's New Bank Regulatory Chief Has A Lot On His Plate
From capital to climate change risks to cryptocurrency and more, attorneys say there are plenty of policy issues that will be jockeying for attention from the Federal Reserve's new regulator-in-chief once he takes office.
Read full article »

ENERGY & ENVIRONMENTAL

Analysis

Clean Energy Work Stunted As Senate Bill Drops Incentives
The apparent demise of clean energy incentives in Congress' budget reconciliation legislation won't slam the brakes on project development, but it's a fresh setback for an industry trying to navigate a recent rough patch.
Read full article »

DC Circ. Upholds FERC's Grid Operator Cost Sharing Denial
The D.C. Circuit on Friday said the Federal Energy Regulatory Commission had the power to tell a Midwest regional grid operator how it should pass along the costs of certain transmission projects.
Opinion attached | Read full article »

EPA Says Colorado Air Regulators Failed On Permits
The U.S. Environmental Protection Agency on Thursday reported that Colorado's air quality permitting authority

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Georgia Power Co.

improperly approved several projects after conducting faulty analyses that ignored illegal pollution levels.

Report attached | Read full article »

Georgia High Court Affirms Utility's $525M Coal Ash Cost Plan

The Georgia Supreme Court on Thursday upheld the state Public Service Commission's decision to allow Georgia Power Co. to bill customers $525 million for coal ash pond closure and cleanup costs, rejecting the Sierra Club's effort to overturn it.

Read full article »

HEALTH & LIFE SCIENCES

Lab Group Secures Win In Medicare Pay Cut Fight At DC Circ.

The D.C. Circuit handed the American Clinical Laboratory Association a win Friday in its years-long lawsuit challenging a 2016 Trump administration rule that effectively cut Medicare lab reimbursements by millions of dollars, concluding that the claims are not moot under the 2018 rule and that the 2016 rule is arbitrary and invalid.

Opinion attached | Read full article »

Feds Mark Launch Of 988 Suicide Hotline

The government's new 988 hotline for suicide prevention was set to go fully online Saturday after the Federal Communications Commission and other agencies spent months on the effort.

Read full article »

POST-ROE FALLOUT

House Passes Bills To Protect Abortion Rights Post-Dobbs

The House of Representatives on Friday passed two bills largely along party lines that would protect abortion rights after the U.S. Supreme Court last month erased nearly 50 years of precedent guaranteeing a constitutional right to abortion by overturning Roe v. Wade.

Read full article »

After Dobbs: The Latest Legal Battle Lines Over Abortion Care

The war over reproductive rights in the United States didn't end with the Supreme Court's decision to overturn Roe v. Wade last month. Rather, new battles have ignited in Congress, as well as in courthouses and statehouses across the country.

Read full article »

REAL ESTATE

Chicago's US Atty Claims Cubs' Wrigley Field Violates ADA

Chicago's U.S. attorney has hit the Chicago Cubs with a lawsuit in Illinois federal court, claiming the team's $575 million renovation of Wrigley Field failed to accommodate disabled individuals, giving them the worst seats in the Major League Baseball stadium, in violation of the Americans with Disabilities Act.

Complaint attached | Read full article »

EMPLOYMENT & BENEFITS

Judge Beats Bias Suit By Worker Who Threatened Protesters

A Louisiana federal judge tossed a discrimination suit brought by a former judicial employee who was fired after saying she would run over people protesting the death of George Floyd in a June 2020 Facebook post, ruling she could not prove she was discriminated against for being white or using protected political speech.

Read full article »

COMPETITION

FTC Says Meta Has All The Market Definition Docs It Needs

The Federal Trade Commission told a D.C. federal judge it's already responded as much as it can to a Meta demand for further details on exactly how the agency defines the personal social networking market the Facebook parent allegedly monopolizes but that the company says is confusing and "artificial."

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HarperCollins Publishers LLC
Harvard University
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Momentus Inc.
National Association of Manufacturers
New York University
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PJM Interconnection LLC
Perrigo Co. PLC
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Planned Parenthood Federation
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Sierra Club
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GOVERNMENT AGENCIES IN TODAY'S NEWS

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Colorado Department of Public Health and Environment
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Confederated Tribes of the Chehalis Reservation
Congressional Research Service
Consumer Financial Protection Bureau
Delaware Court of Chancery
Equal Employment Opportunity Commission
European Commission
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Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission

[redacted]

Brief attached | Read full article »

CONSUMER PROTECTION

House Bill Seeks To Widen High Court's Narrow TCPA Reading

A pair of House Democrats have floated legislation that would amend the Telephone Consumer Protection Act to expand the types of dialing equipment covered by the law, a move that would upend a U.S. Supreme Court ruling that refused to embrace such a broad reading of the statute.

Bill attached | Read full article »

INTERNATIONAL TRADE

House Passes Bill To Suspend Imported Baby Formula Duties

The U.S. House of Representatives on Friday nearly unanimously passed a bill that would suspend tariffs on imported baby formula to make the increasingly hard-to-come-by product more affordable.

Read full article »

TAX

EU High Court Told To Permit Intervenor In Belgian Tax Case

Several Belgian corporations affected by a European Court of Justice ruling on Belgian tax breaks should be allowed to participate in lower court proceedings despite their having joined at the appellate stage, an ECJ advocate general has recommended.

Opinion attached | Read full article »

IMMIGRATION

Red States Pan Immigration Enforcement Memo At High Court

Texas, Louisiana and 19 other Republican-led states have urged the U.S. Supreme Court to continue blocking the Biden administration from focusing removal efforts only on certain groups of migrants, arguing that not only they but the whole U.S. will suffer from the strategy's alleged ill effects if it is allowed to go into effect.

3 documents attached | Read full article »

Sen. Booker Presents Bill To Curb Military Family Deportations

Sen. Cory Booker introduced legislation that would restrict the grounds on which certain family members of the U.S. military can be deported, following a proposal in the U.S. House of Representatives to streamline citizenship for immigrant service members.

Read full article »

WHITE COLLAR

Ex-NY Lt. Gov. Says Feds Forced Quid-Pro-Quo Label On Case

Former New York Lieutenant Governor Brian Benjamin has asked a Manhattan federal judge to dismiss his bribery indictment for lack of any alleged quid-pro-quo bargain and flagged a "troubling" last-minute change to a star witness's statement claiming that one existed.

Memorandum attached | Read full article »

NATIVE AMERICAN

Wash. Lawmakers Introduce Tribal Law Enforcement Bill

Two lawmakers from the state of Washington have introduced federal legislation that aims to better protect Native communities and help address the crisis of missing and murdered Indigenous women with improved hiring and increased retention of tribal law enforcement officers.

Bill attached | Read full article »

TELECOMMUNICATIONS

FCC Chair Sets New Goals For Minimum Internet Speeds

The Federal Communications Commission would raise the national threshold for internet capacity to qualify as broadband to 100 megabits per second for downloads

Food and Drug Administration
Georgia Supreme Court
Government Accountability Office
Health Resources and Services Administration
Mississippi Attorney General's Office
New Jersey Supreme Court
North Carolina Utilities Commission
Office of the Comptroller of the Currency
Ohio Department of Commerce
Ohio Legislature
Substance Abuse and Mental Health Services Administration
U.S. Attorney's Office
U.S. Attorney's Office for the District of Maryland
U.S. Attorney's Office for the Northern District of Illinois
U.S. Attorney's Office for the Southern District of New York
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U.S. Department of Homeland Security
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U.S. Department of Veterans Affairs
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maryland
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Louisiana
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
Wyoming Legislature

[redacted]

and 20 Mbps for uploads, under a plan presented to the commissioners on Friday.
Read full article »

CANNABIS

NJ Justices To Weigh Pot Law Impact On Diversion Programs
The New Jersey Supreme Court will dig into whether joining a diversionary program for a marijuana offense still blocks admission to a second program after such cases were expunged under the state's cannabis legalization statute, according to orders made available Friday.
1 document attached | Read full article »

Cannabis Bill Roundup: House OKs SAFE Act For 7th Time
The U.S. House of Representatives included some cannabis reform legislation in its annual defense package, while Pennsylvania's governor approved a bill to let banks and insurers do business with Keystone State medical cannabis operators. Here are the major moves in cannabis reform from the past week.
Read full article »

EXPERT ANALYSIS

Bills Position Ohio At The Dawn Of Digital Asset Frontier
Despite the market downturn, and perhaps in response to movement at the federal level, the Ohio Legislature has made digital assets a legislative priority, and two bills position the state as an early leader in meeting the growing demand for crypto servicing, say David A. Lopez-Kurtz and Tanner Dowdy at Dinsmore.
Read full article »

Disclosure Strategy After BIS Export Control Policy Update
Recent changes in administrative enforcement policy at the U.S. Department of Commerce's Bureau of Industry and Security could change the calculus for deciding whether to voluntarily disclose past export control violations, as the cost-benefit analysis favoring voluntary disclosure is replaced by a riskier and more bifurcated set of outcomes, say attorneys at Covington.
Read full article »

Opinion

Broadband Services Should Have Product Labels
Although regulating consumer broadband labels will be complicated, the Federal Communications Commission should move forward with plans to require such labels as the pandemic continues to drive increased reliance on broadband access, say Paroma Sanyal and Coleman Bazelon at The Brattle Group.
Read full article »

Your AI Program Probably Isn't A Person In A Court Of Law
Artificial intelligence developers will likely continue to claim AI programs deserve legal rights, after a former Google engineer recently hired a lawyer for AI he worked on, but courts have traditionally been unreceptive to arguments that nonhumans have legal capacity, says Evan Louis Miller at McManis Faulkner.
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LEGAL INDUSTRY

W.Va. Judge Allegedly Pointed Gun At Atty After DQ Attempt
A West Virginia judge overseeing an oil and gas royalty dispute brandished a handgun and pointed it at an attorney who had previously sought to disqualify him from the case, the attorney said in an affidavit submitted to West Virginia judicial investigators.
Read full article »

Justice Breyer Joins Harvard Law Faculty

Retired U.S. Supreme Court Justice Stephen Breyer has joined the faculty at Harvard Law School to teach administrative law, the school announced Friday.
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Profs Fight HarperCollins, Penguin In Library's Copyright War

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A monthslong dalliance between Elon Musk and Twitter finally spilled into court this week as the social media platform sued the Tesla billionaire for backing out of his commitment to buy the company for $44 billion.
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SUBJECT: Can States Legally Ban FDA-Approved Abortion Pills?
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 18/07/2022 02:46

Monday, July 18, 2022

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TOP NEWS

Analysis

Can States Legally Ban FDA-Approved Abortion Pills?

As conservative state governments plow ahead with prohibitions on abortions following the U.S. Supreme Court's reversal of Roe v. Wade, courts are being pressed to decide whether states also have authority to restrict access to the U.S. Food and Drug Administration-approved abortion pill.

2 documents attached | Read full article »

After Dobbs: The Latest Legal Battle Lines Over Abortion Care

The war over reproductive rights in the United States didn't end with the Supreme Court's decision to overturn Roe v. Wade last month. Rather, new battles have ignited in Congress, as well as in courthouses and statehouses across the country.

Read full article »

House Passes Bills To Protect Abortion Rights Post-Dobbs

The House of Representatives on Friday passed two bills largely along party lines that would protect abortion rights after the U.S. Supreme Court last month erased nearly 50 years of precedent guaranteeing a constitutional right to abortion by overturning Roe v. Wade.

Read full article »

Biden Scraps Plan To Nominate McConnell-Backed Judge Pick

President Joe Biden has scrapped a plan to nominate a conservative, anti-abortion attorney, who was backed by Sen. Mitch McConnell, to a new vacancy in the Eastern District of Kentucky after fellow Kentuckian Sen. Rand Paul opposed the nomination, the White House said Friday.

Read full article »

Analysis

401(k) Revenue-Sharing In Focus After 6th Circ. ERISA Ruling

The Sixth Circuit's recent decision upholding claims that an employer violated the Employee Retirement Income Security Act by offering more expensive share classes of mutual funds in its retirement plan could sharpen courts' focus on revenue-sharing agreements in 401(k) plans in similar cases, experts say.

Opinion attached | Read full article »

POLICY & REGULATION

House Passes Bill To Suspend Imported Baby Formula Duties

The U.S. House of Representatives on Friday nearly unanimously passed a bill that would suspend tariffs on imported baby formula to make the increasingly hard-to-come-by product more affordable.

Read full article »

Cannabis Bill Roundup: House OKs SAFE Act For 7th Time

The U.S. House of Representatives included some cannabis reform legislation in its annual defense package, while Pennsylvania's governor approved a bill to let banks and insurers do business with Keystone State medical cannabis operators. Here are the major moves in cannabis reform from the past week.

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ENFORCEMENT & COMPLIANCE

Lab Co. Inks Nearly $10M Deal To End FCA Case

A New Jersey-based medical laboratory services business will fork over nearly $10 million to end allegations that it overpaid on rent as a way to try to get patient referrals to the company, according to the federal government.

Settlement attached | Read full article »

COMPANIES IN TODAY'S NEWS

Abbott Laboratories
Abercrombie & Fitch Co.
American Bar Association
American Clinical Laboratory Association
American Eagle Outfitters Inc.
American Retirement Association
Anastasia Beverly Hills LLC
Apple Inc.
Associated Press
CVS Health Corp.
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Perrigo Co. PLC
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Planned Parenthood Federation
Revlon Inc.
Rite Aid Corp.
Rodan & Fields Inc.
Serta Simmons Bedding LLC
Spotify Technology SA

LITIGATION

Interview

Chicken Price-Fixing Atty Tells How 3rd Trial Was The Charm

A defense lawyer in the ultra-rare third criminal trial against poultry supplier executives opened up to Law360 about the price-fixing acquittals and the experience of three matchups in a row against the U.S. Department of Justice.

Read full article »

Lab Group Secures Win In Medicare Pay Cut Fight At DC Circ.

The D.C. Circuit handed the American Clinical Laboratory Association a win Friday in its years-long lawsuit challenging a 2016 Trump administration rule that effectively cut Medicare lab reimbursements by millions of dollars, concluding that the claims are not moot under the 2018 rule and that the 2016 rule is arbitrary and invalid.

Opinion attached | Read full article »

BANKRUPTCY

J&J Unit Seeks To Halt Mississippi, New Mexico Talc Suits

Johnson & Johnson's talc unit is asking a New Jersey bankruptcy court to halt newly resumed suits by Mississippi and New Mexico over its talc sales, saying they will endanger its efforts to settle its talc liability in Chapter 11.

Complaint attached | Read full article »

Dallas Nursing Home Operator Seeks OK For $44M Ch. 11 Sale

Nonprofit Dallas area nursing home operator Christian Care Centers Inc. Friday told a Texas bankruptcy judge that it will be asking her to approve the sale of its assets to the stalking horse bidder in its Chapter 11 sale for $44.2 million.

Notice attached | Read full article »

PEOPLE

Baker McKenzie Lands Ropes & Gray M&A Expert In Palo Alto

Baker McKenzie's California transactional team continues growing, adding a Ropes & Gray LLP mergers and acquisitions specialist as a partner in its Palo Alto office.

Read full article »

EXPERT ANALYSIS

Series

In-House At A Cannabis Company: The ESG Issues

Amber Lengacher at Trulieve lays out how cannabis companies can navigate novel areas of environmental and social impact compliance, meet states' policy goals and ensure public confidence that the industry as a whole is committed to safe and responsible operations.

Read full article »

Another Retail Bankruptcy Wave May Be On Its Way

Despite the low number of retail bankruptcy filings over the last year, record high inflation, heightened inventory levels and a potential recession have begun to trigger an uptick in distress across the retail sector, which could lead to a rise in bankruptcies, say George Angelich and Brett Goodman at ArentFox Schiff.

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Your AI Program Probably Isn't A Person In A Court Of Law

Artificial intelligence developers will likely continue to claim AI programs deserve legal rights, after a former Google engineer recently hired a lawyer for AI he worked on, but courts have traditionally been unreceptive to arguments that nonhumans have legal capacity, says Evan Louis Miller at McManis Faulkner.

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Whistleblower Law Collaborative
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GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Labor Statistics
California Secretary of State
California Supreme Court
Defense Health Agency
Delaware Court of Chancery
Equal Employment Opportunity Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Mississippi Attorney General's Office
Occupational Safety and Health Administration
U.S. Attorney's Office for the District of Maryland

LEGAL INDUSTRY

Kavanaugh Murder Attempt Suspect Wants Confession Sealed

A California man recently charged with attempting to murder U.S. Supreme Court Justice Brett Kavanaugh is urging a Maryland federal court to suppress all statements made to law enforcement, including his alleged confession that he intended to assassinate the jurist over the leaked draft abortion ruling overturning Roe v. Wade.

Read full article »

W.Va. Judge Allegedly Pointed Gun At Atty After DQ Attempt

A West Virginia judge overseeing an oil and gas royalty dispute brandished a handgun and pointed it at an attorney who had previously sought to disqualify him from the case, the attorney said in an affidavit submitted to West Virginia judicial investigators.

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Justice Breyer Joins Harvard Law Faculty

Retired U.S. Supreme Court Justice Stephen Breyer has joined the faculty at Harvard Law School to teach administrative law, the school announced Friday.

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Meet The US Atty Tapped For Historic Seat On 3rd Circ.

President Joe Biden has tapped longtime public servant and current U.S. Attorney Cindy K. Chung to serve on the U.S. Court of Appeals for the Third Circuit. If she is confirmed, she would be the first Asian American judge to sit on the court's bench.

Read full article »

Profs Fight HarperCollins, Penguin In Library's Copyright War

More than 30 intellectual property academics have dropped in to endorse amicus briefs supporting the idea of "controlled digital lending" in order to defend the Internet Archive against publishers such as HarperCollins and Penguin Random House that are trying to use copyright law to stop the online library's lending program.

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Judge Beats Bias Suit By Worker Who Threatened Protesters

A Louisiana federal judge tossed a discrimination suit brought by a former judicial employee who was fired after saying she would run over people protesting the death of George Floyd in a June 2020 Facebook post, ruling she could not prove she was discriminated against for being white or using protected political speech.

Read full article »

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U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the District of Maryland
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Louisiana
U.S. District Court for the Southern District of New York
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
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SUBJECT: Drain the swamp. Build the wall. Conservative candidates forgovernor embrace Trump agenda
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 18/07/2022 05:02

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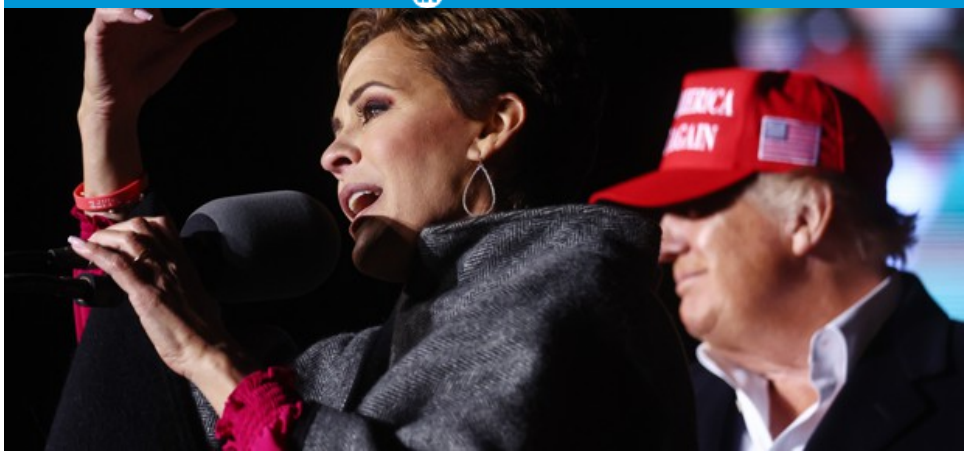
ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today

July 18, 2022



DRAIN THE SWAMP? CHECK. BUILD THE WALL? CHECK. CONSERVATIVE CANDIDATES FOR GOVERNOR EMBRACE THE

[redacted]

TRUMP AGENDA

DANIELA ALTIMARI | Recent polls suggest former President Donald Trump is losing support among Republican voters. But his appeal remains strong with conservative candidates running for governor this year. Republicans from Arizona to Wisconsin have sought Trump's support, embraced his platform and even borrowed his campaign rhetoric. But will it work?

GOVERNORS, LAWMAKERS INFURIATED OVER MANCHIN'S RELUCTANCE TO INCLUDE CLIMATE FUNDS IN SENATE PROPOSAL

KERY MURAKAMI | The revived Build Back Better proposal could have meant billions in federal dollars specifically for states and localities, which government leaders have endorsed.

MAYORS' INITIATIVE TO HARNESS DATA TO IMPROVE GOVERNMENT FUNCTIONS, CONSTITUENT SERVICES

MOLLY BOLAN | The new effort, funded by Bloomberg Philanthropies, has 22 members in the initial cohort and is expected to grow to 100 mayors during the next two years.

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Safeguarding Unemployment Insurance Benefits from Fraud

As a result of the COVID-19 pandemic, government agencies are under great pressure to provide prompt services to appropriate constituents, however, technological limitations and an unprecedented surge in demand have exposed gaps in fraud mitigation.

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HOW STATES AND LOCALITIES CAN PLAN FOR THE GROWING ECONOMIC UNCERTAINTY

HUGHEY NEWSOME, CFO, WAYNE COUNTY, MICHIGAN | COMMENTARY | Mixed signals are making it difficult for government finance officers to get a clear outlook for the future economy. Here's what they can do, says one county CFO.

MORE STATES MAY LEGALIZE PSYCHEDELIC MUSHROOMS

MICHAEL OLLOVE | STATELINE | Studies have found that psychedelics can help improve mental health.

MORE YOUNG VOTERS COULD COME OUT TO VOTE IN NOVEMBER, SPARKED BY ABORTION AND OTHER HOT POLITICAL ISSUES

ABBY KIESA | THE CONVERSATION | One survey taken shortly after the Supreme Court overturned Roe v. Wade shows that 78% of young people favor legal abortion.

STATES COULD KEEP A SHARE OF RECOVERED UNEMPLOYMENT PAYMENTS UNDER GOP PLAN

KERY MURAKAMI | The perk is part of new Republican legislation meant to force states to pursue more of the billions of dollars in benefits they wrongly paid during the pandemic.

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As a result of the COVID-19 pandemic, government agencies are under great pressure to provide prompt services to appropriate constituents, however, technological limitations and an unprecedented surge in demand have exposed gaps in fraud mitigation.

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FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 18/07/2022 06:01

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Health

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JULY 18, 2022

BY MATT BRACKEN

Twitter Email

TOP STORIES

- National Institute of Allergy and Infectious Diseases Director Anthony Fauci said he'll retire from the administration by 2025, noting that if he stepped down as President Joe Biden's chief medical adviser "when we don't have Covid anymore, then I will be 105." Fauci also expressed some uncertainty over how a regular cadence of COVID-19 booster shots might look, but said he thinks that "over the next cycle or so, we'll be getting towards a once a year boost, like flu." (Politico)

- The Centers for Medicare & Medicaid Services proposed a 2.7% boost to outpatient hospital payment rates for next year in addition to an enhanced payment for facilities that purchase N95 masks that are manufactured in the United States. CMS Administrator Chiquita Brooks-LaSure said the proposed rules, which also include modifications to payment policies for rural hospitals and the 340B drug pricing program, would "expand access to care options in rural communities and permanently allow behavioral health services to be provided to people in their homes." (Fierce Healthcare)

- GSK PLC completed the spinoff of Haleon PLC, a stand-alone consumer health care business that features products ranging from toothpaste and mouthwash to over-the-counter drugs such as Advil. GSK has said that the move will make it possible for the

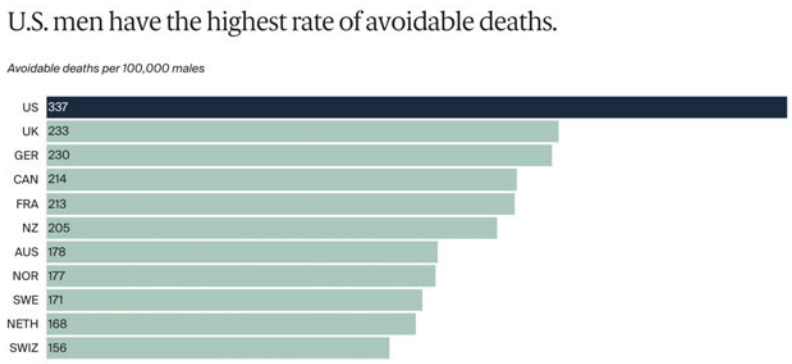
[redacted]

pharma giant to focus more on the development of new medicines and explore more deals. (The Wall Street Journal)

- A Stat News analysis of hundreds of financial filings found that chief executives of roughly 300 health care companies earned more than $4.5 billion in 2021 altogether, often boosted by soaring stock holdings, and more than 100 of those CEOs pulled in at least eight figures last year. (Stat News) Physicians and those working in biotech are among the highest-paid health care professionals, while health care CEOs regularly make 100 times as much as an average employee. (Stat News)

CHART REVIEW

Are Financial Barriers Affecting the Health Care Habits of American Men?
The Commonwealth Fund



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A MESSAGE FROM MORNING CONSULT

Webinar - Most Trusted Brands 2022

With a recession looming, brand trust is more important now than ever before. Good value is crucial to building trust, but how can brands build trust? And what are the top trusted brands today?

Discover the answer to these questions and more in Morning Consult's upcoming Most Trusted Brands 2022 webinar. Join us on Tuesday, July 19 at 1 PM ET.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

New COVID Vaccines Will be Ready This Fall. America Won't Be.

Katherine J. Wu, The Atlantic

Not so long ago, America's next COVID fall looked almost tidy. Sure, cases might rise as the weather chills and dries, and people flock indoors. But Pfizer and Moderna were already cooking up America's very first retooled COVID vaccines, better matched to Omicron and its offshoots, and a new inoculation campaign was brewing. Instead of needing to dose up three, four, even five times within short order, perhaps Americans could get just one COVID shot each year, matched roughly to the season's circulating strains.

White House COVID-19 coordinator says virus 'still evolving rapidly'

Julia Mueller, The Hill

As variants continue to circulate and develop, White House COVID-19 response coordinator Ashish Jha says the U.S. has "got to stay on top of this virus" as it quickly evolves.

Covid Rises Across U.S. Amid Muted Warnings and Murky Data

Julie Bosman et al., The New York Times

BA.5, a highly transmissible variant, is dominating a surge of new infections. Many health officials say the wave is cause for caution, not

alarm.

BA.5 spurs new calls to fund next-generation COVID-19 vaccines

Peter Sullivan, The Hill

The rise of the BA.5 variant is spurring new calls for funding for an Operation Warp Speed 2.0 to accelerate development of next-generation COVID-19 vaccines that can better target new variants.

HHS renews COVID-19 public health emergency another three months

Robert King, Fierce Healthcare

HHS Secretary Xavier Becerra announced on Friday that the emergency, first issued in January 2020, will be extended again for another 90 days.

COVID reinfection has a silver lining—one that may help tame the pandemic

Erin Prater, Fortune

It's the summer of reinfection, with the likelihood of getting COVID yet again higher than ever, thanks to an ultra-transmissible, immune-evading subvariant. Those variants have mutated what should have been a light, breezy summer to be enjoyed into yet another heavy season to be endured—with few opportunities for reprieve, even outdoors.

Kids' coronavirus vaccines are hard to find in Fla. Many blame DeSantis.

Lori Rozsa, The Washington Post

When coronavirus vaccines for infants and young children were authorized for the first time last month, Florida Gov. Ron DeSantis warned parents against the "baby jabs," saying regulators had done insufficient testing and trials.

Largest Study to Date Shows How Covid Vaccines Affect Periods

Knvul Sheikh, The New York Times

Nearly half of the participants of a recent study who were menstruating regularly at the time of the survey reported heavier bleeding during their periods after receiving the Covid-19 vaccine. Others who did not typically menstruate — including transgender men, people on long-acting contraceptives, and post-menopausal women — also experienced unusual bleeding.

GENERAL

Anti-abortion memo to Republicans: Don't leave it to the states

Alexi McCammond, Axios

A leading anti-abortion rights group is urging Republicans in Congress to stay away from phrases like "nationwide ban" and make clear they won't criminalize pregnant people's own actions.

Abortion laws spark profound changes in other medical care

Lindsey Tanner, The Associated Press

A sexual assault survivor chooses sterilization so that if she is ever attacked again, she won't be forced to give birth to a rapist's baby. An obstetrician delays inducing a miscarriage until a woman with severe pregnancy complications seems "sick enough." A lupus patient must stop taking medication that controls her illness because it can also cause miscarriages.

Confusion post-Roe spurs delays, denials for some lifesaving pregnancy care

Frances Stead Sellers and Fenit Nirappil, The Washington Post

A woman with a life-threatening ectopic pregnancy sought emergency care at the University of Michigan Hospital after a doctor in her home state worried that the presence of a fetal heartbeat meant treating her might run afoul of new restrictions on abortion.

After New Abortion Laws, Some Patients Have Trouble Obtaining Miscarriage Treatment

Pam Belluck, The New York Times

Surgical procedures and medication for miscarriages are identical to those for abortion, and some patients report delayed or denied miscarriage care because doctors and pharmacists fear running afoul of abortion bans.

Abortion foes move to block online ads for reproductive services

Ruth Reader, Politico

The National Right to Life Committee is lobbying states to enact legislation it's drafted that would make it a crime to advertise information about abortion pills or other methods of ending a pregnancy. The model bill treats abortion like organized crime, by using a combination of civil and criminal penalties in the same way that the 1970 Racketeer Influenced and Corrupt Organizations Act does. The scope is broad and suggests penalizing anyone who even conveys information about the procedure. State lawmakers in Indiana and South Carolina have already shown interest.

Abortion-Pill Orders Increase, Even In Restrictive States

Brianna Abbott and Juan Montes, The Wall Street Journal

U.S. companies that prescribe abortion pills after telehealth consultations are expanding, but only in states that allow the practice, after the Supreme Court last month removed constitutional protections for abortion. Nonprofits based abroad, meanwhile, are mailing more pills to women across the U.S., including patients in states that have banned or restricted medication abortion.

Conservative Blocs Unleash Litigation to Curb Public Health Powers

Lauren Weber and Anna Maria Barry-Jester, Kaiser Health News

Through a wave of pandemic-related litigation, a trio of small but mighty conservative legal blocs has rolled back public health authority at the local, state, and federal levels, recasting America's future battles against infectious diseases.

Why aren't there hormone-free birth control pills? Roe puts spotlight on contraceptives

Caroline Hopkins, NBC News

The overturn of Roe v. Wade has put a spotlight on the availability of affordable, highly effective birth control in the U.S. Many younger women, however, don't want their mothers' contraceptives.

U.S. House passes bill to protect right to travel for abortion

Rose Horowitch, Reuters

The U.S. House of Representatives on Friday passed legislation to safeguard the right to travel across state lines to seek an abortion after several states banned the procedure in the wake of last month's Supreme Court ruling.

Democrats Plan House Vote on Contraceptive Access

Emily Wilkins et al., Bloomberg Law

The House will vote on creating a statutory right to contraception after the Supreme Court opinion overturning Roe v. Wade prompted concerns that legal cases that have guaranteed access could be reexamined.

CDC expects monkeypox cases will continue to climb through August

Alexander Tin, CBS News

Federal health officials are warning that they now expect that the number of monkeypox cases will continue to swell through at least August, as the Biden administration says it is changing the way it will ration out vaccines to combat the growing outbreak.

As Fauci warns monkeypox needs to be taken more seriously, former FDA commissioner says the window to control it 'probably has closed'

Carma Hassan et al., CNN

Former US Food and Drug Administration (FDA) Commissioner Dr. Scott Gottlieb warned it may be too late to control and contain the virus. "I think the window for getting control of this and containing it probably has closed. If it hasn't closed, it's certainly starting to close," Gottlieb told CBS' Margaret Brennan Sunday on "Face the Nation."

For Monkeypox Patients, Excruciating Symptoms and a Struggle for Care

Sharon Otterman, The New York Times

As the city and federal government strain to supply enough vaccines, patients face a private battle to find treatment and relief from serious symptoms.

Bombshell alcohol study funded by Bill & Melinda Gates Foundation finds only risks, zero benefits for young adults

Chloe Taylor, Fortune

People under the age of 40 start risking their health if they consume any more than two teaspoons of wine or two and a half tablespoons of beer per day, a new study suggests.

PAYERS

UnitedHealth Group says Medicare Advantage saves money, but the data say otherwise

Bob Herman, Stat News

This past June, UnitedHealth Group's top two executives, Andrew Witty and John Rex, told a crowd at an investor conference that Medicare Advantage — the booming government program that outsources Medicare coverage to health insurance companies — saves the federal government money. But Witty's and Rex's claims don't hold water.

Most health insurers have released their rates. Now, experts detail what they are doing with the data

Robert King, Fierce Healthcare

Major health insurers have released massive reams of data detailing their in- and out-of-network rates to comply with a new rule. Now, experts are sifting through those data to identify trends that could affect contract negotiations with providers.

Clinical Labs Win Challenge to Medicare Reimbursement Rule

Christopher Brown, Bloomberg Law

An HHS rule used to calculate Medicare reimbursements for clinical laboratories was flawed because it exempted most hospital labs from data-reporting requirements, creating the risk that reimbursement levels were too low, a federal appeals court said Friday.

PROVIDERS

Biden's FTC Has Blocked 4 Hospital Mergers and Is Poised to Thwart More Consolidation Attempts

Harris Meyer, Kaiser Health News

Fresh off the Federal Trade Commission's successful challenges to four hospital mergers, the Biden administration's new majority on the commission is primed to more aggressively combat consolidation in the health care industry than it has in past years.

FTC Official: Antitrust Push in Health Care Must Focus on a Merger's 'Human Impact'

Harris Meyer, Kaiser Health News

President Joe Biden has ordered the Federal Trade Commission to combat consolidation in the health care industry, saying that it is driving up prices for consumers and limiting their access to care.

Hospital Chain Blocks Fertility Coverage for Its LGBT Employees

Shira Stein, Bloomberg Law

An Illinois-based Catholic hospital system that employs more than 24,000 people will only cover fertility treatment for workers in opposite-sex marriages, a policy some lawyers say could run afoul of federal discrimination laws.

HCA Healthcare, Cigna chiefs top the lists of best-paid CEOs among providers, insurers

Bob Herman, Stat News

Health insurers and providers often argue over payments at the negotiating table, but in the boardroom, top executives on each side continue to reap some of the largest pay of anyone in the industry.

Nurse Midwives Step Up to Provide Prenatal Care After Two Rural Hospitals Shutter Birthing Centers

Tony Leys, Kaiser Health News

The nurse midwife team's work includes crucial prenatal checkups. Most pregnant people are supposed to have a dozen or more such appointments before giving birth. Health care providers use the checkups to track how a pregnancy is progressing and to watch for signs of high blood pressure and other problems that can lead to premature births, stillbirths, or even maternal deaths. The midwives also advise women on how to keep themselves and their babies healthy after birth.

PHARMA, BIOTECH AND DEVICES

Roche launches dual antigen and antibody diagnostic test for hepatitis c

Reuters

Roche (ROG.S) has launched an new dual antigen and antibody diagnostic test for hepatitis C, the Swiss pharmaceuticals company said on Monday, which it says will give an earlier diagnosis of the virus.

Biotech executives pull in some of health care's biggest paydays, with Regeneron's CEO sitting atop the pack

Adam Feuerstein, Stat News

When it comes to executive compensation in the biotech and pharma sectors, it pays to be CEO of Regeneron Pharmaceuticals. The company's chief executive, Len Schleifer, took home $453 million in 2021, more than any other executive in the sector, according to a STAT analysis.

New data might have led to a different result for Amarin fish oil drug, FDA panelists say

Matthew Herper, Stat News

Two members of an expert panel that recommended the Food and Drug Administration approve a fish-oil-based heart drug, Vascepa, said recently released data would have led them to reconsider their votes.

Abbott expects to start shipping EleCare infant formula in the coming weeks

Reuters

Abbott Laboratories said on Friday it expects to begin releasing EleCare formula in the coming weeks from its recently reopened Sturgis plant, which has been at the center of a baby formula shortage in the United States.

As big pharma loses interest in new antibiotics, infections are only growing stronger

Arthur Allen, Kaiser Health News

Forget COVID-19, monkeypox, and other viruses for the moment and consider another threat troubling infectious disease specialists: common urinary tract infections, or UTIs, that lead to emergency room visits and even hospitalizations because of the failure of oral antibiotics.

HEALTH TECHNOLOGY

Illumina, BGI Group Units Settle US Suits on DNA-Sequencing Tech

Christopher Yasiejko, Bloomberg Law

Illumina Inc. will pay $325 million to settle all US litigation with BGI Group's MGI Tech. Co. and its Complete Genomics Inc. unit, the companies said, ending part of a global dispute over competing technologies for genetic sequencing.

OPINIONS, EDITORIALS AND PERSPECTIVES

America's kidney patients are desperate for new treatments

LaVarne Burton, Fierce Healthcare

America has a kidney problem. The federal government has the power to help solve it. Today, 37 million Americans have chronic kidney disease (CKD)—that's one out of every seven U.S. adults.

RESEARCH REPORTS

M&A Quarterly Activity Report: Q2 2022 - Transactions Between Hospitals and Health Systems

Kaufman Hall

M&A activity between hospitals and health systems in the second quarter of 2022 returned to both trendlines we have been tracking since the pandemic began. First, the number of announced transactions, 13, remained below what we saw in the years leading up to 2020 but was consistent with numbers for Q2 2021, when 14 transactions were announced.

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This email was sent to: hborski@utah.gov by: Morning Consult
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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 06:22

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David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
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Utah Department of Health & Human Services

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+David Litvack (DHHS)

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- 7th or 8th grade
- 9th or 10th grade

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Marc B. Watterson
Director
Office of Legislative Affairs

[redacted]

[redacted]
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> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of
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> --
> **Jenny Johnson, MPH, CHES**
> Public Information Officer
> C: 385.290.7826
> jennyjohnson@utah.gov
>
> Utah Department of
> Health & Human
> Services

[redacted]

[redacted]

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!

—

Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------

From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>

Date: Mon, Jul 11, 2022 at 10:55 AM

Subject: Underage Drinking Advisory Council

To: Brook Dorff <bdorff@utah.gov>

Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS

[redacted]

[redacted]

Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: CMS floats outpatient pay rule: 5 takeaways | Kan. hospital firesCEO | 8 hospital layoffs | HHS renews public health emergency | 13 womenmaking moves in healthcare | UPMC employees want leaders to take firmstance on abortion
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 18/07/2022 10:00

July 18, 2022

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3. 8 hospitals laying off workers **Full story**
4. How providers are meeting patient expectations for personalization, engagement, and convenience. Full story.
5. Rochester General nurses vote to unionize **Full story**
6. Kansas hospital fires CEO **Full story**
7. HHS renews COVID-19 public health emergency **Full story**
8. UPMC employees call for leaders to take firm stance on abortion Full story
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10. 13 women making moves in healthcare **Full story**
11. RWJBarnabas Health launches program to support local businesses **Full story**
12. California hospital won't lose Medicare funding despite lapses in patient care Full story
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14. 27 recent hospital, health system executive moves Full story
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- **COVID-19 test positivity rates**
- **Percentage of population fully vaccinated**

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- COVID-19 death rates
- ICU utilization
- Staffing shortages
- Booster rates
- COVID-19 vaccination rates up/down
- COVID-19 cases trend

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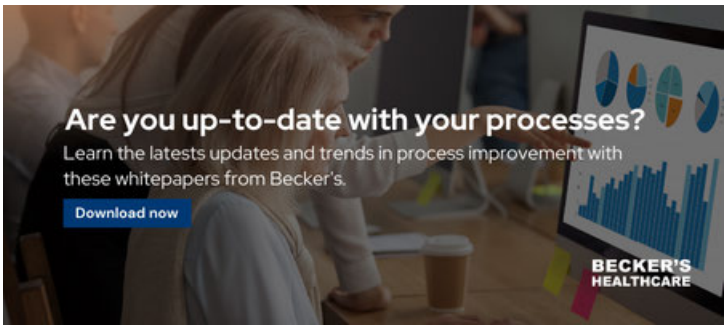

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BECKER'S Clinical Leadership & Infection Control

BECKER'S ASC REVIEW

BECKER'S SPINEREVIEW

[redacted]

SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Brook Dorff (DHHS)" <bdorff@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 12:59

The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.

Thank you!

–

Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
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jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!

—
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like

[redacted]

[redacted]

to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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[redacted]

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SUBJECT: Apple's Hiring and Spending Slowdown, A Look Ahead to Earnings, & Goldman Sachs Picks Another Natural Gas Winner
FROM: "24/7 Wall St." <newsletter@247wallst.com>
TO: hborski@utah.gov
DATE: 18/07/2022 13:11

24/7 WALL ST July 18, 2022

Afternoon Market Roundup

The latest news, updates & offers delivered directly to your inbox.

Top Analyst Upgrades & Downgrades

APPLE'S HIRING AND SPENDING SLOWDOWN: ANALYSTS UPGRADE OR DOWNGRADE FOX, GENERAL MOTORS, LEMONADE, YUM! AND MORE

Monday's additional top analyst upgrades and downgrades included Brinker, Fox, General Motors, Lemonade, Paramount, and Yum!

Read more

Special Report

[redacted]

THE TOWN WITH THE HIGHEST RENT, IN EVERY STATE

Median rents have hit record highs across the country, thanks to inflation and pandemic-related shortages of housing and building supplies. In many parts of the country, people who choose to rent may...

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Investing Updates

EARNINGS PREVIEWS: ABBOTT LABS, ASML, BAKER HUGHES, NETFLIX, OMNICOM

After markets close Tuesday, video streaming giant Netflix will report quarterly earnings that are not expected to be a significant improvement over prior quarter results. Four other firms report...

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GOLDMAN SACHS PICKS ANOTHER NATURAL GAS WINNER (AND A LOSER)

Goldman Sachs analysts have added one company to their coverage of natural gas producers and cut their rating on another. Here is a look at their gassy portfolio.

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Research shows that even though private equity is a solid bet for a healthy investment portfolio... The returns of microcap value stocks have outperformed them over the past few years.

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MOST OBESE STATES IN THE US

The obesity epidemic in the U.S. is a major health issue — it has been an issue for several decades and it doesn't look like

it's on a path of getting better. Currently about a third of...

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Crimes committed with firearms – particularly homicide – are a growing problem in the United States. Over 19,000 people were murdered with a gun nationwide in 2020, up 35% from the...

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THE 34 STATES WHERE ABORTION HAS BEEN INACCESSIBLE SINCE 1976

The recent Supreme Court decision to overturn Roe v. Wade eliminated constitutional protections to abortion access and has left millions of American women without this right in states where abortions...

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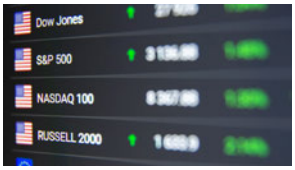

MONDAY'S TOP ANALYST UPGRADES AND DOWNGRADES: BLOCK, BOEING, CHESAPEAKE ENERGY, JPMORGAN, KRAFT HEINZ, MERCK, NETFLIX AND MORE

In case you missed Monday morning's analyst calls.

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SUBJECT: FRAC Commends USDA for Efforts to Strengthen WIC and AddressNational Formula Shortage
FROM: Food Research & Action Center <shayward@frac.org>

[redacted]

TO: Heather Borski <hborski@utah.gov>
DATE: 18/07/2022 15:50

FRAC Food Research & Action Center **NEWS RELEASE**

Media Contact:
Jordan Baker
jbaker@frac.org
202-640-1118

FRAC Commends USDA for Efforts to Strengthen WIC and Address National Formula Shortage

Statement attributable to Luis Guardia, president, Food Research & Action Center (FRAC)

WASHINGTON, July 18, 2022 — Food Research & Action Center (FRAC) commends the U.S. Department of Agriculture (USDA) for its latest announcement to strengthen the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) by testing and launching online shopping for infant formula for WIC participants, requiring strong state disaster plans, and allowing for infant formula contract transparency and bidding flexibilities.

This news comes as WIC participants, who purchase nearly half of infant formula, face ongoing challenges when accessing infant formula. WIC participants have been at a disadvantage during the infant formula shortage due to their inability to redeem their WIC formula benefits online. USDA's new rule will make WIC more equitable for households with low incomes.

USDA plans to make the procurement bidding process more transparent. USDA will also require WIC state agencies to include a provision in future infant formula rebate contracts to include remedies in the event of an infant formula recall to ensure WIC participants can continue to access formula during a crisis.

For years, FRAC has called on USDA to make WIC available online to ensure households with low incomes have equitable access to the nutritious foods they need. WIC directly supports individuals who are low-income and pregnant, postpartum, or breastfeeding, or have infants and children up to 5 years old, and these investments will go a long way in making sure that millions of women, infants, and children can access nutritious foods.

USDA will now require states to submit a disaster plan to remain prepared for future supply chain disruptions and preserve access to WIC food benefits, including infant formula, nutrition and breastfeeding support, and referrals. FRAC believes access to services when a disaster strikes, such as public health emergencies, hurricanes, floods, wildfires, earthquakes, and tornados, is critical for existing recipients, as well as outreach to potential newly eligible individuals in the event of an emergency.

All of these necessary adjustments will ensure families have the purchasing power to provide their infants and children with the nutrients necessary for early development.

FRAC applauds Secretary Vilsack for his ongoing commitment to supporting federal nutrition programs and looks forward to working with USDA as it leverages the power of this program to improve food equity.

###

The Food Research & Action Center improves the nutrition, health, and well-being of people struggling against poverty-related hunger in the United States through advocacy, partnerships, and by advancing bold and equitable policy solutions. To learn more, visit FRAC.org and follow us on Twitter and on Facebook.

[redacted]

[redacted]

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Food Research & Action Center
1200 18th Street, NW Suite 400
Washington, District of Columbia 20036
(202) 986-2200
shayward@frac.org

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 16:21

Brent is supportive of having Craig Povey as the department's designee. He is going to talk to his team and see who he wants to represent OSUMH.

Thanks,

Nate

On Mon, Jul 18, 2022 at 1:00 PM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

> The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.
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> Thank you!
>
> –
> **Brook Dorff, MA, CHES** (she/her)
> Public Information Officer
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> 24-hour media line: 801.520.2777
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> bdorff@utah.gov

On Mon, Jul 18, 2022 at 6:22 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Tracy -
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> I am just reviewing this now.
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> Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.
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> Just my immediate thoughts.
>
> David

[redacted]

[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Did this get finalized?
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> *Statute
>
> +David Litvack (DHHS)
>
> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> dhhs.utah.gov

Utah Department of Health & Human Services Legislative Affairs

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[redacted]

[redacted]

On Tue, Jul 12, 2022 at 3:28 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;

(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;

(d)the director of the Division of Child and Family Services or the director's designee;

(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy

[redacted]

[redacted]

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

> Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

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Date: Mon, Jul 11, 2022 at 10:55 AM

Subject: Underage Drinking Advisory Council

To: Brook Dorff <bdorff@utah.gov>

Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

[redacted]

[redacted]

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FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 20:22

Thank you.

[redacted]

[redacted]

Please let me know if you need anything further.

Tracy
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Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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[redacted]

On Tue, Jul 12, 2022 at 3:28 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;

(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;

(d)the director of the Division of Child and Family Services or the director's designee;

(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy

[redacted]

[redacted]

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

> Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

> Hi Tracy!
>
> I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.
>
> Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.
>
> Thanks!
>
> —
>
> **Brook Dorff, MA, CHES** (she/her)
> Public Information Officer
> C: 801.556.0633
> 24-hour media line: 801.520.2777
> Spanish media line: 385.264.2685
> bdorff@utah.gov
>
> ---------- Forwarded message ---------
> From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
> Date: Mon, Jul 11, 2022 at 10:55 AM
> Subject: Underage Drinking Advisory Council

[redacted]

[redacted]

To: Brook Dorff <bdorff@utah.gov>

Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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[redacted]

[redacted]

SUBJECT: 2 Dems Urge VPN Data Crackdown After Dobbs Ruling
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 19/07/2022 01:49

PUBLIC POLICY

Tuesday, July 19, 2022

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TOP NEWS

2 Dems Urge VPN Data Crackdown After Dobbs Ruling
A pair of Democratic lawmakers are asking the Federal Trade Commission to curb "abusive and deceptive data practices" used by virtual private network providers, saying it's difficult for individual consumers to determine which services they can trust to protect their internet activity.

Letter attached | Read full article »

Democrats Renew Call To Expand Supreme Court Post-Dobbs
A group of Democratic lawmakers and left-leaning legal advocates renewed their push for legislation to expand the size of the U.S. Supreme Court on Monday, saying the issue has taken on new urgency following a series of rulings from the court's conservative majority on abortion, guns and the environment.
Read full article »

Georgia Says Dobbs Shows State Abortion Ban Is Valid
Georgia's governor and attorney general have urged the Eleventh Circuit to void an injunction blocking the state's 2019 abortion prohibition statute, arguing that a case against it can't proceed in the wake of the U.S. Supreme Court decision in Dobbs v. Jackson Women's Health Organization.

3 documents attached | Read full article »

Ohio Justices Say Candidate Sued Late, Can't Get On Ballot
The Ohio Supreme Court on Monday denied an attempt by a candidate for a state committee to appear on next month's primary election ballot, saying he waited too long to bring his suit after failing to meet an earlier deadline.

Opinion attached | Read full article »

US Treasury Glitch Led To $472M In Uncollected Debt
A newly released audit from the U.S. Department of the Treasury's Office of Inspector General revealed a software flaw that resulted in more than $472 million in uncollected debts owed to nearly 30 federal agencies, according to an announcement Monday.
Read full article »

Several Legal Minds Picked For Bannon Jury Pool
Several D.C. residents called for jury duty in Steve Bannon's criminal contempt of Congress trial identified during jury selection Monday as either current or former attorneys or paralegals, while many others bluntly asserted that the longtime Donald Trump ally is guilty and that they could not impartially decide whether he willfully defied the Jan. 6 House select committee's subpoena.
Read full article »

Sen. Paul Blames McConnell After Judge Nomination Tossed
Sen. Rand Paul, R-Ky., blamed Senate Minority Leader Mitch McConnell, his fellow Kentuckian, after the White House scrapped plans to nominate conservative, anti-abortion attorney Chad Meredith to a judicial vacancy in the Eastern District of Kentucky last week, saying Monday that McConnell didn't consult with him on the potential nomination.
Read full article »

Alaska Says Feds Must Fix Polluted Land Held By Natives

LAW FIRMS IN TODAY'S NEWS

Abir Cohen
Allen Chesson
Alston & Bird
Baker & Hostetler
Baker Donelson
Beasley Allen
Berg & Androphy
Beveridge & Diamond
Brodeen & Paulson
Caplan Cobb
Clark Hill
Cleary Gottlieb
Cravath Swaine
Davis Polk
Dewsnup King
Edelson PC
Gallagher & Kennedy
Gardner Brewer Martinez-Monfort
Girardi & Keese
Greenberg Gross
Hogan Lovells
Holland & Knight
Howard & Howard
Ice Miller
Kelley Drye
King & Spalding
Kirkland & Ellis
Kutak Rock
Latham & Watkins
Law Office of Jeffrey Dahl
Law Office of Neil Ellis
Law Offices of Evan A. Jenness

[redacted]

Alaska has accused the federal government of pawning off contaminated lands to native groups in the state decades ago and subsequently refusing to investigate and address the pollution despite being directed by Congress multiple times to do so.

Complaint attached | Read full article »

BANKING & SECURITIES

Federal Housing Agency Seeks Public Input On Fintech

The Federal Housing Finance Authority put out a call Monday for public input on the role of technology in housing finance — topics the agency says will be addressed by its newly created Office of Financial Technology.

Read full article »

ENERGY & ENVIRONMENTAL

Counties Can't Dig Through VW Emissions-Cheating Software

A California federal judge has narrowed the scope of discovery and key claims in long-running litigation from two counties suing Volkswagen for software updates made to vehicles that were already sold to consumers and outfitted with emissions-cheating defeat devices.

Order attached | Read full article »

Former EPA Deputy General Counsel Joins Kutak Rock

Kutak Rock LLP announced Monday the hiring of Ken von Schaumburg, former deputy general counsel to the U.S. Environmental Protection Agency, to the firm's corporate and government services group in Washington, D.C.

Read full article »

Staffers For 8 House Members File For Union Representation

Staffers for eight Democratic members of Congress filed for union representation petitions, the Congressional Workers Union, a group of House employees pushing for unionization rights, announced Monday.

Read full article »

IP & TECHNOLOGY

Justices Warned That Biogen's Loss Will End Drug Patents

The top lobbying groups for the pharmaceutical and biotech industry have told the U.S. Supreme Court that a loss one of their members suffered at the Federal Circuit in a fight with a generic drugmaker over a patent covering the blockbuster multiple sclerosis drug Tecfidera will "effectively prevent patenting" drugs over the long haul.

Brief attached | Read full article »

INSURANCE

Fed. Circ. Finds Gov't Liable For Insurer's Payment Deficit

The Federal Circuit overturned a Court of Federal Claims ruling that deemed the government not responsible for shortfalls in an insurance company's annuity payments, finding the government was indeed the entity to guarantee the funds in an injury settlement.

Opinion attached | Read full article »

COMPETITION

SmileDirect Ga. Dental Board Antitrust Suit Tossed, For Now

A Georgia federal judge has nixed, for now, SmileDirectClub's lawsuit accusing the state Board of Dentistry of trying to regulate the teledentistry company out of business, holding that the firm's attack on board rules is irrelevant because its core business model still runs afoul of state law.

Order attached | Read full article »

INTERNATIONAL TRADE

China Outlines Trade Plan For Second Half Of 2022

A spokesperson for China's Ministry of Commerce walked reporters through that government's plan to stabilize foreign

Miller Monroe & Plyler
Morgan Lewis
Paul Hastings
Perkins Coie
Riley Safer
Ronald Richards & Associates
Shumaker Loop
Sidley Austin
Silverman Thompson
Smith Baluch
Squire Patton
Steptoe & Johnson LLP
Sullivan & Cromwell
WilmerHale
Young & Ma

COMPANIES IN TODAY'S NEWS

American Bar Association
American Civil Liberties Union
American International Group Inc.
Aon PLC
Apple Inc.
BC Partners
Biogen Inc.
Bipartisan Policy Center
CF Industries Holdings Inc.
California Institute of Technology
Communications Workers of America
Council of Federal Home Loan Banks
EuroChem Group SE
Federal National Mortgage Association
Ferrari SpA
Ford Foundation
Freddie Mac
Google LLC
Johnson & Johnson
MetLife Inc.
Microsoft Corp.
Muzak LLC
Mylan NV
NAACP Legal Defense and Educational Fund Inc.
National Association for the Advancement of Colored People
National Corn Growers Association
National Federation of Independent Business
New York University
Orthofix Medical Inc.
Pharmaceutical Research and Manufacturers of America
Planned Parenthood Federation
Porsche
Robert Bosch GmbH
SmileDirectClub LLC
Southeast Inc.
The Center for Reproductive Rights Inc.
The New York Times Co.
Twitter Inc.
VOYlegal LLC
Viatris Inc.
Volkswagen AG

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Indian Affairs
California Air Resources Board
Centers for Disease Control and Prevention
Executive Office of the President
Federal Bureau of Investigation

trade in the second half of 2022, emphasizing smoother shipping and promises to "unclog chokepoints."
Read full article »

ITC Votes To Scrap Tariffs on Fertilizer From Russia, Trinidad
The U.S. International Trade Commission voted unanimously on Monday to end the U.S. Department of Commerce's investigations into certain fertilizer imports from Russia and Trinidad and Tobago amid skyrocketing costs for the farming necessity.
Read full article »

TAX

Turkish Man Pleads Not Guilty In $1B Tax Credit Fraud Case
A Utah federal judge on Monday remanded a Turkish businessman into custody after he pled not guilty to charges he laundered $133 million from a scheme involving more than $1 billion in federal biodiesel tax credits.
2 documents attached | Read full article »

IMMIGRATION

'Miscarriage Of Justice' Can't Exempt Removal, 9th Circ. Says
Immigration judges and the Board of Immigration don't have the authority to reopen reinstated orders deporting immigrants and corresponding proceedings after a deported individual has reentered the country, even if those orders result in a "gross miscarriage of justice," the Ninth Circuit held Monday.
Opinion attached | Read full article »

WHITE COLLAR

Calif. CPA Admits To $1.2M In COVID Biz Relief Fraud
A California accountant has admitted he created a fake tax return to help his longtime client defraud the government's small-business pandemic relief program of $1.2 million
Brief attached | Read full article »

NATIVE AMERICAN

Minn. Chippewa Tribe Says Ex-Official Can't Get New Election
The Minnesota Chippewa Tribe urged a federal court not to hear an attempt by the former secretary-treasurer of its most populous reservation to undo a recent tribal election, saying the case "falls squarely within" its own courts' jurisdiction.
2 documents attached | Read full article »

TELECOMMUNICATIONS

FCC To Weigh Opening 17 GHz Band For More Satellite Use
The Federal Communications Commission plans to weigh next month whether to free up spectrum in the 17 gigahertz band for fixed satellites to beam broadband signals from space.
Read full article »

CANNABIS

Medical Cannabis Seller Can't Undo Detroit Zoning Decision
A Michigan appeals court has shot down a bid by a man who sought to open a medical marijuana provisioning center in Detroit to undo the city's decision to deny his application, saying the Board of Zoning Appeals properly applied the law.
Opinion attached | Read full article »

EXPERT ANALYSIS

Keys To Crafting Hybrid Work Policies At Law Firms
As law firms embrace hybrid work as a middle ground in a post-pandemic world, work arrangement policies that are built on a foundation of trust and that prioritize lawyers' autonomy over their schedules will give firms an edge in the war for talent, says Alyson Galusha at VOYlegal.
Read full article »

High Court's New EPA Ruling And Its Long-Term Implications

Federal Communications Commission
Federal Housing Finance Agency
Federal Trade Commission
Food and Agriculture Organization
Food and Drug Administration
Georgia Attorney General's Office
Internal Revenue Service
International Monetary Fund
International Trade Commission
Leech Lake Band of Ojibwe
Minnesota Chippewa Tribe
National Aeronautics and Space Administration
National Science Foundation
New Jersey Attorney General's Office
Occupational Safety and Health Administration
Ohio Supreme Court
Small Business Administration
U.S. Attorney's Office
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Alaska
U.S. District Court for the District of Columbia
U.S. District Court for the District of Minnesota
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Office Of Special Counsel
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of Utah
World Bank Group
World Intellectual Property Organization
World Trade Organization

The U.S. Supreme Court's decision in West Virginia v. U.S. Environmental Protection Agency will change the legal landscape in a number of ways — including constraining future climate regulations that may be advanced by the Biden administration and states, while providing litigants a powerful new administrative law precedent to challenge all kinds of agency rules, say attorneys at Beveridge & Diamond.

Read full article »

How To Reduce Red Tape Slowing Down Rural Health Care

There are four ways to expand health care access to hard-to-reach parts of the country, where unnecessary regulations and slow processes make drawing doctors to provide care for millions of Americans an uphill battle, says health care attorney Joseph Hylak-Reinholtz.

Read full article »

Opinion

The USPTO Should Give Ukraine Even More Help

The U.S. Patent and Trademark office should take three direct steps to help confer upon Ukraine's patent office the same benefits it previously granted to Russia's Rospatent, in addition to the sanctions the USPTO has already conferred in response to the attack on Ukraine, say David Kappos at Cravath, Teresa Summers at Summers Law Group and Andrew Baluch at Smith Baluch.

Read full article »

LEGAL INDUSTRY

Holland & Knight Call With Co. Is Privileged, NC Justices Told

North Carolina's highest court is being asked to decide if a Holland & Knight LLP client's phone call with the law firm can be wielded as evidence in a tangled battle over how much a technology company owes the estate of a deceased member.

Read full article »

Paul Hastings Adds Ex-Latham Finance Team In London

Paul Hastings LLP continued expansion at its London office on Monday, announcing the hiring of a four-person finance team from Latham & Watkins LLP, including the newest co-chair of its global finance practice.

Read full article »

Erika Girardi's Biz 'Created For Tax Fraud,' New Suit Claims

"Real Housewives of Beverly Hills" star Erika Girardi used her entertainment company to help her husband's now-defunct law firm, Girardi Keese, hide his clients' stolen money and commit tax fraud, according to a $2.2 million lawsuit in Los Angeles Superior Court.

Read full article »

Meet The BakerHostetler Atty Tapped For Pa. Federal Bench

President Joe Biden nominated a Philadelphia patent litigator to serve as a federal judge in eastern Pennsylvania, and those who know him say that experience will make him a unique but qualified addition to the bench.

Read full article »

Civil Rights Lawyer To Receive ABA Thurgood Marshall Award

Civil rights trailblazer Sherrilyn Ifill will be honored with the American Bar Association Section of Civil Rights and Social Justice's 2022 Thurgood Marshall Award.

Read full article »

AIG Wants Early Win In Ex-Company Atty's Retaliation Suit

American International Group urged a New York federal judge Friday to hand it a win in a lawsuit by the former head of AIG's legal consulting arm who claims he was retaliated against for reporting alleged fraud within AIG, arguing that the ex-employee's own signed statements are fatal to his claims.

[redacted]

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Berg & Androphy, Former Paralegal End Racial Bias Suit

Litigation firm Berg & Androphy and a former legal assistant who sued the partnership for racial bias have ended their dispute, according to a Monday notice in a New York federal court.

Read full article »

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SUBJECT: Georgia Says Dobbs Shows State Abortion Ban Is Valid
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 19/07/2022 02:02

HEALTH

Tuesday, July 19, 2022

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TOP NEWS

Georgia Says Dobbs Shows State Abortion Ban Is Valid

Georgia's governor and attorney general have urged the Eleventh Circuit to void an injunction blocking the state's 2019 abortion prohibition statute, arguing that a case against it can't proceed in the wake of the U.S. Supreme Court decision in Dobbs v. Jackson Women's Health Organization.

3 documents attached | Read full article »

2 Dems Urge VPN Data Crackdown After Dobbs Ruling

A pair of Democratic lawmakers are asking the Federal Trade Commission to curb "abusive and deceptive data practices" used by virtual private network providers, saying it's difficult for individual consumers to determine which services they can trust to protect their internet activity.

Letter attached | Read full article »

7th Circ. Affirms Tossing Of Case Against Ill. Hospital Chain

[redacted]

The Seventh Circuit has upheld a lower-court ruling that an Illinois hospital network's insurance contracts that designated the hospital but not a medical clinic as a preferred provider did not violate antitrust laws.

Opinion attached | Read full article »

University Of Ky. Ducks Due Process Claims At 6th Circ.

A partially split Sixth Circuit found on Monday that two former University of Kentucky dentistry professors can't bring due process claims relating to the school's decision to bar them from seeing patients at a school clinic while being investigated for a payment issue, saying qualified immunity bars those allegations.

Opinion attached | Read full article »

1st Circ. OKs Pharmacist's 10-Year Term For Deadly Outbreak

The First Circuit upheld a 10½-year prison term for a pharmacist whose lab sparked a deadly meningitis outbreak, rejecting the former executive's argument that a lower court improperly inflated what had been a sentence of eight years behind bars.

Opinion attached | Read full article »

Cloud Tech Co. Beats $450M IP Trial Over Drug Test Software

A New York federal judge has cleared software developer Veeva Systems in its rival's trade secrets suit over technology used for drug-testing trials, determining that there was not enough evidence for a jury to deliberate.

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LITIGATION

Drug Cos., Researchers Back Juno's 'Possession' Petition

Drugmakers and research centers are urging the U.S. Supreme Court to take up a Bristol-Myers Squibb unit's case, saying the underlying decision invaliding a cancer therapy patent over written description concerns will place an impossible burden on pharmaceutical and biotech companies.

5 documents attached | Read full article »

Federal Circuit Upholds Invalidation Of Kidney Test Patents

The Federal Circuit on Monday refused to undo a lower court's finding that three Stanford University patents licensed to a developer of commercial tests for kidney transplant rejections were invalid, saying they are directed toward natural phenomena.

Opinion attached | Read full article »

7th Circ. Affirms Victim's USA Gymnastics Bankruptcy Loss

The Seventh Circuit on Monday affirmed a bankruptcy judge's ruling that a USA Gymnastics member who was sexually abused by convicted former team doctor Larry Nassar submitted her claim against the organization five months too late, rejecting her argument that she was never properly notified of the deadline.

Opinion attached | Read full article »

Mass General Strikes Deal To End ERISA Mortality Table Suit

Massachusetts General Hospital and a proposed class of workers accusing the company of lowballing their retirements by using outdated actuarial assumptions in annuity payout calculations told the First Circuit that they have struck a deal to end the suit.

Report attached | Read full article »

SmileDirect Ga. Dental Board Antitrust Suit Tossed, For Now

A Georgia federal judge has nixed, for now, SmileDirectClub's lawsuit accusing the state Board of Dentistry of trying to regulate the teledentistry company out of business, holding that the firm's attack on board rules is irrelevant because its core business model still runs afoul of state law.

COMPANIES IN TODAY'S NEWS

American Bar Association
American Civil Liberties Union
American International Group Inc.
AmerisourceBergen Corp.
Amgen Inc.
Aon PLC
Apple Inc.
BC Partners
Bipartisan Policy Center
Bristol-Myers Squibb Co.
Brooks Brothers Group Inc.
California Institute of Technology
Cardinal Health Inc.
Carvana Co.
City of Hope National Medical Center
Eurofins Scientific SE
Ford Foundation
GenapSys Inc.
Google LLC
Imerys SA
JPMorgan Chase & Co.
Johnson & Johnson
Juno Therapeutics Inc.
Kite Pharma Inc.
LinkedIn Corp.
Massachusetts General Hospital
McKesson Corp.
Medidata Solutions Inc.
Memorial Sloan Kettering Cancer Center
MetLife Inc.
Microsoft Corp.
Morgan Stanley
Muzak LLC
NAACP Legal Defense and Educational Fund Inc.
Natera Inc.
National Association for the Advancement of Colored People
NetSuite Inc.
New England Compounding Pharmacy Inc.
New York University
Orthofix Medical Inc.
Partners HealthCare
Pfizer Inc.
Planned Parenthood Federation
Regenxbio Inc.
Renaissance Capital
Selecta Biosciences Inc.
SmileDirectClub LLC
SolarCity Corp.
Southeast Inc.
Southern Illinois Healthcare
St. Jude Children's Research Hospital Inc.
Tesla Inc.
The Center for Reproductive Rights Inc.
The New York Times Co.
TransCanada Corporation
Twitter Inc.

[redacted]

Order attached | Read full article »

Mich. Doc Can't Escape Suit Over Heart Attack Phone Consult

A Michigan appeals court won't let a cardiologist dodge a wrongful death suit alleging he failed to properly diagnose the type of heart attack a patient was having during a phone consult, finding there is evidence to refute his argument he did not have a duty to the patient.

Opinion attached | Read full article »

Ill. Court Denies Arbitration In Nursing Home Death Suit

An Illinois nursing home must face negligence claims and other allegations over a resident's 2019 death in court because the facility's arbitration agreement became unenforceable immediately upon the death, a state appellate panel has said.

Opinion attached | Read full article »

Catching Up With Delaware's Chancery Court

The news dominating the Delaware Chancery Court last week was Twitter Inc.'s newly filed suit against Tesla Inc. CEO Elon Musk for attempting to escape his $44 billion offer to buy the social media giant, bringing Chancellor Kathaleen St. J. McCormick, who will adjudicate the case, into the national spotlight.

Read full article »

Medical Cannabis Seller Can't Undo Detroit Zoning Decision

A Michigan appeals court has shot down a bid by a man who sought to open a medical marijuana provisioning center in Detroit to undo the city's decision to deny his application, saying the Board of Zoning Appeals properly applied the law.

Opinion attached | Read full article »

DEALS

Health Care Platform Cancels $100M IPO Amid Market Woes

Venture-backed health care platform Everside Health Group Inc. withdrew its $100 million initial public offering Monday, citing market conditions, marking the latest scuttled IPO amid a moribund climate for new listings.

Read full article »

GOVERNMENT CONTRACTS

GAO Denies Untimely Protest Over $50B NIH IT Deal

The U.S. Government Accountability Office has rejected a protest over a $50 billion National Institutes of Health information technology contract, saying an amendment to the contract solicitation, later rolled back, did not reopen the window for the otherwise untimely protest.

Decision attached | Read full article »

PEOPLE

J&J Elevates Atty To General Counsel As Top Lawyer Retires

Johnson & Johnson has promoted one of its longtime in-house lawyers, the general counsel for its pharmaceuticals unit, to manage the law department globally when the current top lawyer retires at the end of 2022, the health care giant said Monday.

Read full article »

EXPERT ANALYSIS

How To Reduce Red Tape Slowing Down Rural Health Care

There are four ways to expand health care access to hard-to-reach parts of the country, where unnecessary regulations and slow processes make drawing doctors to provide care for millions of Americans an uphill battle, says health care attorney Joseph Hylak-Reinholtz.

Read full article »

Keys To Crafting Hybrid Work Policies At Law Firms

As law firms embrace hybrid work as a middle ground in a post-pandemic world, work arrangement policies that are built on a foundation of trust and that prioritize lawyers'

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GOVERNMENT AGENCIES IN TODAY'S NEWS

Delaware Court of Chancery
Executive Office of the President
Federal Bureau of Investigation
Federal Trade Commission
Georgia Attorney General's Office
Government Accountability Office
International Trade Commission
National Institutes of Health
Occupational Safety and Health Administration
U.S. Attorney's Office for the District of Massachusetts
U.S. Court of Appeals for the Eleventh Circuit

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autonomy over their schedules will give firms an edge in the war for talent, says Alyson Galusha at VOYlegal.
Read full article »

LEGAL INDUSTRY

Holland & Knight Call With Co. Is Privileged, NC Justices Told
North Carolina's highest court is being asked to decide if a Holland & Knight LLP client's phone call with the law firm can be wielded as evidence in a tangled battle over how much a technology company owes the estate of a deceased member.
Read full article »

Sen. Paul Blames McConnell After Judge Nomination Tossed
Sen. Rand Paul, R-Ky., blamed Senate Minority Leader Mitch McConnell, his fellow Kentuckian, after the White House scrapped plans to nominate conservative, anti-abortion attorney Chad Meredith to a judicial vacancy in the Eastern District of Kentucky last week, saying Monday that McConnell didn't consult with him on the potential nomination.
Read full article »

Democrats Renew Call To Expand Supreme Court Post-Dobbs
A group of Democratic lawmakers and left-leaning legal advocates renewed their push for legislation to expand the size of the U.S. Supreme Court on Monday, saying the issue has taken on new urgency following a series of rulings from the court's conservative majority on abortion, guns and the environment.
Read full article »

Paul Hastings Adds Ex-Latham Finance Team In London
Paul Hastings LLP continued expansion at its London office on Monday, announcing the hiring of a four-person finance team from Latham & Watkins LLP, including the newest co-chair of its global finance practice.
Read full article »

Erika Girardi's Biz 'Created For Tax Fraud,' New Suit Claims
"Real Housewives of Beverly Hills" star Erika Girardi used her entertainment company to help her husband's now-defunct law firm, Girardi Keese, hide his clients' stolen money and commit tax fraud, according to a $2.2 million lawsuit in Los Angeles Superior Court.
Read full article »

Meet The BakerHostetler Atty Tapped For Pa. Federal Bench
President Joe Biden nominated a Philadelphia patent litigator to serve as a federal judge in eastern Pennsylvania, and those who know him say that experience will make him a unique but qualified addition to the bench.
Read full article »

Civil Rights Lawyer To Receive ABA Thurgood Marshall Award
Civil rights trailblazer Sherrilyn Ifill will be honored with the American Bar Association Section of Civil Rights and Social Justice's 2022 Thurgood Marshall Award.
Read full article »

AIG Wants Early Win In Ex-Company Atty's Retaliation Suit
American International Group urged a New York federal judge Friday to hand it a win in a lawsuit by the former head of AIG's legal consulting arm who claims he was retaliated against for reporting alleged fraud within AIG, arguing that the ex-employee's own signed statements are fatal to his claims.
Read full article »

Berg & Androphy, Former Paralegal End Racial Bias Suit
Litigation firm Berg & Androphy and a former legal assistant who sued the partnership for racial bias have ended their dispute, according to a Monday notice in a New York federal court.

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U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. District Court for the Northern District of Georgia
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SUBJECT: Morning Consult Health: Senate Democrats Said to Want COVID-19Funding in Reconciliation Bill
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 19/07/2022 06:10

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Health

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JULY 19, 2022

BY MATT BRACKEN

Twitter Email

TOP STORIES

- Democratic leaders are reportedly pushing for the inclusion of fresh funding for COVID-19 tests, therapeutics and vaccines in the party's

[redacted]

reconciliation bill to reduce prescription drug costs and extend Affordable Care Act subsidies for two years, though Sen. Joe Manchin (D-W.Va.) hasn't indicated if he'd support including such funding. Democrats' drug pricing proposal is expected to be reviewed by the Senate parliamentarian on Thursday. (Punchbowl News)

- Independent advisers to the Centers for Disease Control and Prevention will meet today to discuss Novavax Inc.'s protein-based COVID-19 vaccine. If the Advisory Committee on Immunization Practices votes to endorse the vaccine's use, the final hurdle for Novavax to clear will be signoff from CDC Director Rochelle Walensky, with approval in these instances typically happening quickly. (The New York Times)

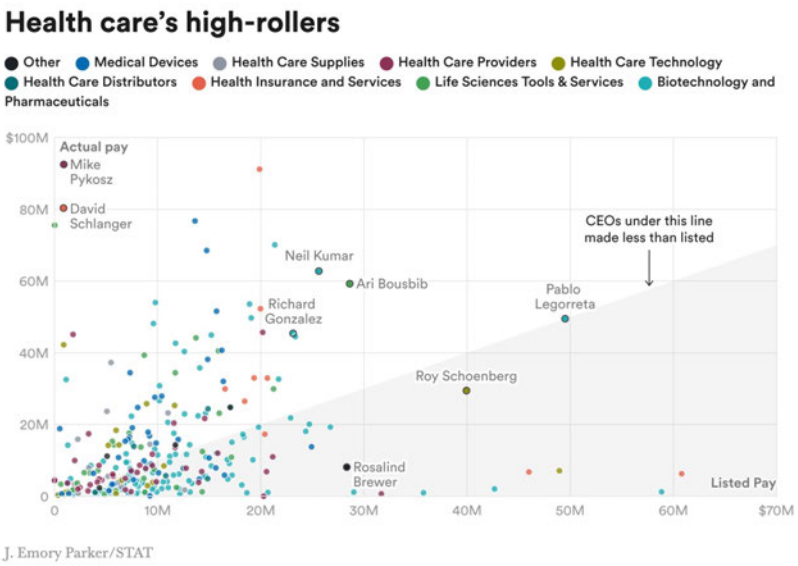
- In a letter, 181 House lawmakers called on the Department of Health and Human Services to penalize drugmakers that have lowered or completely eliminated price breaks through the federal 340B Drug Discount program, saying "vulnerable communities, federal grantees, and safety net health care providers are deprived of resources Congress intended to provide." At this point, 18 top drug companies have cut discounts or limited the number of contract pharmacies that are allowed to distribute their products, and several have already been warned by HHS' inspector general that penalties could be levied if discounts aren't reinstated. (Stat News)

- Johnson & Johnson's net earnings fell to $4.81 billion in the second quarter, down from $6.28 billion a year ago, though total sales climbed 3% to $24.02 billion, with $544 million coming from its COVID-19 vaccine. J&J exceeded second-quarter profit estimates based on the strength of its pharmaceuticals unit, particularly in sales of cancer drug Darzalex and Crohn's disease drug Stelara. (Reuters)

CHART REVIEW

A CEO pay bonanza, how much the rank and file are paid, and a wilderness therapy rabbit hole

Stat News



J. Emory Parker/STAT

EVENTS CALENDAR (ALL TIMES LOCAL)

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A MESSAGE FROM MORNING CONSULT

Webinar - Most Trusted Brands 2022

With a recession looming, brand trust is more important now than ever before. Good value is crucial to building trust, but how can brands build trust? And what are the top trusted brands today?

Discover the answer to these questions and more in Morning Consult's upcoming Most Trusted Brands 2022 webinar. Join us on Tuesday, July 19 at 1 PM ET.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

With a sniff or a swallow, new vaccines aim to put the brakes on Covid-19 spread

Brenda Goodman, CNN

Injected vaccines against the coronavirus that causes Covid-19 have been hugely successful, saving nearly 20 million lives globally in their first year of use and slashing the pandemic's death toll by an estimated 63%, according to a recent study. Yet good as these shots are, they have not stopped the virus from spreading from person to person.

Officials fret over highly infectious BA.5 as national COVID-19 hospitalizations tick upward

Dave Muoio, Fierce Healthcare

U.S. hospitals have seen a steady uptick in COVID-19 during the past few weeks as public health leaders warn of the now-predominant BA.5 omicron lineage and the need for continued booster vaccination.

Nasal vaccines may stop Covid infections. Will we get them soon?

Berkeley Lovelace Jr., NBC News

Research on nasal vaccines is mostly in its early phases in the U.S., though many scientists believe this twist on vaccination could prove to be an effective way to block infections.

CDC stops reporting coronavirus cases on cruise ships

Amanda Finnegan and Gabe Hiatt, The Washington Post

The Centers for Disease Control and Prevention has stopped reporting coronavirus levels for cruise ships in U.S. waters, ending a pandemic-era program that allowed the public to monitor the spread of the virus at sea.

GENERAL

The politics of passing a major FDA funding bill just got complicated

Nicholas Florko, Stat News

For the last six months, Congress seemed to be sailing towards the uncharacteristically smooth passage of a massive, multi-billion dollar bill to fund the Food and Drug Administration. That all changed late last week when one powerful lawmaker, Sen. Richard Burr (R-N.C.), came out in opposition to the so-called user fee reauthorization bill he helped craft — and supported throughout the committee process.

Walensky pushes back on Gottlieb's criticism of CDC monkeypox response

Katherine Dillinger, CNN

Former US Food and Drug Administration Commissioner Dr. Scott Gottlieb's interview in which he criticized the federal response to the

ongoing monkeypox outbreak was "misinformed and off base," says Dr. Rochelle Walensky, director of the US Centers for Disease Control and Prevention.

Data breach at debt collector affects almost 2M healthcare patients

Rebecca Pifer, Healthcare Dive

A ransomware attack that hit a debt collections agency in February potentially exposed the data of almost 2 million patients, according to an update on HHS' breach reporting portal.

As Demand for Medication Abortion Increases, Facebook Allows Ads for Potentially Dangerous "Abortion Reversal" Procedure

Lauren Kirchner et al., The Markup

The Markup has found that Facebook is serving up ads and posts for the so-called "abortion pill reversal" procedure, a medically unapproved and potentially dangerous process that the American College of Obstetricians and Gynecologists says is "not based on science."

Supreme Court lets Indiana's parental consent abortion law take effect

Oriana Gonzalez, Axios

The Supreme Court issued an order on Monday letting Indiana officials enforce a law requiring a minor to have parental consent to get an abortion.

Idaho GOP rejects platform change allowing abortion to save person's life

Brad Dress, The Hill

Idaho's Republican Party adopted language to their platform that supports the criminalization of abortion in all cases, rejecting an amendment that would have supported allowing a person to get an abortion to save their life.

West Virginia Abortions May Go On, With 150-Year-Old Law Blocked

Jennifer Kay, Bloomberg Law

A county judge said Monday that she would block West Virginia from enforcing a 150-year-old law criminalizing abortions, according to attorneys fighting in state court in the wake of the US Supreme Court's decision to overturn Roe v. Wade.

NIH Privacy Certificates Shield Reproductive Research Post-Roe

Jeannie Baumann, Bloomberg Law

Reproductive health researchers shouldn't have to turn over their data to law enforcement in states with post-Roe abortion bans thanks to a federal statute—although legal experts caution it's an added layer of protection and not a guarantee.

D.C. leads the nation in monkeypox cases per capita

Jenna Portnoy, The Washington Post

D.C. has more cases of monkeypox per capita than any state, prompting public health officials to launch an aggressive vaccination campaign

aimed at blanketing the most at-risk communities.

Women denied abortion rarely choose adoption. That's unlikely to change.

Sydney Trent, The Washington Post

Experts say there are powerful reasons why the 1 million-plus waiting list to adopt a U.S. infant will not shrink much, despite the end of Roe v. Wade.

Regular coffee drinkers had lower chance of dying in 7-year period

Linda Searing, The Washington Post

People who drink a moderate amount of coffee — up to 3½ cups a day — might have a better chance at a longer life span, even if their coffee is lightly sweetened with sugar, according to research published in Annals of Internal Medicine.

A deadly virus was just identified in Ghana: What to know about Marburg

Adela Suliman, The Washington Post

After the coronavirus pandemic and the rise of monkeypox cases, news of another virus can trigger nerves globally. The highly infectious Marburg virus has been reported in the West African country of Ghana this week, according to the World Health Organization.

GE reveals new company names as it approaches historic split

Jack Stebbins, CNBC

GE HealthCare will encompass the company's health-services branch and will be listed on the Nasdaq Stock Market under the symbol "GEHC," the company said in a release. That spinoff is expected to be completed early next year.

3M Earplugs Fight Stems From Self-Made Legal Battle

Austen Hufford, The Wall Street Journal

A long-running legal battle over allegedly defective earplugs made by 3M Co. arose after the company initiated a separate dispute against a smaller competitor, court documents showed.

What Pregnancy and Childbirth Do to the Bodies of Young Girls

Stephanie Nolen, The New York Times

An Ohio 10-year-old's recent abortion has generated fierce debate. Doctors in countries where pregnancy is common in adolescents say the toll of childbirth on young bodies is brutal.

Some Students Want Colleges to Provide the Abortion Pill. Schools Are Resisting.

Anemona Hartocollis and Stephanie Saul, The New York Times

Many colleges pride themselves on providing a range of sexual and reproductive health services for their students, including birth control, screenings for sexually transmitted diseases and even insurance coverage to terminate a pregnancy. What they do not tend to provide is abortion, either by pill or through a procedure. For that, they refer students to other clinics or doctors' offices.

PAYERS

No-Bid Medicaid Contract for Kaiser Permanente Is Now California Law, but Key Details Are Missing

Bernard J. Wolfson, Kaiser Health News

California lawmakers have approved a controversial no-bid statewide Medi-Cal contract for HMO giant Kaiser Permanente over the objection of county governments and competing health plans. But key details — including how many new patients KP will enroll — are still unclear.

Clover Health to offer Medicare Advantage plans in 13 new counties next year

Paige Minemyer, Fierce Healthcare

Clover Health will expand its Medicare Advantage footprint into 13 new counties across three states for the 2023 plan year, the insurer announced.

Centene completes sale of PANTHERx subsidiary

Paige Minemyer, Fierce Healthcare

Centene has completed its divestiture of one of its pharmacy subsidiaries, the company said. The insurer announced in May that it will sell off PANTHERx to the Vistria Group, General Atlantic and Nautic Partners.

New Jersey's Disputed $34 Million Insurance Program Failed to Stem Rising Health Costs

John Tozzi, Bloomberg

Last year, New Jersey officials in charge of the state employee health plan sought a major refund from their insurer for failing to deliver on a money-saving program, but their complaint stalled. Now outside consultants confirm the program yielded no apparent savings, one reason New Jersey's health-care expenses are rising.

PROVIDERS

Health systems eye perks of M&A post-COVID shock

Caroline Hudson, Modern Healthcare

There were 12 announced hospital transactions in the second quarter, compared with 14 in the first quarter and 20 in the second quarter of 2021, according to a report from advisory firm Ponder & Co. This past quarter saw a few mega-deals, including the proposed Atrium-Advocate Aurora combination announced in May that would create a $27 billion system.

For fertility doctors, a moral question: Will they help protect IVF from abortion bans?

Chabeli Carrazana, The 19th

Reproductive endocrinologists are joining the abortion rights movement to protect IVF and fertility care. But would they help write laws to ban abortions if it meant saving IVF?

Illinois-based Catholic hospital system plans to deny LGBTQ workers fertility coverage

Brad Dress, The Hill

A Catholic hospital system operating 15 hospitals and another 132 facilities in Illinois and Michigan has adopted a policy to cover fertility treatment only for workers in opposite-sex marriages.

Years of neglect leaves sexual health clinics ill-prepared for monkeypox

Julie Steenhuysen and Jennifer Rigby, Reuters

Sexual health clinics on the frontline of the monkeypox response are already financially stretched, leaving the United States and UK ill-equipped to tackle the first major global health test since the COVID-19 pandemic.

The Next Generation of Abortion Doctors Train in California

Sarah Holder, Bloomberg

Health-care providers and medical schools are stepping up training efforts as the state positions itself as a haven for abortion seekers.

PHARMA, BIOTECH AND DEVICES

FDA approves first at-home therapy for skin repigmentation in vitiligo patients

Elissa Welle, Stat News

Patients with vitiligo will now have access to the first ever at-home therapy for skin repigmentation approved by the Food and Drug Administration.

Federal patent initiatives could cause 'headwinds' for drugmakers and their broad filings

Ed Silverman, Stat News

For the second time this month, the U.S. Patent & Trademark Office has taken a tougher stand toward drugmakers that make small changes to their medicines in order to extend monopolies, which can result in medicines costing more.

HEALTH TECHNOLOGY

Athenahealth alums launch health stack solution, Fold Health, to transform primary care

Anastassia Gliadkovskaya, Fierce Healthcare

New startup Fold Health has launched offering an interoperable digital health tech stack for primary care. The company was started by a team of entrepreneurs who founded Praxify, an electronic health records (EHR) optimization company eventually sold to Athenahealth for $63 million.

OPINIONS, EDITORIALS AND PERSPECTIVES

[redacted]

New viral threats are moving fast. Here's how we can move faster

Gavin Cloherty, Fortune

We must make it easy for doctors or researchers who confront an unknown illness to share samples and information with scientists worldwide to help with identification. Such collective action leads to quicker discoveries and can give the public health community more time and information to assess the magnitude of the threat.

How dating apps could help stop the spread of sexually transmissible infections

Céline Gounder and Michael Donnelly, Stat News

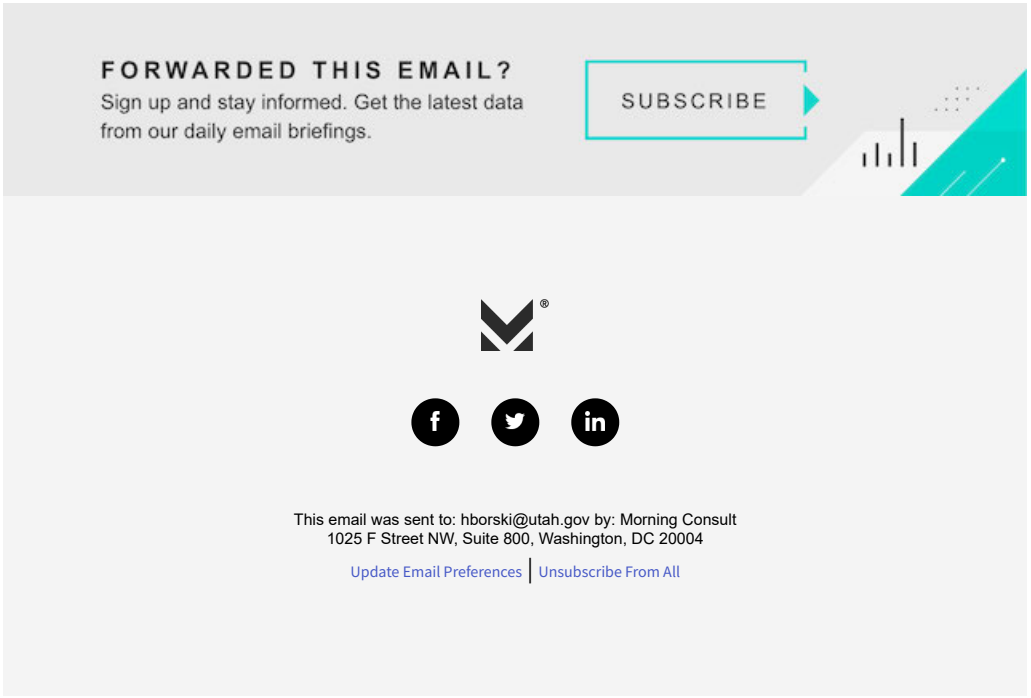
Sexually transmissible infections are on the rise across the United States. But it's not just monkeypox that's surging, and it's not just men who have sex with men who are affected.

RESEARCH REPORTS

Why Does Disability Increase During Recessions? Evidence from Medicare

Colleen Carey et al., National Bureau of Economic Research

Social Security Disability Insurance (DI) awards rise in recessions and fall in expansions, especially for older adults. Using Medicare administrative data for DI entrants between 1991 and 2015, we provide new evidence on the health of DI recipients who enter at different ages and points in the business cycle. We find that each percentage point increase in unemployment at the time of application corresponds to 4.2% more awards and 0.4% lower Medicare spending among new entrants.



SUBJECT: Re: Underage Drinking Advisory Council

FROM: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>

TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>

[redacted]

[redacted]

CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 19/07/2022 09:26

Nate, will Brent report back to you? I'm happy to reach out to USBE with names and contact info but am unclear if Brent or you are doing this.

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 18, 2022 at 4:22 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

> Brent is supportive of having Craig Povey as the department's designee. He is going to talk to his team and see who he wants to represent OSUMH.
>
> Thanks,
>
> Nate
>
> On Mon, Jul 18, 2022 at 1:00 PM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:
>
> > The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.
> >
> > Thank you!
> >
> > –
> > **Brook Dorff, MA, CHES** (she/her)
> > Public Information Officer
> > C: 801.556.0633
> > 24-hour media line: 801.520.2777
> > Spanish media line: 385.264.2685
> > bdorff@utah.gov
>
> On Mon, Jul 18, 2022 at 6:22 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
>
> > Tracy -
> >
> > I am just reviewing this now.
> >
> > Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.
> >
> > Just my immediate thoughts.
> >
> > David

[redacted]

[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Did this get finalized?
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> *Statute
>
> +David Litvack (DHHS)
>
> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> dhhs.utah.gov

Utah Department of Health & Human Services
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[redacted]

[redacted]

On Tue, Jul 12, 2022 at 3:28 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;

(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;

(d)the director of the Division of Child and Family Services or the director's designee;

(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy

[redacted]

[redacted]

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

> Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

> Hi Tracy!
>
> I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.
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> Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.
>
> Thanks!
>
> —
>
> **Brook Dorff, MA, CHES** (she/her)
> Public Information Officer
> C: 801.556.0633
> 24-hour media line: 801.520.2777
> Spanish media line: 385.264.2685
> bdorff@utah.gov
>
> ---------- Forwarded message ---------
> From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
> Date: Mon, Jul 11, 2022 at 10:55 AM
> Subject: Underage Drinking Advisory Council

[redacted]

[redacted]

To: Brook Dorff <bdorff@utah.gov>

Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
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The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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[redacted]

[redacted]

SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 19/07/2022 09:36

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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Public Information Officer
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> Just my immediate thoughts.
>
> David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Did this get finalized?
>
> Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

[redacted]

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

*Statute

+David Litvack (DHHS)

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I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

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- 7th or 8th grade
- 9th or 10th grade

[redacted]

[redacted]

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Thank you for the email and I'm sorry for the delayed response.
>
> My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.
>
> Since this overlaps with the Healthcare Administration Section, I cc'd Nate.
>
> Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of
> Health & Human
> Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

> Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?
>
> --

[redacted]

[redacted]

Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

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bdorff@utah.gov

---------- Forwarded message ---------

From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>

Date: Mon, Jul 11, 2022 at 10:55 AM

Subject: Underage Drinking Advisory Council

To: Brook Dorff <bdorff@utah.gov>

Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

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TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 19/07/2022 09:52

Eric Tadehara will be the SUMH designee.

Thanks,

[redacted]

[redacted]

Nate

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Legislative Affairs

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Thank you for the email and I'm sorry for the delayed response.
>
> My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.
>
> Since this overlaps with the Healthcare Administration Section, I cc'd Nate.
>
> Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

Utah Department of
Health & Human
Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

> Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?
>
> --
> **Jenny Johnson, MPH, CHES**
> Public Information Officer
> C: 385.290.7826
> jennyjohnson@utah.gov

[redacted]

[redacted]

Utah Department of Health & Human Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!

—

Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------

From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>

Date: Mon, Jul 11, 2022 at 10:55 AM

Subject: Underage Drinking Advisory Council

To: Brook Dorff <bdorff@utah.gov>

Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already

[redacted]

[redacted]

agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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[redacted]

[redacted]

SUBJECT: Who Owns Crypto In Ch. 11? A Trillion-Dollar Question
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 20/07/2022 01:47

Wednesday, July 20, 2022

Follow

TOP NEWS

Analysis

Who Owns Crypto In Ch. 11? A Trillion-Dollar Question
As crypto winter hits the once-booming digital asset industry, the trillion-dollar question that will be fiercely litigated in the first wave of Chapter 11 cases will deal with who owns cryptocurrency held by bankrupt trading and investment platforms, experts say.
Read full article »

House Passes Marriage Equality Bill In Post-Dobbs Push
House Democrats are moving legislation this week to enshrine marriage equality and the right to contraception into law, aiming to legislatively protect rights they say are in jeopardy in the wake of the Supreme Court's decision overturning Roe v. Wade and constitutional protections for abortion.
2 documents attached | Read full article »

Biden Issues Order To Fight Unlawful Detentions Abroad
President Joe Biden on Tuesday signed an executive order aimed at bolstering U.S. efforts in bringing Americans held hostage or wrongfully detained abroad home, while also authorizing the government to impose sanctions on foreign actors involved in such unlawful detentions.
Read full article »

Feds Tell Jurors Bannon 'Decided He Was Above The Law'
A federal prosecutor told jurors in Steve Bannon's criminal contempt of Congress trial Tuesday that the former top Trump White House aide willfully defied a subpoena by the House committee probing last year's deadly U.S. Capitol attack because he "decided he was above the law."
Read full article »

Meet The Fox Rothschild Atty Tapped For Pa. Federal Bench
A Fox Rothschild LLP partner and longtime litigator who was also the first Black woman to lead the Philadelphia District Attorney's Office has been tapped for a seat on the federal bench in the Eastern District of Pennsylvania.
Read full article »

BANKING & SECURITIES

SEC Delays Action On NYSE Bid To Ease Direct Listing Limits
The U.S. Securities and Exchange Commission has delayed action on a New York Stock Exchange proposal to relax pricing limits on direct listings, opting to further investigate whether such alternatives to initial public offerings would protect investors.
Read full article »

Fed Pitches Rule To Aid Libor Transition For Legacy Contracts
The Federal Reserve released a proposal Tuesday that would provide default U.S. dollar Libor replacements for potentially trillions of dollars of older financial contracts still

LAW FIRMS IN TODAY'S NEWS

Adams & Reese
Akin Gump
Allen & Overy
Alston & Bird
Baker & Hostetler
Baker McKenzie
Boies Schiller
Buchalter APC
Bush Seyferth
Campbell Conroy
Clifford Chance
Clyde & Co
Consovoy McCarthy
Covington & Burling
Crowell & Moring
Davidoff Hutcher
Debevoise & Plimpton
Dykema
Elliott Greenleaf
Emerge Law Group
Faegre Drinker
Fillmore Law Firm
Foley Hoag
Fox Rothschild

[redacted]

tied to the pricing benchmark, which is slated to be fully discontinued in less than a year.

Proposed Rule attached | Read full article »

SEC Enforcement Chief Pressed On ESG, Crypto Cases

House Republicans took the U.S. Securities and Exchange Commission's head of enforcement to task over his division's prosecution of environmental, social and governance issues absent any agency rules at a hearing on Capitol Hill on Tuesday, while a leading Democrat called for crackdowns against cryptocurrency exchanges.

Read full article »

Vilsack Backs Pandemic-Era Subsidies For Minority Farmers

U.S. Secretary of Agriculture Tom Vilsack is defending a federal loan relief program for minority farmers, arguing in court Monday that the pandemic-era initiative is meant to redress the government's past discrimination and is an appropriate remedy for its misdeeds.

4 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

Biden Urges 5th Circ. To Revive Carbon Metric Rule

The Biden administration panned an effort by Republican-led states to kill changes in how the government uses estimates for the costs related to greenhouse gas emissions, telling the Fifth Circuit the plaintiffs haven't shown standing after 18 months.

Brief attached | Read full article »

Last Flint Trial Witness Says Contractors Met Standards

The defense rested Tuesday in a landmark bellwether trial over the Flint water crisis following testimony from an expert who said two contractors for the city did not violate their professional standard of care.

Read full article »

EPA Says Pesticide Disapproval Didn't Require Public Input

The U.S. Environmental Protection Agency on Monday told the Ninth Circuit that no public notice and comment period was required for its decisions to revoke approval of the pesticide sulfoxaflor and then reapprove its use because it was merely complying with a court order.

4 documents attached | Read full article »

J&J Wants Opioid Claims From NY Towns, Cities Tossed

Johnson & Johnson wants an Ohio federal court to toss opioid claims made against the company by a host of New York municipalities, saying a change to an Empire State law bars those allegations.

Motion attached | Read full article »

Calif. Community Group Wants EPA Action On Clean Bus Plan

A California community group on Tuesday sued the U.S. Environmental Protection Agency, accusing it of dragging its feet on approving a state program to transition to a 100% zero-emission bus fleet.

Complaint attached | Read full article »

Groups Say Louisiana LNG Project Would Harm Climate

Two environmental groups Tuesday launched a suit alleging the U.S. Army Corps of Engineers inappropriately issued permits for a natural gas export terminal in Louisiana, despite the considerable climate damages it would cause.

Petition attached | Read full article »

HEALTH & LIFE SCIENCES

In Dissent, 5th Circ. Judge Calls FDA E-Cig Denial A 'Mockery'

A split Fifth Circuit panel Monday rejected an appeal by two flavored e-cigarette makers who challenged the U.S. Food and Drug Administration's denial of their premarket tobacco product applications, with a dissenting judge writing that the

Grant & Eisenhofer
Greenberg Traurig
Hausfeld LLP
Hemenway & Barnes
Hendler Flores Law
Herbert Smith Freehills
Hogan Lovells
Jacobson Burton
Jo Anne Simon PC
Kasowitz Benson
Katzman Wasserman
King & Spalding
Kingsley Napley
Kobre & Kim
Latham & Watkins
Law Offices of Stephan C. Volker
Levy Konigsberg
Lippes Mathias
Loeb & Loeb
Mayer Brown
Mishcon de Reya
Moore Kuehn
Morgan Lewis
Napoli Shkolnik
Norton Rose
O'Melveny & Myers
Orgain Bell
Orrick Herrington
Paul Hastings
Paul Weiss
Plunkett Cooney
Potter Anderson
Procopio Cory
Quinn Emanuel
Robbins Geller
Ropes & Gray
Schlichter Bogard
Shoosmiths LLP
Sidley Austin
Silverman Thompson
Skadden Arps
Squire Patton
Stein & Vargas
Tavenner & Beran PLC
Thompson Hine
Troutman Pepper
Tucker Arensberg
Vicente Sederberg
Vinson & Elkins
Vladeck Raskin
Wachtell Lipton
Wilson Sonsini
Winston & Strawn
Workplace Justice Advocates
Yetter Coleman

COMPANIES IN TODAY'S NEWS

American Association for Justice
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Texas
American Medical Association Inc.
AmerisourceBergen Corp.
Archdiocese of Philadelphia
Broadcom Inc.
CA Technologies
CVC Capital Partners
CVS Health Corp.
Cardinal Health Inc.
Center for Biological Diversity
Center for Strategic and International Studies
Citigroup Inc.

FDA's decision is a "mockery of 'reasoned' administrative decision-making."

Opinion attached | Read full article »

AMA President Says Doctors Facing Uncertainty Post-Dobbs

Doctors are concerned about facing criminal charges for providing stabilizing abortion care in emergency situations amid the murky legal landscape that has emerged since the U.S. Supreme Court erased the constitutional right to abortion, the American Medical Association's president told a House panel Tuesday.

Read full article »

Attys Say DEA Stonewalled Drug-Related FOIA Requests

The U.S. Drug Enforcement Administration has been unlawfully stonewalling Freedom of Information Act requests seeking clarity about terminally ill patients' right to try psilocybin, according to a new lawsuit filed Tuesday in Texas federal court.

Complaint attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

Phillips 66, Shell Ask 5th Circ. To Cast Aside Waterway Dues

Phillips 66 Co. and Shell PLC told the Fifth Circuit they shouldn't be on the hook to help finance a $1.2 billion unfinished port improvement project on the Texas-Louisiana border in order to use the waterway.

Brief attached | Read full article »

EMPLOYMENT & BENEFITS

FTC, Labor Board Team Up On Gig Economy, Noncompetes

The National Labor Relations Board and the Federal Trade Commission are teaming up to take on the gig economy, worker misclassification and restrictive covenants such as noncompete agreements, the agencies said Tuesday.

Memorandum attached | Read full article »

COMPETITION

Broadcom's $61B Deal For VMware Under FTC Microscope

Semiconductor chipmaker Broadcom Inc. disclosed in an investor filing Friday that its $61 billion plan to buy cloud services provider VMware Inc. is now under extra Federal Trade Commission scrutiny, pausing any attempt to close the transaction until the companies have complied with the investigation.

Read full article »

DOJ Action Advances $5.4B Google Cybersecurity Co. Deal

The U.S. Department of Justice gave Google the greenlight to proceed with its purchase of cybersecurity firm Mandiant after the proposed $5.4 billion deal was placed under a microscope following investor concerns, according to a filing with the U.S. Securities and Exchange Commission.

Read full article »

GOVERNMENT CONTRACTS

Watchdog Raises Concerns About GSA's Pricing Rule Rollout

A General Services Administration watchdog said the GSA intends to broadly expand the use of its contentious Transactional Data Reporting rule, despite widespread data deficiencies that might result in federal agencies overpaying for products and services.

Memorandum attached | Read full article »

INTERNATIONAL TRADE

Analysis

Midyear Report: The Biggest Trade Policy Stories Of 2022

After more than a year of focusing mostly on pressing domestic issues, the Biden administration began to more strongly assert itself on the international stage in 2022 by forging new alliances, ramping up enforcement and striking new deals at the World Trade Organization.

Read full article »

Coinbase Global Inc.
Core Laboratories
Cornell University
Corteva Inc.
Dell Technologies Inc.
Earthjustice
Financial Industry Regulatory Authority Inc.
FireEye Inc.
Fordham University
Fresenius Medical Care North America
Getty Images Inc.
Google LLC
Idaho State Bar
International Association of Defense Counsel
JPMorgan Chase & Co.
JUUL Labs Inc.
Johnson & Johnson
LinkedIn Corp.
MFS Investment Management
Major League Baseball Inc.
Marvel Entertainment LLC
McKesson Corp.
Miami Dolphins
Motorola Mobility LLC
Mylan NV
NASDAQ Inc.
NFL Enterprises LLC
National Basketball Association Inc.
National Collegiate Athletic Association
National Hockey League
Pfizer Inc.
Phillips 66
Poloniex LLC
Public Co. Accounting Oversight Board
QUALCOMM Inc.
Rural Wireless Association
Securities Investor Protection Corp.
Shell PLC
Sierra Club
Silver Lake
Standard General LP
State Bar of California
Tegna Inc.
Terra-Gen LLC
Tesla Inc.
The Lawyers' Committee for Civil Rights Under Law
Twitter Inc.
U.S. Chamber of Commerce
UnitedLex Corp.
University of Virginia
Univision Holdings Inc.
Veolia Environnement SA
WNBA Enterprises LLC
Wells Fargo & Co.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Indian Affairs
California Air Resources Board
Commodity Futures Trading Commission
Delaware Court of Chancery
Equal Employment Opportunity Commission
European Commission
European Securities and Markets Authority
European Union

China, EU Say A Stable World Economy Is A Shared Duty
Europe and China have a shared responsibility to maintain global economic stability amid the supply chain disruptions caused by COVID-19 and financial upheaval caused by Russia's war against Ukraine, the European Commission said Tuesday in a recap of its annual trade sit-down with the Asian nation.
Read full article »

Senators Debate New Forfeiture Powers Amid Ukraine War
U.S. senators Tuesday seemed broadly keen to boost the Justice Department's powers to go after Russian oligarchs close to President Vladimir Putin and their foreign assets as they heard from a senior federal prosecutor during a hearing about the complexity of identifying, restraining and managing lavish vehicles, works of art and properties linked to the Kremlin.
Read full article »

TAX

Pittsburgh Says Making Locals Pay 'Jock Tax' Could Moot Suit
The City of Pittsburgh defended its fee on nonresident pro athletes in court Tuesday, arguing it was supported by a rational reason and enabled by state legislation — and suggesting the state court could fix the problems raised by three league unions by also applying the fee to athletes who live in the city.
Read full article »

IMMIGRATION

Migrant's Criminal Past Backs Indictment, Split 9th Circ. Rules
A divided Ninth Circuit panel on Monday affirmed a district court's order refusing to dismiss an indictment against a Mexican national charged with illegal reentry, finding that his drunk-driving and shoplifting convictions make it tough to show that he would have plausibly been granted voluntary departure relief.
Opinion attached | Read full article »

9th Circ. Tells BIA Past Torture Isn't A Must For Removal Relief
The Ninth Circuit ordered the Board of Immigration Appeals to reconsider a Guatemalan citizen's bid for removal relief, saying that past torture, though relevant, was not required in determining whether he'd likely face future torture in Guatemala.
Opinion attached | Read full article »

Texas Gov. Tells 5th Circ. To Nix Migrant Transport Order Suit
Texas Gov. Greg Abbott called on the Fifth Circuit to nix litigation challenging his executive order restricting the transportation of certain migrants during the COVID-19 pandemic, saying border shelters can't sue him for a policy that he doesn't personally enforce.
Brief attached | Read full article »

WHITE COLLAR

PetroSaudi Says $380M Award Remains Off-Limits To US
A PetroSaudi unit Monday rebutted the U.S. government's argument that a nearly $380 million arbitral award allegedly tied to embezzled 1Malaysia Development Bhd. funds has been moved within its reach, telling the Ninth Circuit that the money is still protected under sovereign immunity.
Brief attached | Read full article »

NATIVE AMERICAN

Treasury Urges DC Circ. To Nix Tribes' COVID-19 Funding Suit
The federal government has asked the D.C. Circuit to back its summary judgment win in an appeal filed by Native American tribes challenging its distribution of COVID-19 relief, saying a lower court properly held that the U.S.

Executive Office of the President
Farm Service Agency
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
General Services Administration
Office of Inspector General
Internal Revenue Service
Kumeyaay Nation
Miccosukee Tribe of Indians
National Economic Council
National Labor Relations Board
New York Attorney General's Office
Office of the Comptroller of the Currency
Shawnee Tribe
State Bar of Texas
Texas Attorney General's Office
Texas Department of Public Safety
Texas Supreme Court
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office
U.S. Attorney's Office for the Eastern District of Washington
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Education
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of New York
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United Nations
United States District Court for the Northern District of Ohio
Wage and Hour Division
World Trade Organization

Department of the Treasury's funding allocation was well within its discretion.

Brief attached | Read full article »

Ranchers Urge 9th Circ. To Revive Calif. Wind Farm Suit

A pair of California ranchers and the conservation group one of them runs, Backcountry Against Dumps, have urged the Ninth Circuit to revive their lawsuit against a planned wind farm in California, citing "genuine concern" that the project would harm local residents and the environment.

Brief attached | Read full article »

TELECOMMUNICATIONS

FCC's Final Estimates Show $3B 'Rip And Replace' Shortfall

The Federal Communications Commission must fill a $3.08 billion shortfall in funding already allocated for the "rip and replace" initiative to rid U.S. networks of security threats, according to final numbers the agency has compiled.

1 document attached | Read full article »

FCC Taps Covington Associate To Serve As Legal Adviser

Covington & Burling LLP associate and telecom law practitioner Hannah Lepow has joined the Federal Communications Commission as the agency's newest legal adviser, where she will work on matters relating to media and consumer protection, according to an announcement issued by the agency Tuesday.

Read full article »

Bipartisan Senate Group Backs Faster Broadband Speeds

A quartet of U.S. senators lined up Tuesday to sing the praises of a Federal Communications Commission plan to raise the minimum acceptable broadband speed to at least 100 megabits per second for downloads.

Read full article »

PEOPLE

Hausfeld Antitrust Co-Lead Leaves For Justice Department

Hausfeld LLP's antitrust co-chair is leaving her post to work for the U.S. Department of Justice, the firm confirmed Tuesday.

Read full article »

EXPERT ANALYSIS

Expected Retirement Law Changes May Spark ERISA Suits

As Congress is poised to pass bipartisan retirement legislation that could bring collective investment trusts and 403(b) plans together and may form a new wave of litigation under the Employee Retirement Security Act, it is helpful to review the important roles that they have played in prior waves of ERISA excessive fee cases, say attorneys at King & Spalding.

Read full article »

Opinion

Bar Exam Policies On Menstruation Still Fall Short

While many states have taken steps to address long-standing and problematic bar exam policies on menstruation and menstrual products, the changes do not go far enough to remove the continued disadvantages menstruating test takers face, highlighting the need for comprehensive and quick action ahead of this month's exams, say law professors Margaret Johnson, Elizabeth Cooper and Marcy Karin.

Read full article »

LEGAL INDUSTRY

Buchalter Products Liability Chair Sued For Sex Harassment

The chair of Los Angeles-based Buchalter APC's products liability group regularly verbally abused and sexually harassed a subordinate — including repeatedly asking her to perform sex acts — while the firm's management looked the other way, according to a lawsuit filed Monday in California state court.
Read full article »

Chancery Orders October Trial For Elon Musk And Twitter
Twitter won its bid for a fast-tracked trial Tuesday in its Delaware Chancery Court fight to force Elon Musk to close on his $44 billion agreement to buy the social media giant, with a trial ordered to commence as early as October.
Read full article »

Ex-JPMorgan Atty's Retaliation Suit Headed To A Fall Trial
A New York federal judge on Tuesday set a November trial date for a former JPMorgan Bank NA compliance attorney, who claims she was fired after raising concerns about misconduct at the bank, and largely denied a last ditch bid by the bank to dispose of the suit.
Read full article »

Ex-Ropes & Gray Atty Loses Bar Exam Disability Bias Suit
A New York federal judge dismissed a disability bias suit from a fired Ropes & Gray LLP attorney who sued the state agency that administers the bar exam after failing the test, ruling Tuesday that the agency is subject to sovereign immunity as an arm of the Empire State's government.
Read full article »

Oath Keepers Argue That Jan. 6 Hearings Taint Jury Pool
With his face tattoos and Descendants T-shirt, Jason Van Tatenhove hardly looked the part of a witness at a congressional hearing last week, but the former Oath Keepers spokesman delivered harsh testimony about his old cohort, which he called "a violent militia."
Read full article »

Ex-Boies Schiller Managing Partner Opens NY Office
The former Boies Schiller Flexner LLP managing partner who in recent months left the firm's London office with more than a dozen attorneys to start her own litigation boutique has her eyes set on an expansion to New York, she announced Tuesday.
Read full article »

Baker McKenzie To Retain Bulk Of Trainees Amid Talent War
Baker McKenzie said on Tuesday it expects to retain more than 90% of its trainees in the fall of 2022, the latest London law firm to reveal its numbers as the battle to attract talent heats up, with associate salaries rising to unprecedented levels.
Read full article »

Clifford Chance Sees Profit Per Partner Leap By 10%
Clifford Chance LLP reported a seventh consecutive year of record growth in its annual financial results Tuesday, with its revenues increasing by 8% to just under £2 billion ($2.37 billion), and yielding a major bump per equity partner.
Read full article »

Ky. Litigator Takes Over As New Prez Of Plaintiff Trial Org.
A Louisville, Kentucky, trial lawyer has been sworn in as the new president of the American Association for Justice, according to an announcement Tuesday.
Read full article »

IADC Elects Adams And Reese Partner As President
A partner at Adams and Reese LLP in New Orleans has been elected president of The International Association of Defense Counsel, the association said Monday.
Read full article »

Paul Weiss Starts Civil Rights And Racial Equity Audit Practice
Paul Weiss Rifkind Wharton & Garrison LLP on Tuesday announced a new civil rights and racial equity audit practice led by litigation partner and former U.S. Attorney General Loretta Lynch.
Read full article »

Kasowitz Must Keep Fighting Accusations It Framed Woman
A Florida judge on Tuesday refused to throw out accusations that Kasowitz Benson Torres LLP framed its

client's Palm Beach neighbor in a hate mail campaign, rejecting the firm's argument that the malicious prosecution claim was brought too early.
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Wells Fargo Had No Duty To Spot Fake Check, Judge Says
A Pennsylvania law firm that got scammed with a fake $200,000 check can't bring breach-of-contract claims against Wells Fargo Bank NA, since the bank had followed its written contracts and didn't have an implied guarantee to catch such scams, a Pennsylvania federal judge ruled Tuesday.
Read full article »

5th Circ. Urged Not To Rehear SEC In-House Courts Challenge
A hedge fund manager who is battling the U.S. Securities and Exchange Commission over its use of in-house courts has urged the Fifth Circuit to leave in place a recent panel decision that held the agency's administrative proceedings against him were unconstitutional.
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Harter Secrest & Emery LLP
-, -

Deputy General Counsel – Legal Department (LEG)
International Monetary Fund
Washington, District of Columbia

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SUBJECT: AMA President Says Doctors Facing Uncertainty Post-Dobbs
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 20/07/2022 02:32

HEALTH

Wednesday, July 20, 2022

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TOP NEWS

AMA President Says Doctors Facing Uncertainty Post-Dobbs
Doctors are concerned about facing criminal charges for providing stabilizing abortion care in emergency situations amid the murky legal landscape that has emerged since the U.S. Supreme Court erased the constitutional right to abortion, the American Medical Association's president told a House panel Tuesday.
Read full article »

Foley Hoag Starts Reproductive Health Unit In Wake Of Dobbs
Following the U.S. Supreme Court decision overturning Roe v. Wade, Foley Hoag LLP has formed a new reproductive health care practice group aimed at helping companies, providers, insurers and other organizations navigate the legal landscape.
Read full article »

9th Circ. Upholds Cigna Arbitration Win In Health Benefits Row
A lawsuit alleging Cigna charged its employees excessive fees for its benefits plan can stay in arbitration, the Ninth Circuit ruled, affirming an Arizona federal court decision that an arbitration provision covered the suit.
Opinion attached | Read full article »

Coloplast Gets Win In Vaginal Mesh Device Suit
A Minnesota federal judge has handed a win to Coloplast Corp. in a California woman's suit claiming its Restorelle L surgical mesh device was negligently and defectively designed and that the company didn't properly give warnings about the product's alleged risks.
Order attached | Read full article »

Analysis

Top Product Liability Cases Of 2022: Midyear Review
Major product liability cases so far in 2022 include a ruling in West Virginia against local governments seeking relief from drug distributors for the opioid crisis and a historic settlement with gunmaker Remington to end claims brought by the families of Sandy Hook victims. Here, Law360 looks at key cases from the first half of the year.
Read full article »

ENFORCEMENT & COMPLIANCE

US Seizes $500K Ransom From North Korean Hacking Group
The U.S. Department of Justice said Tuesday that it has seized around $500,000 in ransoms paid last year by hospitals in Kansas and Colorado to a North Korean hacking group, in the government's latest bid to convince the private sector that quickly reporting attacks can pay dividends.
Read full article »

LITIGATION

Last Flint Trial Witness Says Contractors Met Standards
The defense rested Tuesday in a landmark bellwether trial over the Flint water crisis following testimony from an expert who said two contractors for the city did not violate their professional standard of care.
Read full article »

'Sales Were King' For Drug Cos., Says Atty In Ga. Opioid Trial
Some of the nation's largest pharmaceutical distributors accused of over-shipping prescription opioids to Georgia must pay for the "death, abuse and destruction" they caused Glynn County families mangled by an opioid addicted spouse, parent, son and daughter, the plaintiffs' attorney told a state jury during opening arguments Tuesday.
Read full article »

NY Worker's Family Gets $15M In Mesothelioma Verdict
A New York state jury has awarded $15 million to the family of a construction worker who died of mesothelioma in 2019, finding Kaiser Gypsum Co. Inc. acted with reckless disregard for safety in selling a joint compound that contained asbestos.

COMPANIES IN TODAY'S NEWS

84 Lumber Co.
American Association for Justice
American Bar Association
American Medical Association Inc.
AmerisourceBergen Corp.
Archdiocese of Philadelphia
Bayer AG
BioTelemetry Inc.
CVC Capital Partners
CVS Health Corp.
Cardinal Health Inc.
Centene Corp.
Cigna Corp.
Citigroup Inc.
Colonial Pipeline Co.
Coloplast A/S
Core Laboratories
Cornell University
Fordham University
Fresenius Medical Care North America
Google LLC
Idaho State Bar
International Association of Defense Counsel
J.M. Smith Corp.
JPMorgan Chase & Co.
Johnson & Johnson
LinkedIn Corp.
Marvel Entertainment LLC
McKesson Corp.
Miami Dolphins
Monsanto Co.
Mylan NV
NFL Enterprises LLC
National Basketball Association Inc.
National Collegiate Athletic Association
Pfizer Inc.
Public Co. Accounting Oversight Board
Remington Arms Co. LLC
San Francisco Bar Association
State Bar of California
Tesla Inc.
Twitter Inc.

Complaint attached | Read full article »

Insurer Can't Duck Virus Test Reimbursement Suit, Court Told

A Connecticut medical practice chain that has been suing health care entities alleging failures to reimburse it for COVID-19 testing costs told a federal court a third-party health plan administrator can't avoid the chain's lawsuit against it seeking $658,000 in testing costs.

Motion attached | Read full article »

J&J Wants Opioid Claims From NY Towns, Cities Tossed

Johnson & Johnson wants an Ohio federal court to toss opioid claims made against the company by a host of New York municipalities, saying a change to an Empire State law bars those allegations.

Motion attached | Read full article »

Treasury Urges DC Circ. To Nix Tribes' COVID-19 Funding Suit

The federal government has asked the D.C. Circuit to back its summary judgment win in an appeal filed by Native American tribes challenging its distribution of COVID-19 relief, saying a lower court properly held that the U.S. Department of the Treasury's funding allocation was well within its discretion.

Brief attached | Read full article »

Attys Say DEA Stonewalled Drug-Related FOIA Requests

The U.S. Drug Enforcement Administration has been unlawfully stonewalling Freedom of Information Act requests seeking clarity about terminally ill patients' right to try psilocybin, according to a new lawsuit filed Tuesday in Texas federal court.

Complaint attached | Read full article »

Tort Report: Google Urges Justices To Ax Terror Aid Suit

Google's plea for the U.S. Supreme Court to reject a terrorism aid suit and yet another Fifth Circuit remand of a coronavirus death suit lead Law360's Tort Report, which compiles recent personal injury and medical malpractice news that may have flown under the radar.

Read full article »

EXPERT ANALYSIS

Opinion

Bar Exam Policies On Menstruation Still Fall Short

While many states have taken steps to address long-standing and problematic bar exam policies on menstruation and menstrual products, the changes do not go far enough to remove the continued disadvantages menstruating test takers face, highlighting the need for comprehensive and quick action ahead of this month's exams, say law professors Margaret Johnson, Elizabeth Cooper and Marcy Karin.

Read full article »

LEGAL INDUSTRY

Buchalter Products Liability Chair Sued For Sex Harassment

The chair of Los Angeles-based Buchalter APC's products liability group regularly verbally abused and sexually harassed a subordinate — including repeatedly asking her to perform sex acts — while the firm's management looked the other way, according to a lawsuit filed Monday in California state court.

Read full article »

Chancery Orders October Trial For Elon Musk And Twitter

UnitedLex Corp.
University of Virginia
Veolia Environnement SA
Wells Fargo & Co.
YouTube Inc.

LAW FIRMS IN TODAY'S NEWS

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Adams & Reese
Akin Gump
Allen & Overy
Alston & Bird
Baker McKenzie
Boies Schiller
Bondurant Mixson
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Bush Seyferth
Campbell Conroy
Clifford Chance
Clyde & Co
Covington & Burling
Debevoise & Plimpton
Elliott Greenleaf
Emerge Law Group
Faegre Drinker
Foley Hoag
Fox Rothschild
GoldenbergLaw
Grant & Eisenhofer
Greenberg Traurig
Griffin Durham
Harris Beach
Hausfeld LLP
Herbert Smith Freehills
Hunter Maclean
Hunton Andrews
Jo Anne Simon PC
Kasowitz Benson
Katzman Wasserman
King & Spalding
Kingsley Napley
Law Offices of Sheldon J. Schlesinger
Levy Konigsberg
Lewis Roca
Lippes Mathias
Mayer Brown
McDermott Will
Michael Best
Mishcon de Reya
Morgan Lewis
Napoli Shkolnik
O'Melveny & Myers
Paul Weiss
Plunkett Cooney
Potter Anderson
Quinn Emanuel
Robbins Geller
Robinson & Cole
Ropes & Gray
Ryan Rapp
Shoosmiths LLP
Simmons Hanly
Skadden Arps
Squire Patton
Stein & Vargas
Stinson LLP
Swanson & McNamara
Tavenner & Beran PLC
Troutman Pepper
Varnum LLP
Vicente Sederberg
Vladeck Raskin
Wachtell Lipton

Twitter won its bid for a fast-tracked trial Tuesday in its Delaware Chancery Court fight to force Elon Musk to close on his $44 billion agreement to buy the social media giant, with a trial ordered to commence as early as October.
Read full article »

Ex-JPMorgan Atty's Retaliation Suit Headed To A Fall Trial
A New York federal judge on Tuesday set a November trial date for a former JPMorgan Bank NA compliance attorney, who claims she was fired after raising concerns about misconduct at the bank, and largely denied a last ditch bid by the bank to dispose of the suit.
Read full article »

Ex-Ropes & Gray Atty Loses Bar Exam Disability Bias Suit
A New York federal judge dismissed a disability bias suit from a fired Ropes & Gray LLP attorney who sued the state agency that administers the bar exam after failing the test, ruling Tuesday that the agency is subject to sovereign immunity as an arm of the Empire State's government.
Read full article »

Oath Keepers Argue That Jan. 6 Hearings Taint Jury Pool
With his face tattoos and Descendants T-shirt, Jason Van Tatenhove hardly looked the part of a witness at a congressional hearing last week, but the former Oath Keepers spokesman delivered harsh testimony about his old cohort, which he called "a violent militia."
Read full article »

Meet The Fox Rothschild Atty Tapped For Pa. Federal Bench
A Fox Rothschild LLP partner and longtime litigator who was also the first Black woman to lead the Philadelphia District Attorney's Office has been tapped for a seat on the federal bench in the Eastern District of Pennsylvania.
Read full article »

Ex-Boies Schiller Managing Partner Opens NY Office
The former Boies Schiller Flexner LLP managing partner who in recent months left the firm's London office with more than a dozen attorneys to start her own litigation boutique has her eyes set on an expansion to New York, she announced Tuesday.
Read full article »

Baker McKenzie To Retain Bulk Of Trainees Amid Talent War
Baker McKenzie said on Tuesday it expects to retain more than 90% of its trainees in the fall of 2022, the latest London law firm to reveal its numbers as the battle to attract talent heats up, with associate salaries rising to unprecedented levels.
Read full article »

Clifford Chance Sees Profit Per Partner Leap By 10%
Clifford Chance LLP reported a seventh consecutive year of record growth in its annual financial results Tuesday, with its revenues increasing by 8% to just under £2 billion ($2.37 billion), and yielding a major bump per equity partner.
Read full article »

Ky. Litigator Takes Over As New Prez Of Plaintiff Trial Org.
A Louisville, Kentucky, trial lawyer has been sworn in as the new president of the American Association for Justice, according to an announcement Tuesday.
Read full article »

IADC Elects Adams And Reese Partner As President
A partner at Adams and Reese LLP in New Orleans has been elected president of The International Association of Defense Counsel, the association said Monday.
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Paul Weiss Starts Civil Rights And Racial Equity Audit Practice
Paul Weiss Rifkind Wharton & Garrison LLP on Tuesday announced a new civil rights and racial equity audit practice led by litigation partner and former U.S. Attorney General Loretta Lynch.
Read full article »

Kasowitz Must Keep Fighting Accusations It Framed Woman
A Florida judge on Tuesday refused to throw out accusations that Kasowitz Benson Torres LLP framed its client's Palm Beach neighbor in a hate mail campaign,

Williams & Connolly
Wilson Sonsini
Workplace Justice Advocates
Yetter Coleman

GOVERNMENT AGENCIES IN TODAY'S NEWS

Delaware Court of Chancery
Federal Bureau of Investigation
Federal Reserve System
Miccosukee Tribe of Indians
New York Attorney General's Office
Office of Foreign Assets Control
Shawnee Tribe
State Bar of Texas
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Education
U.S. Department of Justice
U.S. Department of the Treasury
U.S. District Court for the District of Connecticut
U.S. District Court for the District of Minnesota
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Southern District of West Virginia
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. House Committee on Energy and Commerce
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the Northern District of Ohio

rejecting the firm's argument that the malicious prosecution claim was brought too early.
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Hausfeld Antitrust Co-Lead Leaves For Justice Department
Hausfeld LLP's antitrust co-chair is leaving her post to work for the U.S. Department of Justice, the firm confirmed Tuesday.
Read full article »

US Trustee To Appeal 2nd LeClairRyan Settlement Ruling
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SUBJECT: Morning Consult Health: CDC Signs Off on Novavax's COVID-19 Vaccine
FROM: Morning Consult <reply@em.morningconsult.com>

[redacted]
TO: hborski@utah.gov
DATE: 20/07/2022 05:43

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 20, 2022

BY MATT BRACKEN

Twitter Email

Majority of Voters Back ACA Subsidies, View Extension as Important

A renewal of Affordable Care Act subsidies survived Sen. Joe Manchin's trims from Democrats' reconciliation bill, with the conservative Democrat from West Virginia saying he'd back a two-year extension of the lowered premiums.

While Manchin's colleagues stew over his refusal to sign off on tax and climate provisions in the plan, they can take solace in the fact that ACA subsidies are broadly popular, per a new Morning Consult/Politico survey. Two in 3 voters support an extension of those subsidies and 7 in 10 said they view them as important to lower health care costs for plan participants.

Check out the full story here: Most Voters Back ACA Subsidy Extensions, Say They're Important to Lower Costs.

TOP STORIES

- Centers for Disease Control and Prevention Director Rochelle Walensky endorsed Novavax Inc.'s COVID-19 vaccine following a 12-0 vote recommending the traditional protein-based shot by the agency's Advisory Committee on Immunization Practices. Novavax's vaccine will hit the market in the coming weeks, the CDC said, giving U.S. adults a fourth option and the first COVID-19 shot that does not use mRNA technology. (CNN)

- The White House is considering a limited public health directive intended to protect nationwide access to abortion medication, according to three people familiar with the discussions, a move that would rely on Public Readiness and Emergency

[redacted]

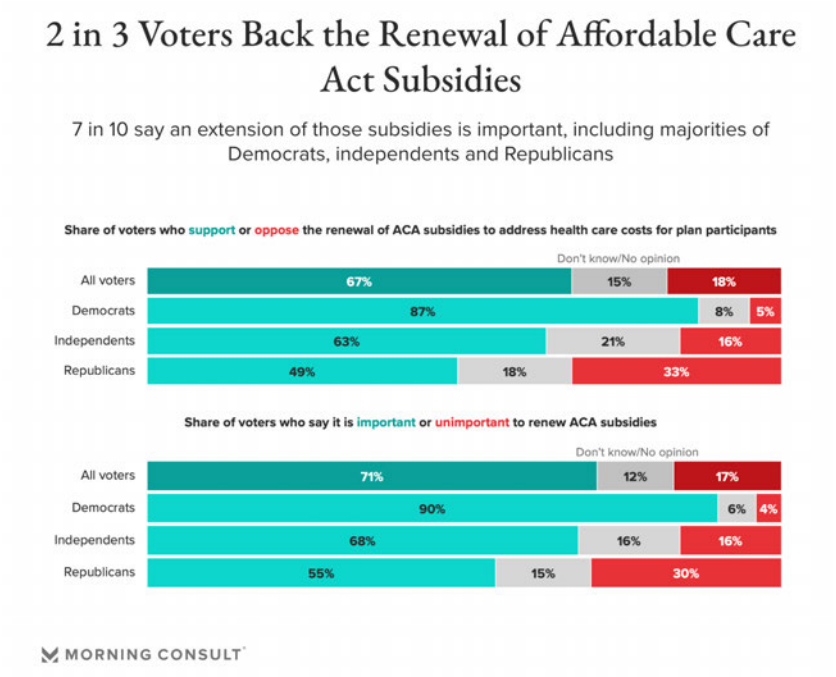
Preparedness Act powers. Following the Supreme Court's Roe v. Wade reversal, Democratic lawmakers and reproductive rights groups have urged the White House to utilize PREP Act authority, which would safeguard physicians, pharmacies and others from liability for providing abortion pills to people throughout the United States, even to those living in states with bans or major restrictions on the procedure. (Politico)

- The rate of fatal drug overdoses jumped 30% from 2019 to 2020, with fentanyl fueling what the CDC said is the largest year-over-year increase in U.S. history. The agency's report, which included data from 25 states and Washington, D.C., found that overdose death rates among Black Americans and Indigenous populations saw especially sharp increases, at 44% and 39%, respectively. (NBC News)

- Food and Drug Administration Commissioner Robert Califf said the nonprofit Reagan-Udall Foundation will team up with outside experts in a thorough review of the agency's food and tobacco programs, acknowledging that the FDA "has confronted a series of challenges that have tested our regulatory frameworks and stressed the agency's operations, prompting me to take a closer look at how we do business." The comments from Califf, who has ardently defended the agency in previous congressional hearings and public appearances, come after the nationwide baby formula shortage and controversies tied to the regulation of Juul Labs Inc. and other e-cigarette manufacturers. (The Washington Post)

CHART REVIEW

Most Voters Back ACA Subsidy Extensions, Say They're Important to Lower Costs
Morning Consult



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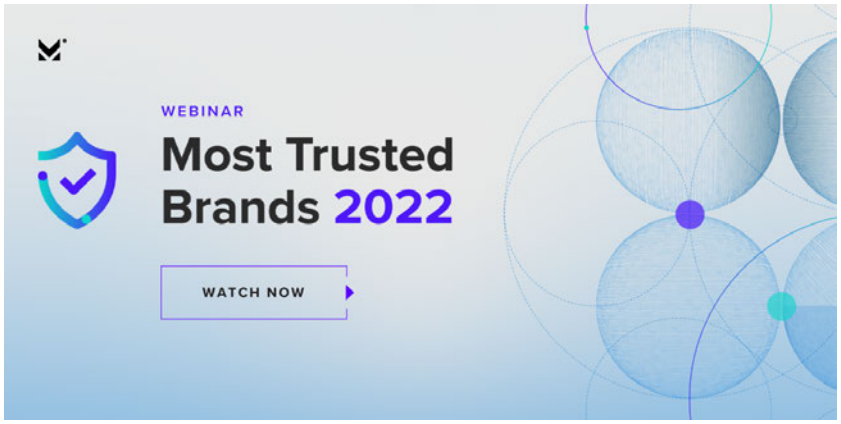

Most Trusted Brands 2022 Webinar

With a recession looming, brand trust is more important now than ever before. Good value is crucial to building trust, but how can brands build trust? And what are the top trusted brands today?

Discover the answer to these questions and more in Morning Consult's recent Most Trusted Brands 2022 webinar. Access the webinar on-demand.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Top House Democrats are sounding cool to stalled-out coronavirus aid being included in the party's slimmed-down health care bill.

Jordain Carney and Sarah Ferris, Politico

Majority Leader Steny Hoyer (D-Md.) and Appropriations Chair Rosa DeLauro (D-Conn.) both tamped down the likelihood that the Covid-19 aid gets folded into the party line spending package. Asked about the chances that the two issues are merged, Hoyer told reporters that, "that's one alternative. I don't think it would be my alternative."

Gawande warns USAID COVID response quickly running out of money

Stephen Neukam, The Hill

The U.S. Agency for International Development's global coronavirus response will run out of money in the coming weeks without new funding from Congress, USAID Assistant Administrator for Global Health Atul Gawande warned on Tuesday.

Covid cases are skyrocketing again. States have no new plans.

Megan Messerly et al., Politico

As the latest and most transmissible Covid-19 variant has sent case numbers skyward, with hospitalizations and deaths also rising, the response from state officials has been largely muted, a concession to the reality that their messages rarely resonate and that most people — even, and sometimes especially, politicians — are ready to move on.

Covid-19 Complication Among Children Fades in Latest Wave of Virus

Denise Roland, The Wall Street Journal

A serious inflammatory complication that strikes some children in the weeks following a Covid-19 infection has almost disappeared. A buildup of immunity and changes to the virus both likely play a part, pediatric infectious-disease doctors and researchers said.

'None of us has a crystal ball': Scientists try to keep up with faster coronavirus evolution.

Adeel Hassan, The New York Times

The rapid evolution of the coronavirus into an alphabet soup of subvariants presents a vexing challenge to health officials: They must make far-reaching policy decisions based on little biological certainty of which viral variants will be dominant this fall or winter.

Omicron BA.5 makes up nearly 78% of COVID variants circulating in U.S. - CDC

Reuters

The BA.5 subvariant of Omicron was estimated to make up 77.9% of the circulating coronavirus variants in the United States for the week ended July 16, the U.S. Centers for Disease Control and Prevention (CDC) said on Tuesday.

As BA.5 Spreads, How Long Will a Prior Covid-19 Infection Protect You?

Sumathi Reddy, The Wall Street Journal

If you have had Covid-19, how long can you expect to be protected from another infection? Doctors say the window between infections might be shrinking, fueled in part by the immune-evading Omicron BA.5 subvariant, although researchers are still gathering data.

Fauci shrugs off talk of retirement from government after Biden's term ends

Robert King, Fierce Healthcare

Fauci said in an interview in Politico on Monday that he is leaving by the end of Biden's first term in 2025. However, Fauci elaborated on Tuesday during a session at The Hill's Health Summit that he may step down from his current position, most likely as the head adviser to Biden. "I don't know where the word retirement came in," Fauci said of the fallout from the interview. "I'm not going to retire. I may step down from my position at some time."

Put Your Face in Airplane Mode

Saahil Desai, The Atlantic

Masking only at the start and end of every flight will do a lot to keep you safe.

GENERAL

Partisan lines form over Dem drug price curbs, economic plan

Alan Fram, The Associated Press

Senate Minority Leader Mitch McConnell is warning that Democrats' plans to curb drug prices would insert "socialist price controls" between Americans and the treatments they need as partisan battle lines form over a shrunken economic package that President Joe Biden wants Congress to complete within weeks.

Post-Roe Medical Care Delays Worry Democratic Lawmakers

Maia Spoto, Bloomberg Law

Patients are facing long delays for miscarriage care, and medical professionals are deferring to hospital attorneys to make treatment calls, doctors and abortion advocates testified to members of the House Energy and Commerce Committee's oversight panel. Medical professionals are advised to wait until a patient's life is in danger before providing care in some cases, some said.

The 2021 rise in U.S. births is likely a baby blip, not a boom

Bill Chappell, NPR News

The gain was modest, with the National Center for Health Statistics announcing on Tuesday that the 1% rise in U.S. births in 2021 "was the first increase in births since 2014." But the agency added a caveat, noting that the U.S. birth rate fell to a record low in 2020, the first year of the COVID-19 pandemic.

Doctor who treated 10-year-old rape victim moves to sue state AG for defamation

Oriana Gonzalez, Axios

Caitlin Bernard, the OB-GYN who provided an abortion on a 10-year-old girl from Ohio who was raped, took the first legal step to sue Indiana's attorney general for defamation over his comments alleging medical misconduct.

Texas Officials Celebrated End of Abortion Rights After Cutting Back Postpartum Medicaid Extension

Lomi Kriel, ProPublica and The Texas Tribune

Gov. Greg Abbott claimed Texas provides expectant mothers "necessary resources so that they can choose life for their child," but it is now one of a dwindling number of states not to offer Medicaid coverage for a full year after residents give birth.

Another Likely Effect of the Roe Reversal: Higher Health-Care Costs

Sheelah Kolhatkar, The New Yorker

Abortion bans could lead to more high-risk pregnancies, which could raise the price of providing health care to women.

As diabetes during pregnancy grows more common, experts point to a need for preventive care

Edward Chen, Stat News

Gestational diabetes is on the rise, climbing 30% between 2016 and 2020, according to a new study published Tuesday by the Centers for Disease Control and Prevention.

Abortion pills are becoming more commonly used but won't be a post-Roe 'panacea'

Deidre McPhillips, CNN

Medication abortion has steadily grown in acceptance since it became an option about 20 years ago and is now used in more than half of abortions, outpacing the aspiration, or surgical, procedure for the first time in 2020, according to data from the Guttmacher Institute, a research group that supports abortion rights.

NYC monkeypox numbers are 'definitively' not the full picture, health official says

Naomi Thomas, CNN

New York City's monkeypox case numbers don't show the full picture of how bad the outbreak is, and demand for vaccines in the city is outstripping supply, city Health Commissioner Dr. Ashwin Vasan said Tuesday.

Freeze-dried blueberries recalled due to potential lead contamination

David K. Li, NBC News

The voluntary recall covers packages of organic blueberries sold under the brand name Natierra, with expiration dates of December 2022 and January 2025.

Juul Rival NJOY Hires Bankers for Possible Sale

Jennifer Maloney et al., The Wall Street Journal

E-cigarette company NJOY Holdings Inc. has hired bankers to advise on a possible sale, according to people familiar with the matter.

PAYERS

ACA marketplace premiums poised to jump

Susan Kelly, Healthcare Dive

Consumers who buy health insurance through the Affordable Care Act marketplaces could face hefty premium hikes next year, following several years of stable rates, according to a new analysis from the Kaiser Family Foundation. The 72 insurers KFF reviewed are targeting a 10% median rate boost in 2023, filings to state regulators revealed.

Morgan Health makes $30M investment in Centivo

Paige Minemyer, Fierce Healthcare

Morgan Health, the healthcare arm of JPMorgan Chase, will invest $30 million in Centivo, a health plan for self-funded employers.

Medicare offers financial perks for rural hospitals that convert to its new provider type. Will they bite?

Tara Bannow, Stat News

The federal government is hashing out the details on a new type of rural hospital, and new developments suggest regulators want to make it an attractive option.

PROVIDERS

More patients died after surgery at hospitals with high COVID burdens

Arielle Dreher, Axios

Hospitals with more COVID patients during the first pandemic wave in 2020 saw more patients who underwent surgery die afterward, a Journal of the American Medical Association study found.

These docs have the highest starting salaries as demand for medical specialists rebounds

Heather Landi, Fierce Healthcare

Specialist physicians are in the strongest demand with rising in interest in hiring gastroenterologists, orthopedic surgeons, oncologists, pulmonologists, neurologists, and psychiatrists. Meanwhile, demand for primary care physicians such as family physicians and internists has

declined, according to a new report from Merritt Hawkins, the physician search division of AMN Healthcare.

Nursing home staffing rule could cost $10B a year, AHCA says

Ginger Christ, Modern Healthcare

President Joe Biden's proposal to mandate staffing levels and nursing homes would require providers to hire 187,000 new nurses at a cost of up to $10 billion a year, and displace nearly 1 in 5 residents, according to a report the American Health Care Association released Tuesday.

Health reform may be making gender wage gaps worse for female docs

Tina Reed, Axios

It's no secret that gender pay disparities are a problem in medicine, but it turns out reforms to how we pay doctors — specifically in primary care — could make the problem worse.

PHARMA, BIOTECH AND DEVICES

As COVID patent war rages on, pharma group seeks fairer future access

Natalie Grover, Reuters

An alliance of companies has pledged to ensure equitable access to vaccines and treatments for pandemics, as the friction around intellectual property rights for COVID-19 interventions between the pharmaceutical industry and developing nations endures.

FDA's Imperiled Funding Threatens Drug Approval Revamp, Staffing

Celine Castronuovo and Alex Ruoff, Bloomberg Law

An impasse among congressional leaders on industry fees to the FDA could force the agency to let go of thousands of employees and lose out on changes to its fast-track drug pathway, former officials and policy watchers warn.

HEALTH TECHNOLOGY

Olive cuts 450 staff as CEO cites 'missteps' with fast growth, lack of focus

Heather Landi, Fierce Healthcare

Healthcare automation startup Olive has laid off 450 employees as the CEO cited tough economic conditions as well as "missteps" in the company's strategy.

OPINIONS, EDITORIALS AND PERSPECTIVES

Covid 'Viral Load' Is a Meaningless Distraction

Cathy O'Neil, Bloomberg

When a person is exposed to Covid, does quantity matter? The conventional wisdom has long been that French-kissing a highly contagious person in a bar will lead to a much worse case than inhaling a few bits of virus on a walk in the park. The higher the initial "viral load," the sicker you'll become. Actually, probably not. Judging from new research, the math doesn't work out.

Keep equity in mind when moving to value-based payment

Lora Council, Stat News

Value-based care champions health and justice by focusing on outcomes rather than on units of service. As this type of payment reform expands, implementing the necessary changes to enable it must operate from a frame of equity rather than equality.

RESEARCH REPORTS

Effects of Churn on Potentially Preventable Hospital Use

Medicaid and CHIP Payment and Access Commission

Many Medicaid and State Children's Health Insurance Program (CHIP) beneficiaries lose coverage and subsequently re-enroll in the program within a short period of time, a phenomenon often referred to as churn. Temporary or long-term gaps in coverage can hinder beneficiaries from accessing preventive care, other needed care and treatment, and prescription drugs that are necessary for managing and treating health conditions.

Transitions Between Medicaid, CHIP, and Exchange Coverage

Medicaid and CHIP Payment and Access Commission

The Patient Protection and Affordable Care Act (ACA, P.L. 111-148, as amended) requires states to coordinate eligibility and enrollment processes between Medicaid, separate State Children's Health Insurance Programs (CHIP), and subsidized coverage on health insurance exchanges. These policies aim to reduce coverage gaps when a beneficiary experiences changes in income or other circumstances.

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LAW360 HEALTH

Wednesday, July 20, 2022

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BREAKING: 11th Circ. Lifts Block On Ga. Abortion Ban Law

The Eleventh Circuit lifted a block on Georgia's controversial abortion prohibition statute Wednesday and remanded a case challenging the law to a trial court for a judgment in the state's favor.

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SUBJECT: Our Best Intel: July 20, 2022
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 20/07/2022 16:00

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OUR BEST INTEL

JULY 20, 2022

SHORT SURVEY

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short questions about your experience with Morning Consult's news and analysis: Take the survey now.

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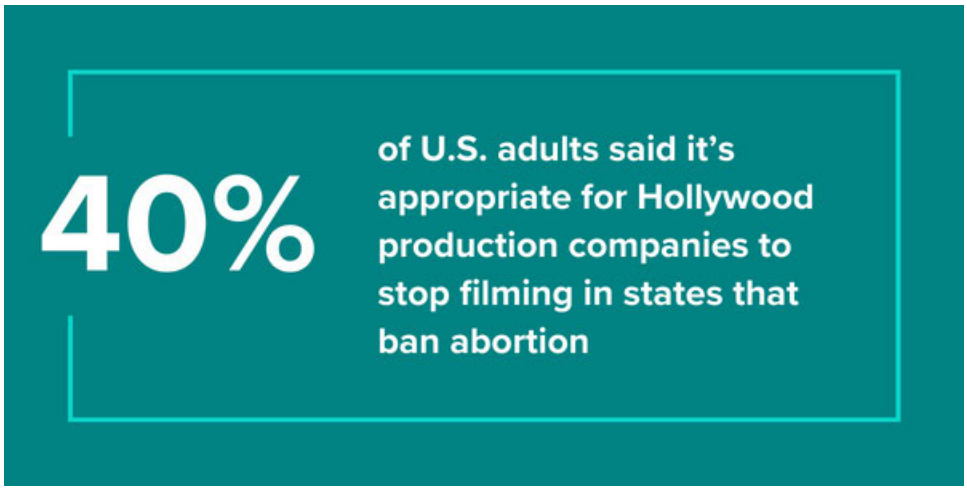

ENTERTAINMENT

Should Hollywood Stop Filming in States That Ban Abortion? Americans Are Divided

Nearly a month since the U.S. Supreme Court eliminated the constitutional right to abortion by overturning Roe v. Wade, Hollywood has done noticeably little in response to the controversial ruling. Consumers say they're ready for the entertainment world to address it in some way, according to a new Morning Consult survey. Read more.

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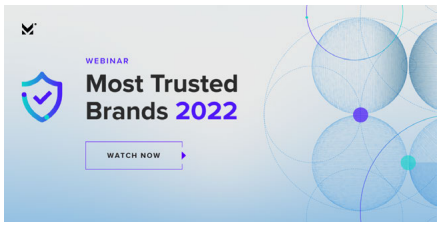

WEBINAR

Most Trusted Brands 2022 Webinar

With a recession looming, brand trust is more important now than ever before. Discover how brands

REPORT

The Crypto Report: Our Analysts on the State of Cryptocurrency

Consumers around the world are committed to crypto, despite its

can build trust in Morning Consult's recent Most Trusted Brands 2022 webinar. Access the webinar on-demand.

volatility. Our latest report offers a comprehensive, unparalleled overview of consumers' opinions on cryptocurrency in the United States and around the world. Download today.

FROM OUR ANALYSTS

ENTERTAINMENT

Media Companies and the Metaverse Paradox: The metaverse first shot onto the radar of many last year after a big push from Meta that continues apace this year. And media companies have been unpacking what the metaverse actually entails and strategizing about how they can capitalize on it. Read more.

GET IN TOUCH

FROM OUR NEWSROOM

U.S. POLITICS

Rematch? Most Biden and Trump Backers Say Their Minds Are Made Up for 2024 Primaries: The bulk of voters who say they'd support President Joe Biden or former President Donald Trump if they run for their respective parties' 2024 nominations say they're absolutely certain about their pick, according to a new Morning Consult/Politico survey. Read more.

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SUBJECT: CLOCC News for July 20, 2022: New Child Nutrition ReauthorizationBill Unveiled Wednesday
FROM: CLOCC <info@clocc.net>
TO: hborski@utah.gov
DATE: 20/07/2022 16:05

July 20, 2022

Consortium to Lower Obesity in Chicago Children
clocc
CELEBRATING 20 years

CLOCC NEWS

Healthy Meals, Healthy Kids Act Introduced in Congress Today

From the Food Research & Action Center (FRAC)
and Representative Bobby Scott (D-VA)

[redacted]

The Healthy Meals, Healthy Kids Act was introduced in Congress today, Wednesday, July 20, by House Education and Labor Chairman Bobby Scott. The legislation represents the Committee's much-anticipated Child Nutrition Reauthorization bill, a comprehensive plan that will increase access to school meals, summer meals, and child care meals. FRAC lauded the bill's efforts to heed the calls of anti-hunger organizations from across the country to "address the rising rates of child hunger, support access to and participation in the federal child nutrition programs, and continue improving the nutritional quality of the meals served."

If passed, the Healthy Meals, Healthy Kids Act would:

- Expand access to school meals
- Preserve the future of school meal programs
- Modernize the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
- Address food insecurity during the summer
- Improve school meal capacity and sustainability
- Strengthen the Child and Adult Care Food Program (CACFP)

View the Fact Sheet

Read More from FRAC

In the News

- **Universal Free School Lunch Program Is Set to Expire** - *The Washington Post*

Over $1.5 Million Awarded by the Chicago Region Food System Fund to 48 Grantees

This week, the Chicago Region Food System Fund awarded $1.52 million to 48 grantees as part of its continuing efforts to bolster Chicago's local food system against systemic shocks like COVID-19 and ongoing economic upheaval. Many Consortium to Lower Obesity in Chicago (CLOCC) partners are among the funding recipients. This round of grants prioritizes projects that further cultivate existing community assets to aid in long-term food system transformation.

Funding in this round focuses on two areas: building on the resources and capacity of individual organizations, and on strengthening partnerships between organizations and institutions across size, geography, and type that implement community-led food initiatives. With the grants announced today, the total support granted by the Fund is $11,438,150 to 156 non-profit organizations.

See the Full List of Grantees

CDOT Launches Program to Distribute 5,000 Free Bikes and Safety Equipment By 2026

Program open to Chicagoans age 14 and up

The Chicago Department of Transportation (CDOT) has announced the launch of ***Bike Chicago***, a new program that will provide 5,000 free bikes, as well as maintenance and safety equipment, to Chicagoans by 2026. Supported by a $188 million investment in climate mitigation and environmental justice initiatives through the Chicago Recovery Plan, Bike Chicago will kick off this summer with at least 500 bikes distributed to age and income-eligible Chicagoans throughout the program's first year. Over the next four years, CDOT will gradually increase distribution until 5,000 free bikes have been provided, as part of Chicago's goal to increase affordable and climate friendly mobility options.

Learn More and Apply

Upcoming Events

Comms Crash Course: Using Social Media for Public Health Communications

Public Health Communications COLLABORATIVE

This discussion will offer fundamental social media strategies and best practices to address public health communications challenges. From inclusive and accessible language to channel-specific strategies, this webinar will provide actionable tips and tactics from communications experts on digital and social media in public health. Register today to learn how public health professionals are using social media to build trust and expand their reach.

Comms Crash Course: Using Social Media for Public Health Communications
When: Tuesday, July 26, 1:00-2:00 PM CT

[redacted]

Learn More or Register

Movie in a Garden: *High on the Hog, How African American Cuisine Transformed America*

The Austin Eats Food Education team invites you to bring a friend, and a blanket or chair and join us for a free Movie in a Garden: *High on the Hog, How African American Cuisine Transformed America*. Plus: free food, chef talks, garden tours, raffles & more! Especially for those living, working, worshipping and attending school in Chicago's Austin community. West side and Chicago-area community members are also welcome.

When: Wed, July 27th from 6:30-9:30PM (rain date July 28)
Where: Rosie's Peace in the Valley Garden (168 N. Laramie (at Maypole), Chicago 60644)
How: **Book free tickets**
Who: Hosted by **Austin Eats**

This event is great for adults/general audiences + older children/teens; we'll explore Black food heritage and its influence on American cuisine, community, culture, resiliency, healthy cooking & eating, and more.

Career Opportunities

Strategic Communication Specialist
Public Health Institute

The Public Health Institute (PHI) is an independent, nonprofit organization dedicated to promoting health, well-being, and quality of life for people throughout California, across the nation and around the world. As one of the largest and most comprehensive public health organizations in the nation, we are at the forefront of research and innovations to improve the efficacy of public health statewide, nationally, and internationally. PHI is seeking a full-time Strategic Communication Specialist for one of its programs, the Berkeley Media Studies Group (BMSG). We are looking for a skilled candidate with a passion for social justice and a background in journalism and/or communication. **Learn more here**.

Associate Government Relations Manager
American Heart Association

The Associate Government Relations Manager is responsible for supporting the management of federal policy priorities as assigned, including those related to health care coverage, delivery and affordability including public health and prevention, medical research, tobacco use prevention, nutrition security, physical activity, and new and emerging policy priorities. The Associate Government Relations Manager aids the Federal Advocacy Team by drafting letters, testimony, and other advocacy materials, scheduling and/or representing AHA at meetings

[redacted]

with congressional and agency staff and coalition partners, conducting background research, and coordinating with teams across the advocacy enterprise to develop coordinated campaigns that achieve federal advocacy goals. **Learn more or apply**.

Submit Job Openings and Future Events to be Listed on CLOCC.net and in the CLOCC Newsletter

Connect with CLOCC's network of nearly 3,000 childhood obesity prevention advocates by listing your organization's upcoming events or current job openings on the Consortium's website. Upon submission, postings will be approved by CLOCC staff; events and careers applicable to the CLOCC network may also be featured in this newsletter. If you have questions or are not able to access the webpage, contact **info@clocc.net**. CLOCC will not publish for-profit services or events, or products for sale.

Click here, or the image above, to view the latest job opportunities in obesity prevention and public health. Are you looking to fill an opening? Submit your listing using the button below.

Submit an Opening

Click here, or the image above, to view upcoming events targeted for child health and obesity prevention, as well events hosted by local partners. Submit your own event using the button below.

Submit an Event

Focus Upstream

CLOCC focuses upstream to identify the fundamental root causes of obesity, and to broaden the scope of our obesity prevention strategies. This work draws from local and national attention to health equity and social influencers of health, such as immigration, education, poverty and racism, all of which have an impact on people's ability to eat healthy and be active where they live, work, learn, and play. If you have comments or questions about this focus, we invite you to reach out to info@clocc.net.

UPSTREAM NEWS:

In the news this month: A free youth development program serving Black children and teens living in a low-income segregated community demonstrated positive long-term educational and financial outcomes in its alumni, according to a study published in April from Ann & Robert H. Lurie Children's Hospital of Chicago in the journal *BMC Public Health*. **Read more**.

- **Study: Chicago Youth Development Program May Interrupt Cycle of Intergenerational Poverty** - *WTTW*

- **How Child Poverty Could Increase Without the Protections of Roe v. Wade** - *The Hill*
- **Risk of Hospitalization Tied to Food Insecurity, Social Determinants** - *Patient Engagement HIT*
- **The Generational Divide Shows in Our Food System, Too** - *Purdue University*

- **Americans Support Extending Child Support Payments to Pregnancy, Survey Finds** - *19th News*
- **Swelling Grocery Bills Are Pummeling the Poorest – Who Spend Over a Quarter of Their Incomes on Food** - *The Conversation*
- **Racist Practices in Health Care Can Cause Medical Trauma, PTSD** - *Nevada Current*
- **Study Finds Decline in Cardiovascular Mortality Rates Over the Last 20 Years, but Racial Disparities Remain** - *News Medical*

Childhood Obesity in the Media

- **Do Regulations Designed to Promote Nutrition Make WIC Food Lists Too Restrictive?** - *Civil Eats*
- **How Lifestyle Changes Can Help Kids Who Are Overweight** - *Cleveland Clinic*
- **Less Conscientiousness Links to Higher Childhood Obesity Risk** - *Medscape*
- **Are Sugary Drink Taxes Economically Beneficial for Lower-Income Communities?** - *New Food*
- **SNAP Investment: USDA Offers $5 Million Grant to Expand Online EBT Food Stamp Acceptance** - *Yahoo! News*
- **Can You Outrun a Poor Diet?** - *EurekAlert!*
- **Babies Recommended to Have Human Milk and Families Should Have More Support, Guidance Says** - *CNN*
- **How Parents Can Get Kids Exercising Again After 2 Years of Remote Learning** - *Healthline*
- **Healthy Diets out of Reach: Inflation, War, and COVID-19 Driving Malnutrition, Report Warns** - *Food Ingredients First*
- **Can Ultra-Processed Foods Affect Cognitive Performance?** - *Medical News Today*

COVID-19: News and Resources

For questions related to testing criteria and general information about COVID-19 and children, please contact the COVID-19 Call Center at Ann & Robert H. Lurie Children's Hospital at 312.227.5300. The Call Center is staffed by Lurie Children's nurses and is available Monday through Friday, 8:00 AM to 5:00 PM CT, and Saturday, 8:00 AM to 1:00 PM CT.

GO-TO SOURCES FOR CORONAVIRUS (COVID-19) INFORMATION:

- **Clinical Guidance from the American Academy of Pediatrics (AAP)**
  - **Obesity Management and Treatment During COVID-19 (AAP)**
- **Ann & Robert H. Lurie Children's Hospital of Chicago**
- **Lurie Children's Hospital Resources in Spanish/Recursos Relacionados con el Nuevo Coronavirus (COVID-19)**
- **Chicago Department of Public Health (CDPH)**
- **Illinois Department of Public Health (IDPH)**

VACCINE RESOURCES

On June 19, the CDC recommended COVID-19 vaccine for children younger than 5 years of age. Important information for COVID-19 vaccine can be found **here** (children) and **here** (all ages).

The CDC recommends Moderna or Pfizer vaccines for this age group. Both vaccines are safe and effective. Lurie Children's Hospital will be offering Moderna to children younger than 5 years old and will continue to offer Pfizer to those age 5 years and older.

COVID Vaccine Scheduling at Lurie Children's Hospital

Funding and Recognition Opportunities

- **NIH's Office of Nutrition Research (ONR**) has issued the notice of special interest (NOSI) **Stimulating Research to Understand and Address Hunger, Food and Nutrition Insecurity**. The purpose of this NOSI is to encourage research on the efficacy of interventions that address nutrition security and the mechanisms of food insecurity on a variety of health outcomes. It also calls for the development of new measures for nutrition security and assessment of food insecurity that are broadly applicable. It was developed by the ONR Implementation Working Group on **Nutrition and Health Disparities** in collaboration with NIH Institutes and Centers (ICs) and Offices in support of the goals and objectives of the **Strategic Plan for NIH Nutrition Research**. ***Deadline, October 5th.***

- The Center for Science in the Public Interest's (CSPI's) first round of grantmaking for 2022 is now open. CSPI seeks to support communities as they explore local, state, and federal policy interventions to elicit systemic change and advance a just and equitable food environment. CSPI is focused on identifying strategies and passing policies aimed at increasing purchasing power for, and access to, nutritious food that meets people's needs, supporting a healthier food environment, and reducing health disparities across demographic groups. Several opportunities are currently open, with **details available here**.

CLOCC.NET RESOURCES

- LATEST NEWS
- JOB OPENINGS
- EVENTS
- RESOURCE LIBRARY
- *5-4-3-2-1 Go!*
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HEALTH

Thursday, July 22, 2022

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TOP NEWS

11th Circ. Lifts Block On Ga. Abortion Ban Law
The Eleventh Circuit on Wednesday lifted a block on Georgia's controversial abortion prohibition statute and remanded a case challenging the law to a district court for a judgment in the state's favor.

Opinion attached | Read full article »

NJ Announces Alliance With Feds To Protect Abortion Access
Acting New Jersey Attorney General Matthew J. Platkin and U.S. Attorney for the District of New Jersey Philip R. Sellinger announced plans on Wednesday to join forces in the Democratic-controlled state's fight to protect abortion access after the U.S. Supreme Court's decision last month overturning Roe v. Wade.
Read full article »

Groups Urge DHS To Safeguard Abortion Care For Migrants
More than 150 civil rights groups called on the Biden administration to ensure that migrants arrested for accessing abortion-related health care, following the U.S. Supreme Court's recent decision upending the constitutional right to abortion, would not consequently be deported or barred from immigration relief.

Letter attached | Read full article »

Biogen To Pay $900M To Settle Kickback Claims On Trial's Eve
Biogen Inc. has agreed to pay $900 million to settle claims that the company paid illegal kickbacks to doctors and other health care professionals just days before the decade-old case was about to go to trial.
Read full article »

Flint Water Contractors Want 'A Pass,' Jury Hears In Closings
Closing arguments began Wednesday in a landmark Flint, Michigan, water crisis bellwether trial, where lawyers for four children ripped into two contractors that blame a slew of public officials for corrosive city water while allegedly asking jurors to "give them a pass."
Read full article »

Famed NY Atty Shargel Remembered For Intellect, Mentorship
After the death of New York criminal defense icon Gerald Shargel this weekend, one of his longtime partners spoke with Law360 about high-profile cases like that of disgraced attorney Marc Dreier, Shargel's broad intellectual zeal, and his tender spot for up-and-coming lawyers.
Read full article »

COMPANIES IN TODAY'S NEWS

Alliance Defending Freedom
American Civil Liberties Union
Amneal Pharmaceuticals LLC
Associated Press
Benefytt Technologies Inc.
Biogen Inc.
Brooklyn Law School
CVS Health Corp.
DocuSign Inc.
Endo International PLC
Georgetown University
Human Rights First
Imerys SA
Impax Laboratories, Inc.
Inform Diagnostics Inc.
International Consortium of Investigative Journalists
Johnson & Johnson
Lehigh Valley Health Network Inc.
LinkedIn Corp.
Meijer Inc.

[redacted]

ENFORCEMENT & COMPLIANCE

Feds Say Charges Filed In $1.2B Series Of Health Fraud Cases
Clinical lab owners, medical professionals and medical equipment businesses were among those charged in a sweeping series of criminal cases that federal prosecutors said led to over $1.2 billion in health care fraud, the U.S. Department of Justice announced Wednesday.
Read full article »

Inform Diagnostics Settles Mass. FCA Probe For $16M
Inform Diagnostics Inc. has agreed to pay $16 million after admitting to billing Medicare and other federal health care programs for tests that may have been medically unnecessary, the Massachusetts U.S. Attorney's Office announced Wednesday.

Settlement attached | Read full article »

4th Circ. Affirms Disgraced Atty's Fraud Conviction
The Fourth Circuit has upheld a Fairfax, Virginia, attorney's conviction on several fraud counts for stealing more than $1.5 million in three separate schemes, calling his arguments that he didn't receive a fair trial "meritless."

Opinion attached | Read full article »

SEC Makes $12M Deal With Health Care Co. Over Fraud Claims
The U.S. Securities and Exchange Commission struck a more than $12 million settlement Wednesday with a Florida-based health tech firm and its CEO, who allegedly duped investors into thinking the company had a spotless customer satisfaction rating when, in fact, it had logged tens of thousands of complaints.

Order attached | Read full article »

LITIGATION

Impax Inks $145M Deal With Direct Purchasers In Opana MDL
Direct purchasers of Opana ER including Value Drug Co. and Meijer Inc. told an Illinois federal judge Tuesday they had reached a $145 million settlement with generic-drug maker Impax Labs to end nearly eight years of "intense" litigation over pay-for-delay allegations that Endo Pharmaceuticals beat at trial.

Settlement attached | Read full article »

Pa. Justices Reverse Course On Atty Fee Deadline Appeal
The Supreme Court of Pennsylvania pulled an about-face Tuesday and dismissed an appeal challenging a 30-day deadline for seeking attorney fees, casting aside more than a year's worth of briefing after the court previously agreed to hear the case.

Order attached | Read full article »

Ex-Clinic COO's FCA Suit Trimmed, But Heads For Trial
A Georgia federal judge refused to let an orthopedic clinic out of certain parts of a former executive's False Claims Act suit, sending numerous claims to trial, including kickback claims relating to billing codes and referral agreements.

Order attached | Read full article »

Feds Want To Toss Doctors' Challenge To Trans Health Care
The U.S. Department of Health and Human Services asked a Tennessee federal court to toss a suit claiming the agency is unconstitutionally forcing doctors to offer gender transition-related health care over religious and ethical objections, arguing the court can't bar hypothetical enforcement actions.

2 documents attached | Read full article »

Unum Life Insurance Beats $2.2M Disability Coverage Suit
Unum Life Insurance Co. of America defeated a $2.2 million lawsuit accusing it of wrongfully discontinuing a policyholder's disability benefits, with a California federal judge ruling that the policyholder failed to prove he qualified

Meta Platforms Inc.
Molina Healthcare Inc.
New York University
Planned Parenthood Federation
Princeton University
San Diego Metropolitan Transit System
Southeast Inc.
State Bar of California
The Bank of New York Mellon Corp.
The Center for Reproductive Rights Inc.
The New York Times Co.
Twitter Inc.
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Ropes & Gray
Rowley Law
Schaerr Jaffe

as disabled under the policy's terms after receiving two years of benefits.

2 documents attached | Read full article »

Kratom Co. Wants Judgment Undone In Trademark Suit

A pair of supplement companies asked a Georgia federal court Wednesday to reconsider a judgment freeing Bliss Nutraceticals LLC from a suit claiming it infringed on their trademarks to sell kratom products under the Vivazen name, saying the judgment came to the wrong legal conclusions.

Motion attached | Read full article »

BANKRUPTCY

Dallas Nursing Home Operator Cleared For $44M Ch. 11 Sale

Dallas-area nursing home operators Christian Care Centers Inc. received approval from a Texas bankruptcy judge Wednesday for a $44.2 million Chapter 11 sale of its three facilities, which will be able to close quickly and enable the new owner to continue providing care for hundreds of residents.

Read full article »

Class Claimant Says Imerys Ch. 11 Stay Can't Pause J&J Suit

A claimant in a putative class action against Johnson & Johnson said Wednesday the Chapter 11 stay in the bankruptcy case of Imerys Talc America can't pause the action alleging fraud against J&J because it doesn't implicate Imerys or its assets.

Read full article »

PEOPLE

Jackson Walker Lands Health Care Partner In Houston

Jackson Walker LLP is bulking up its health care practice with a new partner in Houston, the second the Texas-based firm has added this month, the firm has announced.

Read full article »

EXPERT ANALYSIS

The Potential Domino Effect Of Dobbs Decision On Immigrants

In the wake of the U.S. Supreme Court's Dobbs v. Jackson decision, criminal convictions under anti-abortion statutes will subject immigrants working in health care, and those seeking treatment, to additional consequences, says Raymond Lahoud at Norris McLaughlin.

Read full article »

Businesses Should Prepare For FTC Use Of Robinson-Patman

The Federal Trade Commission's plan to use the Robinson-Patman Act to combat rebate and fee agreements offered by prescription drug manufacturers will likely create ripple effects in other industries, so businesses should ensure that their pricing and services comport with the act's requirements, say attorneys at K&L Gates.

Read full article »

LEGAL INDUSTRY

Bill Would Add To Those Required To Report Suspect Dealings

U.S. efforts to prevent money laundering would be greatly expanded to include individual financial advisers, attorneys and accountants in the definition of financial institutions under a provision tucked into the 2023 National Defense Authorization Act, politicians, lawyers and experts say.

Read full article »

Senate Confirms Fox Rothschild Atty To District Of Delaware

The Senate Wednesday confirmed Gregory B. Williams to the U.S. district court in Delaware, filling the seat that opened earlier this year when Judge Leonard P. Stark was elevated to the Federal Circuit.

Sheppard Mullin
Sherrard German
Strong & Hanni
Venable LLP
Winston & Strawn

GOVERNMENT AGENCIES IN TODAY'S NEWS

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Executive Office of the President
Federal Bureau of Investigation
Federal Trade Commission
Financial Crimes Enforcement Network
Food and Drug Administration
Georgia Attorney General's Office
Michigan Department of Environmental Quality
Pennsylvania Supreme Court
Social Security Administration
U.S. Attorney's Office
U.S. Attorney's Office for the District of Massachusetts
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the District of Delaware
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Customs and Border Protection
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Tennessee
U.S. District Court for the Middle District of Georgia
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Georgia
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U.S. House of Representatives
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U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Supreme Court

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GOP Sen. Opposes Perkins Coie US Atty Nomination In Wis.

Sen. Ron Johnson, R-Wis., is opposing Perkins Coie attorney Sopen Shah's nomination to be U.S. attorney for the Western District of Wisconsin, accusing her of partisan tweets that he says would undermine her ability to do the job.

Read full article »

Giuliani Ordered To Testify In Ga. Election Probe

A New York judge has ordered Rudy Giuliani to testify before a special grand jury in Georgia that is investigating whether former President Donald Trump and others criminally tried to interfere in the state's 2020 presidential election.

Read full article »

2 More Attys Face Complaints Over 2020 Election Challenges

A former U.S. Department of Justice attorney and a lawyer for Donald Trump's 2020 presidential campaign were hit with ethics complaints Wednesday over their roles in helping Trump's efforts to contest his loss to Joe Biden.

Read full article »

Sheppard Mullin Launches In Houston With 18-Atty Team

Sheppard Mullin Richter & Hampton LLP announced on Wednesday that the firm was growing its Texas footprint with a Houston office set to open with 18 attorneys, including nine partners.

Read full article »

'Lottery Lawyer' Hid Dealings From Rivkin Radler, Chair Says

The managing partner of Rivkin Radler LLP took the stand Wednesday in the $80 million fraud trial of former partner Jason "Lottery Lawyer" Kurland, telling Brooklyn federal jurors that Kurland never told the firm he was investing client funds in his own businesses and taking referral fees.

Read full article »

NY High Court Fails To Agree On Acting Chief Judge

New York's Court of Appeals failed to achieve a consensus Tuesday and Wednesday on who will succeed Chief Judge Janet DiFiore as acting chief judge — a break from a traditional seniority system that would have elevated her ideological rival, Associate Judge Jenny Rivera.

Read full article »

SC Attorney Murdaugh Pleads Not Guilty To Murdering Family

Disgraced South Carolina attorney Alex Murdaugh reportedly pled not guilty on Wednesday to murdering his wife and son, with his attorneys proclaiming Murdaugh's innocence and demanding a quick trial.

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Atty's 'See You Next Tuesday' Remark Prompts Bar Referral

A California judge said he plans to refer a personal injury attorney to the Golden State bar for disciplinary proceedings for intentionally referring to opposing counsel using a "serious covert insult" directed toward women by telling them "see you next Tuesday" after the judge ruled against his clients.

Read full article »

3 Firms To Rep DocuSign Investors In Consolidated Suit

Glancy Prongay & Murray LLP, Rowley Law PLLC and Moore Kuehn PLLC will work together to represent investors in digital signature service DocuSign Inc. in a newly consolidated derivative action against the company's executives alleging they misled the public about DocuSign's post-pandemic growth prospects.

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JOBS

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SUBJECT: NY High Court Fails To Agree On Acting Chief Judge
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 21/07/2022 02:50

PUBLIC POLICY

Thursday, July 21, 2022

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TOP NEWS

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GOP Sen. Opposes Perkins Coie US Atty Nomination In Wis.

Sen. Ron Johnson, R-Wis., is opposing Perkins Coie attorney Sopen Shah's nomination to be U.S. attorney for the Western District of Wisconsin, accusing her of partisan tweets that he says would undermine her ability to do the job.

Read full article »

Arizona Gov.'s Suit Over Pandemic Clawbacks Axed

Arizona Gov. Doug Ducey didn't prove the U.S. government violated federal law and the U.S. Constitution when it warned it would recoup federal pandemic relief money from the state, a federal court ruled, dismissing the governor's suit with prejudice.

Order attached | Read full article »

Senate Confirms Fox Rothschild Atty To District Of Delaware

The Senate Wednesday confirmed Gregory B. Williams to the U.S. district court in Delaware, filling the seat that

LAW FIRMS IN TODAY'S NEWS
Akerman LLP

[redacted]

opened earlier this year when Judge Leonard P. Stark was elevated to the Federal Circuit.
Read full article »

Bannon Judge Warns Of 'Political Circus,' Feds Rest Case
An attorney for ex-Trump White House aide Steve Bannon doubled down Wednesday in implying that his client's contempt of Congress trial, which prosecutors rested Wednesday afternoon, is corrupted by partisan politics after a D.C. federal judge warned earlier he won't allow the defense to turn the case into a "political circus."
Read full article »

2 More Attys Face Complaints Over 2020 Election Challenges
A former U.S. Department of Justice attorney and a lawyer for Donald Trump's 2020 presidential campaign were hit with ethics complaints Wednesday over their roles in helping Trump's efforts to contest his loss to Joe Biden.
2 documents attached | Read full article »

Giuliani Ordered To Testify In Ga. Election Probe
A New York judge has ordered Rudy Giuliani to testify before a special grand jury in Georgia that is investigating whether former President Donald Trump and others criminally tried to interfere in the state's 2020 presidential election.
Notice attached | Read full article »

BANKING & SECURITIES

Bill Would Add To Those Required To Report Suspect Dealings
U.S. efforts to prevent money laundering would be greatly expanded to include individual financial advisers, attorneys and accountants in the definition of financial institutions under a provision tucked into the 2023 National Defense Authorization Act, politicians, lawyers and experts say.
2 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

Split 4th Circ. Clarifies CWA's Prosecution Requirements
A split Fourth Circuit panel found Wednesday that a state agency's decision to issue a notice of alleged violation to a potential polluter does not, on its own, qualify as commencing an action against that party under a provision that allows citizens to bring Clean Water Act suits against alleged polluters.
Read full article »

Flint Water Contractors Want 'A Pass,' Jury Hears In Closings
Closing arguments began Wednesday in a landmark Flint, Michigan, water crisis bellwether trial, where lawyers for four children ripped into two contractors that blame a slew of public officials for corrosive city water while allegedly asking jurors to "give them a pass."
Read full article »

US Challenges Mexico Over Energy Policy Shift
The U.S. announced a formal challenge to Mexico's shifting energy policy under President Andrés Manuel Lopéz Obrador on Wednesday, invoking multiple sections of the current North American trade agreement in a request for consultations.
Read full article »

DC Circ. Won't Review FERC Refusal To Bend Grid Rules
The Federal Energy Regulatory Commission reasonably rejected Xcel Energy Inc.'s plan to relax rules for hooking up new power projects to its grid since the move could have unfairly benefited the company's own facilities, the D.C. Circuit has ruled.
Opinion attached | Read full article »

EPA Fuel Rule Threatens Endangered Species, Enviros Say
The Center for Biological Diversity on Wednesday asked the D.C. Circuit to review the Biden administration's latest renewable fuel blending standards, which they said would

Arnold & Porter
Baker Donelson
Ballard Spahr
Beckley & Madden
Berliner Corcoran
Bredhoff & Kaiser
Bush Seyferth
Campbell Conroy
Certilman Balin
Davis Polk
DelCotto Law Group
Faegre Drinker
Fennemore Craig
Fenwick & West
Fox Rothschild
Freshfields
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Horton Oberrecht
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Kalbian Hagerty
Kellogg Hansen
Lagasse Branch
Law & Resource Planning Associates
Levy Konigsberg
Locke Lord
Mayer Brown
McDermott Will
McGuireWoods
McKenzie Scott
Meyer Walker
Miller Shakman
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Norris McLaughlin
Norton Rose
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Silverman Thompson
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Venable LLP
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Willig Williams
WilmerHale
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Ziontz Chestnut

COMPANIES IN TODAY'S NEWS

Amazon.com Inc.
American Civil Liberties Union
American Federation of State County & Municipal Employees
American Petroleum Institute Inc.
Apple Inc.
Associated Press
Association of National Advertisers
Bertelsmann AG

increase demand for land and put strains on endangered species.

Petition attached | Read full article »

Biden Admin. Floats Texas, La. Coasts For Wind Development

The Biden administration on Wednesday advanced plans to open up the Gulf of Mexico to offshore wind development, identifying federal waters off the Texas and Louisiana coasts as potential leasing areas.

Read full article »

HEALTH & LIFE SCIENCES

11th Circ. Lifts Block On Ga. Abortion Ban Law

The Eleventh Circuit on Wednesday lifted a block on Georgia's controversial abortion prohibition statute and remanded a case challenging the law to a district court for a judgment in the state's favor.

Opinion attached | Read full article »

NJ Announces Alliance With Feds To Protect Abortion Access

Acting New Jersey Attorney General Matthew J. Platkin and U.S. Attorney for the District of New Jersey Philip R. Sellinger announced plans on Wednesday to join forces in the Democratic-controlled state's fight to protect abortion access after the U.S. Supreme Court's decision last month overturning Roe v. Wade.

Read full article »

MEDIA & ENTERTAINMENT

Apple, Chicago Settle Challenge To City's Streaming Tax

Apple settled its challenge to the city of Chicago's amusement tax on Wednesday, closing the book on a nearly four-year-long case that never reached the merits of the company's claims that the tax illegally applied to its streaming services.

Order attached | Read full article »

6th Circ. Should Upend Horse Racing Law Ruling, States Say

The Sixth Circuit should reverse a lower court ruling allowing a federal horse racing law to remain in effect, Louisiana, Oklahoma and West Virginia, along with several businesses and government entities, said in a brief, calling the law unconstitutional.

Brief attached | Read full article »

INSURANCE

Insured Disaster Losses Above Average, Midyear Report Says

While global economic losses from natural disasters were below the 21st century average in the first half of 2022, a new report from professional services company Aon indicates that insured losses were 18% above average.

Report attached | Read full article »

REAL ESTATE

FHFA Director Talks Volatile Housing Market During Hearing

The newly confirmed head of the Federal Housing Finance Agency in her first testimony Wednesday before the U.S. House Financial Services Committee called the residential real estate market of the past six months "very volatile" amid rising interest rates, high home prices and "persistent" lack of stock.

Read full article »

Miami Beach Puts Major Projects Before Voters

Voters in Miami Beach, Florida, will get to cast their ballots on proposals that would bring the city an oceanfront hotel-condominium project designed by famed architect Frank Gehry and Class-A office space adjacent to the Lincoln Road pedestrian mall, as the City Commission voted Wednesday to place referendums for needed approvals on the Nov. 8 general election ballot.

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EMPLOYMENT & BENEFITS

Brooklyn Law School
CF Industries Holdings Inc.
Center for Biological Diversity
DocuSign Inc.
Dominion Energy Inc.
Federal National Mortgage Association
Freddie Mac
Getty Images Inc.
Global Gaming RP LLC
Google LLC
Instagram Inc.
International Consortium of Investigative Journalists
Kaman Corp.
LinkedIn Corp.
London Stock Exchange Group PLC
Meggitt PLC
Meta Platforms Inc.
Microsoft Corp.
Midcontinent Independent System Operator Inc.
National Association of Manufacturers
National Association of Realtors
National Retail Federation Inc.
National Right to Work Legal Defense Foundation
New York University
Panasonic Corp.
Paramount Global
Parker-Hannifin Corp.
Penguin Random House LLC
Planned Parenthood Federation
Princeton University
San Diego Metropolitan Transit System
Simon & Schuster Inc.
South Carolina Environmental Law Project
Southeast Inc.
Starwood Capital Group
State Bar of California
T-Mobile US Inc.
The Center for Reproductive Rights Inc.
The New York Times Co.
The Walt Disney Co.
Twitter Inc.
Veolia Environnement SA
Xcel Energy Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

AbilityOne Commission
Arizona Department of Water Resources
Bureau of Indian Affairs
Bureau of Ocean Energy Management
Bureau of Reclamation
Cherokee Nation
Competition and Markets Authority
European Commission
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Housing Finance Agency
Federal Trade Commission
Financial Crimes Enforcement Network

3rd Circ. Says AFSCME Need Not Repay Pre-Janus Dues
A Third Circuit panel on Wednesday said the American Federation of State, County and Municipal Employees Council 13 union, which represents Pennsylvania public employees, does not have to give back to nonmembers the "fair share" fees paid before the U.S. Supreme Court deemed them unconstitutional.

Opinion attached | Read full article »

COMPETITION

FTC Says It Didn't 'Clear' Meta Deals And Has No Docs To Give
The Federal Trade Commission has told a federal judge that Meta has no grounds for seeking nearly decade-old staff documents discussing the company's WhatsApp and Instagram purchases because they don't represent approval for those deals and contain no facts material to the commission's current effort to unwind those transactions.

Brief attached | Read full article »

Stephen King To Take The Stand In DOJ Publisher Merger Suit
The U.S. Department of Justice told a D.C. federal judge that it plans to call legendary scribe Stephen King to testify at trial next month in the federal government's challenge to Penguin Random House LLC's $2.18 billion bid to buy Simon & Schuster.

1 document attached | Read full article »

Gov't OKs Parker Hannifin's £6.3B Bid For UK Aerospace Co.
The U.K. government has given the green light to the proposed £6.3 billion ($7.6 billion) acquisition by Parker Hannifin Corp. of a British engineering services company, concluding a review of the merger it launched in October.
Read full article »

CYBERSECURITY & PRIVACY

EU Accused Of GDPR Breach With Amazon-Hosted Site
A data protection group has accused the European Commission of violating its own laws by allowing European citizens' personal data to be transferred to the U.S. because it used Amazon's web hosting services for a website seeking feedback on how to reform the bloc.
Read full article »

Privacy Bill Moves To House Floor With State Override Intact
The House Commerce Committee on Wednesday easily advanced bipartisan privacy legislation that would set a national standard for how companies use and disclose consumers' data, while roundly rejecting a proposal to allow California and other states to set more stringent rules.

Bill attached | Read full article »

GOVERNMENT CONTRACTS

Subminimum Pay Being Phased Out For Federal Contractors
An independent federal agency announced Wednesday the steps it will take to end contracts with nonprofits that use a Fair Labor Standards Act's carveout allowing them to pay blind or seriously disabled employees less than the minimum wage.

1 document attached | Read full article »

INTERNATIONAL TRADE

Draft Bill Seeks 25% Tax Credit For Chipmaking Investment
The federal government would provide a new 25% tax credit for investments in semiconductor manufacturing under draft legislation obtained by Law360 Wednesday that also includes appropriations for the legislative branch.

3 documents attached | Read full article »

ITC Vote Has No Bearing On Russia Duties, Fertilizer Co. Says
A U.S. fertilizer company is pushing the government to move forward with duties on Russian fertilizer after the U.S. International Trade Commission put an end to tariff

Forest County Potawatomi
Georgia Attorney General's Office
Illinois Supreme Court
Internal Revenue Service
International Trade Commission
Jicarilla Apache Nation
Menominee Indian Tribe
Michigan Department of Environmental Quality
Navajo Nation
Northern Cheyenne Tribe
Office of the U.S. Trade Representative
Seminole Tribe of Florida
Small Business Administration
South Carolina Department of Health & Environmental Control
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the District of Massachusetts
U.S. Attorney's Office for the Eastern District of New York
U.S. Attorney's Office for the Eastern District of Virginia
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Commerce
U.S. Department of Energy
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the District of Arizona
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maryland
U.S. District Court for the Eastern District of California
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of California
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the District of Montana
Wage and Hour Division
World Trade Organization

investigations, arguing that the commission's blessing is unnecessary.
Read full article »

TAX

Calif. Man Cops To $20M Tax Refund Fraud For Pro Athletes
A California man on Wednesday admitted in Virginia federal court to fraudulently obtaining more than $20 million in tax refunds for at least nine professional athletes and more than $24 million in COVID-19 disaster loans stemming from a yearslong conspiracy executed with a convicted felon and his tax preparation business.
Read full article »

WHITE COLLAR

Food Truck Owner Charged With $1.5M COVID Relief Fraud
A food truck business owner in Massachusetts was arrested and charged with one count of wire fraud on Tuesday for allegedly misusing $1.5 million in COVID-19 relief to buy shares in public companies.
Indictment attached | Read full article »

Freight Co. Says Ex-CEO Stole $1.8M In PPP Funds
A freight auditing services provider claims in a lawsuit filed in Illinois state court that its former CEO stole more than $2 million in company funds, including about $1.8 million in U.S. government-backed loans under the Paycheck Protection Program.
Complaint attached | Read full article »

NATIVE AMERICAN

Interior Dept. Loses Bid To Nix Calif. Tribe's Recognition Suit
A California federal judge has refused the U.S. Department of the Interior's bid to dismiss a suit by a tribe that was denied federal recognition, saying he has the right to decide if the department incorrectly allowed Congress to terminate the tribe when its rancheria was sold.
Order attached | Read full article »

DOI Seeks High Court Review Of Navajo Water Suit
Federal authorities want the U.S. Supreme Court to overturn a Ninth Circuit ruling last year that found the government may be obligated to determine the Navajo Nation's water needs, which they say has no basis in statutory language and "cannot be squared" with basic precedent.
2 documents attached | Read full article »

Menominee Tribe, Hard Rock Renew Plan To Open Wis. Casino
The Menominee Indian Tribe of Wisconsin and Hard Rock International rebooted plans to open an entertainment center and casino in Wisconsin on Wednesday, more than seven years after a former governor tanked an initial $808 million iteration of the development.
Read full article »

Montana Tribe Sues DOI For Better Police, Jail Services
The Northern Cheyenne Tribe has sued the U.S. Department of the Interior in Montana federal court, claiming it breached its trust duty to "provide competent and effective law enforcement and correction services" on the tribe's reservation and owes more than $1 million the tribe spent to cover services the government failed to furnish.
Complaint attached | Read full article »

TELECOMMUNICATIONS

FCC Seeks Info From Top 15 Mobile Carriers On Data Privacy
The Federal Communications Commission wants information from the top 15 mobile providers about their data retention and privacy policies, the latest action in a yearslong agency probe of the issue.
3 documents attached | Read full article »

EXPERT ANALYSIS

The Potential Domino Effect Of Dobbs Decision On Immigrants

In the wake of the U.S. Supreme Court's Dobbs v. Jackson decision, criminal convictions under anti-abortion statutes will subject immigrants working in health care, and those seeking treatment, to additional consequences, says Raymond Lahoud at Norris McLaughlin.

Read full article »

What Ohio's New Firearm Law Means For Employers

In light of a new state law permitting all qualifying adults to carry, possess or conceal a legal handgun without a license, background check or training, Ohio employers should update their handbooks, consider posting signage and train human resources professionals about the statute's requirements, say attorneys at Perkins Coie.

Read full article »

Businesses Should Prepare For FTC Use Of Robinson-Patman

The Federal Trade Commission's plan to use the Robinson-Patman Act to combat rebate and fee agreements offered by prescription drug manufacturers will likely create ripple effects in other industries, so businesses should ensure that their pricing and services comport with the act's requirements, say attorneys at K&L Gates.

Read full article »

LEGAL INDUSTRY

Sheppard Mullin Launches In Houston With 18-Atty Team

Sheppard Mullin Richter & Hampton LLP announced on Wednesday that the firm was growing its Texas footprint with a Houston office set to open with 18 attorneys, including nine partners.

Read full article »

'Lottery Lawyer' Hid Dealings From Rivkin Radler, Chair Says

The managing partner of Rivkin Radler LLP took the stand Wednesday in the $80 million fraud trial of former partner Jason "Lottery Lawyer" Kurland, telling Brooklyn federal jurors that Kurland never told the firm he was investing client funds in his own businesses and taking referral fees.

Read full article »

Famed NY Atty Shargel Remembered For Intellect, Mentorship

After the death of New York criminal defense icon Gerald Shargel this weekend, one of his longtime partners spoke with Law360 about high-profile cases like that of disgraced attorney Marc Dreier, Shargel's broad intellectual zeal, and his tender spot for up-and-coming lawyers.

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SC Attorney Murdaugh Pleads Not Guilty To Murdering Family

Disgraced South Carolina attorney Alex Murdaugh reportedly pled not guilty on Wednesday to murdering his wife and son, with his attorneys proclaiming Murdaugh's innocence and demanding a quick trial.

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Washington, District of Columbia

Litigation Attorney
Harter Secrest & Emery LLP
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SUBJECT: Morning Consult Health: HHS Group Will Be Transitioned toIndependent Division Charged With Leading Pandemic Response
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 21/07/2022 06:13

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 21, 2022

BY MATT BRACKEN

Twitter Email

TOP STORIES

- The Biden administration will spin off the Department of Health and Human Services' Office of the Assistant Secretary for Preparedness and Response into an independent division charged with coordinating the U.S. pandemic response, according to seven people briefed on the matter, a move that comes as frustrations with the Centers for Disease Control and Prevention's handling of COVID-19 mount. The Administration of Strategic Preparedness and Response will be phased in over two years and led by Dawn O'Connell, who oversees the current ASPR operation as an assistant HHS secretary. (The Washington Post)

- The Department of Justice charged 36 people with health care fraud totaling $1.2 billion, with alleged wrongdoing including labs' payment of bribes for referrals from providers working with telehealth companies and a "burgeoning scheme" involving cardiovascular genetic testing. The Centers for Medicare and Medicaid Services, meanwhile, announced administrative actions against 52 providers, while HHS' watchdog said telehealth fraud efforts have resulted in at least $7 billion in fraud claims to the federal government. (Modern Healthcare)

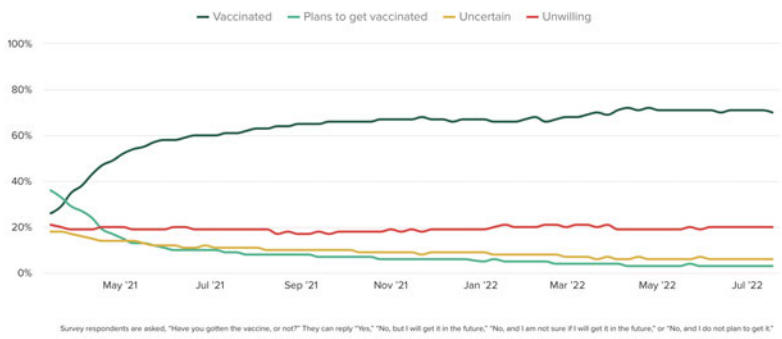
- Senate Finance Chairman Ron Wyden (D-Ore.) said Democrats' plans to allow Medicare to negotiate drug prices and to fine drugmakers that hike prices at a faster pace than inflation "is a strong start" but "there's plenty more to do" after the party passes its reconciliation bill, including changes to how pharmacy benefit managers operate. Wyden also endorsed legislation from Sens. Jeanne Shaheen (D-N.H.) and Susan Collins (R-Maine) to lower insulin costs for certain consumers, calling for a Senate vote on the bill. (Stat News)

- Attorney General Merrick Garland said the federal government could sue states that have banned or limited abortion in the aftermath of the Supreme Court's overturning of Roe v. Wade, noting that it "could not be more straightforward" that hospitals "must provide the abortion" when the procedure is the "stabilizing treatment." Garland also said the DOJ will ask a judge to throw out a Texas lawsuit aiming to block HHS guidance requiring physicians to perform abortions in the cases of emergency. (The Wall Street Journal)

CHART REVIEW

A Quarter of Americans Report Vaccine Skepticism

Morning Consult



EVENTS CALENDAR (ALL TIMES LOCAL)

View Full Calendar

A MESSAGE FROM MORNING CONSULT

Global Consumer Confidence: July 2022

The slide in global consumer sentiment accelerated last month as prices increased across the world and risks of an economic downturn mounted. Our latest Global Consumer Confidence report provides a comprehensive assessment of the economic views and expectations of consumers across major global economies. Download today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Advocates for long Covid patients express latest frustration with federal response

Erika Edwards, NBC News

Two weeks before the release of two highly anticipated federal reports on long Covid, patient advocacy groups say they are frustrated with what they call an "underwhelming" federal response thus far.

Pfizer Invests $470 Million to Develop Tech Behind Covid Shot

Riley Griffin, Bloomberg

Pfizer Inc. will spend $470 million to expand its vaccine research facilities 25 miles northwest of New York City, where the company hopes to maintain its edge in the booming field of messenger RNA, the technology behind its blockbuster Covid-19 shot.

Rates of Vaccine Skepticism Have Stalled

Justine Coleman, Morning Consult

Over the past eight months, rates of vaccine skepticism across the globe have remained relatively stable. Since mid-April, the share of vaccine skeptics has fallen by 8 points in the United States and by an average of 18 points in the other 14 countries.

GENERAL

FDA announces overhaul as baby formula shortage continues

Laura Reiley, The Washington Post

The commissioner of the Food and Drug Administration said Wednesday that the agency is preparing for a shake-up of its food-safety program, four months after a nationwide shortage of baby formula drew attention to shortcomings in the program.

As heat waves kill thousands, Biden's office for climate health risks is broke

Josh Lederman, NBC News

As deadly heat waves bear down across the globe, the Biden administration is warning that its office for dealing with climate change's health impacts has no money.

U.S. abortion ruling will not affect overseas aid - diplomat

Reuters

Calling the decision "sobering" domestically, Loyce Pace, Assistant Secretary for Global Affairs at the U.S Department of Health, said it would not affect the country's position as the largest bilateral donor to family planning services globally.

Republicans Mull Birth Control Vote as Democrats Highlight Issue

Emily Wilkins, Bloomberg Law

House Republicans will be allowed to vote today to codify access to contraception if they want to as Democrats are poised to use votes

against birth control access against the GOP in the midterms.

Senate Health chair says she's 'concerned' about U.S. monkeypox response

Joseph Choi, The Hill

Sen. Patty Murray (D-Wash.), chairwoman of the Senate Committee on Health, Education, Labor and Pensions, said she is "concerned" by the state of the U.S. monkeypox response in a letter to Health and Human Services (HHS) Secretary Xavier Becerra.

Data privacy, abortion limits set to collide post-Roe

Sandhya Raman and Gopal Ratnam, Roll Call

The Supreme Court's decision to overturn the federal right to abortion is likely to create a clash between state-by-state abortion restrictions and the patchwork of data privacy laws that are being legislated in the absence of a federal privacy law.

Georgia's Six-Week Abortion Ban Can Take Effect, Court Rules

Celine Castronuovo, Bloomberg Law

A Georgia law banning abortions after a fetal heartbeat is detected can now be enforced, the Eleventh Circuit held Wednesday, citing the US Supreme Court's ruling finding no constitutional right to the procedure.

Critics Worry Government Surveillance of HIV May Hurt More Than It Helps

Sam Whitehead, Kaiser Health News

Molecular surveillance is part of the Centers for Disease Control and Prevention's HIV cluster detection and response program. It uses different kinds of surveillance data, including genetic changes in the virus, to identify networks of HIV transmission and tailor interventions to emerging outbreaks. HIV changes quickly, the CDC says, and finding similar viral strains in people can be a sign of rapid transmission.

To fight inequity, Africa wants to produce its own vaccines. First, it needs to find buyers.

Carmen Paun, Politico

Governments on the continent and international donors must be ready to pay higher prices for African-made shots, experts and pharma industry representatives said.

Gun violence costs U.S. more than $1 billion a year in hospital bills

Kate Gibson, CBS News

That figure only accounts for the initial health costs of hospital care for people who are shot, according to a report released by the U.S. Congress Joint Economic Committee ahead of a Wednesday hearing on the economic impact of gun violence.

PAYERS

Health insurer Elevance raises annual profit forecast

Reuters

Net profit for Elevance, which was previously known as Anthem, fell to $1.65 billion, or $6.79 per share, in the three months ended June 30, from $1.79 billion, or $7.25 per share, a year earlier.

Elevance steps away from New York Medicare Advantage contract amid continued litigation

Samantha Liss, Healthcare Dive

Elevance will no longer provide group Medicare Advantage coverage to the retirees of the city of New York City amid ongoing litigation over the switch to privatized plans.

PROVIDERS

Hospitals need 'transformational changes' to stem margin erosion

Susan Kelly, Healthcare Dive

Nonprofit hospitals are reporting thinner margins this year, stretched by rising labor, supply and capital costs, and will be pressed to make big changes to their business models or risk negative rating actions, Fitch Ratings said in a report out Tuesday.

Post-Roe, doctors worry about what constitutes lifesaving care

Sandhya Raman, Roll Call

Health care providers say the decision to overturn Roe v. Wade has led to increased confusion over what sort of emergency and life-giving care they can provide to patients facing a pregnancy-related health crisis.

In some states, doctors weigh 'ruinous' litigation against proper care for women who have miscarriages

Elizabeth Cohen et al., CNN

When Marlena Stell had a miscarriage, she says she begged her doctor for help but instead was forced to walk around for at least two weeks with fetal remains inside her because of strict anti-abortion laws. Stell, who was 9½ weeks pregnant at the time, said she was "blindsided" when her doctor showed her an ultrasound image showing the fetus was no longer alive, and then refused to do the standard surgery to remove the fetal remains.

A slew of abortion clinics are opening in New Mexico. Crisis pregnancy centers are, too.

Shefali Luthra, The 19th

The influx of these centers, which have been criticized by physicians and other medical experts, is part of an effort to prevent out-of-state travelers from accessing abortions.

More physicians seek unions amid changing landscape, COVID-19

Ginger Christ, Modern Healthcare

The culture of medicine also contributes to physicians' evident disinterest in banding together in the workplace. Doctors learn from medical school on that they must pay their dues to advance, and are

loath to complain about long hours or difficult circumstances. And a go-it-alone mindset pervades the profession, said Rachel Flores, organizing director for the Union of American Physicians and Dentists, which represents 5,000 professionals. The labor organization added 250 members and organized another 200 in the past year.

Nurse diversity linked to a reduced risk of maternal health issues, study finds

Tat Bellamy-Walker, NBC News

Hiring a more diverse nurse workforce may help address "racial and ethnic disparities in maternal health outcomes" and improve maternal health, according to a report from Columbia University researchers.

As health care faces nursing shortages, burned-out nurses are flocking to remote jobs

Katie Palmer, Stat News

Burned out and fed up with their work conditions, nurses are leaving the bedside in droves, leaving empty positions and for-hire signs lingering in hospitals and clinics around the country.

PHARMA, BIOTECH AND DEVICES

Biogen agrees to pay $900 million to settle whistleblower case alleging kickbacks and sham speaking events

Ed Silverman, Stat News

After a decade of legal squabbling, Biogen has agreed in principle to pay $900 million to settle a lawsuit filed by a former employee who alleged the company paid kickbacks to hundreds of physicians to boost sales of its multiple sclerosis drugs.

Biogen leans on new Alzheimer's drug to calm investor worries

Manas Mishra, Reuters

Biogen Inc (BIIB.O) on Wednesday tried to assuage investor worries by laying out a plan for its Alzheimer's disease drug being developed with Eisai Co Ltd (4523.T) and promising to draw lessons from the setbacks to its treatment Aduhelm.

Abbott aims to recapture baby formula market share

Leroy Leo and Amruta Khandekar, Reuters

Abbott Laboratories (ABT.N)said on Wednesday it was set to recapture some of the market share in the baby formula business as the company restarts manufacturing at its troubled Michigan facility in the United States.

Merck's Keytruda fails head and neck cancer trial

Reuters

Merck & Co Inc (MRK.N) said on Wednesday its cancer therapy Keytruda failed to meet the main goal of a late-stage trial testing it in patients with head and neck cancer.

HEALTH TECHNOLOGY

Apple Argues It's Now a Major Force in the Health-Care World

Mark Gurman, Bloomberg

Apple Inc. published a nearly 60-page report Wednesday outlining all its health features and partnerships with medical institutions, arguing that such offerings are key to the tech giant's future.

Patient safety issues with VA Cerner EHR caused harm to veterans, federal watchdog says

Heather Landi, Fierce Healthcare

An inspection by the VA Office of the Inspector General (OIG) found that a new Cerner electronic health record (EHR) system, now owned by Oracle, failed to deliver more than 11,000 orders for specialty care, lab work and other services at Mann-Grandstaff VA Medical Center, the first VA facility to roll out the new technology.

Researchers tried to calculate the impact of health tech companies. It sent startups into a tizzy

Mohana Ravindranath, Stat News

As Johns Hopkins gastroenterologist Simon Mathews has watched scores of digital health upstarts collect hundreds of millions of dollars in venture funding in recent years, he's had one key question: "If we're putting in all this money, shouldn't it be linked to making a difference?"

OPINIONS, EDITORIALS AND PERSPECTIVES

Doctors must get political to get the politics out of medicine

Kathryn Brandt, Fortune

I am trained to educate and prescribe but, most importantly, to listen and to align a patient's care plan with their values. The Supreme Court's decision on Roe v. Wade severely compromises this central tenet of the practice of medicine: By returning the authority to regulate abortion to the people and their elected representatives, the court removes the ability to align patient care to the individual patient's values, opens a way for medical decisions to be legislated, and politicizes the patient-physician relationship.

Endemic Covid-19 Looks Pretty Brutal

David Wallace-Wells, The New York Times

It may surprise you to learn, given the mood of the country — and indeed the world — about the pandemic that probably half of all Covid infections have happened this calendar year — and it's only July. By December, the figure could be 80 percent or more. The gap between cases and severe outcomes is bigger than it has ever been, with the fraction of infections ending in deaths one-tenth that of the pandemic's early stages. But

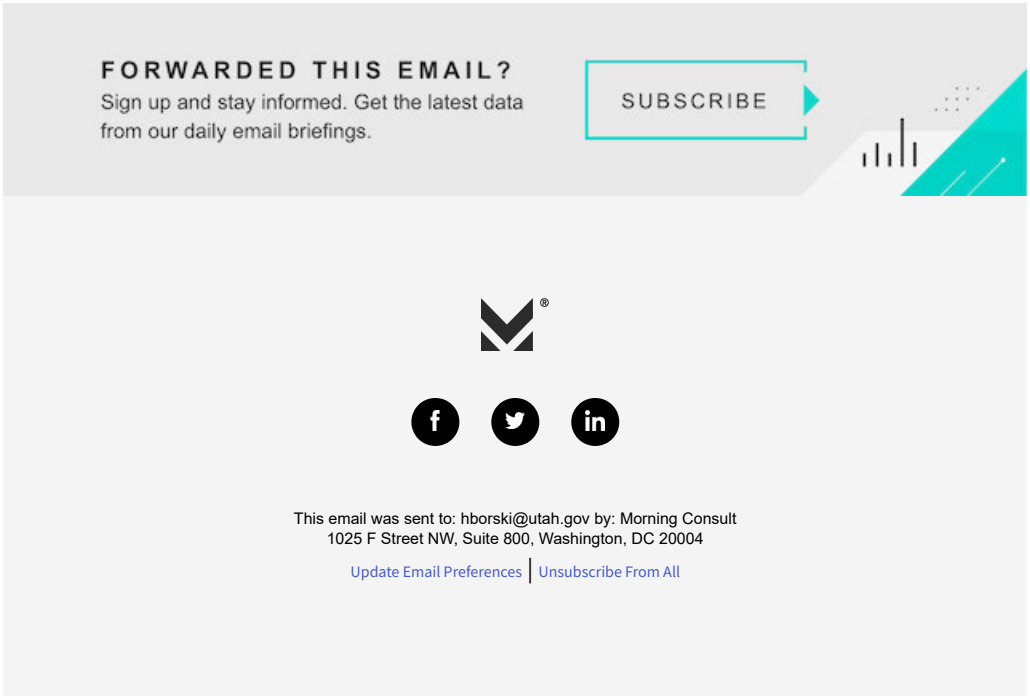
simply in terms of infection, this year towers over each of the previous two.

RESEARCH REPORTS

The Impact of Pharmaceutical Wholesalers on U.S. Drug Spending

Elizabeth Seeley, The Commonwealth Fund

The wholesaler industry influences the purchase and distribution of prescription drugs in four key areas: setting generic drug prices, leveraging list price increases, competing in specialty drug distribution, and mitigating or exacerbating drug shortages. An understanding of wholesalers' broad impact would inform policymakers' efforts to reform pharmaceutical payment practices, reduce drug spending, and ease drug supply shortages.



SUBJECT: What Americans Need to Fear About Inflation, Ford Plans to GutWorkforce, & Dividend-Paying Tech Stocks to Get In Now
FROM: "24/7 Wall St." <newsletter@247wallst.com>
TO: hborski@utah.gov
DATE: 21/07/2022 07:19

24/7 WALL ST July 21, 2022

Morning Market Roundup

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Top Analyst Upgrades & Downgrades

THURSDAY UPGRADES DOWNGRADES: ALLY FINANCIAL, APA, CAESARS, CHEVRON, DANAHER, DATADOG, EOG, EQT, LAS VEGAS SANDS, NETFLIX, PIONEER NATURAL RESOURCES, RIO TINTO, TWILIO, VICI PROPERTIES, WESTERN UNION

Thurs day's top analyst upgrades and downgrades included Ally Financial, APA, Caesars Entertainment, Chevron, Danaher, Datadog, EOG Resources, EQT, Harley-Davidson, Las Vegas Sands, Netflix, Pioneer...

Read more

Special Report

10 THINGS AMERICANS NEED TO FEAR ABOUT INFLATION

Inflation has started to cripple the U.S. economy. Consumer prices, as measured by the consumer price index, were 9.1% higher this June compared to the same time last year. This rate of inflation is...

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Investing Updates

FORD PLANS TO GUT WORKFORCE, CUT THOUSANDS

The age of the electric vehicle seems to be a chance to revolutionize Ford’s fleet and eliminate billions of dollars in expenses.

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5 DIVIDEND-PAYING TECH STOCKS TO BUY NOW FOR A 2023 MARKET REBOUND

The bear market may still have a way to go, but now is the time for savvy investors to start looking at the stocks they would like to add at a substantial discount. These five top technology ideas...

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Click Here for Our TOP 5 Microcap Stocks.

21 MOST BEAUTIFUL WINERIES IN NAPA VALLEY

With over 400 wineries open for tastings in the Napa Valley, it can be hard to decide which ones to visit. Although virtually none of them offer free tastings anymore, you could opt to visit...

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STATES WHERE THE MOST PEOPLE ARE VACCINATED

An estimated 222,682,315 Americans have been fully vaccinated against COVID-19, or 68.1% of the population. Some states are proving more effective than others in getting their residents vaccinated....

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WHAT TO DO BEFORE, DURING, AND AFTER A NUCLEAR ATTACK

In mid-July, New York City issued a public service video announcement advising residents what to do in case of a nuclear attack. Local news reports said the PSA was not made because of an impending...

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50 FAMOUS MOVIES THAT MADE ALL THEIR MONEY OVERSEAS

Christopher Nolan's "Tenet" was the first major movie to be released in theaters after the pandemic started. The sci-fi film made just under $60 million domestically – but earned about...

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16 STATES THAT PROTECT THE RIGHT TO ABORTION

The June 24, 2022, Supreme Court decision to overturn Roe v. Wade eliminated the constitutional right to an abortion in the United States. In the absence of federal protections to abortion access,...

[redacted]

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YOU'LL BE SURPRISED WHAT PEOPLE EAT FOR BREAKFAST AROUND THE WORLD

Our ideal breakfast in this country consists of scrambled eggs, crispy bacon, toast, and coffee with milk. At least that's according to research collected by the international data and analytics...

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A TAX CREDIT FOR AMERICANS TO BUY GAS AND EGGS

Congress and the president may say they cannot afford inflation-cutting tax credits, but can they afford not to give them?

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EVEN MORE EARNINGS ON THE WAY: ANALYSTS UPGRADE OR DOWNGRADE ALIBABA, ALPHABET, APPLE AND MORE

In case you missed Wednesday afternoon's analyst calls.

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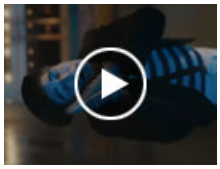
TOP STORY

Droga5, Mattress Firm return to "Unjunk Your Sleep"



(Mattress Firm/YouTube)

Droga5 New York created five new spots for its "Junk Sleep" campaign for Mattress Firm, including an anthem 60-second ad that shows zombie-like people in the "Land of Junk Sleep" delaying bedtime to share memes, watch another episode or try and meet another deadline before they're saved by the brand's employees. Four 30-second ads humorously show how sleep deprivation affects people in various situations and urges viewers to "Unjunk Your Sleep." **Full Story:** Muse by Clio (7/20), Ad Age (tiered subscription model) (7/20)

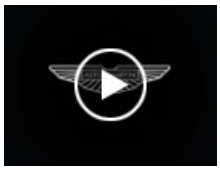
CREATIVE

Multiple shops create bilingual ads for Advance Auto

Spanish language spot featuring Ed Vance. (Advance Auto Parts/YouTube)

Advance Auto Parts is celebrating its 90th "Advanceiversary" with a bilingual "Do It Together" campaign created by Dieste, dentsu X, TMA, BBMG and FleishmanHillard, which features a new sonic logo, "This is How We Advance" in both English and Spanish. The push features a bilingual character, Ed (Eduardo) Vance, who is the brand's biggest fan and delivers messaging in English and Spanish across spots of various lengths running on social, digital, streaming, gaming and other platforms. **Full Story:** Adweek (7/21), MediaPost Communications (free registration) (7/18)

Aston Martin reveals new wings logo



An "intense" look at Aston Martin's vehicles. (Aston Martin/YouTube)

Aston Martin, with Superunion and Landor & Fitch, revealed an updated version of its classic wings logo and a global campaign to introduce its new brand positioning, "Intensity. Driven." A 60-second spot shows the automaker's new logo being crafted while a second ad showcases Aston Martin vehicles as a voice-over ramps up the intensity. **Full Story:** MediaPost Communications (free registration) (7/20), Ad Age (tiered subscription model) (7/20)

AGENCY INSIDER

VMLY&R's Wayne Best talks favorite work

Wayne Best, chief creative officer of VMLY&R New York, talks about creativity and favorite work. The agency's Oscars work for Walmart is one of his favorite creative projects, he admires Maximum Effort's work and Cliff Freeman was an inspiration, Best explains. **Full Story:** Muse by Clio (7/20)

How agencies are supporting reproductive rights

Alison Weissbrot looks at how the advertising has -- and has not -- responded to the overturn of Roe v. Wade, and highlights action from Quirk Creative and Media Cause. The American Association of Advertising Agencies stated, "[W]e will continue to advocate for and stand by our agency members. ... The Roe v. Wade ruling puts women's health in jeopardy and threatens to dismantle the progress made toward gender equality across all aspects of society including the workplace." **Full Story:** Campaign US (tiered subscription model) (7/20)

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AGENCY NEWS

Publicis reports 10.4% organic growth in H1

Publicis Groupe reported organic growth of 10.4% in the first half of the year and has upped its yearly forecast of organic growth to 6% to 7%. Organic growth in North America was up 9.3% for the first half, and 10.3% for the second quarter. **Full Story:** Adweek (7/21), MediaPost Communications (free registration) (7/21), Ad Age (tiered subscription model) (7/21)

MEDIA & TECHNOLOGY TRENDS

Report: Creator deals move forward for 74% of marketers

During the next quarter or half year, 74% of marketers plan to spend a 25% minimum of their budgets for social media on partnerships with content creators, Sprout Social found. Instagram is the platform of choice for 58%, 53% seek to bolster their communities and 41% want to highlight the values of their brands. **Full Story:** MediaPost Communications (free registration) (7/20)

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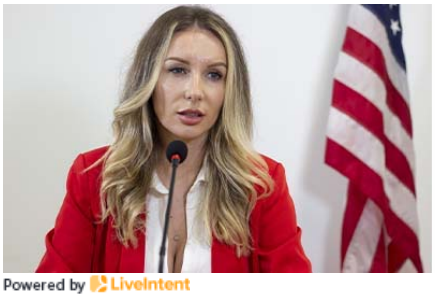

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SUBJECT: July 21st Wellness and Prevention Digest
FROM: Trust for America's Health <info@tfah.org>
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DATE: 21/07/2022 08:11

Trust for America's Health

Wellness and Prevention Digest

TODAY'S NEWS - July 21st, 2022

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Reports and Announcements

- Vaccinate Your Family has a toolkit of graphics, talking points, and FAQs on the COVID-19 vaccine recommendation for kids under 5. The organization also has a toolkit to address common questions and concerns about vaccines during pregnancy. Both toolkits are available in English and Spanish.
- The National Indian Health Board (NIHB) invites Tribal leaders, health directors, policy specialists, advocates, and allies to submit presenter abstracts for the 39th Annual National Tribal Health Conference on September 26-28, 2022. The National Tribal Health Conference explores health policy, Tribal health equity, and its impact on American Indian and Alaska Native (AI/AN) Tribal nations. The Conference seeks to advance Tribal capacity to influence federal law and policies and serves as a forum to discuss Tribal health care, public, behavioral, and environmental health, legislative and policy priorities.
- Yesterday, CDC published a Vital Signs today on overdose disparities by race, ethnicity, and other important social determinants. In just one year, overdose death rates increased 44% for Black people and 39% for American Indian and Alaska Native (AI/AN) people. Most people who died by overdose had no evidence of substance use treatment before their deaths. These findings give serious cause for concern, but more importantly action. The report proposes numerous opportunities to close the gap in overdose disparities while simultaneously lowering the rate of all overdoses. Approaches include expanded access to telehealth and insurance coverage, reduce criminalization, provision of culturally appropriate practices and support groups, stigma reduction, and more.
- CDC has launched two new data dashboards that make fatal and nonfatal overdose data more accessible and customizable:
    - DOSE Dashboard includes monthly and annual nonfatal overdose data from syndromic surveillance systems in 42 states, including the District of Columbia. This represents the most up to date data that CDC's DOSE system has available and is updated shortly after new data are made available each month.The dashboard provides data visualization that responsively adjusts to your selection of drug, state, month/year, age, and sex.
    - SUDORS Dashboard includes comprehensive drug overdose data from 2020, from funded jurisdictions that met inclusion criteria. Participating jurisdictions provided data from death certificates and medical examiner/coroner reports (including scene findings, autopsy reports, and full postmortem toxicology findings). The dashboard provides a downloadable dataset that includes annual counts, percentages, and rates of drug overdose deaths per 100,000 persons.

Events

- Join HHS's Office of Climate Change and Health Equity and speakers from the Department of Agriculture, Department of Housing and Urban Development, and Department of Treasury for the webinar on Financial Supports for Climate Action (and Insights on Applying) **today**, July 21st at 12:00 p.m. (ET). This session will introduce available financing supports for climate action such as loans, tax credits, mortgage

[redacted]

insurance and premium reductions. We will also review tips for potential applicants and relevant deadlines.

- Reminder - TFAH's next Age-Friendly Public Health Systems Training will take place **today**, July 21st at 3:00 p.m. (ET) and focus on the importance of data in addressing social determinants of health among older adults. This session will also highlight how some states have developed and used data on older adults to advance healthy aging in their communities. You can register here and view June's training session on food security and nutrition here.

- Join the Infectious Diseases Society of America and the HIV Medicine Association for a virtual briefing, Monkeypox Virus in the U.S.: Perspectives from the Frontlines on July 25th. The moderated discussion will feature physicians, scientists and public health officials responding to the MPV outbreak. Panelists will share views from areas currently experiencing a significant number of cases and offer recommendations for strengthening our national response and efforts to control the spread of the virus.

- Reminder - The Public Health Communications Collaborative is leading a July 26th session on strategies and best practices to address public health communications challenges. Panelists will focus on how public health professionals are using social media to build trust and expand their reach. Register here.

- SAMHSA is hosting the webinar Maintaining the Momentum: Working Together to Expand Equitable Access to Mental Health Services on July 26th as part of 2022 National Minority Mental Health Awareness Month. This webinar will engage partners from various sectors (e.g., community, faith, business, education, and government) to come together and exchange dialogue on how the nation can maintain the momentum in expanding access to mental health care for minorities. The webinar will be available at the link above with passcode 736530.

- The HHS Office of Minority Health (OMH) and the Centers for Disease Control and Prevention (CDC) Office of Minority Health and Health Equity (OMHHE) invite you to attend the Protecting Our Children and Youth from COVID-19: Information for Parents, Caregivers, and Community Partners webinar on July 29th. This webinar will provide accurate, timely, and trusted information about how to protect all children from COVID-19.

Funding Opportunity

- CDC's National Center for Injury Prevention and Control (NCIPC) is accepting applications for Injury Control Research Center (ICRC) grants. The ICRCs support NCIPC's priorities and mission through high-quality research, training, and outreach, as well as effective translation of scientific discoveries into practice for the prevention and control of injuries and violence. The application deadline is January 6th, 2023.

Take Action

- The Protecting the Health of America's Older Adults Act (H.R. 6302) would create a healthy aging program at CDC, including grants to states for public health approaches to healthy aging. A fact sheet to the bill, which includes a list of endorsing organizations, can be found here. To endorse the bill, fill out this form (no need to fill it in if your organization is already listed).

- The Improving Social Determinants of Health Act of 2021 (S. 104/H.R. 379) would create a SDOH program at CDC, including grants to states for a public health approach to SDOH. A fact sheet to the bill, which includes a list of endorsing organizations, can be found here. To endorse the bill, fill out this form (no need to fill it in if your organization is already listed).

Opportunities and Deadlines

Sign On Documents and Opportunities for Input

- The Art & Science of Health Promotion Conference is now accepting proposals for the 2023 conference. Proposals are welcome for sessions that present health promotion strategies and programs that produce the best outcomes from a science and practice perspective, also address how to develop, implement and measure programs as well as explore emerging concepts. The 2023 Conference theme is The Wisdom of Rethinking: Promoting & Practicing Intellectual Humility to Advance Health & Well-Being. The deadline to submit a proposal is July 31st.

- USDA is interested in learning from stakeholders how we can better meet the needs of customers seeking kosher or halal foods through The Emergency Assistance Food Program (TEFAP). So far, USDA has held discussions with several advocacy organizations, 9 State Agencies, and food banks in those states that serve communities with kosher and/or halal food needs. USDA is reviewing the information gathered through these conversations to determine some actions and next steps we can take to better meet the needs of customers seeking kosher and halal foods. USDA is interested in feedback from States and food banks in all States and territories about how to best meet their customers' needs. Feedback can always be shared with your State Agency or sent to USDAFoods@usda.gov.

- Johns Hopkins Bloomberg School of Health and the de Beaumont Foundation recently released the report Seven Ways Business Can Align with Public Health for Bold Action and Innovation. To support collaboration between business and public health, the organizations are collecting endorsements and stories of alignment, which are reflections on how organizations are applying recommendations from the report as well as endorsements, which will be accepted on a rolling basis.

Funding Opportunities and Awards

- EPA has launched the Let's Talk About Heat Challenge, a national competition to identify innovative and effective communication strategies that inform people of the risks of extreme heat and offer ways to keep safe during the hottest days. The challenge was developed in support of the National Climate Task Force's Extreme Heat Interagency Working Group, which is being led by EPA, the National Oceanic and Atmospheric Administration (NOAA), and the U.S. Department of Health and Human Services (HHS) with support from the White House. Winning solutions will include identification of and engagement with people known to be most susceptible to extreme heat risks, including but not limited to underserved and overburdened communities. The challenge will award up to 10 prizes from a total prize pool of $120,000. Submissions are due by **tomorrow**, July 22nd.

- The National Headache Foundation is seeking nominations of Headache Heroes, a campaign to recognize people who have made a difference in the headache and migraine community, in the following categories. Nominations are due July 31st.
    - Healthcare Professional: Any healthcare provider who has made a difference.
    - Patient: Someone living with migraine disease or headache disorders.
    - Caregiver: The unsung hero caring for someone living with migraine disease or headache disorders.
    - Advocate: An individual or organization that is pursuing legislative, regulatory, or funding opportunities on behalf of the headache and migraine community.

- CDC recently announced a Notice of Funding Opportunity for Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems Department of Health and Human Services. This funding is a first of its kind, non-categorical and cross-cutting programs, intended to help meet critical infrastructure and workforce needs in the short-term; and it should also make possible strategic investments that will have lasting effects on public health agencies across the United States. To that end, it will support strategically strengthening public health capacity and systems related to the workforce, foundational capabilities, data modernization, physical infrastructure and support from national public health partners. The deadline to apply is August 15th.

- EPA is soliciting applications to provide training and technical assistance to rural, small, and tribal municipalities, publicly owned wastewater treatment works, and decentralized wastewater treatment systems for the prevention, reduction, and elimination of pollution. Applications must address one, and only one, of the following priority areas: acquisition of finance/funding, protecting water quality and compliance assistance, tribal communities, decentralized systems, and lagoon systems. The deadline to apply is August 22nd.

- The National Headache Foundation (NHF) announced a new annual award, the Ellen Aubry Memorial Award, to recognize the accurate depiction of headache and migraine disorders in film and television. Nominations are now being accepted and can be submitted by both viewers and producers for consideration until August 15, 2022. The winners will be recognized at the NHF's 36th Annual Gala on October 8, 2022, in Chicago, Ill.

- Applications are open for the de Beaumont Foundation's Modernized Anti-Racist Data Ecosystems (MADE) for Health Justice grant opportunity. The grants seek to accelerate

the development of health-focused local data ecosystems that center principles of anti-racism, equity, justice, and community power. Through MADE for Health Justice, non-profit organizations will be funded to build and facilitate multi sector teams tasked with creating local data ecosystems. These ecosystems must focus on improving community health, connecting data across multiple sectors of local government, prioritizing the needs and voices of communities oppressed by structural racism, and ultimately driving just and equity-centered decision making. The deadline to apply is August 31st.

- NIH's Office of Nutrition Research (ONR) has issued the notice of special interest (NOSI) Stimulating Research to Understand and Address Hunger, Food and Nutrition Insecurity. The purpose of this NOSI is to encourage research on the efficacy of interventions that address nutrition security and the mechanisms of food insecurity on a variety of health outcomes. It also calls for the development of new measures for nutrition security and assessment of food insecurity that are broadly applicable. It was developed by the ONR Implementation Working Group on Nutrition and Health Disparities in collaboration with NIH Institutes and Centers (ICs) and Offices in support of the goals and objectives of the Strategic Plan for NIH Nutrition Research. Deadline, October 5th.

- The Center for Science in the Public Interest's (CSPI's) first round of grantmaking for 2022 is now open. CSPI seeks to support communities as they explore local, state, and federal policy interventions to elicit systemic change and advance a just and equitable food environment. CSPI is focused on identifying strategies and passing policies aimed at increasing purchasing power for, and access to, nutritious food that meets people's needs, supporting a healthier food environment, and reducing health disparities across demographic groups. Several opportunities are currently open, with details available here.

- Evidence for Action's released an open and rolling call for proposals, Innovative Research to Advance Racial Equity. Through this CFP they seek to fund researchers, practitioners, community leaders, advocates, policymakers, and/or other stakeholders to investigate the impacts of various social interventions on health and racial equity outcomes. They are interested in projects that develop and disseminate evidence about what works to advance racial equity and improve health and well-being outcomes for people and communities of color.

Other

- Learn how your health department can protect workers and diners from COVID-19 with a new, video-based, interactive training developed by the Public Health Foundation, in partnership with the Food and Society Program at the Aspen Institute. The training, Safety First: Helping Restaurants Reduce the Spread of COVID-19, is now available through the TRAIN Learning Network.

- The National Headache Foundation (NHF) launched Primary Care Migraine, a new educational training program available at no cost to health practitioners. The program was announced by Tom Dabertin, Executive Director and Chief Executive Officer of the National Headache Foundation. The course also offers a diagnosis tool to assist one in quickly diagnosing migraines while interviewing and examining patients.

- Prevent Blindness is seeking applicants for the A.S.P.E.C.T. (Advocacy, Support, Perspective, Empowerment, Communication, and Training) Program, which aims to equip participants with the knowledge, skills, and confidence to become advocates for vision and eye health- at the individual, peer-to-peer, community, state, or national levels via an 8-week educational series.

Upcoming Events

Today's Additions in Red

Harvard Chan C-CHANGE Youth Summit on Climate, Equity, and Health
July 24th - 30th
Boston, MA
For more information and to register

2nd National Conference on American Indian/Alaska Native Injury and Violence Prevention
Sponsored by CDC and Indian Health Service
July 26th - 28th - virtual
For more information and to register

Four Paths to Addressing Dementia in Tribal Communities

Sponsored by the National Indian Health Board and the Alzheimer's Association
Tuesday, July 26th, 2:00 p.m. (ET) - webinar
For more information and to register

Effective Business Practices in Workplace Mental Health
Sponsored by Mental Health America and the National Organization on Disability
Wednesday, July 27th, 12:30 p.m. (ET) - webinar
For more information and to register

Children's Environmental Health Workshop
Sponsored by NASEM
August 1st - 4th - virtual
For more information and to register

SHIFT Summit
Sponsored by GP RED
October 17th - 20th
Fort Collins, CO
For more information and to register

SOPHE Advocacy Summit
October 21st - 24th
Washington, DC
For more information and to register

2022 Mom and Baby Action Network Summit
Sponsored by March of Dimes
October 24th - 25th
Atlanta, GA and virtual
For more information and to register

Active Living Conference
Sponsored by GP RED
March 13th - 16th, 2023
Bethesda, MD
For more information and to register

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TRUST FOR AMERICA'S HEALTH
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SUITE 900
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[redacted]

SUBJECT: The importance of Medicaid coverage in a post-Dobbs world
FROM: "RWJF Advances" <publications@rwjfmail.org>
TO: <hborski@utah.gov>
DATE: 21/07/2022 18:17

Advances
Building a Culture of Health by Working Together
Robert Wood Johnson Foundation

More than 80 million people in the United States rely on Medicaid for health coverage — making it the largest healthcare insurance provider in the country. The Supreme Court's recent decision in *Dobbs v. Jackson Women's Health Organization* means that people in states

[redacted]

[redacted]

that haven't expanded Medicaid need access to comprehensive health coverage now more than ever.

Many of the states enacting abortion bans already have high maternal mortality rates. Some have also failed to expand Medicaid, leaving mothers and families without access to essential care. It's more important than ever to expand Medicaid to protect

[redacted]

women's health.

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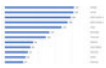
These states face the most gaps in covering women of reproductive age:



Threats to coverage and reproductive freedom will deepen the inequities inherent in the post-*Dobbs* world, where low-income women, predominantly women of color, will be most likely to suffer

the consequences. New estimates project that nearly 1 million women of reproductive age risk loss of coverage if Congress does not act to extend the expanded premium tax credits created by the American Rescue Plan Act.

Read the analysis >>

Medicaid research roundup

Failure to Close Coverage Gap Would Leave Millions Uninsured and Facing Worse Health Outcomes

Center

on Budget and Policy Priorities

A new brief shows that including a provision to close the Medicaid coverage gap in the reconciliation package Congress is currently considering would expand access to health insurance, improve health equity, and protect access to contraceptive and reproductive care. If Congress doesn't include the provision, more than 2 million people — disproportionately people of color —will continue

to be denied affordable healthcare.

Medicaid Expansion Increased Pre-conception Counseling and Healthy Behaviors

Health Affairs

The time just before pregnancy is critically important for the health of a woman and her baby, making access to health insurance crucial. This study finds low-income women in states that expanded Medicaid had better health across multiple indicators, including greater use of health

counseling, increased folic acid intake, and increased use of effective postpartum birth control.

Availability of Contraceptive Access Policies Across the United States from 2006 to 2021

Preventive Medicine Reports

For tens of millions of people in America, access to contraception promotes health, well-being, and autonomy. This resource outlines policies in place to support contraceptive access, including Medicaid expansion and

insurance coverage, in all 50 states.

One-Third of Women With Prenatal Medicaid Remained Uninsured Before Or After Pregnancy

Health Affairs

Health insurance coverage and access to care before, during, and after pregnancy are important in supporting maternal and infant health. Medicaid provides health coverage to women during pregnancy, but research shows more than one-third are not eligible for the program prior to

pregnancy or after 60 days postpartum.

Variation in Severe Maternal Morbidity Linked to Expenditures by Communities

JAMA Network Open

The United States has one of the highest maternal mortality rates among high-income countries, and cities may play a key role in addressing the crisis, researchers say. An analysis of New Jersey cities finds spending on both health and non-health services — including

education, housing, and transportation—is linked to rates of severe maternal morbidity, a key risk factor for maternal mortality.

Infographic: Medicaid Expansion is a Win for All

Download the infographic >>

Closing the Medicaid coverage gap is a health, economic, and

moral imperative

Healthcare is a human right. But more than two million people — disproportionately people of color —are being denied life-saving coverage because 12 states have refused to expand their Medicaid programs. Dr. Avenel Joseph discusses the incredible opportunity Congress now has to correct this injustice once and for all.

Learn more >>

Medicaid is an important lifeline

That's Medicaid, a RWJF project, shares the stories of people helped by Medicaid at critical points in their lives.

Visit ThatsMedicaid.org to learn more and read the stories >>

LATEST FUNDING OPPORTUNITIES

Systems for Action: Systems and Services Research to Build a Culture of Health
Deadline: Multiple

Policies to Build and Sustain Economic Security and Wealth for Families and Communities of Color
Deadline: Wed, 7 Sep 2022

Evidence for Action: Innovative Research to Advance Racial Equity
Deadline: Open

Pioneering Ideas: Exploring the Future to Build a Culture of Health
Deadline: Open

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SUBJECT: The Rulings That Quickly Made 2022 Huge For Health Law
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 22/07/2022 02:29

HEALTH

Friday, July 22, 2022

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Analysis

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Read full article »

SF, Walgreens Continue Opioid Bellwether Battle Post-Trial

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2 documents attached | Read full article »

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Read full article »

3 Firms Helm Amazon's $3.9B One Medical Deal

Amazon, guided by Paul Weiss, and Cooley-repped One Medical, with health care advice from Ropes & Gray LLP, have entered into an agreement to merge in an all-cash transaction valued at approximately $3.9 billion, the companies announced Thursday.

Read full article »

House Passes Contraceptive Bill Post-Dobbs

The U.S. House of Representatives pushed through proposed legislation Thursday to enshrine the right to contraception into law, which Democrats have pushed for in the wake of the Supreme Court's decision overturning Roe v. Wade and constitutional protections for abortion.

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Letter attached | Read full article »

POLICY & REGULATION

Unanimous Senate Passes Bill To Suspend Tariffs On Formula

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LITIGATION

7th Circ. Won't Revive FCA Suit Over Cook County Grants

The Seventh Circuit has declined to revive a False Claims Act suit accusing Illinois' Cook County of fraud related to federal public health grants, saying the whistleblower failed to provide the necessary specificity about particular false claims.

Opinion attached | Read full article »

PTAB Mulls Validity Of Novartis Syringe IP In Regeneron Fight

The Patent Trial and Appeal Board on Thursday considered whether Novartis can beat an invalidity challenge from Regeneron over a pre-filled eye injection syringe patent with an argument that skilled artisans would not have come up with the invention because of safety concerns.

Read full article »

UnitedHealth, Change Want To Litigate Fix To DOJ Challenge

UnitedHealth Group and health care technology outfit Change Healthcare urged a D.C. federal judge Wednesday not to let the U.S. Department of Justice block them from introducing evidence that customers have accepted binding commitments meant to address DOJ concerns about their $13.8 billion merger.

Brief attached | Read full article »

Humana Asks Court To Rethink Keeping ERISA Dispute Alive

A Kentucky federal court should reconsider a decision denying Humana's bid to dismiss a suit claiming excessive record-keeping fees, the health insurance company said, arguing that a recent Sixth Circuit ruling on the same issue is a change in controlling law.

COMPANIES IN TODAY'S NEWS

3M Co.
Abbott Laboratories
Akron Children's Hospital
Allergan PLC
Amazon Studios LLC
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Carolina Panthers
Centerra Gold Inc.
Change Healthcare Inc.
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CommonSpirit Health
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Humana Inc.
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Metro-Goldwyn-Mayer Studios Inc.
NAACP Legal Defense and Educational Fund Inc.
National Association for the Advancement of Colored People
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OMNOVA Solutions Inc.
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PGA TOUR Inc.
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Revlon Inc.
Spirit Airlines Inc.
Teva Pharmaceutical Industries Ltd.
USA Gymnastics
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Cleary Gottlieb
Cooley LLP
Covington & Burling
Cozen O'Connor

Motion attached | Read full article »

Mass. Med Co. Claims 'Disloyal Insiders' Stole Trade Secrets

Medical aesthetic treatment company Cynosure LLC accused a direct competitor of stealing its trade secrets by poaching "disloyal insiders" who led an exodus of 26 sales workers.

Complaint attached | Read full article »

Detainees Call Fla. ICE Detention Center A 'Living Hell'

Immigrants detained at the Baker County Detention Center in northern Florida filed a federal civil rights complaint Thursday asking for the immediate closure of the facility because of inhumane treatment and abuse.

Complaint attached | Read full article »

REAL ESTATE

Developer Says Miami Would Get Billions >From P3 Project

A developer has put forth a proposal to redevelop an 18.75-acre property owned by the city of Miami into a mixed-use, master-planned district that it estimates would produce $4.7 billion in lease and tax revenues for the city over a suggested 99-year lease.

1 document attached | Read full article »

BANKRUPTCY

Week In Bankruptcy

Crypto Dominos Keep Falling, J&J Wants Talc Injunction

Another cryptocurrency player succumbs to marketwide distress, Johnson & Johnson's bankrupt talc unit seeks a pause of talc suits brought by state attorneys general and a $21 million settlement in the liquidation of defunct law firm LeClairRyan is drawing appeals from the bankruptcy watchdog. This is the week in bankruptcy.

Read full article »

PEOPLE

Greenberg Traurig Lures Health Care Pro From Seyfarth Shaw

Greenberg Traurig LLP has expanded its health care practice in Houston with a shareholder who joins the firm after nearly a decade with Seyfarth Shaw LLP.

Read full article »

Hunton Andrews Welcomes New Real Estate Partner

Hunton Andrews Kurth LLP on Thursday introduced Katy D. Carmical, a former shareholder at Winstead PC, as the firm's new real estate practice partner in its Dallas office.

Read full article »

Squire Patton Adds Corporate And Financial Services Attys

Squire Patton Boggs on Thursday announced that it had hired Akron Children's Hospital's associate general counsel as of counsel and a Turntide Technologies senior director to join its corporate practice.

Read full article »

EXPERT ANALYSIS

Must Your Client Pay An Opponent's Expert For Prep Time?

For parties seeking discovery from an opponent's expert, the law on compensating the expert for preparation time is not settled, and in certain jurisdictions, there are strong arguments that favor avoiding or at least limiting such fee shifting, say Gregory Ruehlmann and Nicholas Mecsas-Faxon at King & Spalding.

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LEGAL INDUSTRY

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Neely & Callaghan
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Paul Weiss
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Seyfarth Shaw
Sidley Austin
Simmons Hanly
Simpson Thacher
Squire Patton
Virginia & Ambinder
Weil Gotshal
Weitz & Luxenberg
White & Case
Williams & Connolly
Winstead PC

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Executive Office for Immigration Review
Federal Energy Regulatory Commission
Federal Labor Relations Authority
Food and Drug Administration
International Trade Commission
Ohio Department of Commerce
Ohio Supreme Court
U.S. Bankruptcy Court for the District of Delaware
U.S. Bankruptcy Court for the District of New Jersey
U.S. Bankruptcy Court for the District of Puerto Rico
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Bankruptcy Court for the Southern District of New York
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice

Cozen O'Connor Splits With Golfer Joining Saudi-Backed Tour
It's not often that BigLaw marketing, pro sports, and Middle East politics collide. But it happened on Thursday, when Cozen O'Connor said it was cutting ties with a golfer joining a new Saudi-financed league that is causing waves in the professional sports world and beyond.
Read full article »

Most Of New Justice's Clerks Come With BigLaw Bonafides
Newly sworn-in Justice Ketanji Brown Jackson's first slate of law clerks largely come with BigLaw experience, but there's also an assistant public defender among them, according to a list provided to Law360 on Thursday by the U.S. Supreme Court.
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Chief DOJ Immigration Judge Tracy Short To Step Down
Chief Immigration Judge Tracy Short, a former U.S. Immigration and Customs Enforcement principal legal adviser and Trump appointee, plans to resign at the end of the month, he announced Thursday.
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Senate Panel Advances Judge, Sentencing Commission Picks
The U.S. Senate Judiciary Committee on Thursday advanced President Joe Biden's seven nominees for the U.S. Sentencing Commission and two judicial nominees, moving them one step closer to confirmation.
Read full article »

White & Case Accuses Ex-Legal Assistant Of Faking Expenses
A former senior legal assistant who accused White & Case LLP of pregnancy discrimination allegedly bilked the firm for an unknown number of fraudulent reimbursement requests, the firm has contended in New York state court.
Read full article »

W.Va. Judge Finds No Atty Conflict In Coal Mine Cleanup Suit
A former coal mine site landowner's appearance on a docket sheet is "nominal" and doesn't mean lawyers suing a state agency have a conflict of interest, a West Virginia federal judge ruled Wednesday.
Read full article »

Ashurst Sees Revenue Jump 12% To £800M In Annual Results
Ashurst LLP chalked up a sixth consecutive year of growth in its latest annual financial results published Thursday, with the firm's revenue increasing 12% to just under £800 million ($955 million) as every division contributed to the rise.
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Equal Justice Works Names Law School Dean As New CEO
Equal Justice Works has tapped the dean of the University of Cincinnati College of Law to be the organization's new CEO.
Read full article »

Trump Ignored Pleas To Call Off Rioters, Jan. 6 Panel Reveals
Former President Donald Trump's advisers, including then-White House counsel Pat Cipollone, pushed for an immediate response condemning rioters at the U.S. Capitol during the Jan. 6 insurrection. But Trump waited hours to issue a video calling on his supporters to leave, according to new testimony from the select committee investigating the attack.
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U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of West Virginia
U.S. District Court for the Western District of Kentucky
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Senate
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U.S. Supreme Court
United States District Court for the Northern District of Ohio
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SUBJECT: Trump Ignored Pleas To Call Off Rioters, Jan. 6 Panel Reveals
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 22/07/2022 02:59

PUBLIC POLICY

Friday, July 22, 2022

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TOP NEWS

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Read full article »

High Court Won't Reinstate Biden's ICE Guidelines, For Now
The U.S. Supreme Court on Thursday refused to reinstate President Joe Biden's attempt to narrow immigration arrests and deportations to national security threats and other "priority" targets while his administration fights a court order that vacated the policy.
Order attached | Read full article »

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[redacted]

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Biden Tests Positive For Coronavirus, White House Says
President Joe Biden has tested positive for COVID-19 but is only "experiencing very mild symptoms" and will continue performing all his duties, the White House announced Thursday.
Letter attached | Read full article »

Bannon Rests Case, Knocks Trial Rulings Barring 'True Facts'
Ex-Trump White House aide Steve Bannon on Thursday declined to testify and call any witnesses in his contempt of Congress criminal jury trial, saying the D.C. federal judge he is urging to acquit him of a two-count indictment for defying the Jan. 6 House select committee's subpoena would bar him "from telling the true facts."
Read full article »

Analysis
The Rulings That Quickly Made 2022 Huge For Health Law
A spree of remarkable rulings has already made 2022 a jaw-dropping year for health care and pharmaceutical law, where the U.S. Supreme Court reshaped abortion rights, opioid crisis prosecutions, Medicare's rulemaking powers and vital sources of hospital income. At the midyear mark, Law360 recaps the rulings and analyzes their implications.
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Analysis
Crypto Industry Could Cast Skeptic Eye On Cyber Guidance
U.S. financial regulators setting cybersecurity standards as part of a sweeping cryptocurrency bill proposed last month would be tasked with navigating an industry wary of receiving outside guidance on how to best protect itself.
Read full article »

Senate Panel Advances Judge, Sentencing Commission Picks
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GAO Says Most PTAB Judges Felt Pressure To Alter Rulings
Patent Trial and Appeal Board judges often feel pressure from their superiors to alter rulings in a process that's a "black box" to the judges, parties and public, the U.S. Government Accountability Office reported Thursday.
6 documents attached | Read full article »

BANKING & SECURITIES

Trade Orgs Sue SEC Over Pared-Back Proxy Oversight Rules
Two business groups are alleging the U.S. Securities and Exchange Commission's recent rollback of rules governing proxy advisory firms amounted to arbitrary and capricious violations of federal law and should be nullified, according to a lawsuit filed in Texas federal court on Thursday.
Complaint attached | Read full article »

GOP Lawmakers Ask SEC To Kill Crypto Accounting Bulletin
Four House Republicans sent a letter to the U.S. Securities and Exchange Commission asking the agency to scrap a bulletin that advises companies to treat crypto assets held custodially as balance sheet liabilities, warning that the change would make custody of the assets by banks "economically infeasible."
Letter attached | Read full article »

Dems Urge CFPB To Bolster Payment App Fraud Protections
A group of Democratic senators is calling on the Consumer Financial Protection Bureau to push banks to shoulder more liability for fraud that occurs on peer-to-peer payment

LAW FIRMS IN TODAY'S NEWS

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Chevron Corp.
Conagra Brands Inc.
CoreLogic Inc.
Early Warning Services LLC
Ecolab Inc.
Egon Zehnder International Inc.
FedEx Corp.
Georgetown University
Glass Lewis & Co. LLC

platforms like Zelle, arguing that consumer protections around electronic payments need to be updated for the digital age.

Letter attached | Read full article »

ENERGY & ENVIRONMENTAL

DC Circ. Urged To Dump License For Texas Nuke Waste Site

Opponents of a plan to construct a temporary nuclear waste storage facility in the Permian Basin have urged the D.C. Circuit in a trio of briefs to find the Nuclear Regulatory Commission acted unlawfully when it licensed the project.

3 documents attached | Read full article »

HEALTH & LIFE SCIENCES

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1 document attached | Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Ala. Cop Can't Slip Fatal Shooting Claims From Car Chase

A civil rights lawsuit accusing a Birmingham, Alabama, police officer of fatally shooting a man and injuring a woman at the end of a car chase will move forward after an Alabama federal judge refused to grant the city and the officer summary judgment.

Order attached | Read full article »

GOVERNMENT CONTRACTS

New York's AG Inks Deal For $13M Whistleblower Suit

New York's attorney general settled a whistleblower case alleging that a headhunting firm cheated the state out of $13.3 million in taxes, a federal judge announced, one week after the state overcame the whistleblower's objections to intervene in the suit.

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Opinion attached | Read full article »

PPE Co. Blames 3rd Parties In FedEx Unit's $26.8M Glove Suit

A Maryland-based protective equipment supplier accused of not paying $26.8 million for the shipment of examination gloves detained at a California port launched its own suit

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Imerys SA
Industria de Diseno Textil SA
Institutional Shareholder Services Inc.
Johnson & Johnson
LinkedIn Corp.
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European Union
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Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Labor Relations Authority
Food and Drug Administration
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NAFTA
National Institute of Standards and Technology
Navajo Nation
Nuclear Regulatory Commission
Small Business Administration

Wednesday to pass the buck on to its supplier and transport contractor.

Complaint attached | Read full article »

INTERNATIONAL TRADE

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Read full article »

BANKRUPTCY

Week In Bankruptcy

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IMMIGRATION

2 Indicted In Texas For 53 Deaths In Smuggling Operation
A Texas federal jury returned a four-count indictment against two men whose undocumented immigrant smuggling operation led to 53 deaths in June, leaving the death penalty on the table for them.
Read full article »

Sens. Introduce Bipartisan Bill To Lift Per-Country Visa Caps
Senators from North Dakota and Colorado introduced a bill aimed at allowing more people to enter the U.S. through employment-based visas, saying that U.S. employers should be able to hire workers based on merit rather than birthplace.

Bill attached | Read full article »

NATIVE AMERICAN

NCAI Tells Justices That Race Rightly Has Role In Voting Suit
The National Congress of American Indians has told the U.S. Supreme Court that racial discrimination against Native Americans is still very much alive and that consideration of race is necessary in establishing districts that comply with the Voting Rights Act.

Brief attached | Read full article »

Sioux Tribe Says SD County Can't End Voting Rights Suit
The Lower Brule Sioux Tribe has stepped up its bid to implement new political districts ahead of South Dakota elections in November, hinting that it could drag out its voter-discrimination lawsuit if county officials wait until next year to start using the revised map.

Response attached | Read full article »

Contractor Urges 9th Circ. To Uphold Sanctions On Tribal Co.
A construction contractor for the Cedarville Rancheria of Northern Paiute Indians wants the Ninth Circuit to uphold a $7,200 penalty that a California bankruptcy judge imposed on a tribe company last year, saying federal law prohibits the tribe from invoking sovereign immunity.

Brief attached | Read full article »

TELECOMMUNICATIONS

FCC Orders Phone Cos. To Block Car Warranty Scammers

U.S. Attorney's Office
U.S. Bankruptcy Court for the District of Delaware
U.S. Bankruptcy Court for the District of New Jersey
U.S. Bankruptcy Court for the District of Puerto Rico
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Bankruptcy Court for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maryland
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of California
U.S. District Court for the Southern District of New York
U.S. District Court for the Southern District of West Virginia
U.S. District Court for the Western District of Texas
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Sentencing Commission
U.S. Supreme Court
United Nations
United States District Court for the District of South Dakota
United States District Court for the Northern District of Ohio

The Federal Communications Commission ordered all U.S. phone companies Thursday to stop carrying traffic from a group of individuals and companies the FCC claims have bombarded consumers with scam robocalls hawking auto warranties.

Order attached | Read full article »

Rural Wireless Providers Push For Expanded 5G Fund

Rural wireless companies are urging the Federal Communications Commission to build on its efforts to deploy mobile broadband in harder-to-reach areas by potentially expanding the 5G Fund for Rural America.

Letter attached | Read full article »

CANNABIS

Senate Dems Introduce Cannabis Legalization Bill

Senate Democrats on Thursday introduced a cannabis legalization bill that would remove it from the list of drugs in the Controlled Substances Act and impose a regulatory scheme not unlike what is in place for alcohol and tobacco, according to a statement.

2 documents attached | Read full article »

EXPERT ANALYSIS

Balancing State, Investor Interests In The Energy Transition

While governments around the world are increasingly taking action to encourage the shift from fossil fuels to renewable energy, they must also respect the rights of companies and investors affected by the transition — and recent investor-state disputes in this area provide valuable lessons for what lies ahead, says Sven Volkmer at White & Case.

Read full article »

Must Your Client Pay An Opponent's Expert For Prep Time?

For parties seeking discovery from an opponent's expert, the law on compensating the expert for preparation time is not settled, and in certain jurisdictions, there are strong arguments that favor avoiding or at least limiting such fee shifting, say Gregory Ruehlmann and Nicholas Mecsas-Faxon at King & Spalding.

Read full article »

LEGAL INDUSTRY

Cozen O'Connor Splits With Golfer Joining Saudi-Backed Tour

It's not often that BigLaw marketing, pro sports, and Middle East politics collide. But it happened on Thursday, when Cozen O'Connor said it was cutting ties with a golfer joining a new Saudi-financed league that is causing waves in the professional sports world and beyond.

Read full article »

Most Of New Justice's Clerks Come With BigLaw Bonafides

Newly sworn-in Justice Ketanji Brown Jackson's first slate of law clerks largely come with BigLaw experience, but there's also an assistant public defender among them, according to a list provided to Law360 on Thursday by the U.S. Supreme Court.

Read full article »

White & Case Accuses Ex-Legal Assistant Of Faking Expenses

A former senior legal assistant who accused White & Case LLP of pregnancy discrimination allegedly bilked the firm for an unknown number of fraudulent reimbursement requests, the firm has contended in New York state court.

Read full article »

W.Va. Judge Finds No Atty Conflict In Coal Mine Cleanup Suit

A former coal mine site landowner's appearance on a docket sheet is "nominal" and doesn't mean lawyers suing a state agency have a conflict of interest, a West Virginia federal judge ruled Wednesday.
Read full article »

Ashurst Sees Revenue Jump 12% To £800M In Annual Results
Ashurst LLP chalked up a sixth consecutive year of growth in its latest annual financial results published Thursday, with the firm's revenue increasing 12% to just under £800 million ($955 million) as every division contributed to the rise.
Read full article »

Equal Justice Works Names Law School Dean As New CEO
Equal Justice Works has tapped the dean of the University of Cincinnati College of Law to be the organization's new CEO.
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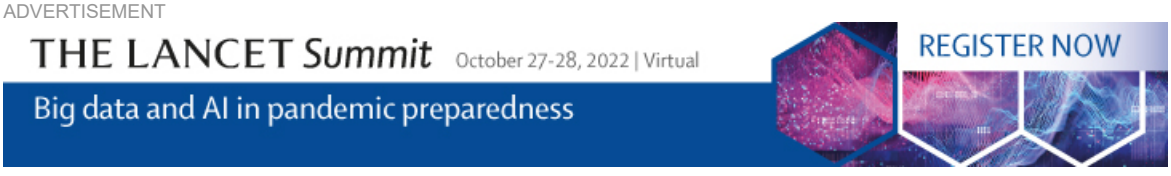

In this issue of *The Lancet*:

THE LANCET

Vol. 400
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p 251-336

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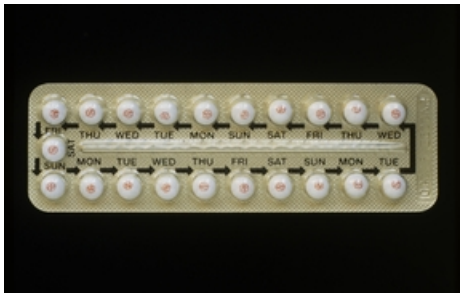
FEATURES



"More than 160 million women have a need for contraception that is not currently met by existing family planning"
The latest GBD Article measures contraceptive method mix, prevalence, and demand satisfied by age and marital status in 204 countries and territories during 1970–2019.
Read this Article

Tackling heroin use in Mozambique:
Sophie Cousins reports on the spike in heroin use in Mozambique, where harm-reduction programmes are being expanded in the hope of improving health.
Read this World Report

EDITORIAL

Viral hepatitis elimination: a challenge, but within reach

COMMENT

Atopic dermatitis: time for tailored therapy

Towards preventive treatment of rheumatoid arthritis

Contraceptive mix and informed choice

New HIV prevention approaches: promise, praxis, and pitfalls

The 2022 Wakley–Wu Lien Teh Prize Essay: compassion and connection in China

WORLD REPORT

UK explores whole-genome sequencing for newborn babies

Tackling heroin use in Mozambique

PERSPECTIVES

Improving the engagement of scientists with the media

Photography and dignity in dementia care

OBITUARY

Colin Brian Blakemore

CORRESPONDENCE

Breakthrough SARS-CoV-2 infections during periods of delta and omicron predominance, South Africa

The importance of empathy

The importance of empathy – Author's reply

DEPARTMENT OF ERROR

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ARTICLES

Efficacy and safety of abrocitinib versus dupilumab in adults with moderate-to-severe atopic dermatitis: a randomised, double-blind, multicentre phase 3 trial

Intervention with methotrexate in patients with arthralgia at risk of rheumatoid arthritis to reduce the development of persistent arthritis and its disease burden (TREAT EARLIER): a randomised, double-blind, placebo-controlled, proof-of-concept trial

Measuring contraceptive method mix, prevalence, and demand satisfied by age and marital status in 204 countries and territories, 1970–2019: a systematic analysis for the Global Burden of Disease Study 2019
Open Access

CLINICAL PICTURE

Inconsistency and incongruence: the two diagnostic pillars of functional movement disorder

SERIES

Improvement in trauma care for road traffic injuries: an assessment of the effect on mortality in low-income and middle-income countries

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SUBJECT: Morning Consult Health: Amazon Strikes $3.9 Billion Deal to Buy OneMedical Network
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 22/07/2022 06:04

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 22, 2022

BY MATT BRACKEN

Twitter Email

[redacted]

TOP STORIES

- Amazon.com Inc. is buying 1Life Healthcare Inc., the operator of One Medical primary-care clinics, for $3.9 billion, giving the e-commerce giant access to a practice with more than 180 offices in 25 U.S. markets and a foothold with 8,000 companies that provide health benefits to workers through the provider group. The acquisition could represent a pivot from its Amazon Care service, which launched in 2019 and has struggled to expand beyond its own employee network. (The Wall Street Journal)

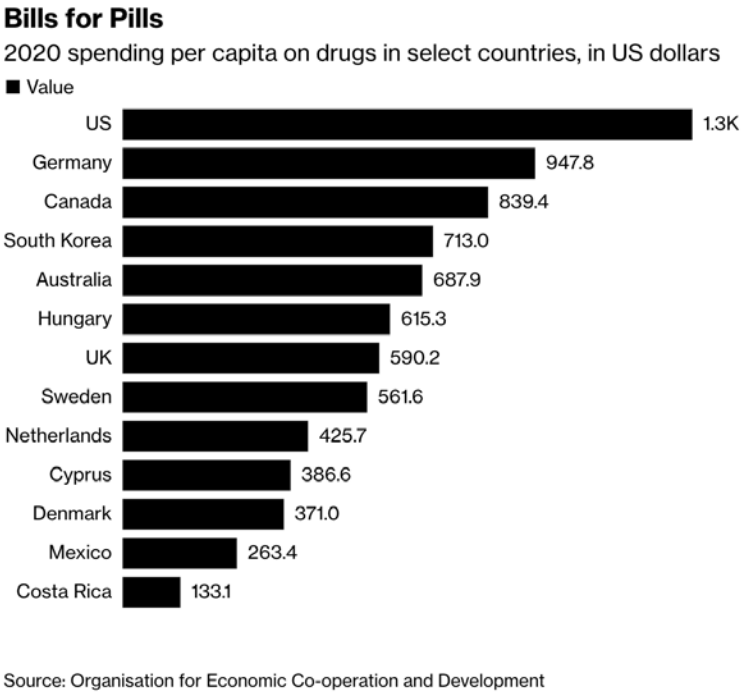
- President Joe Biden tested positive for COVID-19 and is isolating at the White House while continuing to "carry out all of his duties fully during that time," press secretary Karine Jean-Pierre said. Biden, who is experiencing "very mild" symptoms, according to the White House, is fully vaccinated, has received two booster shots and has begun a course of Pfizer Inc.'s antiviral treatment Paxlovid. (Politico)

- In a 228-195 vote, the House passed a bill to codify the federal right to contraception by penalizing those who restrict access to oral, emergency and long-acting reversible contraceptives, in addition to other birth control methods. Eight Republicans joined 220 Democrats in the vote, which came weeks after the Supreme Court's ruling to overturn Roe v. Wade, but the legislation faces tougher odds in the Senate, where GOP lawmakers have expressed concerns about the breadth of the bill. (Roll Call)

- State and local health officials in New York said an unvaccinated 20-year-old man in Rockland County, N.Y., contracted polio, the first U.S. case in almost a decade. The patient, who has been discharged from the hospital but has had trouble walking since his release, traveled to Poland and Hungary earlier this year, and testing indicated that the transmission occurred outside the United States. (The Washington Post)

CHART REVIEW

Why Prescription Drug Prices in the US Are So High
Bloomberg



EVENTS CALENDAR (ALL TIMES LOCAL)

View Full Calendar

A MESSAGE FROM MORNING CONSULT

Global Consumer Confidence: July 2022

The slide in global consumer sentiment accelerated last month as prices increased across the world and risks of an economic downturn mounted. Our latest Global Consumer Confidence report provides a comprehensive assessment of the economic views and expectations of consumers across major global economies. Download today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Of Course Biden Has COVID

Katherine J. Wu, The Atlantic

Perhaps the most notable aspect of these high-profile cases is not that they happened, but when. Though certainly on the front lines of the country's COVID response, these officials have enjoyed the privilege of protection throughout the pandemic, with access to masks, tests, vaccines, and, most recently, antivirals; the comfort and security of jobs that can be done while in isolation; the socioeconomic means to separate themselves from colleagues and loved ones, and the support staff to alert close contacts about exposures.

Biden's Covid Diagnosis Shows How Far We've Come Since Trump's

Robert Langreth and Crayton Harrison, Bloomberg

Back when former President Donald Trump came down with Covid-19 in October 2020, the world was a lot different than today, when the White House announced President Joe Biden had contracted the illness.

America Was in an Early-Death Crisis Long Before COVID

Ed Yong, The Atlantic

Even before the pandemic began, more people here were dying at younger ages than in comparably wealthy nations.

'There's no one long Covid': Experts struggle to make sense of the continuing mystery

Elizabeth Cooney, Stat News

To a person, scientists expressed eagerness for better studies, better funding, better participation, with urgency bubbling up from specialists in cardiology, neuroscience, epidemiology, pulmonology, and immunology. Yet these are still early days for research into long Covid. Recognized since 2020, its definition is still sometimes debated, although most definitions include symptoms that persist weeks or months after acute infection and include fatigue, headache, shortness of breath, memory problems, GI issues, and joint and muscle pain.

As new variant spreads, a crucial drug to protect the most vulnerable goes vastly underused

Jason Mast, Stat News

Jennifer Padgett has spent 2 1/2 years terrified for her immunocompromised daughter, Hannah. Hannah catches pneumonia like mosquito bites; what could Covid wreak? Their whole family locked down in the early days, rushed to get vaccines when they became available and kept masking and avoiding indoor dining in their small

southern town even after the Centers for Disease Control and Prevention loosened restrictions.

The Bill & Melinda Gates Foundation partly funded a study with a surprising conclusion about boosters

Christine Mui, Fortune

The latest Omicron subvariant may be a master at evading the immune response our bodies produce from the vaccine or previous COVID-19 infection, but a new study suggests existing booster shots will still help.

Meet the covid super-dodgers

Ellen McCarthy, The Washington Post

There are no winners in a pandemic. That said, if you've made it to the summer of 2022 without yet testing positive for the coronavirus, you might feel entitled to some bragging rights. Who's still in the game at this point?

GENERAL

Amazon Faces Fierce Competition in Health Ambitions After One Medical Deal

Melanie Evans and Sebastian Herrera, The Wall Street Journal

Amazon Chief Executive Andy Jassy and other executives have declared their intent to disrupt healthcare. But the industry is in some ways more complex and diffuse than other areas into which Amazon has grown recently, such as entertainment, advertising or grocery businesses. Success will require beating entrenched rivals with long experience navigating industry regulations and competing for physicians who are key to growth.

Biden picks renowned cancer surgeon Monica Bertagnolli as NCI chief

Lev Facher, Stat News

The Biden administration has selected Monica Bertagnolli, a renowned surgical oncologist, as the next director of the National Cancer Institute, according to two sources familiar with the decision.

Senate Unanimously Passes Bill to Pause Infant Formula Tariffs

Maeve Sheehey, Bloomberg Law

The Senate clears legislation to temporarily suspend tariffs on foreign baby formula imports, sending the bill to the president's desk for his signature.

Youtube says it will start removing misinformation about abortion

Brad Dress, The Hill

Youtube on Thursday said it will begin removing content that spreads misinformation about abortion safety or gives instructions for unsafe abortion procedures.

WHO reconsiders whether to declare monkeypox a public health emergency

Shawna Chen, Axios

The World Health Organization (WHO) on Thursday reconvened an emergency committee to reconsider whether it should declare monkeypox a public health emergency.

After STAT report, GOP lawmakers seek answers about defunct NIH oversight committee

Lev Facher, Stat News

A trio of congressional Republicans wants to know why a committee tasked with oversight of the National Institutes of Health hasn't met since 2015.

More Americans who want abortions are turning to Mexico for help

Catherine E. Shoichet, CNN

For decades abortion rights advocates in Mexico looked to the United States as an example of what was possible. The recent US Supreme Court decision left many of them stunned — and determined to show solidarity and take action.

We're Testing for Monkeypox the Wrong Way

Benjamin Mazer, The Atlantic

More than 15,000 monkeypox cases have been confirmed around the world since the outbreak began in May, but the condition, which spreads through close contact with the rash or body fluids of an infected individual, has been difficult to diagnose because of a lack of available testing.

House Oversight chair calls on HHS to address 'barriers' to monkeypox treatments

Joseph Choi, The Hill

Rep. Carolyn Maloney (D-N.Y.), chair of the House Oversight and Reform Committee, asked the Department of Health and Human Services (HHS) to address the "barriers" to monkeypox treatment that people have reported dealing with so far.

Nearly 1 in 10 people traveled out-of-state to get an abortion in 2020, report finds

Oriana Gonzalez, Axios

Almost 10% of abortions in the U.S. in 2020 were obtained by people who traveled out-of-state, and researchers say it's likely that the number will increase as more states ban or restrict access following the overturning of Roe v. Wade.

GOP AGs ask Google not to limit anti-abortion center results

Sarah Rankin, The Associated Press

A month after some members of Congress urged Google to limit the appearance of anti-abortion pregnancy centers in certain abortion-related search results, 17 Republican attorneys general are warning the company that doing so could invite investigations and possible legal action.

Warren, Markey press student surveillance platforms on reproductive health data

Rebecca Klar, The Hill

Sens. Elizabeth Warren (D-Mass.) and Ed Markey (D-Mass.) sent letters to four student surveillance programs Thursday asking if they flag search terms related to reproductive health, over concerns the data could be used to punish the students for seeking information about abortion access.

New Senate bill aims to provide veterans with a 'private, hygienic place to nurse their children'

Mariel Padilla, The 19th

Only half of VA medical facilities currently provide designated nursing rooms, and those that exist are only for employees — not for veterans or their partners receiving care.

PAYERS

Employer-sponsored premiums expected to jump 'significantly'

Tina Reed, Axios

"Even in the fall, we were hearing concerns around 2023 with rate increases ranging from 10% to 12%. And we have a member who just a 12% increase in their premiums," Randa Deaton, vice president of purchaser engagement for the Purchaser Business Group on Health, told Axios.

Insurers, providers exposed as clock winds down for enhanced ACA subsidies

Nona Tepper and Lauren Berryman, Modern Healthcare

Health insurance companies, providers, and millions of policyholders would suffer significant disruptions if President Joe Biden and congressional Democrats fail to extend the enhanced subsidies that drove record enrollment on the health insurance exchanges.

Contraceptive coverage gaps under scrutiny post-Roe v. Wade

Nona Tepper, Modern Healthcare

Twelve years after the ACA became law, patients still struggle to get the appropriate medicine or device at no cost thanks to inconsistent insurance coverage. And the Supreme Court ruling that ended the federal right to abortion made access to affordable birth control and emergency contraception even more urgent for people seeking to prevent pregnancy.

PROVIDERS

High childcare stress linked with health worker burnout, JAMA study finds

Hailey Mensik, Healthcare Dive

Healthcare workers reporting high levels of stress over personal child care responsibilities are more likely to experience burnout and express

intentions to reduce work hours or leave their roles altogether, according to a study published this week in JAMA Network Open.

Planned Parenthood Workers at 28 Clinics Vote to Unionize

Kelsey Butler, Bloomberg

A group of Planned Parenthood workers in five states have voted to unionize, as part of an effort to address staffing shortages, low pay and burnout among staff.

Tenet posts $38M profit for Q2 as major cyber attack drags earnings

Robert King, Fierce Healthcare

Tenet reported $38 million in net income for the second quarter of 2022, down from the previous quarter's profits of $130 million as a disruptive cyber attack impacted admissions.

Feds disrupt North Korean hackers that targeted hospitals, seize $500K in ransom

Heather Landi, Fierce Healthcare

The U.S. government disrupted the activities of a ransomware group connected to the North Korean government that targeted hospitals, ultimately recovering half a million dollars in ransom paid by a Kansas hospital and other medical facilities.

PHARMA, BIOTECH AND DEVICES

CVS seeks verification on drugs with possible abortion use

Tom Murphy, The Associated Press

CVS Health is asking pharmacists in some states to verify that a few of the prescriptions they provide will not be used to end a pregnancy. A spokesman said Thursday that the drugstore chain recently started doing this for methotrexate and misoprostol, two drugs used in medication abortions but also to treat other conditions.

Roche's chief executive to step down and become chair

Donato Paolo Mancini, Financial Times

Severin Schwan will be succeeded by Thomas Schinecker, head of drugmaker's diagnostics unit.

AbbVie Wins Appeal Over Perrigo's AndroGel Antitrust Lawsuit

Mike Leonard, Bloomberg Law

AbbVie Inc. escaped antitrust litigation over its blockbuster testosterone booster AndroGel 1%, when a federal appeals court in Philadelphia ruled Thursday that rival Perrigo Co. waived its right to bring the case as part of an earlier settlement resolving a patent dispute.

HEALTH TECHNOLOGY

Serving as a 'clinical colleague,' AI shows potential to reduce sepsis deaths in real-world studies

Akila Muthukumar, Stat News

Three studies published Thursday found that an AI platform developed by Bayesian Health and Johns Hopkins University reduced deaths from sepsis by 18.2% in real-world use when physicians responded promptly to its alerts, a finding that suggests AI has potential to become an important tool in battling a leading cause of deaths in hospitals.

Some ultraviolet wands pose risk of radiation injury, FDA says

Kate Gibson, CBS News

Americans are being urged against using eight ultraviolet wands used to disinfect surfaces because of high levels of radiation the products emit that can cause injuries to the skin and eyes of those nearby.

OPINIONS, EDITORIALS AND PERSPECTIVES

Biden's covid diagnosis is a teaching moment for the country

Leana S. Wen, The Washington Post

President Biden's covid-19 diagnosis is an opportunity for his administration to demonstrate the success of his leadership on the pandemic and what living with the coronavirus looks like.

New price transparency regulations for hospitals, insurers empower patients

Seema Verma and Aneesh Chopra, Stat News

Many Americans are accustomed to shopping around for the best deal. We can access reams of information that help us make smarter decisions — except when it comes to health care services. For too long, we have been left in the dark when it comes to the cost of medical treatments and procedures. Without a true health care marketplace based on price transparency, Americans will continue to make uninformed decisions that result in spiraling costs for everyone.

RESEARCH REPORTS

In sickness and in health: How health is perceived around the world

Clément Desmouceaux et al., McKinsey Health Institute

The McKinsey Health Institute (MHI) has found that countries and societies would benefit from adopting a modernized, holistic framework for health that encompasses multiple dimensions. Such a broad definition of health, with a greater emphasis on well-being, was proposed as far back as 1948 by the World Health Organization (WHO), which defined health as "a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity."

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FROM: "AHIP Solutions SmartBrief" <ahip@smartbrief.com>
TO: hborski@utah.gov
DATE: 22/07/2022 08:16

July 22, 2022

TOP STORIES

Repeat COVID-19 cases nearly double as BA.5 spreads

A new analysis from gene sequencing firm Helix found that 6.4% of US COVID-19 cases have been reinfections this month as the Omicron BA.5 variant spreads, up from 3.6% as Omicron BA.2 was spreading in May. However, the average time between infections for the same person has increased to about nine months or 270 days during the BA.5 wave, compared with about 230 days during the BA.2 wave.

Full Story: CNN (7/21)

Primary care provider One Medical is latest Amazon buy

Amazon announced it will acquire publicly held primary care company One Medical in an all-cash deal valued at nearly $4 billion. Under the arrangement, Amazon will boost its presence in the health care sector and gain access to One Medical's relationships with employers, and stakeholder The Carlyle Group will end its relationship with One Medical. **Full Story:** Axios (7/21)

PROVIDERS & SUPPLIERS

Nurses across the globe experience increasing violence

A worldwide rise in workplace violence against nurses and other health care professionals has been seen since the coronavirus pandemic began, according to a large international survey by four health organizations. All survey respondents said they had seen verbal aggression, 82% cited physical aggression, 36% reported care obstruction, 35% reported discrimination, and 27% said they had seen weapon-related threats, and International Council of Nurses CEO Howard Catton said the results show a worsening trend during the COVID-19 pandemic. **Full Story:** Nursing Times (U.K.) (free registration) (7/21)

MEDICAL UPDATE

First polio case in the US since 2013 reported in N.Y.

The New York State Department of Health announced Thursday the first confirmed case of polio in the US since 2013 in an unvaccinated young adult from Rockland County with no recent history of foreign travel. The patient, who experienced paralysis and developed symptoms a month ago, is no longer believed to be contagious, and he is thought to have contracted the revertant polio Sabin type 2 virus from a person who received an older form of oral polio vaccine that hasn't been used in the US since 2000. **Full Story:** The Associated Press (7/21), United Press International (7/21)

PCP follow-up may reduce medically complex readmissions

Reduced 90-day readmissions were seen in people with COPD, cardiovascular disease and other complex health conditions when they received early physician follow-up including transitional care and disease management post-discharge, according to a 450,746-person study published in JAMA Network Open. Researchers looked at data from medically complex patients who followed up with a primary care physician or specialist within a week after discharge and found that they had higher rates of collaborative and specialist care than those who did not have early follow-up. **Full Story:** Healio (free registration) (7/19)

Gestational diabetes on the rise, CDC analysis shows

A CDC analysis of 3.25 million birth records found that the percentage of expectant women with gestational diabetes increased 30% between 2016 and 2020, which researchers say may be explained by the rising age of mothers, changing demographics, and sedentary lifestyles and stress in the first year of the pandemic. Gestational diabetes is "a growing problem, and one that requires focused attention and increased awareness," said Dr. Sadiya Khan of Northwestern University, adding "[t]his issue does not resolve with the pregnancy and is really one that we need to focus on before, during, and after pregnancy for those at risk." **Full Story:** STAT (tiered subscription model) (7/20), The Hill (7/21)

EMERGING TRENDS

Health info should be easily accessible to improve literacy

Studies have shown a large proportion of adults in the US lack a basic understanding of medical terminology, and health education "should start where people are looking for it," such as online, in schools and in primary care offices, says Steven Sheets, president and CEO of Southwest Behavioral & Health Services. Sheets and other literacy advocates say health care providers should encourage patients to ask basic questions, and health information should be translated accurately into the patient's preferred language and should be available through their preferred media. **Full Story:** AZ Big Media (Phoenix) (7/21)

HEALTH INSURANCE PROVIDER COMPANY NEWS

- **AHIP Coverage@Work Survey: Consumers Say Employer-Provided Coverage Vital to Maintaining Health and Financial Well Being During Pandemic**
- **AHN, Western Pennsylvania health systems launch campaign to increase blood donations as critical shortages persist**
- **Lyft and Healthfirst to Provide Free Citi Bike Memberships for Young People in New York City's Summer Youth Employment Program**
- **Independence Blue Cross CEO Gregory E. Deavens, CPO Crystal E. Ashby among Savoy Magazine's 2022 Most Influential Black Executives**

PHARMA NEWS

Medicare to require refunds for unused single-dose drugs

Next year the Medicare program will require drug manufacturers to issue quarterly reports and provide refunds for the unused portion of drugs in single-dose vials or packages, except for radiopharmaceuticals, imaging agents, drugs that require filtration during preparation and drugs approved on or after Nov. 15, 2021. **Full Story:** Endpoints News (free registration) (7/20)

More than 800 cellular therapies in development

More than 800 cellular therapies are in the development pipeline for five major cancers, including 300 candidates focused on acute lymphocytic leukemia, according to a report from data and analytics firm GlobalData. Two cellular therapies for acute lymphocytic leukemia have received FDA approval. **Full Story:** FiercePharma (7/20)

POLICY WATCH

Lawmakers call for better response to monkeypox threat

House Oversight and Reform Committee Chair Carolyn Maloney, D-N.Y., urged HHS to improve access to monkeypox vaccines, testing and antiviral treatment amid reports that many Americans are having difficulty accessing those services. There had been 2,300 confirmed cases in the US as of Wednesday, and Maloney joins a number of prominent lawmakers who have asked HHS to explain what they say has been a slow federal response to monkeypox. **Full Story:** The Hill (7/21)

AHIP NEWS

Options and flexibility to enhance provider networks

PPO Direct Members offer payers and administrators targeted strategies that can help expand their provider networks while better serving their customers. Providence Preferred, a member of PPO Direct, is a Portland-based preferred provider organization composed of physicians, hospitals and ancillary service providers in Oregon and southwest Washington. Providence Preferred is designed to manage the cost, delivery and quality of health care for its diverse clientele.

Webinar: Back to CX basics - register today.

Join us on Thursday, July 28 from 2 to 3 p.m. ET for "Get Back to Basics: CX Lessons from Members & Health Plans" as Zipari gets back to the basics of engaging members in their health journeys, focusing on 5 key lessons learned from health insurance providers and members, and their own experiences in the industry.

Protecting children's health with vaccines

A new AHIP resource spotlights the need to ensure that children are vaccinated against diseases such as tetanus, HPV, polio, measles, whooping cough, and chicken pox. Unfortunately, childhood vaccination rates have been decreasing over the past decade, a problem that has been exacerbated by the COVID-19 crisis. Find out how health insurance providers are taking action. Read more.

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SUBJECT: APHA News and Tools for State Public Health Associations - July 2022
FROM: "APHA Affiliate Affairs" <apha@apha.org>
TO: hborski@utah.gov
DATE: 22/07/2022 11:10

AFFILIATE AFFAIRS E-NEWSLETTER

For Science. For Action. For Health.

AFFILIATE NEWS

Summer is in full swing! We hope you've been able to cool down and have a safe summer. From all of us at the American Public Health Association: thank you for continuing to promote public health in your communities.

RSVP for upcoming webinars for Affiliate leaders and members:

- **Speak for Health Advocacy**
  - Join us on **July 28 from 3-4 p.m. ET** to learn about legislative priorities and advocacy materials for the 2022 Speak for Health campaign. RSVP to receive the Zoom invite.
- **Using Canva to Speak for Health**
  - Join Veronica Layos, MPH, former National Public Health Week fellow and current Affiliate Affairs consultant, on **Aug. 1 from 3-4 p.m. ET** as she walks you through Canva, a free graphic design tool that makes it easy for you to create professional designs. As we prepare to celebrate Speak for Health in August, this is a great opportunity to brush up on your design skills to impact your communication efforts! RSVP to attend.
- **Healthy People, Healthy Democracy**
  - Healthy People, Healthy Democracy is a nonpartisan initiative from major public health and civic engagement groups such as the Society for Public Health Education, National Association of County and City Health Officials and APHA that supports public health professionals. Join us on **Aug. 10 from 2-3 p.m. ET** to hear from Healthy People, Healthy Democracy leaders and Affiliates who have used their resources to educate their members and communities about voting with public health in mind. RSVP to attend.

Fundraising guidelines, tools and resources for Affiliates
Need fundraising guidance? Check out APHA's fundraising guidelines, tools and resources to be used as presented or modified as needed. Did you miss the fundraising webinar APHA hosted last month? Watch the recording and learn how to strengthen your Affiliate's fundraising efforts. Questions? Email our Development team.

2022 Affiliate advocacy and policy survey report summary
Join us in celebrating all of the advocacy wins and best practices shared by state and regional public health associations in the 2022 Affiliate Advocacy and Policy Survey Report Summary! Did you know that 49% of Affiliates have engaged in advocacy

APHA 2022 ANNUAL MEETING & EXPO
BOSTON | NOV. 6 - 9

Make Plans for APHA 2022!

[redacted]

efforts to support declaring racism as a public health crisis? Is your state one of them? Check out the report to learn more!

Request the APHA president to speak at your annual meeting
If you are scheduled for an APHA president visit in 2022 and would like the president to speak at your annual meeting, fill out this request form. Affiliates not scheduled for a visit can still submit a request, but they will be responsible for the president's travel costs. Please submit your request at least two months in advance of your meeting date. Contact Lindsey Wahowiak with any questions.

No office hours in August!
Lindsey will be out of the office Aug. 15-26, so we're taking a summer vacation! Regular office hours resume on **Sept. 15**.

APHA News

Register now (and save!) for APHA's 2022 Annual Meeting and Expo
Join us in Boston, Nov. 6-9 for the most exciting public health event of the year. **Register by July 25 for early bird registration and save**. Engage with public health experts, collaborate with other advocates and grow professionally. View the full annual meeting schedule.

Enjoy all the excitement of APHA 2022, including:

- Opening Session speaker Rev. Dr. William Joseph Barber II, president and senior lecturer of Repairers of the Breach and co-chair of the Poor People's Campaign: A National Call for Moral Revival
- A live taping of America Dissected podcast with Abdul El-Sayed, MD, DPhil
- APHA's 150th Anniversary Celebration
- The Leadership Lab: a series of collaborative and engaging professional development sessions focused on business, leadership and management concepts

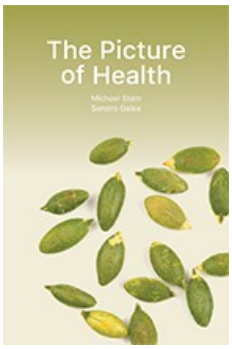
Watch our 150th anniversary webinars for free
During our year-long anniversary celebration, we're exploring our lasting impact on the nation's health and charting our course for the future. Each month we focus on a different public health topic such as access to care, communicable disease and faith and public health. We encourage you to watch our previous webinars, digital library of events, CE offerings and more on APHA Now.

Stay active and engaged: Keep It Moving Summer Challenge
APHA kicked off its Keep It Moving Challenge on June 21, but it's not too late to sign up! Join teams based on your Section or community, or join the APHA LEAD team to and walk, run, ride or play your way to a more active summer – and win some prizes along the way! The challenge is free and runs through Labor Day. **Sign up today**.

Policy Action Institute recordings now available
The recordings of APHA's 2022 Policy Action Institute, as well as the half-day event Taking Action to Protect Public Health and Authority, are available for anyone who registered for the institute. For those who didn't register, the recordings are now available for sale.

AJPH call for student papers
APHA's American Journal of Public Health, in collaboration with the 2022 AJPH Student Think Tank, is seeking submissions from public health students for an upcoming issue. Students are invited to share their personal perspectives on peace as a fundamental determinant of health. Submissions are due **July 27**.

Nominations for the IDEA EH Award now open
The Environmental Health and Equity Collaborative is celebrating the organization whose staffing, partnerships and education exemplifies inclusion, diversity and equity. Nominate yourself or another organization by **Sept. 9** for the Inclusion and Diversity for



Equitable Advancement in Environmental Health Award, or IDEA EH Award, to be presented during APHA's 2022 Annual Meeting and Expo.

Executive Summary: Town hall focused on addressing challenges to public health authority released
In February, APHA hosted a town hall, Keeping our Communities Safe & Thriving: The Role of Public Health, with the COVID Collaborative and the Alliance for Disease Prevention and Response, to discuss how to address the recent nationwide attacks on public health and its authority. The newly released Executive Summary is an effective guide for future action that highlights key messages from the speakers, including the importance of allocating resources, guiding public health with science rather than politics, and needing effective public health communication. Please reach out to the Alliance at alliance@apha.org or the Act for Public Health initiative—a collaborative of public health law partners—for more information or to be connected with resources and partners focused on these critical issues.

Connect with public health partners using the Public Health and Equity Resource Navigator
The Alliance for Disease Prevention and Response has partnered with the Institute for People, Place, and Possibility to create the Public Health & Equity Resource Navigator. In addition to PHERN, a network map was launched in June that captures Alliance partners like APHA as well as public health colleagues, their work and location. These resources are for the field and should allow change makers and practitioners to search for public health and equity resources, share their own resources and connect with partners.

Watch and share APHA's "That's Public Health" web series
APHA's web series that explains the basics of public health wrapped up its first season last month. Available on APHA's YouTube Channel, the 20th episode of "That's Public Health" focuses on the people that make up the public health workforce. Created by APHA and Complexly Media, the series features short, easy-to-understand videos on topics that range from chronic diseases and injuries to racism and health equity.

Read the latest from the Healthiest Cities & Counties Challenge
"We cannot improve food security if we do not talk about gender equity." Read more about the connection between reproductive justice and health equity in the latest #Communities4Health blog post written by HCCC project director, Brittany Perrotte.

APHA's Early Climate Optimists Bookworms July pick
This month's ECO Bookworms Book Club pick is "Solar Story: How One Community Lives Alongside the World's Biggest Solar Plant," written and illustrated by Allan Drummond and published by Macmillan Publishers. Follow along the everyday life of a schoolgirl who lives next to a solar plant and learn how sustainable energy benefits her small community. The book is intended for children ages 4-8.

PUBLIC HEALTH NEWS

Free webinar on knowing when orgs should speak up
Wondering when and how your organization can/should speak up about hot public health topics such as Roe v. Wade, gun violence or vaccines? You're not alone. Sign up for this free webinar at **1 p.m. ET on Monday, July 25**, from Forthright Advising: How to Decide When to Respond to Breaking News.

Stay informed on issues impacting public health authority
Public health authority is under threat as states across the country pass legislation in response to the current pandemic. A new group of public health organizations and experts is convening to preserve public health authority and infrastructure wherever challenges arise. Act for Public Health is a new working group of the Public Health Law Partnership that provides law and policy research, analysis, and expertise in support of public health authority. **Join the Act for Public Health email list** to receive updates on new and upcoming litigation, legislation, events and resources.

Making a case for public health: Framing and language training
Berkeley Media Studies Group hosted a webinar in June presented by Act for Public Health to guide public health communication. The framing and communication recommendations can help craft and deliver messages that highlight the significance of

public health and reject legislation that attempts to undermine its authority to keep our communities healthy and safe. Resources include the webinar recording, Q&A summary, the group's overall media advocacy strategy worksheet and its message development worksheet.

Talking about our recovery from COVID: How public health practitioners can emphasize equity

Berkeley Media Studies Group has released Talking about our recovery from COVID: How public health practitioners can emphasize equity. The report features recommendations for news outlets to communicate pandemic recovery, including a recap of whose voices are heard, whose are absent and how social determinants of health topics are discussed.

Fifty-state summary of public health authority legislative bills

The Network for Public Health Law developed a resource on COVID-19-related laws and pending legislation, and broader enacted and proposed limitations on public health authority in every state and the District of Columbia. Read more on the proposed restrictions on public health authority that continue into the regular 2022 legislative session.

Keep sharing science, fighting racism

Please share our COVID-19 guidance in English and Spanish and our statement on racism as you join in the chorus for justice. Our Advancing Racial Equity and COVID-19 Conversations webinars and COVID-19 and racism pages are also great resources for you and the public.

Thank you for all you do to advance public health.

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SUBJECT: BPC Health News: 988 Hotline Rollout and Revisiting the State ofthe Pandemic
FROM: "G. William Hoagland" <health@bipartisanpolicy.org>
TO: hborski@utah.gov
DATE: 22/07/2022 11:43

Bipartisan Policy Center

News from BPC's Health Program

In this edition: Two new events on the current state of the pandemic and its effect on rural health care. Also, we highlight our recent report on 988 and the subsequent national rollout beginning on July 16. For more information on BPC's Health Program, please visit our website or contact us at health@bipartisanpolicy.org.

New Content:

Event: National Convening to Inform White House Conference on Hunger, Nutrition, and Health

BPC and the Task Force on Hunger, Nutrition, and Health co-hosted a one-day event that will help inform the first national conference on the issues in over 50 years.

Event: COVID-19: State of the Pandemic

Experts discussed the current state of the COVID-19 pandemic and how well Americans are accessing vaccines, therapeutics, high-quality masks, and tests to help mitigate the health impacts of the virus. White House Coronavirus Response Coordinator **Ashish Jha, MD, MPH** provided opening remarks for this event.

Blog: Strengthening SNAP: Opportunities in the 2023 Farm Bill

Podcast: BPC Weekly Episode 105

BPC's Health Policy Director **Oliver Kim** explained how insurance coverage, interstate travel, and the practice of medicine will be impacted by the Roe v. Wade ruling.

Event: The Impact of COVID-19 on the Rural Health Care Landscape

BPC hosted an event to highlight recommendations in our recent report on the rural health care landscape.

Brief: Leveraging Digital Technology to Enable a More Equitable Distribution of the Health Care Workforce

To see all our content, click here

In Case You Missed It

Event: Commonwealth Fund Commission on a National Public Health System

BPC worked with the nonpartisan Commonwealth Fund Commission on a National Public Health System to host an event focused on the release of their new report with recommendations focused on improving health and equity and enhancing the nation's preparedness for future crises.

Event and Report: 988: Answering the Call

Ahead of the July 16 launch of 988, the new Suicide and Crisis Lifeline, BPC highlighted recommendations in our recent report that focus on

interagency collaboration, the behavioral health workforce, and financing.

Event: Medicare's Fiscal Challenges: A Look at the 2022 Trustees Report
A panel of experts joined BPC to discuss the political and policy implications for the future of the Medicare Hospital Insurance Trust Fund's solvency, following the release of the 2022 Medicare Trustees Report.

BPC in the News:

MedPage Today | A Chance to Strengthen Rural Healthcare
Senior Policy Analyst **Julia Harris** penned an op-ed for MedPage Today on ways to strengthen rural health care, an area of focus for BPC's health team in recent months.

VeryWell Health | 988 Is the New National Mental Health Hotline
BPC's call for Congress to invest in behavioral health services, included in the recent report Answering the Call, is highlighted.

McKnights Senior Living | Nursing Program Capacity Contributing To Long-term Staffing Crisis
BPC's work on the current nursing shortage is highlighted, with a focus on the pipeline issues that begin at nursing school programs and their capacity for new participants.

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SUBJECT: NACDD Legislative and Policy News
FROM: Elizabeth Ruth <lruth@chronicdisease.org>
TO: Elizabeth Ruth <lruth@chronicdisease.org>
DATE: 22/07/2022 13:16

On Wednesday, the House voted 220-207 to pass a six-bill appropriations package totaling more than $400 billion, which is about one-fourth of overall discretionary spending for fiscal year 2023. Initially, House Democrats had hoped to hold a vote on the Labor-HHS appropriations bill (which includes CDC funding) next week, but House Majority Leader Steny Hoyer (D-MD) has not announced a timeline for a floor vote. On the Senate side, appropriators still plan to release their versions of the funding bills by the end of July.

This Week's News

More states are forgoing extra federal food aid
Over 18 million Americans did not eat enough food last month, but it would have been higher without pandemic-related policies expanding the Supplemental Nutrition Assistance Program (SNAP). At least 16 states have decided to opt out of expanded SNAP benefits due to some policymakers arguing that enhanced benefits are contributing to labor shortages.

As diabetes during pregnancy grows more common, experts point to a need for preventive care
According to the CDC, gestational diabetes climbed 30% between 2016 and 2020. Researchers attribute this increase to long-term trends like women giving birth at an older age, changing demographics, and the growing rate of twin births. In addition to earlier diagnosis, experts argue that greater public awareness of gestational diabetes is needed.

COVID-19 tied to new-onset, short-term heart disease, diabetes
According to a recent study, individuals diagnosed with COVID-19 are six times more likely to develop cardiovascular disease (CVD) and two times as likely to develop diabetes. COVID-19 patients had 81% more diabetes diagnoses within the first four weeks of infection and diagnoses were 27% higher for up to 12 weeks. However, researchers noted that "people without preexisting CVD or [diabetes] who suffer from COVID-19 do not appear to have a long-term increase in incidence of these conditions."

Higher cardiovascular health may partially offset increased genetic risk for stroke
A new analysis of a long-term, community-based study has found that maintaining optimal cardiovascular health by following the American Heart Association's Life's Simple Seven (LS7) protected people from stroke, regardless of their genetics. Researchers found that maintaining optimal cardiovascular health in people with a genetic risk for stroke translated into about six additional years of life without stroke incidence.

People with diabetes are more vulnerable to heart disease: How to reduce risk
Diabetes is strongly associated with comorbidities like hypertension, obesity, and adverse health events (e.g., heart attack and stroke). To address the health risks posed by this disease, the American Diabetes Association partnered with the American Heart Association to spread awareness of the ABCs of diabetes. These include managing A1C levels, blood pressure, and cholesterol.

Liz Ruth, MPP
Director of Policy
National Association of Chronic Disease Directors
325 Swanton Way
Decatur, GA 30030

[redacted]

SUBJECT: White House | Women's Community Update
FROM: The Office of Public Engagement <noreply@mail.whitehouse.gov>
TO: <hborski@utah.gov>
DATE: 22/07/2022 16:44

THE WHITE HOUSE
WASHINGTON

Women's Community Update

All,

Read below for updates on the Biden-Harris Administration's response to the Supreme Court's decision overturning *Roe v. Wade*, Release of the Women, Peace, and Security Report to Congress, Administration Engagements and Convenings on Reproductive Rights, and more.

Biden-Harris Administration Efforts to Protect Access to Reproductive Healthcare

Calling for the Passage of the Right to Contraception Act

The Administration strongly supports passage of H.R. 8373, the Right to Contraception Act, which passed the U.S. House of Representatives this week. Access to the full range of reproductive health care services—including all FDA approved forms of contraception—is critical and essential to ensuring all people have control over personal decisions about their own health, lives, and families. After the overruling of *Roe*, which rested on the fundamental right to privacy in matters of health, bodily autonomy, and family, it has never been more important to protect and expand access to family planning services. See the Statement of Administration Policy here.

Calling for the Passage of the Respect for Marriage Act

The Administration strongly supports passage of H.R. 8404, the Respect for Marriage Act, which passed the U.S. House of Representatives this week. The right to marriage confers vital legal protections, dignity, and full participation in our society. No person should face discrimination because of who they are or whom they love, and every married couple in the United States deserves the security of knowing that their marriage will be defended and respected. See the Statement of Administration Policy here.

[redacted]

Vice President Harris Meeting with North Carolina Governor Roy Cooper, State Legislators, and Advocates on Reproductive Rights

Yesterday, Vice President Kamala Harris met with Governor Cooper and more than 20 North Carolina state legislators, local leaders, and advocates who are fighting on the frontlines to protect reproductive rights.

The Vice President thanked North Carolina Governor Roy Cooper for using every tool to protect access to reproductive health care, including a recent state executive order issued to protect patients seeking care from harassment and intimidation, and his veto of extreme legislative attacks on reproductive rights.

The Vice President shared actions the Administration is taking on a national level in response to the Supreme Court overturning *Roe v. Wade*, including protecting access to medication abortion, defending the Constitutional right to travel, and addressing patient privacy. The Vice President encouraged the state legislators to keep defending the rights of women in North Carolina and said she looks forward to continuing to fight alongside them. See the full Readout here.

Vice President Harris Meeting with New Jersey Legislative Leaders and Advocates on Reproductive Rights

This week, Vice President Kamala Harris convened more than 20 New Jersey state legislators, local leaders, and advocates who are fighting on the frontlines to protect reproductive rights.

The Vice President thanked the state legislators for their work protecting abortion access, highlighting the legislation passed so far to codify the right to abortion, provide funding to support reproductive health care services, and protect providers and privacy. The Vice President also thanked the leaders for pursuing further action to protect access to care, including by passing additional legislation. She also encouraged the legislators to look for ways to support and coordinate with state legislators from other states as part of a broad coalition to protect abortion access. See the full Readout here.

[redacted]

Vice President Harris Meeting with Pennsylvania State Legislators on Reproductive Rights
Last week, Vice President Kamala Harris convened more than 30 Pennsylvania state legislators who are fighting on the frontlines to protect reproductive rights.

The Vice President thanked the legislators for defending reproductive rights and freedoms, particularly with the advancement of a proposed state constitutional amendment that will open the door to an abortion ban in Pennsylvania. She conveyed the Administration's commitment to protecting access to reproductive health care and patient privacy, and she encouraged the state legislators to keep defending the rights of women in Pennsylvania and to work with leaders from states across the country who are experiencing similar challenges. See the full Readout here.

[redacted]

Vice President Harris Meeting with Florida State Legislators on Reproductive Rights

Last week, Vice President Kamala Harris convened Florida state legislators who are fighting on the frontlines to protect reproductive rights. The Vice President was joined by Secretary of Health and Human Services Xavier Becerra for the meeting which took place in Orlando, Florida. During the meeting, the Vice President conveyed the Administration's commitment to protecting access to reproductive health care, including abortion access, and she encouraged the legislators to continue fighting to protect reproductive rights in Florida. She emphasized that the government should not interfere with the right of every American to make the most intimate decisions about "heart and home" – including reproductive health care access. See the full Readout here.

White House Meeting with Mayors on Reproductive Rights

Last week, Jennifer Klein, Director of the White House Gender Policy Council Director, and Julie Chavez Rodriguez, Director of the White House Intergovernmental Affairs, met with women and allied mayors

from across the country to discuss reproductive rights. In the meeting, which was co-hosted by the Women Mayors Network, mayors shared what they are seeing and hearing on the ground as patients from states that ban abortion travel to seek care. The mayors also discussed actions they have taken to support reproductive rights, as well as key messaging and outreach strategies. White House Senior Officials thanked the mayors for their leadership and reinforced the Administration's commitment to working together to protect access to abortion. See the full Readout here.

Biden-Harris Administration Actions on Advancing Gender Equity

Release of the U.S. Government Women, Peace, and Security Report to Congress

The Women, Peace, and Security Act of 2017 (P.L. 115-68) (WPS Act) codified the United States Government's decades-long, sustained commitment to the principles of the Women, Peace, and Security Agenda. This Agenda stemmed from the historic 2000 United Nations Security Council Resolution 1325, which has since been further supported by a growing body of policies to affirm gender equity and equality in security, peacemaking, and peacekeeping, here in the United States and globally.
The report issued this week is the second report to Congress evaluating the USG's progress towards advancing the goals of 2019 U.S. Women Peace and Security Strategy and includes overview of efforts undertaken by the four departments and agencies involved in the Strategy: the Department of Defense (DoD), the Department of Homeland Security (DHS), the Department of State (State), and the U.S. Agency for International Development (USAID). The reports summarize progress made in the WPS Strategy's four Lines of Effort: 1) Participation; 2) Protection; 3) Internal Capabilities; and 4) Partnerships. See full Fact Sheet here.

Department of Health and Human Services Announces Historic Investments to Increase Health Care Coverage

The U.S. Department of Health and Human Services (HHS), through the Centers for Medicare & Medicaid Services (CMS), this week awarded $49 million to organizations on the frontlines of reducing uninsured rates and connecting more children, parents, and families to health care coverage. In support of President Biden's Executive Orders on Strengthening Medicaid and the Affordable Care Act, and HHS Secretary Xavier Becerra's priority of expanding access to affordable, quality health care, these awards represent the largest investment CMS has ever made in outreach and enrollment through the Connecting Kids to Coverage program.

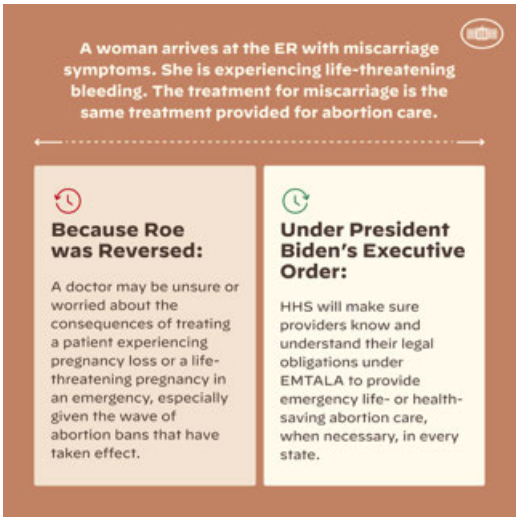
ICYMI: Administration Actions on Protecting Reproductive Rights

Since President Biden signed his Executive Order Protecting Access to Reproductive Health Services on July 8, his Administration has announced the following actions to protect reproductive rights:

Protecting Emergency Medical Care

The U.S. Department of Health and Human Services (HHS), through the Centers for Medicare & Medicaid Services (CMS), announced new guidance affirming that the Emergency Medical Treatment and Active Labor Act (EMTALA) protects providers when offering legally-mandated, life- or health-saving abortion

services in emergency situations. Secretary Becerra also issued a letter to providers making clear that federal law preempts state law restricting access to abortion in emergency situations.



Guidance to Retail Therapies

HHS issued guidance to roughly 60,000 U.S. retail pharmacies, reminding them of their obligations under federal civil rights laws. The guidance makes clear that as recipients of federal financial assistance, including Medicare and Medicaid payments, pharmacies are prohibited under law from discriminating based on race, color, national origin, sex, age, and disability in their programs and activities. This includes supplying prescribed medications; making determinations regarding the suitability of prescribed medications for a patient; and advising a patient about prescribed medications and how to take them.

Department of Justice Announces Reproductive Rights Task Force

The Department of Justice (DOJ) announced a Reproductive Rights Task Force, which will monitor and

evaluate state and local actions that infringe on federal protections relating to the provision or pursuit of reproductive care, impair women's ability to seek reproductive care where it's legal, impair individuals' ability to inform and counsel each other about the reproductive care that is available in other states, ban medication abortion, or impose criminal or civil liability on federal employees who provide legal reproductive health services.

Calling for the Passage of the Women's Health Protection Act

The Administration strongly supports the passage of H.R. 8296, the Women's Health Protection Act of 2022, passed by the U.S. House of Representatives on July 15, 2022. The protections that the Women's Health Protection Act would ensure are essential to the health, safety, and progress of our nation. Congress should advance this important bill with the utmost urgency this moment demands. The Administration looks forward to working with Congress throughout the legislative process to ensure that this bill is consistent with the protections established by Roe. The President stands ready to sign the Women's Health Protection Act into law. See the Statement of Administration Policy here.

Calling for the Passage of the Ensuring Access to Abortion Act

The Administration strongly supports House passage of H.R. 8297, the Ensuring Access to Abortion Act of 2022, passed by the U.S. House of Representatives on July 15, 2022. In the face of this un-American threat to fundamental freedoms, this bill explicitly protects the right to travel across state lines for medical care—and makes clear the federal government's responsibility to safeguard that right for all Americans. The bill reflects the fact that women who reside in states that have banned access to comprehensive reproductive health care must remain free to seek that care in states where it is legal—and providers must remain free to treat patients from out of state who need medical care. This bill also protects interstate access to FDA approved medication abortion, the method used by more than half of those exercising their right to choose. See the Statement of Administration Policy here.

Calling for the Establishment of Abortion Rights into Federal Law

President Biden continues to call on Congress to codify the right to abortion into federal law. On June 30th, 2022, the President made clear he would support an exception to the filibuster in order to codify a woman's right to choose into law. See the Statements of Administration Policy on H.R. 8296 – Women's Health Protection Act of 2022 and H.R.8297 – Ensuring Access to Abortion Act of 2022.

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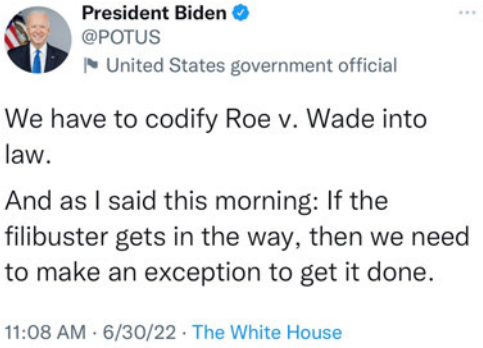

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SUBJECT: Inside An Atty's Plan To Get 2 Wrongfully Jailed Men Justice
FROM: Access to Justice Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 23/07/2022 05:41

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Inside An Atty's Plan To Get 2 Wrongfully Jailed Men Justice

Two Black men from Buffalo, New York, spent more than two decades in prison for a murder they likely didn't commit before a state trial court overturned their conviction last year. Now, they're suing Erie County for civil rights violation, helped by a savvy attorney who pioneered a legal strategy to pierce through prosecutors'

[redacted]

immunity.
Read full article | Save to favorites

Pay Is A Pain Point In Retention For Ill. Legal Aid Orgs

One of the biggest obstacles for legal aid organizations as they look to recruit and retain highly talented and diverse lawyers is making room in their budgets to pay attorneys competitively, according to a new report out Friday.
Read full article | Save to favorites

Why Rocket Lawyer's CEO Wants Legal Help To Be Affordable

Charley Moore, founder and CEO of legal technology company Rocket Lawyer, realized as a kid watching his dad operate a chain of Shell gas stations that the U.S. legal system was too expensive for small businesses and most individuals and families.
Read full article | Save to favorites

A Bruen Defense For Gun Charges? Attys Say Not So Fast

The recent U.S. Supreme Court ruling declaring parts of New York's gun licensing regime unconstitutional gives people prosecuted for gun offenses new chances to shake their charges, but it's still unclear what legal strategies could ultimately succeed, experts say.
Read full article | Save to favorites

Long Sentences Make Up More Than Half Of Prison Population

The portion of the state prison population serving long sentences has increased over the past 10 years to more than half of the population, according to findings released by a Council on Criminal Justice task force on Wednesday.
Read full article | Save to favorites

Legal Observers Arrested At Floyd Protest Win $49K And Fees

Twelve legal observers for the New York City chapter of the National Lawyers Guild arrested during the George Floyd protests in June 2020 will collectively get $49,000 to resolve a federal lawsuit against New York City over what they called a "violent assault" by police, one of their attorneys confirmed Friday to Law360.
Read full article | Save to favorites

Equal Justice Works Names Law School Dean As New CEO

Equal Justice Works has tapped the dean of the University of Cincinnati College of Law to be the organization's new CEO.
Read full article | Save to favorites

Pro Bono Spotlight

Hogan Lovells Helps Hawaii Tenants Keep Affordable Housing

A team of Hogan Lovells attorneys recently helped secure a deal that stopped a group of Hawaii residents from being priced out of their homes due to a developer's attempt to opt out of an affordable housing agreement decades early.
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All Access

Prison Reformer Talks Of Crisis At NYC's Rikers Island

Debevoise & Plimpton
Durie Tangri
Edwin Coe
Epstein Becker Green
Farella Braun
Folger Levin
Freeths LLP
Gibson Dunn
Gleiss Lutz
Glenn Agre
Goodwin Procter
Gordons LLP
Gunster Yoakley
Hamlins LLP
Hanson Bridgett
Harbottle & Lewis
Hogan Lovells
Hughes Socol
Irell & Manella
JMW Solicitors LLP
Jenner & Block
Jones Day
Kasowitz Benson
Keker Van Nest & Peters
Kessler Topaz
King & Spalding
Law Office of Dan Roth
Law Offices of Joel B. Rudin
Law Offices of Miriam Hiser
Leland Parachini
Lewis & Llewellyn
Lieff Cabraser
Lipsitz Green
Loeb & Loeb
London & Stout
McLane Bednarski
McManis Faulkner
Mishcon de Reya
Morgan Lewis
Morrison Foerster
Morvillo Abramowitz
Munger Tolles
Nassiri & Jung
Nichols Kaster
O'Melveny & Myers
Paul Weiss
Pillsbury Winthrop
Pinsent Masons
Ramsey & Ehrlich
Reed Smith
Rogers Joseph
Ropes & Gray
Rosen Bien
Rosen Hagood
Sanford Heisler
Scott & Corley
Settle Meyer Law
Seyfarth Shaw
Sideman & Bancroft
Sidley Austin
Skiermont Derby
Spratt Endicott
Squire Patton
Stephenson Harwood
Stone King
Stris & Maher
Sullivan & Cromwell
Swanson & McNamara
Tactical Law Group
The Law Office of Roderick P. Bushnell
Wedlake Bell
White and Williams

New York's Rikers Island jail complex has struggled with violence, dysfunction and disorder. Longtime prison reformer and attorney Zachary Katznelson spoke with Law360 about how the pandemic made the complex more dangerous for inmates and staff and why some advocates want a federal receiver to implement reforms.
Read full article | Save to favorites

Programming Note: Law360's A2J On Vacation In August

Law360's Access to Justice will not publish its regular newsletter during the month of August as the editorial team readies for the fall.
Read full article | Save to favorites

Perspectives

Bodega Worker Case Exposes Key Flaw In NY Legal System

The controversial murder case involving bodega worker Jose Alba reveals New York prosecutors' common practice of charging first and investigating later — a systemic failure that has devastating consequences for individuals and undermines the presumption of innocence, says Michael Bloch at Bloch & White.
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Akron Children's Hospital
Amazon.com Inc.
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Southern California
American Constitution Society
American International Group Inc.
Apple Inc.
BDO LLP
Benefytt Technologies Inc.
Booking.com BV
Brooklyn Defender Services
Buffalo Police Department
CBRE Group Inc.
Cisco Systems Inc.
Credit Suisse Group AG
DAF Trucks NV
Defender Association of Philadelphia
FTI Consulting Inc.
Fordham University
Georgetown University
Google LLC
HDI Global SE
Harvard University
Instagram Inc.
JPMorgan Chase & Co.
Kilburn & Strode LLP
Leadership Council on Legal Diversity
LinkedIn Corp.
MAN SE
Metro-Goldwyn-Mayer Studios Inc.
Microsoft Corp.
NASDAQ Inc.
National Women's Law Center
Neighborhood Defender Service of Harlem
New York City Bar Association
New York State Bar Association
News Corp.
OMNOVA Solutions Inc.
Philadelphia Bar Association
Planned Parenthood Federation
San Francisco Bar Association
Southwest Airlines Co.
Spotify Technology SA
Starbucks Corp.
Stellantis NV
Tesla Inc.
Twitter Inc.
VOYlegal LLC
Volkswagen AG
Whitbread PLC
Whole Foods Market Inc.
Yahoo Inc.
YouTube Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Alaska Housing Finance Corp.
California Air Resources Board
Delaware Court of Chancery
European Commission
European Union
Executive Office of the President

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Federal Trade Commission
Food and Drug Administration
NATO
New York Attorney General's Office
New York City Police Department
Pennsylvania Department of Labor & Industry
Queens District Attorney's Office
U.S. Air Force
U.S. Commission on Civil Rights
U.S. Court of Appeals for the Federal Circuit
U.S. Department of Justice
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of New York
U.S. Environmental Protection Agency
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U.S. Securities and Exchange Commission
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SUBJECT: Morning Consult Health: What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 24/07/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 24, 2022

[redacted]

BY MATT BRACKEN

Twitter Email

Good morning to you, health readers. Senate Democrats reached the acceptance stage with Sen. Joe Manchin last week, resigning themselves to a reconciliation bill without the climate and tax priorities that the conservative Democrat from West Virginia axed and moving forward with their health-centered package of drug pricing reforms and a two-year extension of Affordable Care Act subsidies. Our question for the day: What share of Republican voters say it's important to renew those ACA subsidies?

A: 25%
B: 35%
C: 45%
D: 55%

WHAT'S AHEAD

The Senate Health, Education, Labor and Pensions Committee is holding a hearing on the federal response to fentanyl on Tuesday at 10 a.m. Officials from the Substance Abuse and Mental Health Services Administration, the Health Resources and Services Administration, the National Center for Injury Prevention and Control and the White House's Office of National Drug Control Policy are slated to testify. The hearing comes after the Centers for Disease Control and Prevention reported last week that the rate of fatal drug overdoses jumped 30% from 2019 to 2020, with fentanyl fueling what the agency said is the largest year-over-year increase in U.S. history. Overdose death rates among Black Americans and Indigenous populations saw especially sharp increases.

Dr. Rachel Levine, assistant health secretary and the first transgender official confirmed by the Senate, is scheduled to take part in Stat News' "Spotlight Series" on Tuesday at 2 p.m. Levine, a pediatrician and former Pennsylvania secretary of health, will discuss her work to protect the rights of trans people as many Republican-led states introduce legislation barring access to gender-reaffirming care.

The Medicaid and CHIP Payment and Access Commission will hold a public meeting Wednesday at 1:30 p.m. The meeting's focus will be "Medicaid and the Public Health Emergency." Public comments will be taken during the meeting, which will be held virtually.

Pfizer Inc. is set to report its second-quarter earnings Thursday. The drugmaker was in the news last week when it was revealed that President Joe Biden tested positive for COVID-19 and had immediately started a

course of the company's antiviral treatment Paxlovid. Pfizer also said last week that it is pumping $470 million into new and improved research facilities in New York to further pursue its work with mRNA technology. Other health care companies on the earnings docket this week include Centene Corp. and Stryker Corp. on Tuesday; Bristol-Myers Squibb Co., Molina Healthcare Inc., Teladoc Health Inc. and Humana Inc. on Wednesday; and Abbvie Inc. on Friday.

EVENTS CALENDAR

View Full Calendar

A MESSAGE FROM MORNING CONSULT

Global Consumer Confidence: July 2022

The slide in global consumer sentiment accelerated last month as prices increased across the world and risks of an economic downturn mounted. Our latest Global Consumer Confidence report provides a comprehensive assessment of the economic views and expectations of consumers across major global economies. Download today.

WEEK IN REVIEW

COVID-19 vaccines

The Biden administration is reportedly pausing plans for a second round of COVID-19 booster shots for people younger than 50, as federal health officials instead work to reformulate shots targeting the newly dominant omicron subvariants for a fall campaign. According to three officials, the administration is hopeful that Moderna Inc. and Pfizer Inc.-BioNTech SE will be able to update their shots as soon as September.

CDC Director Rochelle Walensky endorsed Novavax Inc.'s COVID-19 vaccine following a 12-0 vote recommending the traditional protein-based shot by the agency's Advisory Committee on Immunization Practices. Novavax's vaccine will hit the market in the coming weeks, the CDC said, giving U.S. adults a fourth option and the first COVID-19 shot that does not use mRNA technology.

Monkeypox

With more than 16,500 monkeypox cases reported in 74 countries, the World Health Organization declared the outbreak a global emergency, a move that will likely mobilize governments in the fight and lead to fresh funding. The designation of a Public Health Emergency of International Concern is the highest threat level the WHO can issue. In the United States, 2,800 monkeypox infections have been reported, including in two children.

Biden administration

National Institute of Allergy and Infectious Diseases Director Anthony Fauci said he'll retire from the administration by 2025, noting that if he stepped down as Biden's chief medical adviser "when we don't have Covid anymore, then I will be 105."

The Biden administration will spin off the Department of Health and Human Services' Office of the Assistant Secretary for Preparedness and Response into an independent division charged with coordinating the U.S. pandemic response, according to seven people briefed on the matter, a move that comes as frustrations with the CDC's handling of COVID-19 mount.

The Centers for Medicare & Medicaid Services proposed a 2.7% boost to outpatient hospital payment rates for next year in addition to an enhanced payment for facilities that purchase N95 masks that are manufactured in the United States. CMS Administrator Chiquita Brooks-LaSure said the proposed rules would "expand access to care options in rural communities and permanently allow behavioral health services to be provided to people in their homes."

Drug pricing

Senate Finance Chairman Ron Wyden (D-Ore.) said Democrats' plans to allow Medicare to negotiate drug prices and to fine drugmakers that hike prices at a faster pace than inflation "is a strong start" but "there's plenty more to do" after the party passes its reconciliation bill, including changes to how pharmacy benefit managers operate. Wyden also endorsed legislation from Sens. Jeanne Shaheen (D-N.H.) and Susan Collins (R-Maine) to lower insulin costs for certain consumers, calling for a Senate vote on the bill.

In a letter, 181 House lawmakers called on HHS to penalize drugmakers that have lowered or completely eliminated price breaks through the federal

340B Drug Discount program, saying "vulnerable communities, federal grantees, and safety net health care providers are deprived of resources Congress intended to provide."

Roe v. Wade fallout

Attorney General Merrick Garland said the federal government could sue states that have banned or limited abortion, noting that it "could not be more straightforward" that hospitals "must provide the abortion" when the procedure is the "stabilizing treatment." Garland also said the DOJ will ask a judge to throw out a Texas lawsuit aiming to block HHS guidance requiring physicians to perform abortions in the cases of emergency.

The White House is considering a limited public health directive intended to protect nationwide access to abortion medication, according to three people familiar with the discussions, a move that would rely on Public Readiness and Emergency Preparedness Act powers. Democratic lawmakers and reproductive rights groups have urged the White House to utilize PREP Act authority, which would safeguard physicians, pharmacies and others from liability for providing abortion pills to people throughout the United States, even to those living in states with bans or major restrictions on the procedure.

In a 228-195 vote, the House passed a bill to codify the federal right to contraception by penalizing those who restrict access to oral, emergency and long-acting reversible contraceptives, in addition to other birth control methods. Eight Republicans joined 220 Democrats in the vote, which came weeks after the Supreme Court's ruling to overturn Roe v. Wade, but the legislation faces tougher odds in the Senate, where GOP lawmakers have expressed concerns about the breadth of the bill.

STAT OF THE WEEK

15%

The share of health care workers who say they're unwilling to get vaccinated against COVID-19, per the latest data from Morning Consult's U.S. Vaccine Tracker.

THE MOST READ STORIES THIS WEEK

1) Feds announce $1.2B fraud takedown, caution against telehealth scams
Maya Goldman, Modern Healthcare

2) Why Prescription Drug Prices in the US Are So High
Robert Langreth, Bloomberg

3) Officials reorganize HHS to boost pandemic response
Dan Diamond, The Washington Post

4) Put Your Face in Airplane Mode
Saahil Desai, The Atlantic

5) A CEO pay bonanza, how much the rank and file are paid, and a wilderness therapy rabbit hole
Bob Herman, Stat News

6) Powerful Senate Democrat outlines 'plenty' more drug pricing reforms to follow Medicare negotiation
Nicholas Florko, Stat News

7) CMS to raise hospital payments to buy N95 masks, proposes 2.7% pay hike for facilities
Robert King, Fierce Healthcare

8) Meet the covid super-dodgers
Ellen McCarthy, The Washington Post

9) Anthony Fauci wants to put Covid's politicization behind him
Sarah Owermohle, Politico

10) The Impact of Pharmaceutical Wholesalers on U.S. Drug Spending
Elizabeth Seeley, The Commonwealth Fund

OTHER HEALTH NEWS

- Amazon Faces Fierce Competition in Health Ambitions After One Medical Deal (The Wall Street Journal)

- Amid controversies, FDA seeks advice on food and tobacco operations (The Washington Post)

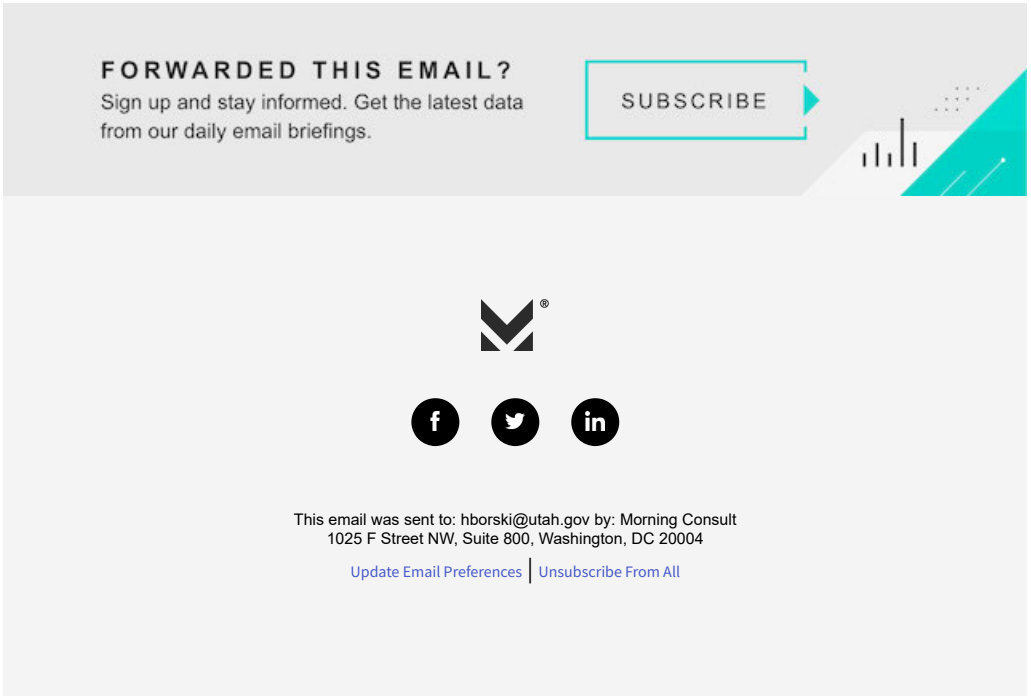
- Feds announce $1.2B fraud takedown, caution against telehealth scams (Modern Healthcare)

- Unvaccinated man in Rockland County, N.Y., diagnosed with polio (The Washington Post)

- Biotech employees cash in health care's largest salaries, while people working at providers sit near the bottom (Stat News)

- Health care's high rollers: As the pandemic raged, CEOs' earnings surged (Stat News)
- J&J's cancer drug sales help weather hit from stronger dollar (Reuters)
- GSK Spins Off $36 Billion Consumer-Healthcare Business Haleon (The Wall Street Journal)

The answer to this week's quiz question is **D:** 55% of GOP voters said it's important to extend ACA subsidies to address health care costs for plan participants, per the latest Morning Consult/Politico survey. Overall, 71% of voters said the ACA subsidies are important, while 2 in 3 voters said they support a renewal. Check out the full story here: Most Voters Back ACA Subsidy Extensions, Say They're Important to Lower Costs.



SUBJECT: Inside A BigLaw-Boutique Alliance Tackling A Post-Roe World
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 25/07/2022 02:49

PUBLIC POLICY

Monday, July 25, 2022

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TOP NEWS

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Interview

Inside A BigLaw-Boutique Alliance Tackling A Post-Roe World

A new and fast-growing coalition of BigLaw and boutique firms is steeling itself for "a decadeslong fight" to protect patients and providers from legal jeopardy after U.S. Supreme Court conservatives eliminated the constitutional right to abortion, an attorney spearheading the alliance told Law360 in an expansive interview.

Read full article »

Analysis

Biden Climate Emergency Plans Face High Court Hurdle

Pressure is building on President Joe Biden to declare a national climate change emergency, but attempts to transform that decree into policy will face legal fights from challengers emboldened by a U.S. Supreme Court that's recently taken steps to curb broad executive branch power.

Read full article »

Q&A

The Pot Reformer Out To Oust Prohibitionists From Office

Justin Strekal recently left his position as political director at the legacy advocacy organization National Organization for the Reform of Marijuana Laws, or NORML, after a six-year stint that saw the legalization movement take off, and now he's waging a new fight to reform the country's cannabis policy.

Read full article »

Analysis

Midyear Report: Dems Pressured To Quicken Judicial Pace

Senate Democrats have confirmed more than six dozen of President Joe Biden's judicial picks, a rapid pace given the challenges of a 50-50 Senate and the dearth of vacancies when he first took office. But they're facing increasing pressure to speed up their pace even more, as nominees and unfilled vacancies stack up with midterm elections looming and their slim majority on the line.

Read full article »

Analysis

Transportation Regulation To Watch In 2nd Half Of 2022

Electric and autonomous vehicle rules, ocean shipping and rail industry reforms, and initiatives tackling the supply-chain crunch are just some of the transportation industry's top regulatory priorities to watch in the latter half of 2022.

Read full article »

Analysis

Top Privacy Developments Of 2022: Midyear Report

The first half of 2022 saw blockbuster U.S. Supreme Court decisions curtailing both abortion rights and environmental rulemaking that are poised to have a major impact on how location data is handled and regulated. Here, attorneys look back at some of the major privacy policy and case developments so far this year.

Read full article »

Meet The Ex-Public Defender Tapped For Pa. Federal Bench

A former public defender turned Philadelphia County judge has been nominated by President Joe Biden to serve on the federal bench in Pennsylvania.

Read full article »

Bannon Guilty Of Contempt, Atty Calls It 'Bulletproof Appeal'

A Washington, D.C., federal jury on Friday found former Donald Trump White House aide Steve Bannon guilty of two counts of contempt of Congress over his failure to comply with a subpoena by the Jan. 6 House select committee probing last year's deadly U.S. Capitol attack, a decision the defense team called "a bulletproof appeal."

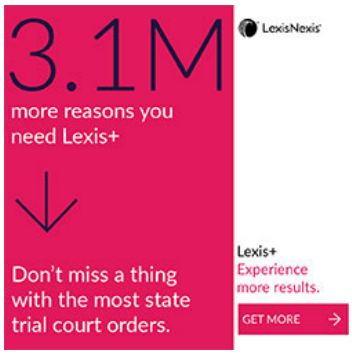
Read full article »

Jan. 6 Panel Might Consider Subpoena For Ginni Thomas

The select committee investigating the Jan. 6 attack on the U.S. Capitol will contemplate a subpoena for Virginia "Ginni" Thomas, the wife of Supreme Court Justice Clarence Thomas, if she does not meet with the committee voluntarily, the panel's vice chair said Sunday.

Read full article »

Ex-DOJ Atty Clark Faces Ethics Case Over Voting Fraud Ploy



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AMS Trade LLP
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Farella Braun
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Foley Hoag
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Gleiss Lutz
Glenn Agre

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Jeffrey Clark, the former U.S. Justice Department official who backed Donald Trump's effort to overturn the result of the 2020 presidential election, is facing ethics charges in the District of Columbia.

1 document attached | Read full article »

DC Circ. Says Agencies Must Allow Comments Before Rule Ax

A divided D.C. Circuit panel on Friday ruled agencies cannot simply withdraw a new rule, even if it has not yet been published in the Federal Register, once that rule has been subject to public inspection.

Opinion attached | Read full article »

Pa. Lawmakers Claim 3rd Circ. Ruling Nixed Mail-In Voting

A group of Pennsylvania Republican lawmakers has launched a new attack on the state's mail-in voting law, claiming in a lawsuit that a recent Third Circuit ruling eliminated the law's requirement that ballots be dated, so the entire law must be thrown out.

Petition attached | Read full article »

Satanists Say Top Court Christian Flag Case Helps Prayer Bid

The Satanic Temple's suit to lead a prayer before Boston City Council meetings said its free-speech argument is bolstered by a recent U.S. Supreme Court ruling permitting a religious camp to fly a Christian flag outside City Hall.

Motion attached | Read full article »

ENERGY & ENVIRONMENTAL

DOJ Probing Claim Of Bias In Houston Illegal Dumping

The Biden administration on Friday announced a new investigation into Houston city agencies over allegations they have policies allowing discriminatory and uneven responses to reports of illegal dumping in Black and Latino neighborhoods compared to predominantly white neighborhoods.

Read full article »

9th Circ. Asked To Revive Nixed Endangered Species Rules

More than a dozen conservative states, as well as groups representing the farming and fossil-fuel industries, want the Ninth Circuit to reinstate several measures the Trump administration took to weaken the Endangered Species Act, after a federal judge voided them earlier this month.

2 documents attached | Read full article »

HEALTH & LIFE SCIENCES

5th Circ. Ends Pharma Group's Medicare Payback Suit

A Louisiana pharmacy group failed to show that its lawsuit over an Express Scripts Inc. benefit manager's refusal to comply with a state law governing Medicare prescription reimbursements presents a federal question that can't be heard in state court, the Fifth Circuit has ruled.

Opinion attached | Read full article »

After Dobbs: Abortion Battles Hit The Courts, Soon The Polls

While judges across the country weigh whether state-level abortion bans can take effect, Democratic lawmakers in Congress are attempting to pass legislation to protect a host of rights they say are in jeopardy in the wake of the U.S. Supreme Court's month-old decision to overturn Roe v. Wade.

Read full article »

REAL ESTATE

Swire Seeks Approvals For Revised Miami Office Tower Plans

Swire Properties Inc. is seeking to modify a development agreement with the city of Miami to build larger, more flexible office space sought by technology and finance companies flocking to South Florida at its planned One Brickell City Centre tower.

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Norton Rose
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Rogers Joseph
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Seyfarth Shaw
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Stephenson Harwood
Steptoe & Johnson LLP
Stone King

COMPETITION

Analysis

Amazon-One Medical Deal: Scrutiny Likely, Lawsuit Not

A prevailing antagonism against big companies generally and the power of online platforms specifically may spur antitrust scrutiny of Amazon's $3.9 billion bid for One Medical, but enforcers are unlikely to find grounds to launch a direct challenge, competition attorneys said Friday.

Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Calif. Gov. Signs Bill Allowing Individuals To Sue Gun Industry

California Gov. Gavin Newsom signed a bill into law Friday that allows private citizens to sue gunmakers, distributors, sellers and transporters to enforce Golden State gun laws, while collecting $10,000 and attorney fees, modeling it after a Texas law that allows private citizens to enforce that state's abortion ban.

Read full article »

GOVERNMENT CONTRACTS

SBA Expands Past Performance Examples For Small Biz Deals

The U.S. Small Business Administration issued a final rule on Friday intended to give more small businesses a shot at winning federal contracts, allowing them to use subcontract and joint venture work as examples of past performance.

1 document attached | Read full article »

IMMIGRATION

Analysis

Advocates Seek Congress' Aid On Afghan Green Card Hurdles

Tens of thousands of Afghans face a cloud of uncertainty one year after their evacuation from Afghanistan and their ability to remain in the U.S. hinges on Congress' political appetite to pass immigration relief amid national security concerns.

Read full article »

EB-5 Regional Center Says USCIS Mandate Flouts Reform Law

An immigrant investment center told a California federal court that U.S. Citizenship and Immigration Services' mandate that all EB-5 regional centers must be reauthorized misunderstood Congress' intent when it reformed the EB-5 system earlier this year.

Motion attached | Read full article »

WHITE COLLAR

No Bail For Ex-NY County Exec Fighting Kickback Conviction

The former top elected official for Nassau County, New York, and his wife can't stave off prison while they appeal convictions stemming from a bribery and kickback scheme, a federal judge has said, finding neither had shown a likelihood of overturning the verdicts.

Order attached | Read full article »

NATIVE AMERICAN

Wis. Buttresses Bid For Tax Authority On Native Land

Wisconsin has sought to bolster its argument for taxing certain land on Native reservations, telling the Seventh Circuit that a recent U.S. Supreme Court decision extending state criminal jurisdiction to tribal land also expands its authority over civil matters in those places.

2 documents attached | Read full article »

5th Circ. Sends Tribal Electronic Bingo Suit Back To Texas

The Fifth Circuit has remanded litigation over the Ysleta del Sur Pueblo's electronic bingo operations following the tribe's recent win at the U.S. Supreme Court against Texas, saying the lower court will have to resolve whether the bingo the tribe offers can be prohibited by the state.

Opinion attached | Read full article »

Stradling Yocca
Stris & Maher
Sullivan & Cromwell
Sullivan & Worcester
Swanson & McNamara
Tactical Law Group
The Law Office of Roderick P. Bushnell
Troutman Pepper
VLP Law Group
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WilmerHale
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AerCap Holdings N.V.
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American International Group Inc.
American Petroleum Institute Inc.
Animal Legal Defense Fund
Apple Inc.
BDO LLP
Benefytt Technologies Inc.
Booking.com BV
CBRE Group Inc.
Cable News Network Inc.
Canadian Pacific Railway Ltd.
Center for Biological Diversity
Church World Service Inc.
Credit Suisse Group AG
DAF Trucks NV
DISH Network Corp.
Defender Association of Philadelphia
Earthjustice
Eastern National Bank
Express Scripts Holding Co.
FTI Consulting Inc.
Freddie Mac
Getty Images Inc.
Google LLC
HDI Global SE
Harvard University
Human Rights First
Humane Society of the United States
Instagram Inc.
International Refugee Assistance Project
JPMorgan Chase & Co.
Kansas City Southern
Kilburn & Strode LLP
Leadership Council on Legal Diversity
LinkedIn Corp.
Lone Star Legal Aid
Loyola University New Orleans
Lutheran Immigration & Refugee Service Inc.
MAN SE
Metro-Goldwyn-Mayer Studios Inc.
Miami Dolphins
Microsoft Corp.
NASDAQ Inc.
Naskila Gaming
National Organization for the Reform of Marijuana Laws
Natural Resources Defense Council
News Corp.

TELECOMMUNICATIONS

Analysis

Dish, SpaceX's Clashing Claims Dial Up Heat In 12 GHz Fight

Tensions are high this summer over a Federal Communications Commission plan to allow spectrum sharing in the 12 gigahertz band, as tech giants from SpaceX to Dish stake out increasingly combative positions on whether sharing would disrupt satellites currently using the band.

5 documents attached | Read full article »

PEOPLE

Norton Rose Partner Appointed Deputy Texas AG

A former Norton Rose Fulbright partner has been appointed as deputy attorney general for legal counsel in Texas, Attorney General Ken Paxton announced Friday.

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EXPERT ANALYSIS

Opinion

ITC Standard-Essential Patent Remedies Shouldn't Be Curbed

Added restrictions on U.S International Trade Commission remedies for standard-essential patents would be a mistake, as foreign technology developers would likely dominate the markets for standards like 5G if the ITC lacked ability to seek exclusion orders against products implementing the patented invention without paying, says former ITC chair Deanna Tanner Okun, now at AMS Trade

Read full article »

Calif. Tax Board Nonresident Asset Ruling Raises New Issues

The California Franchise Tax Board's recent ruling on whether a nonresident's disposition of a partnership interest gives rise to California-sourced income raises new issues for sourcing gain or loss using partnership apportionment factors where unrealized receivables and inventory are involved, says Eric Coffill at Eversheds Sutherland.

Decision attached | Read full article »

5th Circ. CFPB Ruling Means Challenges For Federal Agencies

The Fifth Circuit's recent decision in Consumer Financial Protection Bureau v. All American — which said the CFPB's independent funding structure is antithetical to the Constitution's appropriations clause — will encourage challenges to federal agency actions, and likely lead to increased litigation, says Christopher Pace at Winston & Strawn.

Opinion attached | Read full article »

What Mass. Harbor Development Ruling Means For Projects

The Massachusetts high court's recent decision in Armstrong v. Secretary of Energy and Environmental Affairs, striking down use of municipal harbor plans for tidelands licensing, will create hurdles for waterfront projects, say Vic Baltera and Leigh Gilligan at Sullivan & Worcester.

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LEGAL INDUSTRY

SEC Can't Make VW Identify Key Jones Day Emissions Docs

A California magistrate judge has rejected the U.S. Securities and Exchange Commission's bid to force Volkswagen to help it pinpoint key findings from Jones Day's internal investigation into the 2015 "clean diesel" emissions-cheating scandal that were shared with the U.S. Department of Justice during a separate fraud probe.

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Massachusetts Supreme Judicial Court
NATO
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National Highway Traffic Safety Administration
National Indian Gaming Commission

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SUBJECT: Out of the Office Re: Inside A BigLaw-Boutique Alliance Tackling A Post-Roe World
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: bounces+1121182-2e95-hborski=utah.gov@em9547.law360.com
DATE: 25/07/2022 02:49

Thank you for your email. I am out of the office July 25 - July 29, returning on Monday, August 1. I will be checking email periodically, and will delayed in responding.

Heather R. Borski, MPH, MCHES
Assistant Deputy Director, Community Health & Well-Being
hborski@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

SUBJECT: Inside A BigLaw-Boutique Alliance Tackling A Post-Roe World
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 25/07/2022 03:19

HEALTH

Monday, July 25, 2022

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Interview

Inside A BigLaw-Boutique Alliance Tackling A Post-Roe World

A new and fast-growing coalition of BigLaw and boutique firms is steeling itself for "a decadeslong fight" to protect patients and providers from legal jeopardy after U.S. Supreme Court conservatives eliminated the constitutional right to abortion, an attorney spearheading the alliance told Law360 in an expansive interview.

Read full article »

Analysis

Amazon-One Medical Deal: Scrutiny Likely, Lawsuit Not

A prevailing antagonism against big companies generally and the power of online platforms specifically may spur antitrust scrutiny of Amazon's $3.9 billion bid for One Medical, but enforcers are unlikely to find grounds to launch a direct challenge, competition attorneys said Friday.

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Eli Lilly Pocketed $60M Meant For Medicaid, Ill. Jury Hears

Eli Lilly and Co. defrauded the federal government of $60 million by deliberately leaving retroactive drug price increases out of the metrics it was required to include for Medicaid rebate calculations, an Illinois federal jury heard Friday.

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Mass. Court Says Medicaid Covers Non-Medical Circumcision

The Massachusetts Appeals Court on Friday dismissed a suit seeking to stop the state's Medicaid program from automatically paying for neonatal circumcisions that were done for cultural or religious reasons, rather than medical necessity.

Opinion attached | Read full article »

Full Fed. Circ. Urged To Undo 'Extraordinary' Gilenya IP Ruling

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3 documents attached | Read full article »

Feds Want Role In 4th Circ. Rehearing Of Allergan FCA Case

The federal government has asked to participate in arguments as the full Fourth Circuit considers a prominent False Claims Act case over whether an Allergan unit bilked Medicaid out of more than $680 million by fraudulently reporting its drug prices.

Motion attached | Read full article »

After Dobbs: Abortion Battles Hit The Courts, Soon The Polls

While judges across the country weigh whether state-level abortion bans can take effect, Democratic lawmakers in Congress are attempting to pass legislation to protect a host of rights they say are in jeopardy in the wake of the U.S. Supreme Court's month-old decision to overturn Roe v. Wade.

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POLICY & REGULATION

Q&A

The Pot Reformer Out To Oust Prohibitionists From Office

Justin Strekal recently left his position as political director at the legacy advocacy organization National Organization for the Reform of Marijuana Laws, or NORML, after a six-year stint that saw the legalization movement take off, and now he's waging a new fight to reform the country's cannabis policy.

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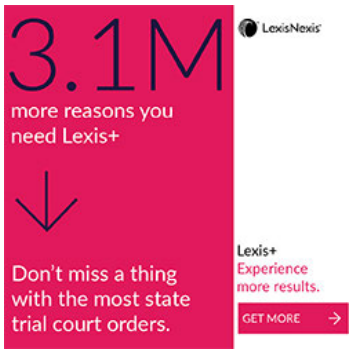
Ex-UChicago Prof Seeks No Jail Time For Insider Trading



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A former University of Chicago professor has asked an Illinois federal judge for two years of probation in place of a prison sentence after he admitted in April to trading Five Prime Therapeutics Inc. stock based on inside information about positive trial results for bemarituzumab, the company's leading cancer drug.

Memorandum attached | Read full article »

Former Claims Examiner Gets 2 Yrs For $900K Fraud Scheme

A former lead claims examiner for the Michigan Unemployment Insurance Agency was sentenced to two years in federal prison for his role in an insurance fraud scheme amounting to more than $900,000 in COVID-19 benefits, law enforcement officials announced.

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LITIGATION

Texas Doctors Must Face Claims In Bone Cancer Death Suit

A Texas appeals court said the family of a young man who died from bone cancer isn't time-barred from expanding an initial negligence suit into a wrongful death action, overturning a lower court.

Opinion attached | Read full article »

NY Hospital Must Face Trial Over Patient's Foot Amputation

A Brooklyn hospital can't escape a lawsuit accusing it of causing a patient's gangrene leading to a leg amputation, a New York appeals court has ruled, saying there are still triable issues of fact that preclude it from leaving.

Opinion attached | Read full article »

Ga. Opioid Trial Called Off After COVID-19 Outbreak

A trial that just kicked off July 19 in Georgia state court over claims that three major drug distributors created an opioid epidemic ended abruptly in a mistrial Friday due to a local outbreak in COVID-19 cases.

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8th Circ. Upholds Dental Clinics' Virus Coverage Loss

The Eighth Circuit affirmed the dismissal of a COVID-19 coverage suit from a dental practice with clinics in Arkansas and Missouri, finding that its case was not substantially different from the first COVID-19 coverage suit the circuit rejected.

Opinion attached | Read full article »

Calif. Justices Urged To Find 'Take-Home' COVID Liability

A woman suing her husband's employer over her coronavirus infection urged the California Supreme Court Friday to hold that companies can be held liable for not doing enough to stop COVID-19 from spreading to their workers' households.

Brief attached | Read full article »

J&J, Ethicon Sink Failure-To-Warn Claim In Pelvic Mesh Trial

Johnson & Johnson and subsidiary Ethicon Inc. have prevailed in a suit brought by a woman who said the companies' surgical pelvic-mesh implants caused her serious medical complications, with a federal jury in Ohio clearing the companies on a sole failure-to-warn claim.

Verdict attached | Read full article »

5th Circ. Ends Pharma Group's Medicare Payback Suit

A Louisiana pharmacy group failed to show that its lawsuit over an Express Scripts Inc. benefit manager's refusal to comply with a state law governing Medicare prescription reimbursements presents a federal question that can't be heard in state court, the Fifth Circuit has ruled.

Opinion attached | Read full article »

MLB's Nationals Say Maskless Fan Didn't Specify Disability

The Washington Nationals baseball team filed a motion to dismiss a suit filed by a fan who was ejected from their

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ballpark for refusing to wear a mask during a game, claiming he filed the claim too late and refused to provide detail on the "disability" that allegedly prevented him from masking up.

Motion attached | Read full article »

Alaska Native Org. Can Access Health Consortium Docs

An Alaska federal judge has ruled that an Alaska Native health care foundation should have access to legally privileged information from a consortium it belongs to, but stopped short of forcing the consortium to reach a sharing agreement or allowing the foundation's representative to decide what information it should receive.

2 documents attached | Read full article »

Texas Court Revives Suit Over Erroneous DNA Test

A Texas appellate panel has revived a suit seeking to hold a DNA testing facility liable for an erroneous paternity test which led a man to believe that he was not the biological father of his son for 18 years, saying the trial court erred by finding the claims untimely.

Opinion attached | Read full article »

CBD Extract Co. Says No Jurisdiction In 'Ponzi' Scheme Suit

A cannabidiol extract company is asking a Los Angeles county court to throw out claims from a business partner alleging that the extract company breached its contract to draw a type of THC from raw materials, saying it doesn't have significant enough ties to California for the state's courts to hear the case.

2 documents attached | Read full article »

Analysis

4 Cybersecurity Breach Suits Benefits Lawyers Should Watch

Attempts to steal workers' personal information and even their retirement savings are on the rise, attorneys say, raising questions about plans' and third-party administrators' exposure for cybersecurity breaches under federal benefits law.

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ADMINISTRATIVE DISPUTES

Philips Gets PTAB To Wipe Out Fitbit Emergency Alert Patent

The Patent Trial and Appeal board has invalidated 24 claims in a patent owned by Google LLC unit Fitbit on a system that generates an emergency alert message in a challenge by Koninklijke Philips NV, which Fitbit has accused of infringing the patent.

Decision attached | Read full article »

PEOPLE

Health Hires: Ropes & Gray, BeiGene

New York state's former health department deputy commissioner has made the move back to his old firm of Ropes & Gray LLP, while a variety of life sciences companies have named new legal department heads, highlighting Law360's latest roundup of personnel moves in health care and life sciences.

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EXPERT ANALYSIS

Series

In-House At A Cannabis Company: The Real Estate Issues

Many cannabis businesses face obstacles when acquiring the real estate needed to operate, from city-imposed fees to premiums on rent, but several strategies can be used to navigate this challenging aspect of the burgeoning industry, which is projected to be valued at $32 billion by year’s end, says Benjamin Clack at Curaleaf.

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Jan. 6 Panel Might Consider Subpoena For Ginni Thomas
The select committee investigating the Jan. 6 attack on the U.S. Capitol will contemplate a subpoena for Virginia "Ginni" Thomas, the wife of Supreme Court Justice Clarence Thomas, if she does not meet with the committee voluntarily, the panel's vice chair said Sunday.
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Ex-DOJ Atty Clark Faces Ethics Case Over Voting Fraud Ploy
Jeffrey Clark, the former U.S. Justice Department official who backed Donald Trump's effort to overturn the result of the 2020 presidential election, is facing ethics charges in the District of Columbia.
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Analysis

Midyear Report: Dems Pressured To Quicken Judicial Pace
Senate Democrats have confirmed more than six dozen of President Joe Biden's judicial picks, a rapid pace given the challenges of a 50-50 Senate and the dearth of vacancies when he first took office. But they're facing increasing pressure to speed up their pace even more, as nominees and unfilled vacancies stack up with midterm elections looming and their slim majority on the line.
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Justice Jackson Steps Aside From Harvard Admissions Case
U.S. Supreme Court Justice Ketanji Brown Jackson is recusing herself from a pending case over Harvard University's race-conscious admissions program after pledging to do so at her confirmation hearing, with the court on Friday uncoupling the case from another involving the University of North Carolina in which she is likely to participate.
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Meet The Ex-Public Defender Tapped For Pa. Federal Bench
A former public defender turned Philadelphia County judge has been nominated by President Joe Biden to serve on the federal bench in Pennsylvania.
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DC Circ. Says Agencies Must Allow Comments Before Rule Ax
A divided D.C. Circuit panel on Friday ruled agencies cannot simply withdraw a new rule, even if it has not yet been published in the Federal Register, once that rule has been subject to public inspection.
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Luckin Coffee Investor Attys Nab $30M Fees From $175M Deal
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SUBJECT: Morning Consult Health Presented by Better Medicare Alliance: WhiteHouse to Lay Out Road Map for Development of New COVID-19 Vaccines
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 25/07/2022 05:56

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 25, 2022

BY MATT BRACKEN

Twitter Email

TOP STORIES

- The White House will host a summit tomorrow to kick off a new phase in COVID-19 immunizations, convening top federal officials, scientists and pharmaceutical executives from Pfizer Inc. and Moderna Inc. to plot a course for the development of vaccine technologies that target new variants and lower infection and transmission rates. Ashish Jha, the White House's COVID-19 response coordinator, acknowledged that more money from Congress will be required to launch a campaign for the next generation of vaccines, which he said "are going to be far more durable, that are going to provide far longer-lasting protection, no matter what the virus does or how it evolves." (Stat News)

- The Health and Human Services Department is considering whether to declare monkeypox a public health emergency, Jha said, though he believes the outbreak "can be contained" in the country with testing and vaccines. The World Health Organization on Saturday labeled the outbreak a public health emergency of international concern, while Dr. Anthony Fauci said the United States should have an additional 750,000 monkeypox vaccine doses by the end of July. (Bloomberg)

- Sen. Amy Klobuchar (D-Minn.), chair of the Senate Judiciary antitrust subcommittee, asked the Federal Trade Commission to

[redacted]

investigate Amazon.com Inc.'s proposed $3.9 billion acquisition of One Medical, the network of primary-care clinics. Klobuchar said in her letter to the FTC that the deal "raises questions about potential anticompetitive effects related to the pharmacy services business Amazon already owns and about preferencing vendors who offer other services through Amazon." (The Hill)

- Long COVID could affect between 5% and 10% of children who are infected with the virus, according to estimates from an international study published in the JAMA Network Open journal, far less than the roughly 1 in 3 adults who will go on to have long-term symptoms. Some predictive factors for whether children will suffer from long COVID include having at least seven symptoms during the initial infection phase and being hospitalized for more than two days, while kids 14 and older are higher risk than their younger counterparts. (NBC News)

CHART REVIEW

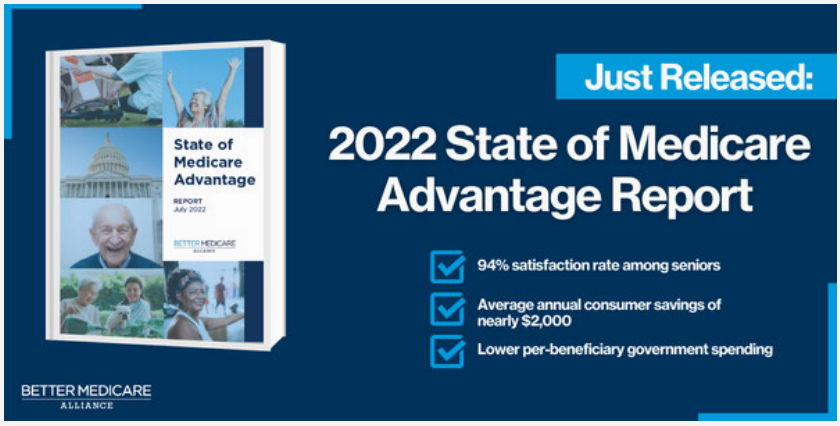
Health industry's post-pandemic profit boom

Axios

EVENTS CALENDAR (ALL TIMES LOCAL)

View Full Calendar

PRESENTED BY BETTER MEDICARE ALLIANCE



New Report Highlights Medicare Advantage's Value to Seniors and Taxpayers

With average annual savings of nearly $2,000 for consumers, a 94% beneficiary satisfaction rate, better health outcomes, and lower per-beneficiary government spending, Medicare Advantage is delivering on its promise for seniors and taxpayers alike. Get the latest facts in Better Medicare Alliance's 2022 State of Medicare Advantage report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

White House COVID chief confirms Biden has BA.5 subvariant, says he's "feeling much, much better"

Melissa Quinn, CBS News

Dr. Ashish Jha, the White House COVID-19 response coordinator, confirmed Sunday that President Biden was infected with the highly transmissible BA.5 subvariant of the coronavirus but said the president is "doing just fine" as he continues to isolate.

Think You've Never Had Covid-19? Think Again.

Julie Wernau, The Wall Street Journal

For many, the explanation is likely that they have in fact been infected with the virus at some point without realizing it, said Susan Kline, professor of medicine at the University of Minnesota Medical School. About 40% of confirmed Covid-19 cases are asymptomatic, according to a meta-analysis published in December in the Journal of the American Medical Association.

Scientists are narrowing in on why some people keep avoiding Covid. BA.5 could end that luck.

Aria Bendix, NBC News

Beyond behavior, a person's genetics, T cells and the effects of inflammatory conditions like allergies could influence their Covid risk — but only to a point.

Covid-19 Lab Companies Retrench as Rapid Tests Take Over

Brianna Abbott, The Wall Street Journal

More people checking for Covid-19 infections are choosing rapid, at-home antigen tests over PCR tests processed at laboratories, making variant-driven waves harder to track and helping to spur a retrenchment in testing capacity that labs had built up over the pandemic.

America Is Running Out of 'COVID Virgins'

Yasmin Tayag, The Atlantic

The Institute of Health Metrics and Evaluation suggests that as of earlier this month, 82 percent of Americans have been infected with the coronavirus at least once. Some of those people might still think they're never had the virus: Asymptomatic infections happen, and mild symptoms are sometimes brushed off as allergies or a cold. Now that we're battling BA.5, the most contagious and vaccine-dodging Omicron offshoot yet, many people are facing their second, third, or even fourth infections.

Slow patient uptake of Pfizer's Covid drug hints at end to sales boom

Jamie Smyth, Financial Times

Paxlovid dominates antiviral treatment market but weak demand could cause supply glut, health data group Airfinity says.

GOP plots Fauci probe after midterms

Nathaniel Weixel, The Hill

Congressional Republicans are eagerly floating investigations into Anthony Fauci and the Biden administration's response to the coronavirus pandemic if they win back control of the House or Senate in the midterm elections.

GENERAL

Why is insulin still so expensive for diabetes patients in the U.S.?

Berkeley Lovelace Jr., NBC News

More than 1 in 10 patients who use insulin report spending a significant part of their incomes on the drug.

Monkeypox is being driven overwhelmingly by sex between men, major study finds

Benjamin Ryan and Matt Lavietes, NBC News

Of the 528 confirmed cases reviewed, 95% are believed to have transmitted during sex between men, according to a new paper in the New England Journal of Medicine.

Collateral damage of the Fed's interest rate hikes: People who put medical bills on credit cards

Bob Herman, Stat News

There's a new wrinkle for patients who use plastic: Under new federal monetary policy, they will likely be saddled with higher interest rates and tighter credit limits. That will jeopardize their creditworthiness, increase their costs, and potentially lead to more debt collection lawsuits and wage garnishments for people who can't keep up, said Erika Rickard, an attorney who studies the civil legal system for the Pew Charitable Trusts.

FDA Moves to Boost Food, Drug Safety Via Remote Review Tools

Celine Castronuovo, Bloomberg Law

The FDA plans to increase its use of remote assessments across all product areas to supplement in-person inspections and other regulatory activities beyond the Covid-19 public health emergency.

Napping regularly linked to high blood pressure and stroke, study finds

Sandee LaMotte, CNN

Study participants who typically napped during the day were 12% more likely to develop high blood pressure over time and were 24% more likely to have a stroke compared with people who never napped.

After Roe, Pregnant Women With Cancer Diagnoses May Face Wrenching Choices

Gina Kolata, The New York Times

Urgent questions arise about how care of pregnant women with cancer will change in states where women are unable to terminate pregnancies

Interstate Abortion Travel Is Already Straining Parts of the System

Margot Sanger-Katz et al., The New York Times

The reversal of Roe v. Wade did not affect the legal status of abortion in New Mexico, where seven clinics are still operating. But that does not mean an abortion is easy to obtain there.

Advocates call for better messaging for minority groups as White House rolls out post-Roe response

Candice Norwood, The 19th

Lawmakers and organizations are asking officials to keep in mind some of the country's most vulnerable communities: immigrants and people of color.

Georgia Prosecutors Stand Firm Against Abortion Ban After Ruling

Jalen Brown, Bloomberg Law

Georgia's elected prosecutors and a state lawmaker said they stand by their commitments against criminalizing reproductive health decisions after a federal appeals court allowed the state's six-week abortion ban to take effect.

Cautious optimism from PE investors in fertility care

Sarah Pringle, Axios

Private equity owners of the country's leading IVF treatment platforms tell us they are getting educated on state laws and preparing for the aftermath of the June 24 Dobbs ruling.

Acne bacteria, study suggests, thrive when skin oil turns infection-fighting cells into accomplices

Isabella Cueto, Stat News

Cutibacterium acnes, a crunchy Cheeto-shaped bug that lives on human skin, loves the oily pocket around hair follicles. No face is quite as greasy as that of adolescents, flooded with hormones that grow hair, deepen voices, and ramp up production of sebum, a secretion that makes the skin a moist and protective barrier.

PAYERS

Health disparities percolate into work-based coverage

Adriel Bettelheim, Axios

The more than 150 million Americans who get their health coverage through work face significant inequities by race and ethnicity while managing complex health conditions, a new analysis from Morgan Health and NORC at the University of Chicago finds.

CMS sets quality measures for state-funded home care programs

Mari Devereaux, Modern Healthcare

The Centers for Medicare and Medicaid Services announced the release of voluntary quality measures for state Medicaid home and community-based service programs to assess patient health outcomes.

PROVIDERS

Hospitals struggle with staff shortages as federal Covid funds run out

Krista Mahr, Politico

Hospitals across the country are grappling with widespread staffing shortages, complicating preparations for a potential Covid-19 surge as the BA.5 subvariant drives up cases, hospital admissions and deaths.

Tenet reins in Q2 labor costs, stock jumps

Sydney Halleman and Hailey Mensik, Healthcare Dive

Lower expenses for labor costs for salaries, wages and benefits cushioned Tenet's earnings, falling 6.8% year over year in the second quarter. Tenet's labor expenses also fell in the first quarter this year, making it an outlier among other for-profit peers as labor costs at hospitals have been spiking across the country.

HCA beats Wall Street expectations in Q2 after earlier dip in guidance

Hailey Mensik and Sydney Halleman, Healthcare Dive

The Nashville, Tennessee-based for-profit chain reported $14.8 billion in revenue compared to $14.4 billion in the second quarter of 2021, beating expectations by 0.6%, according to a report by SVB Securities. Adjusted EBITDA came in at $3.04 billion, nearly 10% above SVB's model.

Few pediatric standards of care use race terms in positive way, with grave implications for equity, study finds

Anastassia Gliadkovskaya, Fierce Healthcare

A systematic review of the use of race in pediatric clinical practice guidelines found that it was frequently used in a potentially harmful way.

Catholic hospitals' growth impacts reproductive health care

Susan Haigh and David Crary, The Associated Press

Even as numerous Republican-governed states push for sweeping bans on abortion, there is a coinciding surge of concern in some Democratic-led states that options for reproductive health care are dwindling due to expansion of Catholic hospital networks.

PHARMA, BIOTECH AND DEVICES

FDA to Enforce Deadlines for Fixing Generic Drug Applications

Celine Castronuovo, Bloomberg Law

Generic drugmakers risk having their product applications withdrawn by the FDA if they don't address application deficiencies within one year of notification, according to guidance issued Friday.

Georgia's Heartbeat Abortion Ban Tests FDA Limits on Pill Access

Ian Lopez and Celine Castronuovo, Bloomberg Law

Georgia's revived abortion law puts a new strain on people turning to medication to end pregnancies and adds to an ongoing battle over the boundaries between states and the federal government.

Abortion Pill Maker Moves to Challenge Mississippi Trigger Law

Ian Lopez, Bloomberg Law

Generic mifepristone maker GenBioPro seeks to challenge a Mississippi anti-abortion law set into motion by the US Supreme Court's reversal of Roe v. Wade, claiming the new state of affairs is keeping its product off local shelves.

A Message From Better Medicare Alliance:

Better Medicare Alliance's 2022 State of Medicare Advantage Report compiles the latest research and data to deliver a comprehensive picture of the Medicare Advantage experience today - from enrollment trends and advances in health equity, to supplemental benefit offerings and

consumer savings. This year's report finds seniors on Medicare Advantage are saving nearly $2,000 per year while giving their coverage a 94% satisfaction rate. Read more.

HEALTH TECHNOLOGY

A troubling report on Cerner's VA rollout offers a rare look into the hidden harms of health records

Katie Palmer, Stat News

The rollout of Cerner's electronic health record in Veterans Affairs hospitals has been a high-profile struggle: outages, training troubles, and now, an alarming report showing it directly harmed scores of patients.

AI can reduce sepsis-related deaths, study shows

Mari Devereaux, Modern Healthcare

Using artificial intelligence and a machine learning system, providers were able to diagnose and treat cases of sepsis earlier than with traditional methods, decreasing sepsis patient mortality by nearly 20%, according to new research.

Digital pharmacy startup Capsule lays off 13% of workforce: media report

Heather Landi, Fierce Healthcare

The New York-based digital pharmacy startup initiated staffing cuts this week that impacted 13% of its workforce, Crain's New York Business reported. Sales and marketing, software engineering, product, operations and expansion growth were among the affected departments, according to LinkedIn posts from former employees who were part of the layoffs.

OPINIONS, EDITORIALS AND PERSPECTIVES

Amazon already knows a lot about me, but One Medical takes it to a whole new level

Ari Levy, CNBC

One Medical knows a lot about me. In addition to many years of clinic visits and virtual chats, I use the mobile app to record my blood pressure and resting heart rate, check my lab results and renew prescriptions as needed. For that, I pay a membership fee of $199 a year. But I never took into account the possibility that Amazon may one day own One Medical.

Deal between Amazon and One Medical has massive implications for the future of primary care

Katherine A. Gergen-Barnett and Russell S. Phillips, Stat News

Amazon's announcement that it would acquire One Medical, a primary care provider, for $3.9 billion — its largest health care acquisition to date — was for many Americans likely just another item on the ever-expanding

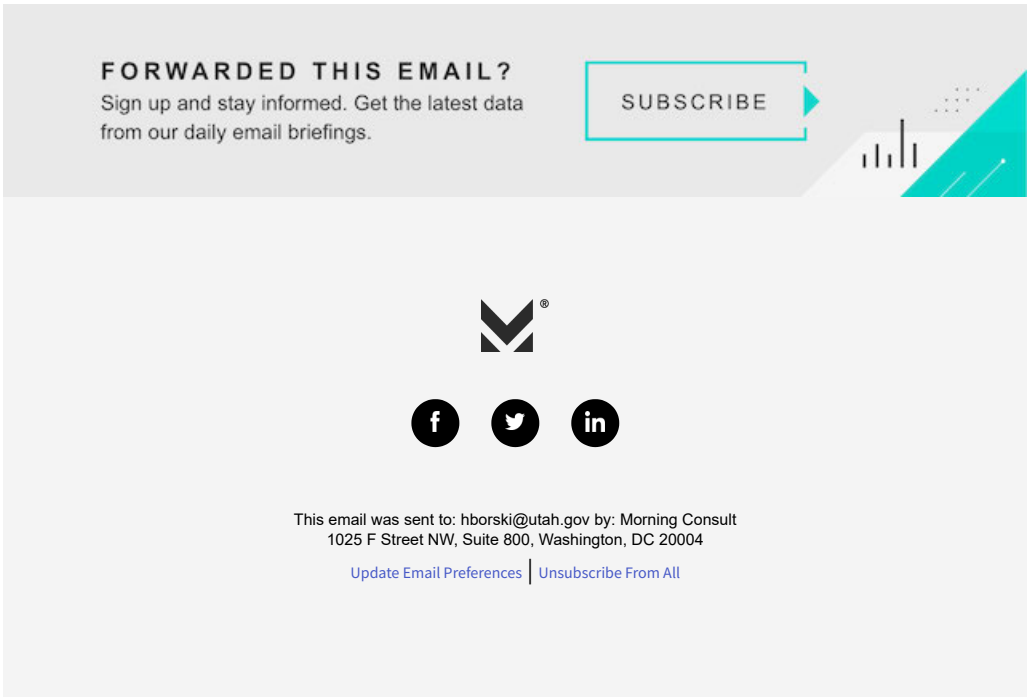
news ticker tape. But an acquisition of a primary care company of this size by a tech giant like Amazon should be taken seriously because of its massive implications for the future of primary care, health care delivery, and health equity.

RESEARCH REPORTS

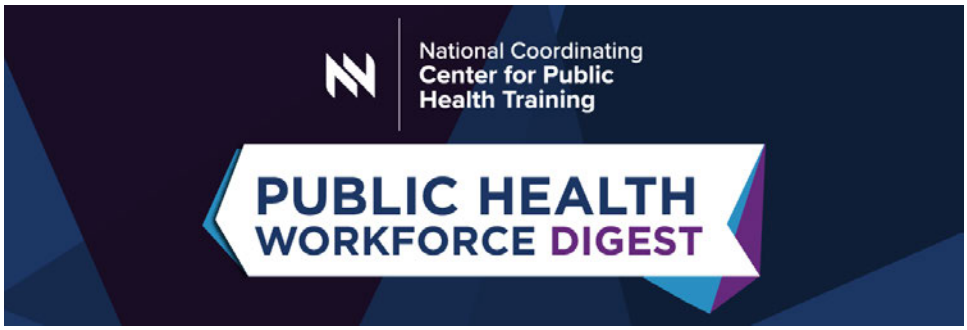
Virginia Medicaid Expansion: New Members Report Reduced Financial Concerns During The COVID-19 Pandemic

Hannah Shadowen et al., Health Affairs

Medicaid is a critical antipoverty program. Since the Affordable Care Act expanded Medicaid eligibility, millions of newly eligible people have enrolled, creating positive financial improvements for low-income families. We examined the association of Virginia's 2019 Medicaid expansion and changes in health care-related and non-health-care-related financial needs among newly eligible Medicaid enrollees.



SUBJECT: NCCPHT Public Health Workforce Digest
FROM: National Coordinating Center for Public Health Training <training@nnphi.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 25/07/2022 12:59



WORKFORCE NEWS

Join NNPHI for a two-part series that is a continuation of the discussion from our dynamic NNPHI Annual Conference panel with community-based organizations about working together to advance public health with unreached populations.

Part 1: Wednesday, July 27th - Developing Customized Communications Plans: Centering Community in Public Health Messaging
Panelists will discuss the nuts-and-bolts of developing customized communications plans that center the voices and experiences of diverse communities.

Part 2: Wednesday, August 3rd - Rolling with Resistance: Building Communication as a Two-Way Street
Panelists will discuss ways to build relationships with community partners, what prevents us from truly equitable partnerships, and the critical importance of engaging communities around shared goals. Speakers from community-based organizations and the communications partner that worked with them on outreach campaigns for the CDC-funded Vaccine Equity Project will share examples and cautions.

Learn more and register here.

LEARNING OPPORTUNITIES

Public Health
Communications
COLLABORATIVE

ONLINE TRAINING:

Comms Crash Course: Using Social Media for Public Health Communications

Public Health Communications Collaborative

Learn more and register here.

WEBINAR:

Data for Rural Health Equity

Northwest Center for Public Health Practice

Learn more and register here.

WEBINAR:

Health Equity Summit: Action With Intention

Association of State and Territorial Health Officials

Learn more and register here.

FROM THE NAVIGATOR:

COVID Vaccine Ambassador Training: How to Talk to Parents

Johns Hopkins Bloomberg School of Public Health (JHBSPH)

Access the training here.

MORE LEARNING OPPORTUNITIES

July 26: Abortion Access is Public Health *(Northwest Center for Public Health Practice)*

July 26- 28: 2nd National Conference on American Indian and Alaska Native Injury and Violence Prevention *(Centers for Disease Control and Prevention, Indian Health Service)*

July 28: Predicting Human Disease Risk From Animal-borne Pathogens *(Alabama Regional Center for Infection Prevention and Control Training and Technical Assistance)*

July 28: Media Training for Public Health Professionals- Session II (Midwestern Public Health Training Center)

August 1-4: Children's Environmental Health Workshop *(National Academies of Sciences, Engineering, and Medicine)*

COMMUNITIES OF PRACTICE

Join one of NNPHI's online Communities of Practice to connect and share tools with public health and multi-sector professionals from around the country.

- COVID-19 Learning and Action Collaborative
- NNPHI Member Institute COVID-19 Community

- Public Health Performance Improvement Network (phPIN)

JOIN A COMMUNITY OF PRACTICE

RESOURCES AND REPORTS

TOOLKIT: 988 Suicide & Crisis Lifeline Partner Toolkit

This 988 Partner Toolkit by Substance Abuse and and Mental Health Services Administration (SAMHSA) recognizes the need for governments, states, territories, tribes, crisis centers, and partners to speak with one voice to ensure there is a clear understanding about what 988 is and how it will work.

The 988 dialing code operates through what was formerly known as the National Suicide Prevention Lifeline. It is a network of over 200 locally operated and funded crisis centers around the country.

988 offers 24/7 access to trained crisis counselors who can help people experiencing mental health-related distress. That could be:

- Thoughts of suicide
- Mental health or substance use crisis, or
- Any other kind of emotion distress

SAMHSA sees 988 as a first step towards a transformed crisis care system in much the same way as emergency medical services have expanded in the US.

Access the full toolkit here.

JOB OPPORTUNITIES

Program Analyst, Emergency, Preparedness, Response, and Recovery (EPRR)

National Network of Public Health Institutes

Manager, Human Resources

National Network of Public Health Institutes

Intern, Communities of Practice

National Network of Public Health Institutes

Program Associate, Network Engagement and Convenings

National Network of Public Health Institutes

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TO: Heather Borski <hborski@utah.gov>
DATE: 26/07/2022 05:02

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ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today

July 26, 2022

HOW TO REGAIN CITIZENS' TRUST AFTER A FINANCIAL SCANDAL

KATHERINE BARRETT & RICHARD GREENE | Just getting rid of the people involved isn't enough. A complex task follows for local leaders to restore faith in the government.

MONKEYPOX FORCES A NEW PUBLIC HEALTH TEST ON LOCAL GOVERNMENTS

MOLLY BOLAN | Experts point to steps health departments and others can take to meet the challenges posed by the spreading disease.

HOW RURAL COMMUNITIES CAN RECEIVE THE DIGITAL INFRASTRUCTURE SUPPORT THEY NEED

TAMRA REYNOLDS | COMMENTARY | Bridging the rural-urban digital divide will depend on fundamental shifts in how we deploy money towards infrastructure in rural areas.

***Route Fifty* presents**
Building It Right: The Road to Successful Infrastructure Spending
Join *Route Fifty* on **July 28** to hear from **Mitch Landrieu, Senior Advisor to the President and White House Infrastructure Implementation Coordinator**! Tune in for this conversation surrounding existing infrastructure progress, ways to strengthen intergovernmental partnerships, and future opportunities.
REGISTER TODAY!

INDIANA OPENS SPECIAL SESSION TO DEBATE NEAR-TOTAL ABORTION BAN

MARIEL PADILLA | THE 19TH | Lawmakers convene to introduce a near-total ban, just weeks after a 10-year-old had traveled to Indiana to receive an abortion unavailable in her home state.

SURVEILLANCE IS PERVASIVE: YES, YOU ARE BEING WATCHED, EVEN IF NO ONE IS LOOKING FOR YOU

PETER KRAPP | THE CONVERSATION | There is a large market for personal data, compiled from information people volunteer, information people unwittingly yield – for example, via mobile apps – and information that is stolen in data breaches.

THE EVOLVING DEBATE OVER ARPA'S STATE AND LOCAL AID PROGRAM

BILL LUCIA | President Biden's top advisor on the American Rescue Plan Act dismisses Republican claims that money from the law is being wasted. But he's also urging local government leaders to look for more ways to highlight their successes with the federal funding.

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Government Executive Media Group, 600 New Hampshire Avenue NW, Washington, DC 20037

SUBJECT: Morning Consult Health Presented by Better Medicare Alliance: HHSWill Reinstate ACA Nondiscrimination Rules on Gender Identity, SexualOrientation
FROM: Morning Consult <reply@em.morningconsult.com>

[redacted]
TO: hborski@utah.gov
DATE: 26/07/2022 06:08

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 26, 2022

BY MATT BRACKEN

Twitter Email

3 in 4 Voters Back Federal Protections for Birth Control Access
The House last week narrowly passed a bill to federally protect a person's right to access contraception, with eight Republicans joining Democrats in legislation that appears likely to fail in the Senate. A new Morning Consult/Politico survey found that voters are much less divided on the issue.

Congressional passage of a federal law to protect birth control access is supported by 75% of registered voters, including 87% of Democrats, 75% of independents and 62% of Republicans. Read more from Morning Consult senior politics reporter Eli Yokley here: Congress Should Act to Protect Same-Sex Marriage Nationwide, Most Voters Say.

TOP STORIES

- Health and Human Services Secretary Xavier Becerra said the agency will restore health care nondiscrimination rules on gender identity and sexual orientation that the Trump administration scrapped two years ago, in addition to issuing new protections that ensure access to care for members of the LGBTQ community. The new regulations would reinstate Affordable Care Act nondiscrimination requirements for providers, payers and other groups that participate in federal health care programs, as well as introducing a new rule to label Medicare Part B as federal financial assistance. (Modern Healthcare)

- The White House is planning to name a national monkeypox coordinator, with expertise in epidemic response and government operations among the primary qualifications it seeks for the role, according to two people familiar with the plan. Federal officials are also aiming to make a decision this week on whether the outbreak

[redacted]

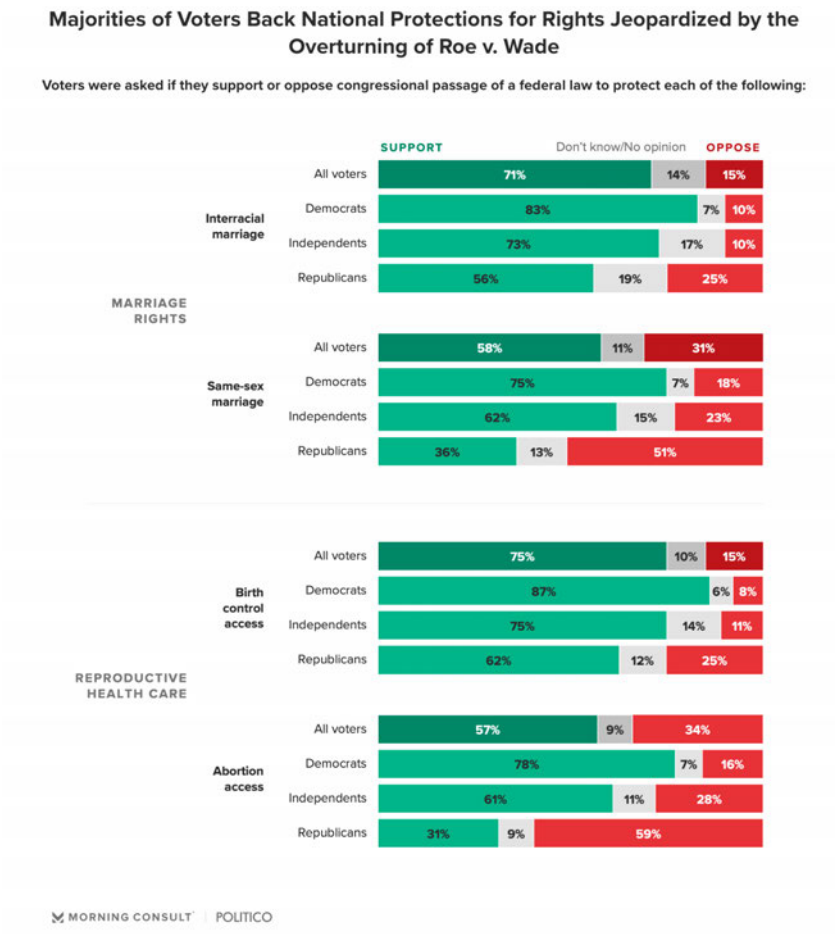
should be declared a public health emergency, a move that could come alongside a planned announcement of the distribution of 800,000 monkeypox vaccine doses, two sources said. (The Washington Post)

- A federal appeals court in New York upheld a lower-court ruling against Pfizer Inc. that said the drugmaker's Direct Copay Assistance Program — an effort to cover patient co-pays on the heart medicines Vyndaqel and Vyndamax — violated an anti-kickback law. The federal government had argued that Pfizer's financial support for reimbursable drugs would result in Medicare having to cover "astronomical" drug prices, while Pfizer said in a statement that the program "would represent a fair and effective way to lower out-of-pocket costs and help ensure affordable access to this important medicine." (Reuters)

- Centene Corp. said it is selling its Spanish and Central European businesses to French private hospital company Vivalto Santé for an undisclosed amount as the country's largest Medicaid managed care organization looks to boost its profit margin and use those funds to repurchase stock and lower debt. (Healthcare Dive) Centene reported $35.94 billion in revenue for the second quarter, surpassing analysts' expectations. (The Associated Press)

CHART REVIEW

Congress Should Act to Protect Same-Sex Marriage Nationwide, Most Voters Say
Morning Consult



EVENTS CALENDAR (ALL TIMES LOCAL)

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PRESENTED BY BETTER MEDICARE ALLIANCE

New Report Highlights Medicare Advantage's Value to Seniors and Taxpayers

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WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Could Genetics Be the Key to Never Getting the Coronavirus?

Katherine J. Wu, The Atlantic

Scientists have known for decades that some people can be resistant to HIV infection. Why not the coronavirus, too?

Biden's Covid symptoms 'almost completely resolved,' doctor says

Shannon Pettypiece, NBC News

Biden will continue to isolate at the White House for at least five days from his diagnosis and only leave isolation when he has received a negative Covid test, the White House has said.

Encouraged by right-wing doctor groups, desperate patients turn to ivermectin for long Covid

Olivia Goldhill, Stat News

A horse dewormer and treatment for some human parasites, ivermectin was initially promoted, despite the lack of research, as a way to treat or prevent Covid infections. Now it is increasingly being marketed for long Covid, pushed by physicians with ties to political groups spreading anti-vaccine and anti-science messaging.

More than 40% of parents of young kids say they will not get their child a Covid-19 vaccine, survey finds

Virginia Langmaid, CNN

New survey results published Tuesday by the Kaiser Family Foundation indicate that 43% of parents of children under 5 in the US say they will not get their child vaccinated against Covid-19, the highest percentage in the year that KFF's Vaccine Monitor survey has been asking the question.

Senators demand answers about federal prisons' scant use of Covid therapeutics

Nicholas Florko, Stat News

Fourteen senators are demanding that the federal Bureau of Prisons explain its scant use of Covid-19 therapeutics. The letter is based on STAT's May reporting showing that the agency used just a fraction of the Covid-19 drugs it was allotted by the federal government. It urges the bureau's leadership to revamp its approach toward Covid-19 testing in an

[redacted]

effort to catch more infections that could benefit from these drugs, which need to be given early in a person's illness.

Fauci holds up BA.5 booster as best approach to handling COVID this fall

Joseph Choi, The Hill

Anthony Fauci, President Biden's chief medical adviser, said on Monday that a COVID-19 vaccine booster specific to the BA.5 omicron subvariant — which is currently dominant in the U.S. — is the "best guess" for dealing with the virus this fall amid the ever-evolving coronavirus pandemic.

How to Live With Covid When You Are Tired of Living With Covid

Knvul Sheikh and Hannah Seo, The New York Times

The BA.5 surge is a reminder that we need to take precautions to avoid illness, slow the relentless cycle of new variants and minimize the disruption to our daily lives.

GENERAL

House Democrats add child nutrition to legislative menu

Ellyn Ferguson, Roll Call

The House Education and Labor Committee is making a late-session push to renew child nutrition programs and incorporate changes made to cope with the pandemic, but disagreements could slow the reauthorization of a nutrition law that expired in 2015.

Biden's Drug Czar Is Leading the Charge for a 'Harm Reduction' Approach

Noah Weiland, The New York Times

Experts describe the president's drug control strategy as the most progressive since Richard Nixon appointed the nation's first drug czar in 1971.

Inside America's obesity epidemic: How America's weight (and weight loss) aren't so simple

Karen Weintraub, USA Today

More than 4 in 10 Americans now fit the medical definition for having obesity, putting them at risk for serious health problems, including diabetes, heart disease and some types of cancer. The pandemic increased the stakes. In its first year, nearly one-third of severe COVID-19 cases were blamed on excess weight.

Monkeypox could spread well beyond communities of gay and bisexual men, WHO says

Karen Gilchrist, CNBC

The World Health Organization on Monday cautioned against complacency in the rapidly escalating monkeypox outbreak, saying there is no guarantee that the virus will continue to spread within specific communities.

Epidemiologists warn the U.S. reaches a critical moment to contain monkeypox

Becky Sullivan, NPR News

On the heels of a public health emergency declaration from the World Health Organization, epidemiologists and public health experts warn the U.S. is running out of time to contain a monkeypox outbreak that has infected nearly 3,000 Americans.

The U.S. rate of C-section births continues to climb

Linda Searing, The Washington Post

Births by Caesarean section increased to about 32 percent of all U.S. births last year, continuing what has been a small but steady increase for much of the past 25 years, according to a new report from the National Center for Health Statistics, which is part of the Centers for Disease Control and Prevention.

People with disabilities weigh medication, pregnancy in post-Roe world

Meena Venkataramanan, The Washington Post

After the Supreme Court struck down federal abortion protections, people with disabilities are considering the risks of pregnancy while taking medications that could harm a fetus.

Dozens of University of Michigan medical students walk out on anti-abortion keynote speaker

Brad Dress, The Hill

Throngs of incoming medical students, known as white coats, stood up as soon as Kristin Collier, an assistant professor of medicine at the University of Michigan, began speaking at the Hill Auditorium during the white coat ceremony in the city of Ann Arbor.

Indiana abortion debate draws protest crowds, vice president

Tom Davies and Arleigh Rodgers, The Associated Press

Vice President Kamala Harris said a proposal from Indiana Republicans to ban nearly all abortions in the state reflects a health care crisis in the country and she met Monday with Democratic state legislators on the first day of a contentious special legislative session on the issue.

Studies find more clues to potential cause of severe hepatitis cases in children

Jennifer Rigby, Reuters

The recent rise in cases of acute hepatitis among children is likely linked to a common childhood virus, two independent studies from British researchers have suggested.

Allegations of fabricated research undermine key Alzheimer's theory

Aria Bendix and Denise Chow, NBC News

A six-month investigation by Science magazine uncovered evidence that images in the much-cited study, published 16 years ago in the journal Nature, may have been doctored.

McDonald's is criticized for leaving antibiotic reduction targets off its menu

Ed Silverman, Stat News

The fast-food giant is being accused of backtracking on a commitment made four years ago to set targets for reducing the use of medically important antibiotics by the end of 2020. Late last year, the advocacy groups were upset that McDonald's had not yet followed through, but they now argue the company has quietly altered its policy in way that targets are no longer being established at all.

PAYERS

Health insurance is not a proxy for good health, study says

Nona Tepper, Modern Healthcare

Health inequities and access issues exist among individuals who receive health insurance through their employer, despite arguments that access to commercial insurance acts as a great equalizer among patients, according to a study published Monday by NORC at the University of Chicago.

Affordable Care Act lawsuit threatens contraception access

Caitlin Owens, Axios

The Affordable Care Act is once again being challenged in federal court, this time with big implications for the private insurance market that dovetail with concerns about contraception access in the post-Roe world.

PROVIDERS

Big Hospitals Provide Skimpy Charity Care—Despite Billions in Tax Breaks

Anna Wilde Mathews et al., The Wall Street Journal

Nonprofit hospitals get billions of dollars in tax breaks in exchange for providing support to their communities. A Wall Street Journal analysis shows they are often not particularly generous.

CMS fix for 340B Supreme Court ruling divides providers

Maya Goldman, Modern Healthcare

The Centers for Medicare and Medicaid Services's potential response to a Supreme Court decision that invalidated cuts to 340B payments spotlights the divide between providers that participate in the drug-discount program and those that don't.

Post-Roe drug delays weigh on patients, providers

Arielle Dreher, Axios

The post-Roe battlefield is spreading to pharmacies, where drugs that can cause fetal abnormalities or that have multiple uses that include ending pregnancies are being put through more scrutiny.

PHARMA, BIOTECH AND DEVICES

'What can we do?': Pharma lobbyists face their biggest test in a decade, as Democrats barrel toward a vote on drug pricing

Rachel Cohrs, Stat News

The pharmaceutical industry, notorious for its deep pockets and aggressive lobbying tactics, has a nearly spotless record dominating policy fights. Now, the sector is staring down its biggest test in at least a decade.

Monkeypox Vaccine Maker Considers 24-Hour Emergency Production

Christian Wienberg, Bloomberg

Bavarian Nordic A/S, the only company with a vaccine approved for monkeypox, said it's preparing to run production through the night to meet surging demand after the virus outbreak was declared a global emergency.

Despite their anger over high drug prices, Americans are giving pharma credit for helping contain Covid-19

Nicholas Florko, Stat News

Nearly three quarters of Americans give the pharmaceutical industry credit for helping contain Covid-19 — and for a sector that's been roundly criticized for nearly a decade, that's a reason to celebrate.

A Message From Better Medicare Alliance:

Better Medicare Alliance's 2022 State of Medicare Advantage Report compiles the latest research and data to deliver a comprehensive picture of the Medicare Advantage experience today - from enrollment trends and advances in health equity, to supplemental benefit offerings and consumer savings. This year's report finds seniors on Medicare Advantage are saving nearly $2,000 per year while giving their coverage a 94% satisfaction rate. Read more.

HEALTH TECHNOLOGY

Amazon will see you now: reading between the lines of the One Medical acquisition

Rebecca Pifer, Healthcare Dive

The acquisition, which brings almost 190 clinics, a subscription telehealth service, an electronic health record and contracts with thousands of employer clients under Amazon's umbrella, should fast-track the e-commerce giant's goal of assembling a vertically integrated healthcare business to penetrate the employer market, experts said.

Digital health company Included Health cuts workforce as part of restructuring move

Heather Landi, Fierce Healthcare

Virtual care company Included Health, which was formed through the merger of Grand Rounds Health and Doctor on Demand last year, recently reduced its headcount by less than 6%, a company spokesperson confirmed to Fierce Healthcare.

ADHD Startup's Business Surged, Followed by Complaints and Concerns

Ike Swetlitz and Jackie Davalos, Bloomberg

Mental-health startup Done grew quickly by offering online prescriptions for ADHD, touting "worry free" refills and "next day" appointments. But in recent months, an influx of patients and a focus on growth has overwhelmed the company's clinicians and exacerbated their concerns about Done's ability to properly look after patients.

OPINIONS, EDITORIALS AND PERSPECTIVES

It's time to expose the secret drug scam at the heart of American health care

Howard Dean, Fortune

A drug's out-of-pocket cost is mostly the result of decisions made by insurance companies and the "pharmacy benefit managers" (PBMs) they hire to administer prescription drug plans and haggle with pharmaceutical firms for discounts.

RESEARCH REPORTS

The Latest Legal Challenge to the Affordable Care Act's Preventive Services Guarantee

The Commonwealth Fund

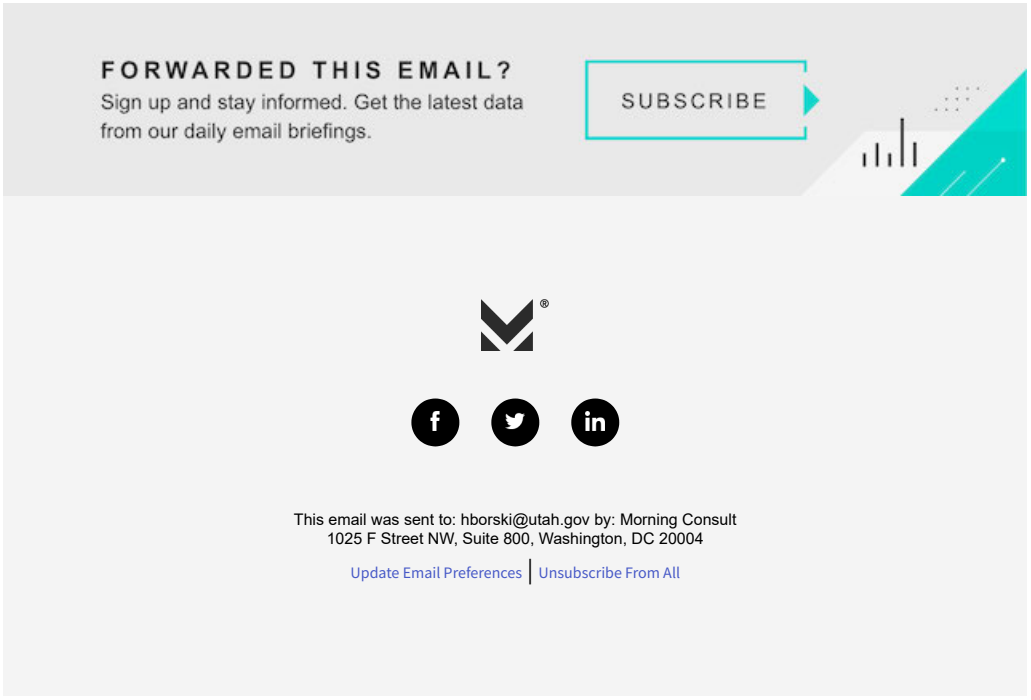
Filed by a group of employers and individuals who object to providing certain kinds of preventive care or simply don't want to pay for preventive care they feel they don't need, the suit argues that the ACA's requirement for insurers and health plans is unconstitutional. If it succeeds, millions of Americans could lose access to all preventive care guaranteed by the ACA or be forced to pay out of pocket for these vital services.

Free Preventive Services Improve Access to Care

Urban Institute and Robert Wood Johnson Foundation

Access to preventive services like cancer screenings, vaccinations, and contraception plays a key role in advancing public health. If the ACA's preventive services coverage requirement is overturned, millions could lose access to no-cost preventive healthcare.

[redacted]



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SUBJECT: How to Protect Your Community from Wildfires & Extreme Heat
FROM: Public Health Institute <communications@phi.org>
TO: <hborski@utah.gov>
DATE: 26/07/2022 16:00

PUBLIC HEALTH INSTITUTE®

JUL 26, 2022

Experts & Resources for Wildfires, Extreme Heat & Climate Change

Communities across California and around the world are grappling with dangerous wildfires and extreme heat. These threats pose serious risks to environmental and community health—from rising temperatures, unhealthy air pollutants, water contamination and more.

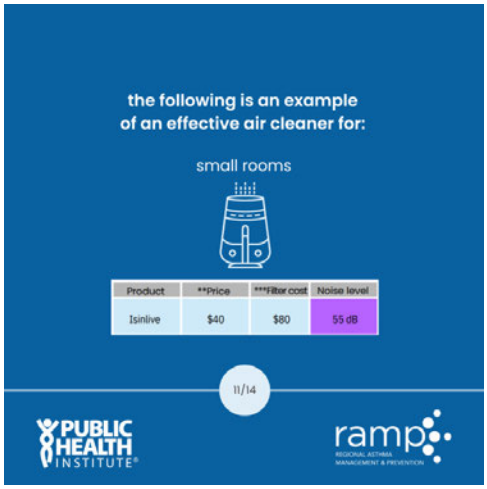
Quick PHI resources to protect yourself, your family & your community:

- **How to Choose A Safe, Effective Air Cleaner for Your Home**, created by PHI's RAMP and Dr. Gina Solomon.
- **Healthy Places Index: Heat Edition** mapping tool developed by PHI's Public Health Alliance of Southern California and the UCLA Luskin Center for Innovation to find who and where will be most affected by heat.
- **Fact Sheets: Preparing for Wildfire Smoke Events**: Tips, tools and resources to help people with asthma, families, schools and entire communities take action, designed by PHI's RAMP.

LEARN MORE

[redacted]

Below, we're highlighting some of the PHI experts and programs working to address the health impacts of wildfires, extreme heat and climate change. Plus, you'll find more tools, resources and examples to help you better prepare, including strategies to reach systemically excluded communities with key resources and information—and invest in transformative solutions to promote safety, equity and resiliency.



Gina Solomon, MD, MPH

Director, Achieving Resilient Communities (ARC); Science for Toxic Exposure Prevention

Farmworker communities are hit especially hard by climate change. "We rely on farmworkers for our food, and what we need to do is make sure that they're protected from heat and wildfire smoke—that they're informed about what to do, and that they're actually paid for the days when it's not safe for them to work," says PHI's Dr. Gina Solomon.

WATCH NOW

Anne Kelsey Lamb, MPH

Director, Regional Asthma Management and Prevention (RAMP)

"When we think about the recommendations that experts make during wildfire smoke events, a lot of those simply aren't feasible for low-income residents," explains PHI's Anne Kelsey Lamb, highlighting how social determinants like substandard housing, limited transportation options and cost of air filtration units contribute to increased smoke exposures for low-income communities.

SEE THE CLIP

Meet More PHI Experts on Climate Change, Wildfire & Heat:

- **Paul English, PhD, MPH**; Tracking California & Achieving Resilient Communities
- **Tracy Delaney, PhD, MS**; Public Health Alliance of Southern California & Achieving Resilient Communities
- **Linda Rudolph, MD, MPH**; Center for Climate Change and Health
- **Michael Dimock, MA**; Roots of Change & Achieving Resilient Communities

Explore Tools & Resources to Protect Your Community from Wildfires & Extreme Heat

See resources below and find more on phi.org ⟶

Designing Inclusive, Accessible Emergency Planning for All

As part of a statewide campaign in 2020, PHI's Center on Disability engaged residents in three California counties to make emergency preparedness inclusive of people with disabilities, seniors and older adults, and people in poverty. Using a people-centered approach, the Center connected more than 300,000 people to emergency planning information, and created written and online inclusive planning tools to help individuals prepare for emergencies including wildfires, extreme heat and more.

See the tools, resources & report ⟶

Videos: Farmworkers on Heat, Wildfires & Health

Farmworkers are 20 times more likely to die from heat stress than the US workforce overall. As climate change exacerbates heat and wildfire smoke, resilience efforts in farmworker communities will be crucial. To help increase awareness and push for action, farmworker leaders from PHI's Achieving Resilient Communities farmworker advisory committee participated in a digital storytelling workshop to develop short videos, in Mixteco and Spanish, that share their personal lived experiences with heat and wildfire smoke.

Watch the videos ⟶

Extreme Heat: Mapping Who & Where in CA Will Be Most Impacted

In the coming decades, how many days are temperatures expected to soar above 100°F in your community? How resilient is your neighborhood to extreme heat, including having access to shady trees, parks and clean air? *The California Healthy Places Index: Extreme Heat Edition* maps heat exposure, at-risk populations and community conditions that overlap, with actionable insights for individuals, communities, policymakers and more.

Explore the HPI: Heat Edition ⟶

Tips: Choosing A Safe, Effective Air Cleaner

Air cleaners can help clear out wildfire smoke particles and other asthma triggers, but finding the right purifier can be confusing and expensive. See tips to choose safe, effective and affordable air cleaners, released in partnership by PHI's Regional Asthma Management and Prevention and PHI's Dr. Gina Solomon. The fact sheet includes tips for selecting an air cleaner based on room size, cost considerations, CARB and other certifications to look for, noise level and more.

See the resources ⟶

Researching Wildfires & Water Contamination

After California's 2018 Paradise Fire, residents were concerned about drinking water safety in their homes. In response, PHI's Gina Solomon, our Tracking California and UCSF researchers tested water samples, and provided easy-to-understand results directly to participants and residents—helping to mitigate some of the trauma from the wildfire and support rebuilding a sense of community and personal agency.

See the best practices ⟶

Helping Communities Monitor Air Quality in Real-Time

In 2015, PHI's Tracking California partnered to install 40 low-cost, community managed air monitors across Imperial County. They discovered that the state's monitors had likely been missing many pollution events for years: in the first five months, the community monitors detected 1,426 high air pollution episodes—more than twelve times as many as the state system detected.

Read the impact story ⟶

Fact Sheet: How Schools Can Protect Kids from Wildfire Smoke

Schools have a role in protecting kids, staff and communities against wildfire smoke. In this resource, PHI's Regional Asthma Management and Prevention and partners share guidance for California schools. One tip: If there's smoke outside, the best place to be is an indoor space with good air quality. If outdoors for brief periods, kids should wear NIOSH-certified N95 masks.

Explore the fact sheet ⟶

How to Prepare for Wildfire Smoke Events

Find tips, tools and resources to prepare for and stay safe during wildfire smoke events, created by PHI's Regional Asthma Management and Prevention. Designed for asthma educators to use with clients, the tips can also be used by individuals to learn how to minimize exposure to smoke and harmful air pollutants. For example, if you have a central ducted air conditioning and heating system, set the system to "on" rather than "auto."

See more tips ⟶

Building a Multi-Sector, Community-Driven Movement for Climate, Health & Equity

Climate change is one of the greatest public health challenges of the 21st century. PHI advocates for healthy and climate-resilient communities that have the right tools to mitigate and adapt to climate change, while promoting strategies to reduce the overall factors which drive climate change in the first place—focusing on the vulnerable communities impacted worst and first. Explore our most popular tools and resources to guide your work:

- **Climate Change, Health, and Equity: Opportunities for Action:** PHI's Center for Climate Change and Health presents a conceptual framework to demonstrate how climate change, health and equity are linked, and identifies opportunities and recommendations for action.
- **Policy Agenda: Green Infrastructure, Public Health and Equity:** Green infrastructure can address climate change, promote community resilience and invest in neighborhoods that have been harmed by disinvestment, redlining and other racist policies. PHI's Public Health Alliance of Southern California looks at the existing barriers and local, state and federal policy opportunities to expand the use of green infrastructure.
- **A Physician's Guide to Climate Change, Health and Equity:** Doctors are often trusted voices on health issues, making them invaluable messengers on climate change. This guide from PHI's Center of Climate Change and Health explores climate change and topics like food security, infectious diseases and mental health; and the impacts on vulnerable populations including pregnant people, workers and children.

Learn about PHI's work to address climate change, with more tools & resources ⟶

[redacted]

Act On Climate

Climate change is a global crisis. Donate today to support community health, equity and climate resiliency.

DONATE

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SUBJECT: From Crypto To Apps, CFPB's Chopra Has Payments In Focus
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 27/07/2022 01:47

Wednesday, July 27, 2022

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TOP NEWS

Q&A

From Crypto To Apps, CFPB's Chopra Has Payments In Focus

Consumer Financial Protection Bureau Director Rohit Chopra is pushing forward on a busy agenda that includes keeping tabs on the downstream consumer impacts of higher interest rates, preparing for the age of real-time payments and taking a tough line with so-called repeat offender companies. "Stay tuned," he told Law360.

Read full article »

Analysis

Trade Policies To Watch In The Second Half Of 2022

[redacted]

As the U.S. struggles for a technical and moral leg up on China, the Biden administration, like the rest of the West, must also negotiate new obstacles wrought by the war in Ukraine. Here are the key international trade policies to watch in the back half of 2022.
Read full article »

DC Circ. Dumps Groups' Fight Against Okla. Coal Ash Plan
The D.C. Circuit on Tuesday dismissed the bulk of a lawsuit targeting the U.S. Environmental Protection Agency's approval of Oklahoma's coal ash permitting plan, ruling environmental groups failed to show how a decision in their favor would fix the issues they raised.
Opinion attached | Read full article »

Unvaxxed NY Top Court Judge To Get Jab As Chief Job Opens
A judge on New York's highest court, Jenny Rivera, announced on Tuesday that she would get a recently approved COVID-19 vaccine, removing a potential obstacle to her being named acting chief judge when Chief Judge Janet DiFiore steps down in August.
Read full article »

Dems Intro Bill Establishing 18-Year High Court Term Limits
Democratic lawmakers introduced legislation Tuesday that would overhaul the U.S. Supreme Court nomination timeline, establishing that presidents nominate a new justice every two years and creating an 18-year active term limit for justices.
Bill attached | Read full article »

DIVERSITY SNAPSHOT

These Law Firms Have The Most Diverse Equity Partnerships
While law firms overall continue to take only modest steps toward achieving their long-standing diversity and inclusion goals, some firms are making significant strides and showing that progress is possible even in the uppermost ranks.
Read full article »

BANKING & SECURITIES

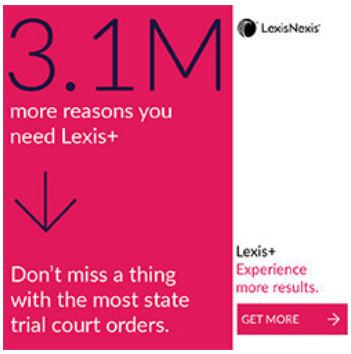
UBS Says It's Part Of Big-Bank Electronic Messaging Probe
Investment bank UBS Group AG is the latest financial institution to say it's facing regulatory scrutiny in connection with its employees' use of "unapproved electronic messaging channels" for business purposes.
Read full article »

CFTC's Relief Extension To Chinese Exchange Draws Protest
The U.S. Commodity Futures Trading Commission on Tuesday again granted relief to Shanghai Clearing House, agreeing not to take enforcement action against the derivatives clearing organization for failing to register with the agency, sparking dissent from a Republican commissioner.
2 documents attached | Read full article »

SEC's Peirce Finds Ally In Push Against ESG Reporting
After months of voicing solitary opposition to growing environmental, social and governance initiatives, the U.S. Securities and Exchange Commission's Hester Peirce may have forged a new partnership to push back on that movement with recently appointed fellow Republican member Mark Uyeda.
1 document attached | Read full article »

Minority Farmers Urge Court To Uphold Equal Protections
Farming groups representing women, people of color and Native Americans urged a Texas federal court to keep intact a federal loan relief program for minority farmers, saying they would be harmed if the court ultimately decides it discriminates against white farmers.
Brief attached | Read full article »

ENERGY & ENVIRONMENTAL



LAW FIRMS IN TODAY'S NEWS

Akin Gump
Alston & Bird
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Arnold & Porter
Atheria Law
Atkinson Andelson
Baker & Hostetler
Ballard Spahr
Berkman Bottger
Berry Appleman
Best Best & Krieger
Bookoff McAndrews
Brender Law Firm
Buchanan Ingersoll
Carlton Fields
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Cohen Tauber
Cooley LLP
Covington & Burling
Crowe & Dunlevy
Crowell & Moring
Crowley Fleck
DLA Piper
Davis Polk
Davis Wright
Diaz Reus
Emery Celli
Engleman Fallon
Eversheds Sutherland
Farrar & Ball
Fillmore Law Firm
Finnegan
FisherBroyles
Foley & Lardner
Fragomen Del Rey
Freshfields
Fullerton Beck
Gehman Law
Hanson Bridgett
Hasselberg Rock
Haynes & Boone
Hogan Lovells
Holland & Hart
Hunton Andrews
Ice Miller
Irell & Manella

Feds Beat Suit Over Puget Sound Protected Salmon Fishing
A Washington federal judge has granted a bid by the National Marine Fisheries Service to toss litigation brought by recreational anglers seeking to invalidate authorizations for Puget Sound fisheries based on endangered species impacts, saying he deferred to the NMFS' scientific judgments and expert technical analyses.

Order attached | Read full article »

Utilities Back FERC Over New Grid Projects Order At DC Circ.
Mid-Atlantic transmission owners on Monday backed the Federal Energy Regulatory Commission's conclusion that they retain the authority to plan for new projects that replace their aging facilities and that regional grid operator PJM Interconnection should not include such projects in its planning process.

Brief attached | Read full article »

HEALTH & LIFE SCIENCES

2nd Circ. Backs Pfizer Loss In Drug Copay Program Suit
The Second Circuit backed a lower court's finding that Pfizer's planned efforts to give copay assistance to Medicare beneficiaries for a pricey heart medication would flout an anti-kickback law, disagreeing with Pfizer's argument that parties are only liable under the law if there is some underhanded intent.
Read full article »

DC Circ. Affirms FDA's Denial Of Flavored Vape Applicants
The D.C. Circuit has rejected an appeal by four makers of flavored e-cigarettes who challenged the U.S. Food and Drug Administration's denial of their premarket tobacco product applications, ruling Tuesday that the agency acted within Congress' authorization and its decisions were supported by evidence.

Opinion attached | Read full article »

IP & TECHNOLOGY

Leahy Spotlights Report On 10-Year Patent Pilot Program
The decadelong patent pilot program that put patent cases before district judges with an interest in intellectual property improved efficiency and experience, but had little impact on venue change or the affirmance rate of patent cases on appeal, a report has found.

Report attached | Read full article »

MEDIA & ENTERTAINMENT

UK Music Streaming Study Finds Good Consumer Outcomes
A study being conducted by the U.K.'s competition watchdog has so far found that the music streaming industry is working well for consumers in the country and should not be the target of a deeper investigation by enforcers.

2 documents attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

DC Circ. Affirms 'Odd' DOT Rule On Truckers' Hours
The D.C. Circuit affirmed the U.S. Department of Transportation's recently updated rule governing commercial truck drivers' rest breaks and hours on the road, ruling Tuesday that while the reasoning isn't perfect, the agency presented enough evidence to support the changes.

Opinion attached | Read full article »

Dems Press DOT On Airline Competition, Flight Delays
Democratic Sens. Elizabeth Warren and Alex Padilla urged the U.S. Department of Transportation to take action for air travelers and foster competition in the airline industry amid rising reports of negative air travel experiences.

Letter attached | Read full article »

Jenner & Block
Jones Day
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Kramer Levin
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Manning & Kass
Manning Gross
McDowell Hetherington
McNees Wallace
Miller Barondess
Mitchell Silberberg
Mooney Green
Morgan Lewis
Morrison Cohen
Morrison Foerster
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Munger Tolles
Najvar Law Firm
Naman Howell
O'Melveny & Myers
Ogletree Deakins
Orrick Herrington
Paul Hastings
Paul Weiss
Potter Anderson
Quinn Emanuel
Redgrave LLP
Reed Smith
Riley Safer
Roig Lawyers
Ropes & Gray
Scheef & Stone
Schlam Stone
Seed IP Law Group
Seyfarth Shaw
Shook Hardy
Shutts & Bowen
Sidley Austin
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ACE Cash Express Inc.
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American Bar Association
American Municipal Power Inc.
Apple Inc.
BNSF Railway Co.
Bank of America Corp.
Brotherhood of Locomotive Engineers & Trainmen
Brotherhood of Maintenance of Way Employes Division-International
Brotherhood of Teamsters

EMPLOYMENT & BENEFITS

9th Circ. Says Rail Workers Exempt From Calif. Leave Law

The Ninth Circuit upheld a victory for railroads that had challenged the application of a California paid sick leave law that labor unions and the state had defended, holding Tuesday that rail workers were exempt due to federal laws governing their benefits.

Opinion attached | Read full article »

DOL Floats Changes To Prohibited Transaction Exemption

The U.S. Department of Labor said Tuesday it wants to make clear to retirement plan managers that certain criminal convictions will disqualify financial firms and individuals from receiving a prohibited transaction exemption under ERISA, regardless of whether the convictions occurred in foreign or domestic jurisdictions.

1 document attached | Read full article »

AEROSPACE & DEFENSE

Sikhs Say Congress Wouldn't Support Marines' Beard Ban

A group of prospective Marine recruits told a D.C. federal judge he should defer to Congress in allowing them to keep their beard and hair according to their Sikh customs.

2 documents attached | Read full article »

INTERNATIONAL TRADE

Senate Ends Debate On Semiconductor Tax Credit Legislation

The Senate voted Tuesday to close debate on legislation intended to incentivize domestic semiconductor manufacturing through a 25% tax credit and $52 billion in subsidies, setting up the bill for a potential final vote as early as this week.

Read full article »

TAX

Senate Bill Would Streamline Taxes For Payments With Crypto

Small purchases made with cryptocurrencies would be exempted from capital gains taxes under a bipartisan bill introduced in the U.S. Senate Tuesday, with supporters in the industry saying the bill could spur the use of digital assets as a means of payment.

Bill attached | Read full article »

IMMIGRATION

Feds Tell 5th Circ. States' Input Isn't Needed To End Title 42

The Biden administration urged the Fifth Circuit to scrap a Louisiana federal judge's order barring the termination of a Trump-era policy authorizing the rapid removal of migrants during the COVID-19 pandemic, saying the pandemic is no longer a public health emergency.

Brief attached | Read full article »

NATIVE AMERICAN

Mont. Utility Urges Justices To Curb Tribal Court Authority

A Montana electric utility has urged the U.S. Supreme Court to overturn a Ninth Circuit decision that the Crow Tribe's court could handle a suit against the company for disconnecting a tribe member's electric service, arguing that the situation didn't meet an exception to tribes' general lack of civil authority over non-Indian entities.

Petition attached | Read full article »

TELECOMMUNICATIONS

FCC Won't Back Antenna Owner In Local Permit Dustup

A California city may revoke permits that a property owner relied on to install 13 antennas and supporting masts on a residential roof, the Federal Communications Commission has told the D.C. Circuit.

Brotherhood of Railroad Signalmen
Chevron Corp.
Citigroup Inc.
Early Warning Services LLC
Earthjustice
Financial Accounting Foundation
Financial Accounting Standards Board
Google LLC
International Brotherhood of Electrical Workers
Intertribal Agriculture Council
JPMorgan Chase & Co.
JUUL Labs Inc.
LS Power
Montana Legal Services Association
Morgan Stanley
Native American Rights Fund Inc.
Natural Resources Defense Council
Navistar International Corp.
New York County Lawyers' Association
Novavax Inc.
PJM Interconnection LLC
Pfizer Inc.
Public Citizen Inc.
SMART Union
Sierra Club
Sikh Coalition
Southern Poverty Law Center
Space Exploration Technologies Corp.
Spirit Airlines Inc.
Spotify Technology SA
Temple University
Tesla Inc.
The Kraft Heinz Co.
The New York Times Co.
Twitter Inc.
UBS Group AG
Union Pacific Corp.
Universal Service Administrative Co.
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GOVERNMENT AGENCIES IN TODAY'S NEWS

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Employee Benefits Security Administration
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Judicial Center
Federal Maritime Commission
Federal Motor Carrier Safety Administration
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Agriculture Organization

Brief attached | Read full article »

Advocates Say FCC's Rural Health Surplus Indicates Problems

The Federal Communications Commission said that a big surplus for its Rural Health Care Program will allow it to carry out all 2022 funding requests, although a longtime critic of the program says the leftover money indicates that worthwhile applications are being passed over.

Notice attached | Read full article »

CANNABIS

Sens.' Hearing On Pot Legalization Splits Down Partisan Lines

A U.S. Senate subcommittee on Tuesday held the chamber's first-ever hearing on a bill to end federal cannabis prohibition, with the Democratic majority and Republican minority tussling along familiar partisan lines over the criminal justice and public health implications of legalization.

5 documents attached | Read full article »

Pot Investor Drops Out Of Suit Against Illinois Regulators

A cannabis investor, who claimed he was frozen out of the Illinois market by state regulators and their licensing scheme, has dropped out of the lawsuit right as the state issued 185 licenses.

Notice attached | Read full article »

EXPERT ANALYSIS

Opinion

How Justices' EPA Ruling Thwarts The Will Of The People

By reversing a long-standing presumption in favor of executive branch interpretations of ambiguous statutes, the U.S. Supreme Court's recent ruling limiting the U.S. Environmental Protection Agency's powers to fight climate change blocks the will of the popular majority that elects the president, exacerbating our political system's dysfunction, says Jonathan Martel at Arnold & Porter.

Opinion attached | Read full article »

A Look At Cybersecurity's Federal Legal Landscape

Two recently enacted federal laws are the latest in a series of executive and legislative actions taken over the past year to strengthen cybersecurity resilience, signaling an increasing focus on improving cyber preparedness, enhancing threat monitoring and incident response capabilities, and promoting more coordination among governmental and nongovernmental entities, say Adam Solomon and Anna Chan at Hunton.

Read full article »

A Lawyer's Guide To Collecting Fees From Nonpaying Clients

You've done the work and sent the bill, but haven't been paid. What do you do? Joshua Wurtzel at Schlam Stone offers recommendations on how lawyers — from solo practitioners to BigLaw partners — can avoid leaving significant receivables on the table from clients who have the ability to pay.

Read full article »

LEGAL INDUSTRY

Over 30 US Firms Recognized For Female Atty Representation

Over 30 U.S. law firms and five U.K. firms were recognized this year for the number of women represented in leadership roles, marking an increase in how many U.S. firms were certified, and a decrease in U.K. firms being certified, compared to last year.

Food and Drug Administration
Illinois Attorney General's Office
National Institute of Standards and Technology
National Marine Fisheries Service
National Railroad Passenger Corp.
National Science Foundation
Office of the Comptroller of the Currency
Transportation Security Administration
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. District Court for the Central District of Illinois
U.S. District Court for the District of Columbia
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Texas
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
World Bank Group
World Trade Organization

[redacted]

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Analysis

As Albright's Patent Reign Ends, Where Will Cases End Up?

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SUBJECT: Teva Reaches $5B National Opioid Deal
FROM: Health Law360 <news-q@law360.com>

[redacted]

[redacted]

TO: hborski@utah.gov

DATE: 27/07/2022 02:26

HEALTH

Wednesday, July 27, 2022

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TOP NEWS

Teva Reaches $5B National Opioid Deal

Lead attorneys for local governments, Native American tribes and states on Tuesday said that they had reached a settlement in principle worth nearly $5 billion with drugmaker Teva, including about $3.7 billion in cash.

Read full article »

Del. Jury Finds Kurin Infringed Rival's Blood-Testing Patent

A Delaware federal jury found Tuesday that Kurin Inc.'s blood-testing products infringe Magnolia Medical Technologies Inc.'s blood-testing patent in the first phase of the two-part jury trial, sending the case to a second trial to determine the amount Kurin owes in damages for the infringement.

Verdict attached | Read full article »

2nd Circ. Backs Pfizer Loss In Drug Copay Program Suit

The Second Circuit backed a lower court's finding that Pfizer's planned efforts to give copay assistance to Medicare beneficiaries for a pricey heart medication would flout an anti-kickback law, disagreeing with Pfizer's argument that parties are only liable under the law if there is some underhanded intent.

Read full article »

DC Circ. Affirms FDA's Denial Of Flavored Vape Applicants

The D.C. Circuit has rejected an appeal by four makers of flavored e-cigarettes who challenged the U.S. Food and Drug Administration's denial of their premarket tobacco product applications, ruling Tuesday that the agency acted within Congress' authorization and its decisions were supported by evidence.

Opinion attached | Read full article »

KPC Health Workers Ink $5M Partial Deal In Stock Plan Row

KPC Healthcare Holdings Inc. employees have asked a California federal court to greenlight a $5 million deal that would let the health care company exit the workers' suit over claims it botched a $227 million purchase by KPC's employee stock ownership plan.

Settlement attached | Read full article »

FDA Inaction May Not Doom GSK Zofran MDL, 1st Circ. Hints

A First Circuit judge suggested Tuesday that a federal agency may not have blessed the label for GlaxoSmithKline's anti-nausea drug Zofran merely by declining to add a warning that it may cause birth defects.

Read full article »

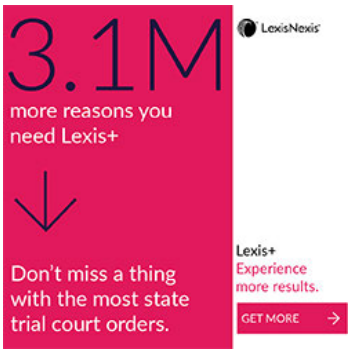
J&J Unit, Talc Claimants Spar Over Ch. 11 Case's Path

Attorneys for Johnson & Johnson's bankrupt talc unit and the committee representing talc claimants presented arguments Tuesday in New Jersey court in support of their competing visions for the Chapter 11 case and how to best determine the amount of liability the debtor has related to talc injuries.

Read full article »

Feds Tell 5th Circ. States' Input Isn't Needed To End Title 42

The Biden administration urged the Fifth Circuit to scrap a Louisiana federal judge's order barring the termination of a Trump-era policy authorizing the rapid removal of migrants during the COVID-19 pandemic, saying the pandemic is no longer a public health emergency.



COMPANIES IN TODAY'S NEWS

Allergan PLC
American Bar Association
Burger King Holdings Inc.
Chick-fil-A Inc.
IDEXX Laboratories Inc.
JUUL Labs Inc.
Johnson & Johnson
McDonald's Corp.
New York County Lawyers' Association
New York State Nurses Association
Novavax Inc.
Pfizer Inc.
Space Exploration Technologies Corp.
Temple University
Tesla Inc.
The New York Times Co.
Twitter Inc.
Walgreens Co.
White Oak Global Advisors LLC
Xerox Holdings Corp.

LAW FIRMS IN TODAY'S NEWS

Akin Gump
Alston & Bird
Andrus Anderson LLP
ArentFox Schiff
Atheria Law
Atkinson Andelson
Bailey & Glasser
Ballard Spahr
Berger Montague
Berkman Bottger
Berry Appleman
Best Best & Krieger

[redacted]

Brief attached | Read full article »

DIVERSITY SNAPSHOT

These Law Firms Have The Most Diverse Equity Partnerships
While law firms overall continue to take only modest steps toward achieving their long-standing diversity and inclusion goals, some firms are making significant strides and showing that progress is possible even in the uppermost ranks.
Read full article »

POLICY & REGULATION

Sens.' Hearing On Pot Legalization Splits Down Partisan Lines
A U.S. Senate subcommittee on Tuesday held the chamber's first-ever hearing on a bill to end federal cannabis prohibition, with the Democratic majority and Republican minority tussling along familiar partisan lines over the criminal justice and public health implications of legalization.

5 documents attached | Read full article »

ENFORCEMENT & COMPLIANCE

'Baffling' I'm Not Out Of Prison Yet, Ex-Insys Exec Says
One of the former Insys executives convicted in an opioid kickback scheme told a Boston federal court that he should be granted compassionate release from prison, saying in a court filing that his continued incarceration is "baffling but not surprising."

Memorandum attached | Read full article »

LITIGATION

ERISA Class Certified In Xerox Health Premium Case
A New York federal judge on Tuesday certified a 900-person class of former Xerox workers who allege the company violated federal benefits law when it required early retirees to start paying health care premiums, rebuffing Xerox's attempt to shrink the group.

Order attached | Read full article »

Burger King Asks To Chuck Whopper Package Chemicals Suit
Burger King asked a California federal judge Monday to toss a proposed class action alleging its Whopper is "unfit for human consumption" because the burger's packaging contains chemicals that cause cancers and other illnesses, saying its packaging meets Food and Drug Administration safety requirements.

Motion attached | Read full article »

Investment Adviser Decries Pension Plan's $22M Add-On
White Oak Global Advisors LLC has asked a New York federal judge to reconsider his grant of a $22 million amendment to an arbitral award issued in favor of a nurses union's pension plan, arguing that the arbitrator never approved prejudgment interest as part of the final award.

Motion attached | Read full article »

Pet Owners Say IDEXX Illegally Cornered Test Kit Market
Pet owners across the country hit IDEXX Laboratories with a proposed class action Monday in California federal court, accusing the animal health diagnostic services company of abusing its monopoly power and throttling the competition, which purportedly led to artificially inflated prices of test kits.

Complaint attached | Read full article »

DEALS

Wachtell-Led 3M To Spin Off Health Care Biz To Form New Co.
Corporate giant 3M, guided by Wachtell Lipton Rosen & Katz, will separate the health care portion of its business to create an independent, publicly traded company, it announced Tuesday.
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Buchanan Ingersoll
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Cohen Milstein
Cohen Tauber
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Crowell & Moring
DLA Piper
Davis Polk
Diaz Reus
Donahoo & Associates
Emery Celli
Eversheds Sutherland
Farrar & Ball
Feinberg Jackson
Feinstein Doyle
Fick & Marx
Finnegan
FisherBroyles
Foley & Lardner
Fragomen Del Rey
Freshfields
Fullerton Beck
Genova Burns
Grant & Eisenhofer
Hanson Bridgett
Hausfeld LLP
Haynes & Boone
Hogan Lovells
Holland & Hart
Hunton Andrews
Ice Miller
Irell & Manella
Jenner & Block
Jones Day
K&L Gates
Knobbe Martens
Kramer Levin
Latham & Watkins
Littler Mendelson
Lozano Smith
MKLLC Law
Manning & Kass
Manning Gross
Massey & Gail
McDermott Will
McDowell Hetherington
Miller Barondess
Mitchell Silberberg
Morgan Lewis
Morris Nichols
Morrison Cohen
Morrison Foerster
Motley Rice
Munck Wilson
Munger Tolles
Najvar Law Firm
Naman Howell
Napoli Shkolnik
O'Melveny & Myers
Ogletree Deakins
Orrick Herrington
Otterbourg PC
PGMBM Law
Parkins & Rubio
Paul Hastings
Paul Weiss

EXPERT ANALYSIS

A Look At Cybersecurity's Federal Legal Landscape

Two recently enacted federal laws are the latest in a series of executive and legislative actions taken over the past year to strengthen cybersecurity resilience, signaling an increasing focus on improving cyber preparedness, enhancing threat monitoring and incident response capabilities, and promoting more coordination among governmental and nongovernmental entities, say Adam Solomon and Anna Chan at Hunton.

Read full article »

A Lawyer's Guide To Collecting Fees >From Nonpaying Clients

You've done the work and sent the bill, but haven't been paid. What do you do? Joshua Wurtzel at Schlam Stone offers recommendations on how lawyers — from solo practitioners to BigLaw partners — can avoid leaving significant receivables on the table from clients who have the ability to pay.

Read full article »

LEGAL INDUSTRY

Over 30 US Firms Recognized For Female Atty Representation

Over 30 U.S. law firms and five U.K. firms were recognized this year for the number of women represented in leadership roles, marking an increase in how many U.S. firms were certified, and a decrease in U.K. firms being certified, compared to last year.

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Unvaxxed NY Top Court Judge To Get Jab As Chief Job Opens

A judge on New York's highest court, Jenny Rivera, announced on Tuesday that she would get a recently approved COVID-19 vaccine, removing a potential obstacle to her being named acting chief judge when Chief Judge Janet DiFiore steps down in August.

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Ex-Partner Says Redgrave Arbitration Claims Based On 'Fraud'

A former attorney at Redgrave LLP claims the firm's hardball tactics in a bitter dispute over her exit have escalated to outright "fraud," alleging in a new lawsuit that it is trying to force her into arbitration through a partnership agreement she's "never seen nor signed."

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Potter Anderson
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Redgrave LLP
Reed Smith
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Roig Lawyers
Ropes & Gray
Rupp Baase
Scheef & Stone
Schlam Stone
Seed IP Law Group
Seyfarth Shaw
Shook Hardy
Shutts & Bowen
Sidley Austin
Simpson Thacher
Skadden Arps
Sterne Kessler
Stoel Rives
Wachtell Lipton
Watson Farley
Weil Gotshal
White & Case
Williams & Connolly
Willkie Farr
WilmerHale
Wilson Elser
Wilson Sonsini
Winston & Strawn
Wollmuth Maher
Zuber Lawler

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Delaware Court of Chancery
Executive Office of the President
Federal Trade Commission
Food and Drug Administration
National Institute of Standards and Technology
Transportation Security Administration
U.S. Attorney's Office
U.S. Attorney's Office for the District of Massachusetts
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the District of New Jersey
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Department of Commerce
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Delaware
U.S. District Court for the District of Massachusetts
U.S. District Court for the Northern District of California

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Schoen Legal Search
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SUBJECT: Morning Consult Health Presented by Better Medicare Alliance: U.S.Monkeypox Response Could Cost Up to $7 Billion, Estimates Reportedly Show
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 27/07/2022 06:16

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Health

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JULY 27, 2022

BY MATT BRACKEN

Twitter Email

A Slight Rise in Omicron Concern Among the Vaccinated
Over the past month, the country has experienced a surge in COVID-19 cases thanks to the BA.5 omicron subvariant. If you squint, that rise is reflected in Morning Consult's latest tracking data — at least among some sections of the public.

The share of vaccinated U.S. adults who say they're concerned about omicron has inched up 4 percentage points to 69%. Over the same period, unvaccinated adults were essentially unmoved, with 42% expressing concern over the variant.

You can find more freshly updated data on public attitudes toward COVID-19's continuing impacts on health, politics and the economy here: Return to Normal: Views on the Pandemic.

TOP STORIES

- The price tag to fight the country's monkeypox outbreak could be nearly $7 billion, according to Biden administration estimates detailed in a memo to the president and shared with lawmakers, though a formal request for those funds — which would cover monkeypox tests, vaccine doses and treatments — was not made. The administration has also sought up to $31.4 billion in new COVID-19 aid, though previous efforts to secure those funds in Congress have been thwarted by Republicans, an obstacle that could also emerge for future monkeypox aid requests. (The Washington Post)

- Teva Pharmaceutical Industries Ltd. agreed to a tentative settlement of up to $4.25 billion with about 2,500 local governments, states and tribes over the Israeli drugmaker's role in the opioid epidemic. The deal, which won't be finalized until a strong majority of those entities vote in favor of it, requires Teva to make payments over the course of 13 years, giving states and communities the option to accept parts of those payouts in overdose reversal drugs instead of cash. (The New York Times)

- The Department of Justice has launched a criminal investigation into Cassava Sciences Inc. over allegations that the Austin, Texas-based biotech manipulated and misrepresented research on its experimental Alzheimer's drug, according to two people familiar with the probe. Cassava, which has received more than $20 million from the National Institutes of Health to support the development of simufilam, the Alzheimer's drug in question, is also being investigated by the Securities and Exchange

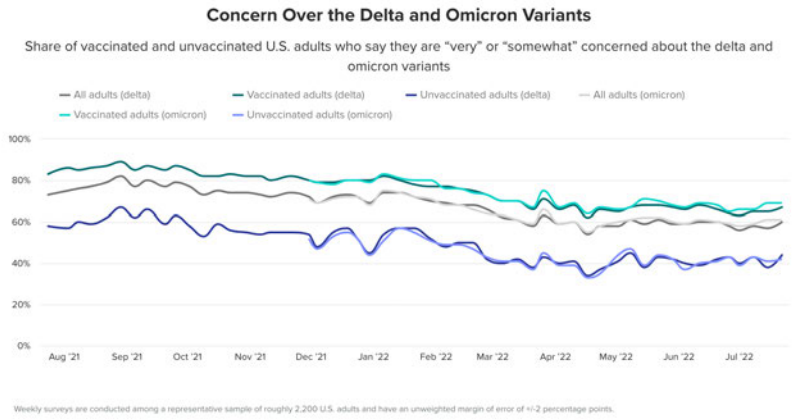
Commission over claims it made in a Food and Drug Administration petition, the sources said. (Reuters)

- 3M Co. said its health care business, which generated about $8.6 billion in sales last year and includes products for wound care, oral care, information technology and biopharma filtration, will be spun off into a public company. The St. Paul, Minn.-based conglomerate also said it was seeking bankruptcy protection for a subsidiary that previously manufactured military earplugs, which thousands of veterans say damaged their hearing. (The Wall Street Journal)

CHART REVIEW

How the Public's Views on COVID-19 Have Shifted Since the Pandemic Began

Morning Consult



EVENTS CALENDAR (ALL TIMES LOCAL)

View Full Calendar

New Report Highlights Medicare Advantage's Value to Seniors and Taxpayers

With average annual savings of nearly $2,000 for consumers, a 94% beneficiary satisfaction rate, better health outcomes, and lower per-beneficiary government spending, Medicare Advantage is delivering on its promise for seniors and taxpayers alike. Get the latest facts in Better Medicare Alliance's 2022 State of Medicare Advantage report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

White House summit sets lofty goals for new Covid vaccines — but largely sidesteps questions of funding

Lev Facher, Stat News

"Obviously, everyone has mentioned that investment is needed here," Francis Collins, the former National Institutes of Health director and Biden's acting science adviser, said, smiling, while moderating a panel about new methods of vaccine delivery. "It's all going to come down to money."

White House doctor says Biden well enough to resume exercise

Mohar Chatterjee, Politico

White House physician Kevin O' Connor said Tuesday that President Joe Biden has completed his five-day course of the Covid antiviral Paxlovid and "now feels well enough to resume his physical exercise regimen."

House passes bill for research on cognitive effects of coronavirus, 69 Republicans vote 'no'

Mychael Schnell, The Hill

The measure calls on the director of the National Science Foundation to award grants to eligible entities — including higher education institutions or other groups made up of universities and nonprofit organizations — to

assist them in researching "the disruption of regular cognitive processes associated with both short-term and long-term COVID-19 infections."

How Biden's Covid turned Ashish Jha into the de facto White House doctor

Adam Cancryn, Politico

Three months into the job, the Covid response coordinator is trying to turn Biden's illness into a White House success story.

Facebook considers relaxing COVID-19 misinformation policies

Chris Morris, Fortune

Facebook was flooded with misinformation about COVID-19 in the early days of the pandemic and quickly adopted a policy to remove it. But as the virus evolves, the company is wondering if it should be less hands on.

New studies agree that animals sold at Wuhan market are most likely what started Covid-19 pandemic

Jen Christensen, CNN

In June, the World Health Organization recommended that scientists continue to research all possible origins of the Covid-19 pandemic, including a lab leak. Two newly published studies take totally different approaches but arrive at the same conclusion: The Huanan Seafood Market in Wuhan, China, was most likely the epicenter for the coronavirus.

GENERAL

Top FDA tobacco official leaving for Philip Morris job

Nathaniel Weixel, The Hill

A top official in the Food and Drug Administration's (FDA) office of tobacco policy is leaving to join Philip Morris International, one of the world's largest tobacco companies, according to an internal agency memo.

Monkeypox Caseload in U.S. Approaches World's Highest

Jon Kamp, The Wall Street Journal

The U.S. has reported more than 3,400 confirmed or suspected monkeypox cases, federal data showed, becoming the country with the most known infections since the onset of the global health emergency.

Democratic Finance chair floats longer ObamaCare extension, IRS enforcement

Peter Sullivan, The Hill

Senate Finance Committee Chairman Ron Wyden (D-Ore.) on Tuesday said he is calling for a longer extension of enhanced ObamaCare financial assistance, and floated increased IRS tax enforcement as a potential way to pay for it.

'Critically important work': Adm. Rachel Levine on efforts to combat gender-based discrimination in health care

Edward Chen, Stat News

A day after the Department of Health and Human Services announced plans to strengthen protections against discrimination based on sexual orientation and gender identity, Adm. Rachel L. Levine, assistant secretary for health, said the move represents another important step toward securing more equitable care.

How Polio Crept Back Into the U.S.

Robin Fields, ProPublica

U.S. public health agencies generally don't test wastewater for signs of polio. That may have given the virus time to circulate silently before it paralyzed a New York man.

High potency cannabis linked to increased risk of psychosis and addiction, study suggests

Linda Carroll, NBC News

The high potency cannabis that is now widely available may raise the risk of both psychosis and addiction, a report published Monday in The Lancet Psychiatry finds.

Exercise more than the recommended amounts for the longest life, study says

Madeline Holcombe, CNN

Adults should get 150 to 300 minutes of moderate physical activity or 75 to 150 minutes of vigorous physical activity a week, according to the World Health Organization. But people who surpass those levels live longer than those who don't.

How will the obesity epidemic end? With kids.

Karen Weintraub, USA Today

More than half of adolescents with obesity had met the criteria by age 5, according to one 2018 study. And adolescents were more likely to have obesity if they were relatively large at birth, the study found, meaning risk starts before a child is even born.

South Carolina's Six-Week Abortion Ban Can Stand, Judge Rules

Jennifer Kay, Bloomberg Law

A challenge to South Carolina's six-week abortion ban was transferred Tuesday to the state's highest court in a ruling allowing the state law to remain in effect.

Georgia health providers sue to challenge 6-week abortion ban

Oriana Gonzalez, Axios

Health care providers and abortion rights advocates are suing the state of Georgia to challenge a six-week abortion ban, which took effect last week.

PAYERS

Medicare Doctors' Pay Proposal Could Jump-Start Coordinated Care

Tony Pugh, Bloomberg Law

A Biden administration proposal could boost cost-cutting efforts to steer traditional Medicare beneficiaries—and their doctors—away from the program's fee-for-service payment model roots.

Elevance ups bet on post-acute focus

Samantha Liss, Healthcare Dive

Elevance has plans to expand its post-acute care reach as insurers place a greater focus on care after a hospital stay and on care at home.

Major payers including Aetna, UHC sign on to California primary care initiative

Paige Minemyer, Fierce Healthcare

Six organizations in the state have signed a memorandum of understanding, agreeing to invest in boosting access to advanced primary care, a model that emphasizes whole-person care for high-quality outcomes. The goal is to strengthen primary care access in the Golden State by making it easier for practices to switch to a high-performing, value-based model.

PROVIDERS

Doctors are stepping into political arenas across the country over reproductive rights

Safia Samee Ali, NBC News

"As doctors, it is absolutely imperative that we share our stories and put ourselves in front of our communities, so that they can elect leaders who have shown that they will be there for everyone in their time of need," a doctor running for office in Pennsylvania said.

U.S. News names Mayo top hospital again, adds cancer surgery ratings

Susan Kelly, Healthcare Dive

The Mayo Clinic earned the No. 1 spot for a seventh straight year in U.S. News & World Report's best hospitals ranking published Tuesday. Cedars-Sinai Medical Center, NYU Langone Hospitals and the Cleveland Clinic followed next, with Johns Hopkins Hospital and UCLA Medical Center tied in fifth place.

UHS explores joint ventures, aggressive managed care negotiations as costs increase

Rebecca Pifer, Healthcare Dive

Amid ongoing labor and volume recovery pressures, hospital operator UHS sees a significant opportunity over the next five to seven years in joint ventures with acute hospitals and larger hospital operators.

When care costs dearly: New York nonprofit hospitals garnish patient wages to right medical debts, report finds

Anastassia Gliadkovskaya, Fierce Healthcare

Tens of thousands of working New Yorkers had their wages garnished for medical debt by nonprofit hospitals in the state from 2015 to 2020, a new report says.

PHARMA, BIOTECH AND DEVICES

Texas Lawyer Behind Abortion Ban Takes Aim at HIV Prevention

Erik Larson and Janet Miranda, Bloomberg

Groundbreaking drugs that prevent HIV infection may be harder to get in the US if a prominent Texas lawyer wins a lawsuit that pits his clients' religious beliefs against free nationwide access to the medicines.

BioNTech, Pfizer Sue CureVac Over Covid Vaccine Patent Threats

Christopher Yasiejko, Bloomberg Law

BioNTech SE and Pfizer Inc. asked a Massachusetts federal court to declare that their Covid-19 vaccine doesn't infringe three patents held by CureVac NV, once a rival in the race to respond to the pandemic, according to a new lawsuit.

Democrats' drug pricing bill still targets plenty of blockbusters

Caitlin Owens, Axios

Democrats' push to allow Medicare to negotiate prescription drug prices has been limited to older drugs without generic competition, but even so, many of the program's costliest medicines would still be eligible.

Sanders says Democrats' prescription drug reform bill is 'weak'

Alexander Bolton, The Hill

Senate Budget Committee Chairman Bernie Sanders (I-Vt.) said Tuesday that the prescription drug reform proposal that Democrats plan to move under special budget reconciliation rules is "weak," noting it covers a limited number of drugs and doesn't substantially take effect until 2026.

Drugmakers Hope New Heart Drugs Boost Sales, Revive Market

Jared S. Hopkins, The Wall Street Journal

Merck, Novartis and others are seeking to revive $48 billion market, which had shrunk after top-selling cholesterol and other drugs lost patent protection.

U.S. FDA accepts Biogen's ALS therapy for review

Reuters

Biogen Inc's (BIIB.O) treatment for a rare type of amyotrophic lateral sclerosis (ALS) was accepted for review by the U.S. health regulator, weeks after follow-up analyses of data from a failed late-stage study suggested the drug was likely to work.

New GSK takes flight with strong quarter, forecast boost

Natalie Grover, Reuters

Days after carving out its consumer health business, a slimmed down GSK (GSK.L) delivered a strong second-quarter performance on Wednesday, boosting its full-year forecast as demand for its blockbuster shingles vaccine rebounded.

Enfamil Maker Reckitt Boosted by U.S. Demand for Infant Formula

Saabira Chaudhuri, The Wall Street Journal

Strong demand for infant formula in the U.S. and higher sales of cold and cough medicines boosted Reckitt Benckiser Group PLC in the second quarter, propelling the Enfamil and Mucinex owner to sharply raise its sales guidance for the year.

A Message From Better Medicare Alliance:

Better Medicare Alliance's 2022 State of Medicare Advantage Report compiles the latest research and data to deliver a comprehensive picture of the Medicare Advantage experience today - from enrollment trends and advances in health equity, to supplemental benefit offerings and consumer savings. This year's report finds seniors on Medicare Advantage are saving nearly $2,000 per year while giving their coverage a 94% satisfaction rate. Read more.

HEALTH TECHNOLOGY

Mayo Clinic, Mercy to develop, commercialize patient-care algorithms

Jessica Kim Cohen, Modern Healthcare

Mayo Clinic and Mercy health system have formed a 10-year collaboration to develop and commercialize algorithms that tailor patient treatment plans, the health systems said Tuesday.

House could vote this week on bill to extend telehealth flexibilities through 2024

Robert King, Fierce Healthcare

The House Rules Committee advanced on Tuesday legislation that preserves vital flexibilities that freed up Medicare reimbursement for telehealth that could go away after this year. The decision is the final hurdle before reaching a House vote as soon as this week.

OPINIONS, EDITORIALS AND PERSPECTIVES

We must contain monkeypox before it becomes a broader threat

Leana S. Wen, The Washington Post

Most Americans do not have to worry about contracting monkeypox right now. But we cannot discount the possibility that it becomes a broader threat. That's why the World Health Organization was right to declare the

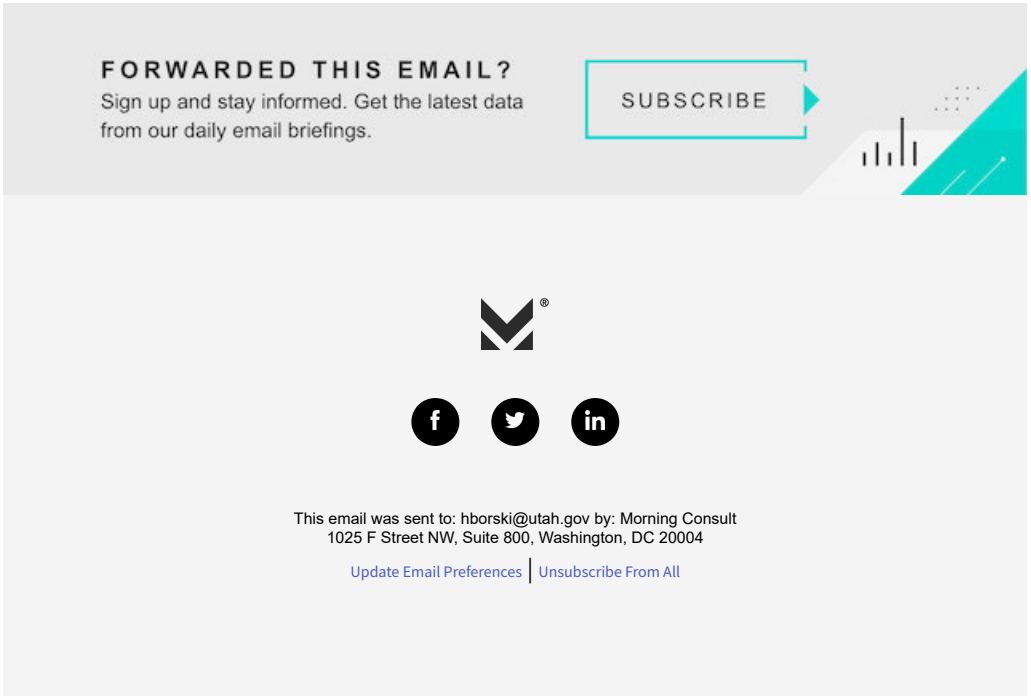
disease a global health emergency and why containing it must be a top priority for the Biden administration.

RESEARCH REPORTS

SARS-CoV-2 mRNA vaccination elicits robust antibody responses in children

Yannic C. Bartsch et al., Science Translational Medicine

Although children have been largely spared from coronavirus disease 2019 (COVID-19), the emergence of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) variants of concern (VOC) with increased transmissibility, combined with fluctuating mask mandates and school re-openings, have led to increased infections and disease among children. Thus, there is an urgent need to roll out COVID-19 vaccines to children of all ages.



SUBJECT: July 27, 2022 - White House to appoint a monkeypox responsecoordinator
FROM: "AHIP Solutions SmartBrief" <ahip@smartbrief.com>
TO: hborski@utah.gov
DATE: 27/07/2022 08:56

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July 27, 2022

AHIP SOLUTIONS SmartBrief
HEALTH INSURANCE PROVIDER NEWS

TOP STORIES

White House to appoint a monkeypox response coordinator

White House Chief Medical Adviser Dr. Anthony Fauci confirmed that the Biden administration is considering declaring monkeypox a public health emergency, and administration sources said officials hope to decide on the declaration this week. The White House also plans to appoint a national monkeypox response coordinator. **Full Story:** The Hill (7/26), The Washington Post (7/25)

CDC expands monkeypox vaccine, antiviral access

The CDC is releasing more than 750,000 doses of monkeypox vaccine from the Strategic National Stockpile, and it is working to expand testing and simplify protocols for providing the antiviral tecovirimat to patients. Telemedicine can be used for patient visits, laboratory testing is not required, and clinicians and health care facilities do not need to register before prescribing the drug. **Full Story:** Medscape (free registration) (7/26)

Superior health plan member experience report

High member expectations for service have leading health plans rethinking their member engagement. We surveyed 330 policyholders revealing insights on member experience today and strategies for payers to build a better member journey. **Download the report here!**

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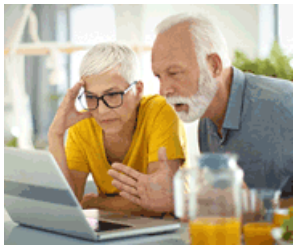
PROVIDERS & SUPPLIERS

Study links insurance type to follow-up imaging adherence

Researchers found patients with Medicaid coverage were less likely to complete follow-up imaging than those who had commercial insurance, and they recommend imaging practices adapt workflows to enhance follow-up among patients who may not receive it. The study in Clinical Imaging found no link between completion of follow-up of imaging and patient-level factors such as age, primary language or race and ethnicity. **Full Story:** AuntMinnie (free registration) (7/26)

Strapped hospitals unprepared for next COVID-19 surge

Staffing shortages fueled by turnover and burnout have complicated health systems' efforts to prepare for rising COVID-19 hospitalizations as the BA.5 subvariant spreads, and hospital leaders are working with reduced resources as pandemic response funds dry up. Hospitals are moving staff between departments, managing longer wait times in emergency departments and in some cases eliminating routine COVID-19 testing. **Full Story:** Politico (7/25)



Cybersecurity Strategies for Health Plans

Learn from experts how health plans can provide frictionless portal protection, protecting sensitive data and retaining member engagement. If you didn't attend the "Thwart Portal Attacks With the Right Protection" panel discussion, you missed a great conversation. Arkansas Blue Cross Blue Shield CISO Devin Shirley gave his perspective on health plan cybersecurity strategy.

Watch the replay now.

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MEDICAL UPDATE

Study adds to the list of long COVID symptoms

Researchers investigated 486,149 adults with confirmed COVID-19 and identified 62 symptoms significantly associated with the disease after 12 weeks, such as anosmia, hair loss and ejaculation difficulty, according to a study published in the journal Nature Medicine. Women were at greater risk of long COVID-19 symptoms, along with minorities, smokers, obese individuals, those with a low socioeconomic status, as well as a wide range of comorbidities. **Full Story:** MedPage Today (free registration) (7/25)

Study links COVID-19 vaccination to lower MI, stroke risk

A research letter published in the Journal of the American Medical Association reported that those fully vaccinated against COVID-19 saw a reduced risk of myocardial infarction and ischemic stroke as a secondary complication in an acute infection. The reduction was not statistically significant for those with severe or critical COVID-19 or a previous history of outcome events. **Full Story:** MedPage Today (free registration) (7/25)

Just the Facts, Ma'am

"I stopped watching TV news a year ago, so sick of the bias everywhere. But in doing so, I was out of the loop. I decided to give 1440 a try & I've not been disappointed. Finally, Walter Cronkite-style reporting! Just the facts. I also love that I can click a link to see more on many stories. Keep up the good work!" **Join for free now**.

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EMERGING TRENDS

US sees 2 pediatric cases of monkeypox

(Pixabay)

Health officials reported that two children were diagnosed with monkeypox: a toddler from California and an infant who is not a US resident and was tested in Washington, D.C. The children have been treated and are in good health, and officials suspect that the children contracted the infection through household transmission.

Full Story: Medscape (free registration)/The Associated Press (7/25)

Survey: Patients want to control how health data is used

Nearly three-fourths of 1,000 patients surveyed by Savvy Cooperative for the American Medical Association expressed concern about the privacy of their personal health data; about 94% said companies should be legally responsible for health data; 93% said health app developers should be transparent about how health data is used and shared; almost 80% want opt-out rights; and more than 75% want companies to ask for permission before using their health data. About 88% said health care providers or hospitals should be able to review and verify security before health apps can gain access to their health data, which would require changes to federal regulations.

Full Story: Healthcare Finance (7/25)

Health Plans Focus on Reducing Post-Acute Spend

Earlier this year, executives gathered to discuss new opportunities to improve care and costs for members. Focusing on value-based outcomes, executives turned their attention toward driving quality outcomes and achieving cost efficiencies in their post-acute networks.

Download Report.

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HEALTH INSURANCE PROVIDER COMPANY NEWS

- **AHIP Comment Letter on Risk Adjustment Data Validation (RADV) proposal**
- **Forbes Names Blue Cross NC Among Best Employers for Women in 2022**
- **BlueCross BlueShield of Tennessee Named a Best Place to Work for Disability Inclusion**
- **Kaiser Permanente Hospitals Ranked Among Nation's Best**
- **Magnolia Health Recognizes Dr. Irene S. Buckner of Delta Regional Medical Center with Annual Summit Award for Excellence in Care**
- **Superior HealthPlan Offers Tips for Safely Feeding Newborns During Formula Supply Shortage**

SOLUTIONS PROVIDER NEWS

- **Cotiviti Blog: Fraud, Waste, and Abuse Insights - How to catch a DME scheme**
- **Surescripts Transforms Patient Access to Specialty Drugs, Optimizing Adherence**
- **F4CP: Harris Poll Finds Toll of Mental Health Issues on Physical Health Disproportionately Affects Women and Young Adults**

PHARMA NEWS

Teva proposes $4.35B deal to settle opioid litigation

Teva Pharmaceutical has proposed a $4.35 billion settlement to resolve thousands of lawsuits accusing the drugmaker of contributing to an opioid addiction epidemic in the US. Under the proposed deal, Teva would pay $3.7 billion to state and local governments over 13 years and around $100 million to Native American tribes, cover attorneys' fees and provide $1.2 billion worth of opioid overdose drug Narcan.

Full Story: Reuters (7/26)

White House exploring next-generation COVID-19 vaccines

(Bloomberg/Getty Images)

Officials from the White House, Pfizer and Moderna, along with top scientists, met this week to discuss plans for developing the next generation of COVID-19 vaccines, and according to White House COVID-19 response coordinator Ashish Jha, these discussions may focus on the development of a nasal vaccine as well as a broad coverage vaccine to protect against a variety of coronavirus strains. Jha says this technology is a few years away but may come sooner with sufficient federal funding. **Full Story:** STAT (tiered subscription model) (7/25)

POLICY WATCH

HHS proposes expanded anti-discrimination rule

HHS has proposed a rule that would protect gay and transgender people from discrimination by health care providers that receive federal funding, after a rule finalized in 2020 rolled back some of those protections. Section 1557 of the Affordable Care Act prohibits discrimination on the basis of race, color, national origin, sex, age, or disability, and the new proposal would define include "sexual orientation and gender identity," in the definition of "sex," after the prior rule stated that gender identity was not included. **Full Story:** Bloomberg Law (7/26), The New York Times (7/25)

AHIP NEWS

Put your innovations on an AHIP conference agenda

Does your health insurance provider organization have timely news about a breakthrough that's guiding greater health for more Americans? Tell your story during one of AHIP's conferences. Proposals may be submitted throughout the year but be sure to check the deadlines for each conference. Learn more.

Webinar: Post-acute and home health care - register today.

Join us on Wednesday, Aug. 3 from 1 to 2 p.m. ET for "How Health Insurance Providers Can Address Post-Acute and Home Health Care Challenges" as myNEXUS and panelists discuss management of post-acute care delivered outside the home, the home setting as an opportunity to focus on whole person care, and tactics to improve CMS stars ratings and HEDIS measures.

New podcast: Understanding contraception coverage

AHIP President and CEO Matt Eyles was joined by AHIP's Kate Berry to discuss the current landscape of health insurance coverage for contraception. Berry, AHIP's Senior Vice President Clinical Innovation, Strategic Partnership, highlighted how health insurance providers have supported the protections of the Affordable Care Act for contraception coverage access for years. Listen now.

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SUBJECT: {Tobacco Free Utah} Fwd: TCN News: News and announcements from theTobacco Control Network
FROM: "Braden Ainsworth (DHHS)" <bainsworth@utah.gov>
TO: Tobacco Free Utah <hl-tobaccofreeutah@utah.gov>
DATE: 27/07/2022 11:13

Read on for announcements from the Tobacco Control Network (TCN) and our partners.

View this email in your browser

TCN NEWS

News and announcements from the Tobacco Control Network

FDA PUBLIC COMMENTING RESOURCES

*The public may provide comments on proposed rules prohibiting menthol cigarettes and flavored cigars through **Aug. 2.***
Campaign for Tobacco-Free Kids has provided the following background materials and talking points to guide public commenting:

- Template Comments in Support of Proposed Rule to Prohibit Flavored Cigars
- Support Removing Flavored Cigars from the Market to Protect Kids
- Template Comments in Support of Proposed Rule to Prohibit Menthol Cigarettes
- Support Removing Menthol Cigarettes from the Market: FDA Action Will Protect Kids, Save Lives, and Advance Health Equity
- Talking Points in Support of Proposed Rules to Prohibit Menthol Cigarettes and Flavored Cigars

HELP YOUR PEERS REQUESTS

States Providing Expired NRT

*The twice monthly **TCN News** provides a concise digest of tobacco control announcements to the Tobacco Control Network's membership base of tobacco control program managers and additional staff from each state, territory, and D.C., as well as our valued partners.*

UPCOMING EVENTS

Comment Period Open: FDA Proposed Rules Prohibiting Menthol Cigarettes – FDA
Deadline: Aug. 2

Comment Period Open: Tobacco Product Standard for Characterizing Flavors in Cigars – FDA
Deadline: Aug. 2

You Quit, Two Quit: Helping Clients Become Tobacco Free Before, During, and After Pregnancy – UNC Collaborative for Maternal & Infant Health

[redacted]

Deadline: July 27

Are there states that have provided expired NRT to populations without liability to their entity?

External Evaluation
Deadline: July 28

Who does your state use for external evaluation? Please share contacts.

Speaker Recommendations for Tobacco Control and Treatment Capacity at Health Centers
Deadline: August 2

The Texas TPCP is planning a series of specialized training videos for increasing tobacco control and treatment capacity at health centers. For our veteran-specific video, we need assistance to find someone who can speak on the topic. Does anyone have any recommendations?

Partner Announcements

- In a new monograph, the **National Cancer Institute** synthesizes evidence that smoking cessation treatment increases the quit rate for patients who smoke and identifies evidence-based interventions that may enhance the delivery of smoking cessation treatment in cancer care settings.

- The following announcements are from **CDC**:
  - CDC commits to health equity by providing population-specific information on the health burden from commercial tobacco, unfair and unjust practices and conditions, and barriers and strategies to quitting successfully.
  - In a recent brief, CDC shares how to reduce disparities among American Indian and Alaska Native populations by developing strong relationships with Native leaders and members, communicating the harms of commercial tobacco, and respecting the use of traditional tobacco.

- The following announcements are from **FDA**:
  - FDA issued its first two warning letters to manufacturers for unlawfully marketing non-tobacco nicotine e-liquid products and issued 107 warning letters to retailers in the last two weeks for illegally selling non-tobacco nicotine products to underage purchasers.
  - FDA adopted several updates to the desktop Safety Reporting Portal

Webinar
Aug. 9, 12 p.m. ET | *Registration Required*

Breathe Easy NC: Becoming Tobacco Free – QuitlineNC
Virtual Training
Aug. 24, 9:30-3 p.m. ET | *Registration Required*

Tobacco Treatment Specialist Livestream Training and Certification – Mayo Clinic Nicotine Dependence Center
Virtual Event
Sept. 20-22 | *Registration Required*

3rd National Menthol Conference – The African American Tobacco Control Leadership Council
Washington, D.C.
Sept. 28-30 | *Registration Required*

3rd International Symposium to Advance Total Worker Health® – NIOSH and the Center for Health, Work & Environment
Bethesda, MD
Oct. 11-14

Agents of Change Summit 2023 – Rescue Agency
San Diego, CA
March 6-7, 2023 | *Registration Required*

30th Annual Nicotine Dependence Center Conference – Mayo Clinic
Phoenix, AZ
March 27-28, 2023 | *Registration Required*

FUNDING OPPORTUNITIES

Tobacco/Vape-Free College Grant – Truth Initiative
This program is offering up to $20,000 to colleges and universities to support the adoption and implementation of a 100% tobacco and vape-free campus policy. All colleges and universities that do not already have a 100% tobacco/vape-free policy are eligible to apply.
Deadline: October 12
If you know of any funding opportunities that would appeal to state and territorial tobacco control programs, please send those to us at tcn@astho.org.

JOB LISTINGS

Cessation Coordinator
Texas Department of Health and Human Services
Austin, TX

Health Communications Manager
Maryland Department of Health
Baltimore, MD

tobacco questionnaire to improve the clarity, internal consistency, and utility of the information being collected.

- The following announcements are from **Truth Initiative**:
  - Truth Initiative provides three lessons learned from failures of past tobacco regulations to prevent loopholes in its final rules that would remove menthol cigarettes and flavored cigars from the market.
  - Truth Initiative research published in *Nicotine & Tobacco Research* concludes that almost an entire sample of mailed ads (96%) for tobacco products included price incentives like coupons and discount codes.

- The **American Journal of Public Health** features a special section on FDA's 2020 Guidance for Industry about marketing flavors for e-cigarettes in its July issue.

- The **American Lung Association** developed a brief, which assists public health staff in understanding the role of state insurance commissioners and leveraging relationships with important stakeholders.

- **SAMHSA** provides behavioral health agencies with a step-by-step guide to becoming a tobacco-free facility and treating tobacco use in clients and staff.

State News

- A Washington County, **Oregon** judge issued an opinion on the law prohibiting the sale of flavored tobacco products, stating that the county cannot immediately require stores to stop stocking their shelves with flavored tobacco products, since the county had no immediate plans to enforce the ordinance.

- A *Prevention Medicine Reports* analysis of cross-sectional 2004 and 2013-2014 **New York City** Health and Nutrition Examination Survey data concluded that secondhand smoke exposure among New York City non-smokers has declined over time and odds of

Tobacco/Cannabis Researcher (Assistant or Associate Professor in the University Tenure Line)
Stanford University School of Medicine
Stanford, California

Research Project Coordinator
Washington University in St. Louis
St. Louis, MO

Senior Tobacco Control Evaluator
Professional Data Analysts
Minneapolis, MN (remote)

ABOUT THE TOBACCO CONTROL NETWORK
The TCN's mission is to improve the public's health by providing education and state-based expertise to tobacco prevention and control at the state and national levels.

The TCN is a network of tobacco program managers and staff from state and territorial health departments as well as Funder's Alliance organizations, and a peer group of the Association of State and Territorial Health Officials (ASTHO) on behalf of the CDC's Office on Smoking and Health.

ABOUT ASTHO
The Association of State and Territorial Health Officials is the national nonprofit association representing the state and territorial public health agencies of the United States, the U.S. Territories, and the District of Columbia. ASTHO members, the chief health officials of these jurisdictions, are dedicated to formulating and influencing sound public health policy and to ensuring excellence in state-based public health practice.

Forward to Friend

elevated cotinine doubled when living in multiunit housing in 2013-2014.

IN THE NEWS

- *Intelligencer* sheds light on efforts to close the synthetic-nicotine loophole and how many companies, Air Bar included, remain in stores though they've already been told by FDA to stop selling in the United States.

Research

- A *Nicotine & Tobacco Research* sequential analysis of data collected from 34 NCI-designated cancer centers concluded that the proportion of centers offering remote treatment services increased each year for Quitline referrals, telephone counseling, and referrals to Smokefree TXT, while centers offering video-based counseling increased 41% from 2020 to 2021.

- A *Nicotine & Tobacco Research* analysis of advertisement data from 106 convenience stores and gas stations around 42 middle and high schools found that schools with a higher enrollment of Hispanic/Latino and economically disadvantaged students were surrounded with significantly greater advertising at TROs than schools with lower enrollment of these groups.

- An analysis published in *Tobacco Control*, which used estimates from a recent expert elicitation on behavioral impacts of a menthol cigarette ban on the non-Hispanic Black population, found that under the menthol ban scenario, smoking- and vaping-attributable deaths are estimated to fall by about 18.5%, while life years lost will decline by 22.1%, which translate to 255,895 premature deaths averted, and 4.0 million life years gained, over a 40-year period.

- A *Tobacco Control* analysis an online 3x2 within-subjects experiment testing the effects of cigarillo pack size (1, 2, 5) and price (actual price, standardized price per stick) on intentions to purchase and smoke cigarillos concluded that intentions to buy and smoke were strongest for lower priced singles and

[redacted]

two packs compared with higher priced five packs.

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Braden Ainsworth, MPH, CPM
Program Manager, Tobacco Prevention and Control Program
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TOP NEWS

Analysis

3 Biggest Hurdles For States Pushing Greener Energy

With federal climate legislation in a near-perennial state of flux, states continue to embark on ambitious projects to decarbonize their energy supplies, with Rhode Island the latest to commit to 100% renewable energy. Here, Law360 breaks down three hurdles states face to make such goals a reality.

Read full article »

Ohio Judge Blocks Air Force Vax Requirement Nationwide

An Ohio federal judge expanded an injunction Wednesday in a religious freedom challenge to the U.S. Air Force's COVID-19 vaccine mandate to cover a class of thousands of members of the military branch across the country.

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Texas Panel Upholds School District's Vax Mandate

Texas Gov. Greg Abbott cannot prevent the San Antonio Independent School District from requiring its employees to be vaccinated against COVID-19, a state appellate court panel ruled on Wednesday, finding the governor doesn't have authority over policies implemented by school districts.

Opinion attached | Read full article »

8th Circ. Tosses 'Fizzled Out' Rushmore Fireworks Fracas

The Eighth Circuit on Wednesday tossed South Dakota Gov. Kristi Noem's challenge to the National Park Service's refusal to allow a Fourth of July fireworks display at Mount Rushmore in 2021, saying "any controversy" over the fireworks has "fizzled out."

Opinion attached | Read full article »

Manchin, Schumer Deal Carries 15% Corp. Minimum Tax

Sen. Joe Manchin said Wednesday he had reached an agreement with Majority Leader Chuck Schumer on legislation that would impose a 15% corporate minimum tax as part of a larger package to address tax, energy and health care costs.

2 documents attached | Read full article »

DC Circ. Pick Defends Broad Experience Before Senate Panel

Bradley N. Garcia, an assistant attorney general nominated to the D.C. Circuit, defended his record and broad litigation experience before the Senate Judiciary Committee Wednesday as he faced tough questions from Republicans about his age and his qualifications for the job.

Read full article »

Bannon Can't Get Acquittal After Contempt Convictions

A D.C. federal judge declined Wednesday to acquit former Donald Trump White House aide Steve Bannon after he was found guilty of two counts of contempt over his failure to comply with a subpoena by the Jan. 6 House select committee, but he ordered more briefing on Bannon's motion to dismiss the case.

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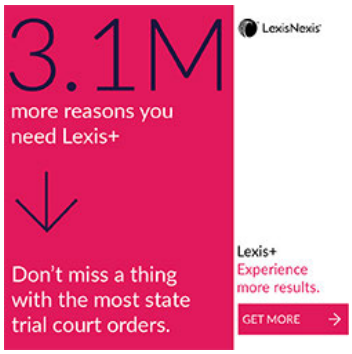
10th Circ. Rebuffs Corn Farmers' $140M Legal Malpractice Suit

The Tenth Circuit blocked a group of U.S. corn farmers from going after about $140 million that their former counsel



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received in a $1.51 billion GMO-related settlement, finding that they were not harmed by that payout because they too received a share of the 2018 deal.

Opinion attached | Read full article »

Calif. Top Judge Cantil-Sakauye To Step Down In January

California's Chief Justice Tani G. Cantil-Sakauye announced Wednesday that she will not seek reelection this fall and will step down from her 12-year term on the California Supreme Court on Jan. 1, 2023.

Read full article »

BANKING & SECURITIES

House Lawmakers Say Stablecoin Bill Could Land In Sept.

Lawmakers in the U.S. House of Representatives are working toward a bipartisan bill on stablecoins, but likely won't have a finalized bill until after the August recess, leaders in the House Committee on Financial Services indicated Wednesday.

Read full article »

Toomey Says 'Sluggish' SEC Has Hurt Crypto Investors

The U.S. Securities and Exchange Commission's "capricious and ineffective" approach to cryptocurrency regulation has not only failed to provide clarity to the industry but has hurt consumers badly in need of protection, Sen. Pat Toomey said in a recent letter to SEC Chair Gary Gensler.

Letter attached | Read full article »

ENERGY & ENVIRONMENTAL

Energy Dept. Aims To Boost EV With $102M Battery Plant Loan

The U.S. Department of Energy said on Wednesday it's finalized a $102 million loan to a manufacturer of electric vehicle battery materials, resuscitating a dormant loan program for advanced vehicle technology as part of the Biden administration's push to boost U.S. clean energy manufacturing.

Read full article »

Green Groups Can Defend Offshore Monument Fishing Ban

Environmental advocates can defend President Joe Biden's decision to restore an ocean national monument's commercial fishing ban after a New Jersey federal court granted the advocates' bid to intervene in two fishermen's lawsuit.

Order attached | Read full article »

NY Seeks To Build Another 2 Gigawatts Of Offshore Wind

New York on Wednesday announced it is building on its momentum in the offshore wind space with the release of its third competitive solicitation for development that it hopes will power at least 1.5 million Empire State homes.

Read full article »

States Urge Alsup To Ask 9th Circ. For Water Rule Suit Restart

Blue states and others challenging a Trump-era Clean Water Act rule urged U.S. District Judge William Alsup on Wednesday to send a rare statement to the Ninth Circuit that might allow them to sidestep an appeal, restart their merits case in his court and prevent "irreparable" harm to their water quality.

Read full article »

Oil Cos. Tell Court Canceling Their Leases Is Out Of Bounds

Two oil and gas companies want a Montana federal court to toss an attempt by environmental groups to invalidate leases across two states, arguing they paid millions of dollars for valid contracts with the government that the groups can't just get canceled.

Brief attached | Read full article »

IP & TECHNOLOGY

Senate Approves Semiconductor Bill With 25% Tax Credit

The U.S. Senate approved a $52 billion semiconductor bill Wednesday that includes a 25% tax credit for new domestic

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LinkedIn Corp.
Lumentum Holdings Inc.
Mayo Foundation for Medical Education and Research
McDonald's Corp.
Meta Platforms Inc.
Natural Resources Defense Council
Novavax Inc.

chip manufacturing investments, sending the legislation to the House of Representatives.

2 documents attached | Read full article »

Immigration Key To Fixing Semiconductor Scarcity, GAO Says

The federal government should adopt policies to boost domestic production and attract foreign labor to combat current and future supply chain disruptions within the semiconductor industry, according to a report from the U.S. Government Accountability Office.

Report attached | Read full article »

REAL ESTATE

NY Plan For Penn Station Overhaul Earns State Endorsement

New York's Public Authorities Control Board on Wednesday voted to endorse a financial framework for a multibillion-dollar overhaul of Penn Station despite concerns that the proposal lacks clarity.

Read full article »

Towering Hyatt Proposal Heads To Miami Commission

Plans to replace Miami's aging downtown convention center and the neighboring Hyatt Regency hotel with a three-tower development featuring a new Hyatt hotel, expanded meeting space and more than new 1,800 apartments alongside the Miami River could take a big step forward on Thursday.

Read full article »

EMPLOYMENT & BENEFITS

Chicago Settles Ex-Firefighter's Harassment Claim Before Trial

The city of Chicago has reached a settlement with a Latino firefighter on the day the parties were due to go to trial on his claim that he suffered severe racial harassment from his co-workers, creating a hostile work environment that his supervisors negligently failed to address and remedy.

Read full article »

COMPETITION

FTC Challenges Meta VR Merger

The Federal Trade Commission sued Meta in California federal court seeking a last-minute block on the Facebook parent company's purchase of virtual reality device app developer Within Unlimited Inc.

Complaint attached | Read full article »

DOJ Says McDonald's No-Poach Win Inapplicable To DaVita

DaVita and other health care providers can't leverage McDonald's victory over a lawsuit attacking no-poach provisions in its previous franchise agreements to prevail in private litigation brought against them, the U.S. Department of Justice said in its latest intervention in the Illinois federal court case.

2 documents attached | Read full article »

CYBERSECURITY & PRIVACY

Bills Boosting Kids' Online Privacy Rights Head To Full Senate

The Senate Commerce Committee on Wednesday advanced a pair of bipartisan bills that would expand online privacy and safety protections for children, although several members argued that additional changes and the passage of broader data privacy legislation were still necessary.

Read full article »

CONSUMER PROTECTION

9th Circ. Judge Doubts Claim Hydroponics Food Isn't Organic

A Ninth Circuit judge appeared skeptical Wednesday of arguments by traditional organic farmers that the U.S. Department of Agriculture is violating federal law by allowing hydroponic growers to label their goods as "organic," saying repeatedly that the statute doesn't specify that "everything has to be grown in soil."

Read full article »

TAX

Pacific Legal Foundation
Quest Diagnostics Inc.
Real Estate Board of New York
Royal Philips NV
Samsung Electronics Co. Ltd.
Schlumberger Ltd.
Sierra Club
Southern Poverty Law Center
Spectrum Management Holding Co.
Surgical Care Affiliates Inc.
Syngenta AG
T-Mobile US Inc.
The Goldman Sachs Group Inc.
The State University of New York
The Walt Disney Co.
Therium Capital Management Ltd.
Thryv Inc.
Twitter Inc.
UnitedHealth Group Inc.
University of California Davis
University of Houston
University of Puerto Rico
University of Virginia
Western Environmental Law Center
Wynn Resorts Ltd.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Indian Affairs
Bureau of Land Management
Bureau of Ocean Energy Management
California Supreme Court
Centers for Disease Control and Prevention
Cheyenne River Sioux Tribe
Competition Appeal Tribunal
Department of Cannabis Control
Equal Employment Opportunity Commission
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
International Trade Commission
Lawrence Berkeley National Laboratory
Massachusetts Gaming Commission
National Park Service
National Telecommunications and Information Administration
Nevada Gaming Control Board
New York Attorney General's Office
New York State Comptroller
New York State Department of Labor
New York State Empire State Development
Northern Cheyenne Tribe
Occupational Safety and Health Administration
Office of the Comptroller of the Currency
Oglala Sioux Tribe
Privacy and Civil Liberties Oversight Board
Pyramid Lake Paiute Tribe
Solicitors Regulation Authority

NJ Judge Upholds Property Tax Break For Nonprofit Hospitals

A New Jersey law clarifying a local property tax exemption for certain nonprofit hospitals, including those that lease parts of their facilities to for-profit entities, is constitutional and will stand, a state judge ruled, rejecting a challenge from municipalities.

3 documents attached | Read full article »

IMMIGRATION

House Panel Looks At Privacy Risks In CBP's Facial Data Use

U.S. Customs and Border Protection needs to do a better job of clearly informing travelers at airports and other points of entry of its use of facial recognition technology and of ensuring that third parties aren't misusing this data, watchdogs told a House subcommittee on Wednesday.

Read full article »

WHITE COLLAR

Ex-GOP Congressman Denies 'Weak' Insider Trading Charges

Former Republican U.S. Rep. Stephen Buyer pled not guilty in Manhattan federal court Wednesday to insider trading on Sprint Corp. and Navigant Consulting Inc. stock while consulting on the companies' not-yet-announced mergers, with his attorney calling the criminal case "weak."

Read full article »

NATIVE AMERICAN

Oglala Sioux Tribe Sues Fed On Lax Law Enforcement Claims

The Oglala Sioux Tribe has sued the U.S. in South Dakota federal court for failing to provide enough law enforcement officers and criminal investigators on the Pine Ridge Indian Reservation, saying the government pays for only 41 employees to cover an area the size of Connecticut.

Complaint attached | Read full article »

TELECOMMUNICATIONS

House Votes To Extend FCC's Spectrum Auction Powers

A bill to extend for 18 months the Federal Communications Commission's authority to auction the airwaves to the private sector sailed through the U.S. House of Representatives on Wednesday.

2 documents attached | Read full article »

House Clears Bill Codifying Feds' Spectrum Research Hub

The U.S. House of Representatives passed a bill Wednesday that would put its official imprimatur on a Commerce Department program established to study how best to allocate scarce spectrum resources.

1 document attached | Read full article »

CANNABIS

Firm's Prior Work For Defendant Doesn't Amount To Conflict

A Tulsa, Oklahoma-based law firm's previous work for a man doesn't mean the firm should be barred from representing a couple who sued him after he developed a marijuana farm near their property, a judge found Tuesday.

Order attached | Read full article »

EXPERT ANALYSIS

Opinion

FDA Must Enable More Testing To Contain Monkeypox Spread

As monkeypox cases in the U.S. continue to grow, testing availability is lagging behind compared to the government's response during early days of the COVID-19 pandemic, and the U.S. Food and Drug Administration must act swiftly to allow more unauthorized tests, says Ryan Fournier at Wiley.

Read full article »

Large Cannabis Licenses Will Bring Relief To Calif. Operators

California will soon begin accepting applications for large-type cannabis licensing without caps on the size of

Suquamish Tribe
Texas Attorney General's Office
Texas Supreme Court
U.S. Air Force
U.S. Army
U.S. Attorney's Office
U.S. Attorney's Office for the District of Montana
U.S. Attorney's Office for the District of South Dakota
U.S. Attorney's Office for the Southern District of New York
U.S. Attorney's Office for the Southern District of Texas
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Interior
U.S. District Court for the District of Columbia
U.S. District Court for the District of Hawaii
U.S. District Court for the District of New Jersey
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Marine Corps
U.S. Navy
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Montana
United States District Court for the District of Nevada
United States District Court for the District of South Dakota
United States District Court for the Northern District of Oklahoma
United States District Court for the Southern District of Ohio
World Health Organization

cultivation areas, paving the way for massive single-license farms and greatly simplifying operations and compliance for many existing larger and medium-sized operators, says Griffen Thorne at Harris Bricken.

Read full article »

Expect New Lifecycle Management Duties For Battery Industry

Battery producers, retailers, recyclers and users may all see a substantial change in their obligations in the near future thanks to the federal government's renewed interest in revising regulations and policies for battery lifecycle management and labeling, driven by last year's passage of the Infrastructure Investment and Jobs Act, say attorneys at Sidley.

Read full article »

How Lawyers Can Set Ethical Boundaries Post-Pandemic

The COVID-19 pandemic and remote work have made it harder for lawyers to leave their problems at the office, so legal professionals must establish and adhere to ethical boundaries in order to combat increasing levels of stress and burnout, says Jennifer Gibbs at Zelle.

Read full article »

Rebuttal

An Indication That ITC Remedies For SEPs May Not Fit

While a recent Law360 guest article said the U.S. International Trade Commission had not faced the question of remedy issuance in a standard-essential patent infringement case, the ITC has considered whether to issue an exclusion order to protect SEPs, in a decision that ultimately did not stand, says Robert Vlasis at Winston & Strawn.

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LEGAL INDUSTRY

Analysis

Meet The 11 Judges Now Sharing Albright's Patent Cases

As of this week, patent cases filed in Waco, Texas, are randomly assigned to one of 12 judges, rather than automatically going to the patent-friendly U.S. District Judge Alan Albright. Here's a look at how much patent experience the other 11 judges have had while on the bench, for attorneys who want to roll the dice.

Read full article »

Justice Thomas Backs Out Of Teaching GWU Law Seminar

Justice Clarence Thomas told George Washington University Law School that he is now "unavailable" to co-teach a constitutional law seminar in the fall, just a month after the university refused to fire him over his controversial concurrence in the U.S. Supreme Court decision overturning the right to abortion.

Read full article »

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Tax Expert Taps SRA Over Osborne Clarke Libel Letters
The former head of Clifford Chance's tax practice has reached out to the Solicitors Regulation Authority requesting an update to its SLAPP guidance after he received a series of letters from international law firm Osborne Clarke regarding his blog posts on a powerful firm client.
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SUBJECT: NJ Judge Upholds Property Tax Break For Nonprofit Hospitals
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 28/07/2022 03:13

HEALTH

Thursday, July 28, 2022

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NJ Judge Upholds Property Tax Break For Nonprofit Hospitals

A New Jersey law clarifying a local property tax exemption for certain nonprofit hospitals, including those that lease parts of their facilities to for-profit entities, is constitutional and will stand, a state judge ruled, rejecting a challenge from municipalities.

3 documents attached | Read full article »

8th Circ. Orders New Trial For Doctor In Medicare Fraud Case

The case of a Missouri neurosurgeon who was found guilty on charges related to a multimillion-dollar Medicare kickback scheme was remanded for a new trial after the Eighth Circuit released a ruling Tuesday surrounding the 2010 amendment of the False Claims Act.

Opinion attached | Read full article »

ICE Facility Nurses Get Collective Cert. In OT Fight

An Arizona federal judge granted conditional collective certification to U.S. Immigration and Customs Enforcement detention center nurses in a suit alleging that a private prison operator violated the Fair Labor Standards Act by failing to account for higher wages received for night work when calculating overtime.

Order attached | Read full article »

DOJ Denied Early Witness Review In Oncology Antitrust Case

A Florida federal court said Tuesday it will not allow the U.S. Department of Justice to review expert witnesses put forward by the founder of an oncology group accused of antitrust crimes ahead of the scheduled September trial.

Order attached | Read full article »

Manchin, Schumer Deal Carries 15% Corp. Minimum Tax

Sen. Joe Manchin said Wednesday he had reached an agreement with Majority Leader Chuck Schumer on legislation that would impose a 15% corporate minimum tax as part of a larger package to address tax, energy and health care costs.

2 documents attached | Read full article »

Texas Panel Upholds School District's Vax Mandate

Texas Gov. Greg Abbott cannot prevent the San Antonio Independent School District from requiring its employees to be vaccinated against COVID-19, a state appellate court panel ruled on Wednesday, finding the governor doesn't have authority over policies implemented by school districts.

Opinion attached | Read full article »

POLICY & REGULATION

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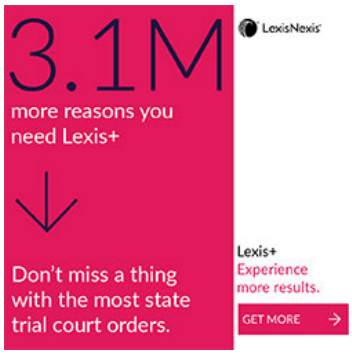

COMPANIES IN TODAY'S NEWS

Amazon.com Inc.
American Bar Association
Becton Dickinson & Co.
Blizzard Entertainment Inc.
BlueCross BlueShield of Illinois
British Broadcasting Corp.
Brooklyn Law School
Cable News Network Inc.
DaVita Inc.
Dell Technologies Inc.
Dignity Health
Early Warning Services LLC
FCA US LLC
Florida Cancer Specialists & Research Institute
George Washington University
Google LLC
Harvard University
Hillenbrand, Inc.
JPMorgan Chase & Co.
LinkedIn Corp.
Mayo Foundation for Medical Education and Research
McDonald's Corp.
MedStar Health
Meta Platforms Inc.
OrbiMed Advisors LLC
Quest Diagnostics Inc.
Schlumberger Ltd.
Spectrum Management Holding Co.
Surgical Care Affiliates Inc.
Syngenta AG
The State University of New York
The Walt Disney Co.
Therium Capital Management Ltd.
Thryv Inc.
Trulieve
Twitter Inc.
UCSF Medical Center
UnitedHealth Group Inc.
University of Houston
University of Puerto Rico
University of Virginia
Wynn Resorts Ltd.

LAW FIRMS IN TODAY'S NEWS

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LITIGATION

Illinois Medical Center Wants Out Of Merger Antitrust Suit
Southern Illinois Hospital Services has urged an Illinois federal court to toss an updated suit targeting its completed purchase of a medical center, arguing that the only one complaining about the deal is the "aggrieved competitor" bringing the case, Marion HealthCare LLC.

Motion attached | Read full article »

Genesis Healthcare Unit Gets Del. Chancery Suit Sped Up
A Genesis Healthcare Inc. subsidiary servicing 26 skilled nursing and assisted living facilities in California, Oregon and Washington got the nod from a Delaware vice chancellor Wednesday to speed up its Chancery Court suit against a joint venture partner for allegedly taking over the business.
Read full article »

Calif. Patient Claims Meta Secretly Swept Up Her Medical Data
Facebook's parent company Meta has been hit with a proposed class action claiming that its tracking software secretly harvested a California woman's sensitive medical data to serve her targeted ads, the second such suit filed against the company in as many months.

Complaint attached | Read full article »

Investor Says Murder-For-Hire Charge Hurt Biotech Co. Stock
An investor has sued Enochian BioSciences Inc., claiming he and a proposed class of the biotechnology company's shareholders were hurt when trading prices for the company's shares fell after federal prosecutors leveled murder-for-hire allegations against one of Enochian's co-founders.

Complaint attached | Read full article »

BetterHelp Hit With TM Suit Over 'Therapy For Black Girls'
Mental health platform BetterHelp has been slapped with a trademark suit in Georgia federal court for allegedly poaching the phrase "therapy for black girls" from a wellness podcast and using it for search engine advertisements.

Complaint attached | Read full article »

Fla. Pot Co. Accused Of Firing Injured Worker
Florida-based cannabis company Trulieve Inc. is looking to drag into federal court a disability discrimination lawsuit that accused the publicly traded company of retroactively moving the termination date of an employee to before she suffered a catastrophic injury.

Complaint attached | Read full article »

DEALS

Investors Want To Block $890M Go-Private Sale Of Radius
Investors have hit biopharmaceutical company Radius Health with a lawsuit seeking to block its $890 million go-private sale to Gurnet Point Capital LLC and Patient Square Capital, arguing stockholders can't cast informed votes on the plan until they get more information.

Complaint attached | Read full article »

PEOPLE

Ex-CNA Insurance Atty Jumps To Hinshaw In Chicago
Hinshaw & Culbertson LLP has hired former CNA Insurance Co. in-house senior litigation attorney Karen Nathan to become a partner in its health care practice.
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Polsinelli Lands Corporate Health Care Atty From Clark Hill
Polsinelli PC continues to grow its business practice, adding a Clark Hill PLC corporate health care attorney as a

Anthony Ostlund
Ball & Weed
Boies Schiller
Capes Sokol
Clark Hill
Cleary Gottlieb
Clifford Chance
Dechert LLP
DiFrancesco Bateman
Dowd Bennett
Escamilla & Poneck
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Fisher Phillips
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Gonzalez Chiscano
Hinshaw & Culbertson
Jackson Lewis P.C.
James Law Firm PC
Joseph Saveri Law Firm
Kirkland & Ellis
Labaton Sucharow
Lieff Cabraser
Lind Jensen
Lowey Dannenberg
Markus Moss
Mason LLP
McDermott Will
McGlinchey Stafford
Michelmores LLP
Milberg Coleman
Morgan Lewis
Morrow Willnauer
Nixon Peabody
Norton Rose
Nussbaum Law Group PC
O'Melveny & Myers
Osborne Clarke
Pearlman & Miranda
Polsinelli PC
Pomerantz LLP
Querrey & Harrow
Richards Layton
Robbins Russell
Rosen Law Firm PA
Rowley Law
Sanford Law
Scharf Banks
Sherman & Howard
Sidley Austin
Slaughter and May
Snell & Wilmer
Squire Patton
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Centers for Disease Control and Prevention
Competition Appeal Tribunal
Delaware Court of Chancery

shareholder in Los Angeles.
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Public Finance Expert Joins Nixon Peabody As Partner
Nixon Peabody LLP has added a public finance partner and tax attorney who specializes in bond financing for airports and tax-exempt colleges and health care facilities, the firm announced Wednesday.
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EXPERT ANALYSIS

Opinion

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DC Circ. Pick Defends Broad Experience Before Senate Panel
Bradley N. Garcia, an assistant attorney general nominated to the D.C. Circuit, defended his record and broad litigation experience before the Senate Judiciary Committee Wednesday as he faced tough questions from Republicans about his age and his qualifications for the job.
Read full article »

10th Circ. Rebuffs Corn Farmers' $140M Legal Malpractice Suit
The Tenth Circuit blocked a group of U.S. corn farmers from going after about $140 million that their former counsel received in a $1.51 billion GMO-related settlement, finding that they were not harmed by that payout because they too received a share of the 2018 deal.
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Equal Employment Opportunity Commission
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
Massachusetts Gaming Commission
Nevada Gaming Control Board
New York Attorney General's Office
New York State Department of Labor
Occupational Safety and Health Administration
Privacy and Civil Liberties Oversight Board
Solicitors Regulation Authority
Texas Attorney General's Office
Texas Supreme Court
U.S. Army
U.S. Attorney's Office for the Eastern District of Missouri
U.S. Attorney's Office for the Southern District of Texas
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Arizona
U.S. District Court for the District of Hawaii
U.S. District Court for the District of New Jersey
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Illinois
U.S. District Court for the Southern District of New York
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Marine Corps
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the District of Nevada

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Tax Expert Taps SRA Over Osborne Clarke Libel Letters

The former head of Clifford Chance's tax practice has reached out to the Solicitors Regulation Authority requesting an update to its SLAPP guidance after he received a series of letters from international law firm Osborne Clarke regarding his blog posts on a powerful firm client.
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SUBJECT: Morning Consult Health Presented by Better Medicare Alliance:Manchin, Schumer Reach New Reconciliation Deal
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 28/07/2022 05:57

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Health

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JULY 28, 2022

BY MATT BRACKEN

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TOP STORIES

- A three-year extension of Affordable Care Act subsidies and a measure to allow Medicare to negotiate the prices of some prescription drugs officially made the cut in Democrats' reconciliation bill, as Sen. Joe Manchin (D-W.Va.) and Senate Majority Leader Chuck Schumer (D-N.Y.) stunned Capitol Hill with the announcement that they had reached a deal on a package that also resurrected several climate and tax priorities. The Inflation Reduction Act of 2022 adds an additional year of ACA subsidies to the previously negotiated terms, pushing the next expiration date past the 2024 midterm elections, while a summary of the legislation said the drug pricing provision would save the government $288 billion. (The Wall Street Journal)

- The Department of Health and Human Services will likely declare monkeypox a public health emergency within the next several days, two people with knowledge of the matter said, a move that comes after the Centers for Disease Control and Prevention designated the disease as a nationally notifiable condition to standardize case identification and bolster data-sharing among states. (Politico) HHS said it will make available about 786,000 monkeypox vaccine doses, after the Food and Drug Administration signed off on the Danish-made Jynneos vaccine for distribution. (CNBC)

- In a 416-12 vote, the House passed a bill to extend telehealth reimbursement flexibilities for two years, sending the legislation,

which was endorsed by powerful trade groups such as the American Medical Association and the Connected Health Initiative, to the Senate. Introduced in 2021 by Reps. Liz Cheney (R-Wyo.) and Debbie Dingell (D-Mich.), the rule prolongs Medicare flexibilities in telehealth payments that were enacted during the COVID-19 pandemic. (Modern Healthcare)

- AbbVie Inc.'s Allergan division has struck a deal to pay over $2 billion to settle more than 3,000 lawsuits filed by state and local governments over the drugmaker's marketing of its Kadian opioid painkiller, people familiar with the matter said, though the timeline of payouts and other details are still being finalized. The agreement, part of consolidated opioid litigation before a federal judge in Cleveland, comes days after Teva Pharmaceutical Industries Ltd. reached a $4 billion settlement, which the Israeli drugmaker said was contingent on Allergan — whose generics line was bought by Teva in 2016 — also striking a deal. (Bloomberg)

CHART REVIEW

States With Abortion Bans Are Among Least Supportive for Mothers and Children

The New York Times

How Women and Children Fare

States hostile to abortion fare worse on a variety of health and well-being outcomes, while states supportive of abortion rights tend to have a more generous social safety net.

OUTCOME	WHERE ABORTION IS ... BANNED OR LIKELY TO BE (24 STATES)	UNLIKELY TO BE BANNED (20 STATES)
Children in poverty *Pct. below poverty line*	18.5%	14.8%
Uninsured women *Pct. of women of reproductive age without health insurance*	15.7%	9.0%
Uninsured children *Pct. of children without health insurance*	7.2%	3.6%
Low-birthweight babies *Pct. of babies born weighing less than 2.5 kg (5.5 lbs.)*	8.8%	7.7%
Teen births *Births per 1,000 females age 15 to 19*	21.2	12.1
Infant mortality *Deaths per 1,000 live births*	6.3	4.7
Maternal mortality *Deaths per 100,000 live births*	25.2	15.0

POLICY	BANNED OR LIKELY TO BE (24 STATES)	UNLIKELY TO BE BANNED (20 STATES)
Paid family leave *Offer paid family leave*	0 STATES	11 STATES
Expanded Medicaid *Expanded Medicaid under Obamacare to cover poor, childless adults*	15 STATES	20 STATES
Min. wage above $7.25 *Above the federal floor*	8 STATES	19 STATES
Universal pre-K *Committed to offering universal pre-K*	6 STATES	6 STATES

EVENTS CALENDAR (ALL TIMES LOCAL)

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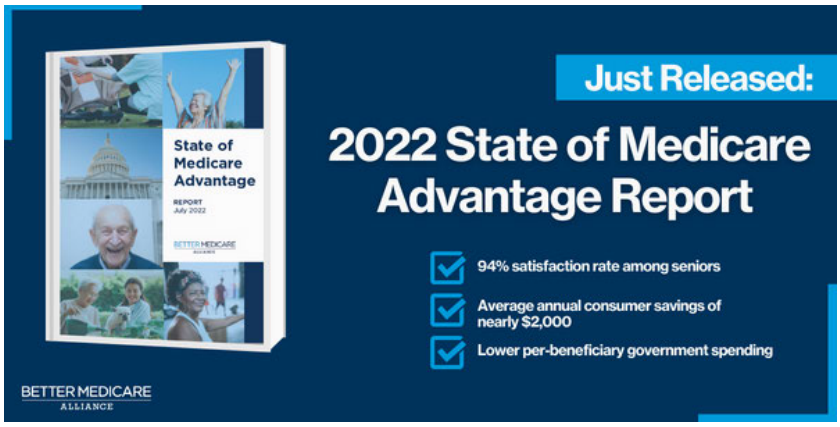

New Report Highlights Medicare Advantage's Value to Seniors and Taxpayers

With average annual savings of nearly $2,000 for consumers, a 94% beneficiary satisfaction rate, better health outcomes, and lower per-beneficiary government spending, Medicare Advantage is delivering on its promise for seniors and taxpayers alike. Get the latest facts in Better Medicare Alliance's 2022 State of Medicare Advantage report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Biden recovers from COVID, compares his mild case to Trump's more serious illness

Trevor Hunnicutt and Jeff Mason, Reuters

U.S. President Joe Biden celebrated his recovery from COVID-19 on Wednesday with an appeal to Americans to get vaccinated and a comparison of his mild symptoms and work-from-home performance to the more serious case experienced by his predecessor.

Pfizer starts mid-stage trial for vaccine against Omicron subvariant

Reuters

Pfizer Inc (PFE.N) and its German partner BioNTech SE (22UAy.DE) said on Wednesday they had started a mid-stage study of a modified COVID-19 vaccine which targets both the original as well as the BA.2 Omicron subvariant.

In Rural America, Covid Hits Black and Hispanic People Hardest

Benjamin Mueller, The New York Times

At the peak of the Omicron wave, Covid killed Black Americans in rural areas at a rate roughly 34 percent higher than it did white people.

Millions still without sense of smell or taste after Covid-19

Evan Bush, NBC News

Still struggling with your sense of smell after a bout with Covid-19? You're far from alone. About 5% of patients with confirmed cases of Covid-19 — some 27 million people worldwide — are estimated to have suffered a long-lasting loss of smell or taste, a new analysis suggests.

Millions of US children remain unvaccinated as BA.5 spreads and new school year looms

Jacqueline Howard, CNN

Millions of school-age children in the United States are still unvaccinated against Covid-19 as many prepare for a return to school. A new CNN analysis finds that less than half of children and teens are fully vaccinated against Covid-19, and only a tenth have been boosted.

As more people report Covid rebounds after Paxlovid, experts insist cases are rare

Aria Bendix, NBC News

Around 1% to 2% of people taking Paxlovid in Pfizer's clinical trial tested positive for the coronavirus after having tested negative. Rebound rates are around 5% among the tens of thousands of people who've taken the drug in real-life settings, the White House Covid response coordinator, Dr. Ashish Jha, said at a news conference last week.

Think you have Omicron but keep testing negative? An expert says to trust your gut: 'If you feel confident you have COVID, you probably have COVID'

Erin Prater, Fortune

If you're certain you're COVID positive, you probably are—regardless of what the test says, Dr. Stuart Ray, vice chair of medicine for data integrity and analytics at Johns Hopkins' Department of Medicine, told Fortune on Tuesday.

GENERAL

Two HIV Patients Appear to Have Beaten Virus, Offering Hope for Cure

Betsy McKay, The Wall Street Journal

A 66-year-old man in Southern California and a woman in her 70s in Spain are the latest in a small group of people who appear to have beaten their HIV infections, providing researchers new clues to a possible cure at a time when Covid-19 and other crises are slowing progress against the spreading virus.

Senate Republicans block Dem request to pass birth control access bill

Oriana Gonzalez, Axios

Sen. Joni Ernst (R-Iowa) on Wednesday blocked a unanimous consent request to pass legislation that would have created a federal right to birth control use.

WHO chief advises reducing sex partners to avoid monkeypox

The Associated Press

The guidance is directed toward men who have sex with men, who make up 98% of the monkeypox cases detected since the outbreak emerged in May.

Veterans toxic exposure bill delayed as cloture attempt rejected

David Lerman, Roll Call

An effort to give millions of veterans easier access to health and disability benefits suffered another surprising setback Wednesday on the Senate floor when supporters couldn't muster the 60 votes needed to limit debate.

Health care budget bill to face open-ended 'vote-a-rama'

Paul M. Krawzak, Roll Call

The Senate may be preparing to take up a single-issue, health care budget package under the jurisdiction of a single committee — Finance. But the nature of the budget reconciliation process means the bill will be open for amendment on virtually any topic the original legislation was intended to address, from climate change to taxes to child care.

Struggle to protect gay, bisexual men from monkeypox exposes inequities

Fenit Nirappil, The Washington Post

The struggle for limited resources as tens of thousands of at-risk gay and bisexual men try to get vaccinated, tested and treated during the growing monkeypox outbreak has exposed deep disparities in the gay community. While urban professionals scramble to protect themselves from a disease that can cause searing symptoms and force weeks of isolation, people of color, lower-income individuals and those living outside large cities face even greater challenges accessing care for the latest viral threat hanging over gay life.

Kansas, a critical abortion access point, will soon vote on whether to protect the procedure

Shefali Luthra, The 19th

An upcoming vote on a constitutional amendment offers a first test of how voters will respond to the overturning of Roe v. Wade.

Judges block abortion bans in Wyoming, North Dakota

Mead Gruver and Leah Willingham, The Associated Press

Abortion bans set to take effect this week in Wyoming and North Dakota have been temporarily blocked by judges in those states amid lawsuits arguing that the bans violate their state constitutions.

With Roe Gone, Republicans Quarrel Over How Far to Push Abortion Bans

Mitch Smith and Julie Bosman, The New York Times

An effort in Indiana to pass an abortion ban with exceptions has exposed rifts among conservatives on how to legislate in a post-Roe world.

Bacteria that can cause deadly infections found in U.S. soil and water for the first time

Erika Edwards, NBC News

The bacteria, Burkholderia pseudomallei, were previously found only in Southern Asia, Africa and Australia. Infections can lead to a possibly fatal illness called melioidosis.

Daily Vitamin D supplements don't lower risk of bone fractures, study finds

Elissa Welle, Stat News

Whether created from sunlight or taken in by food, vitamin D assists in the mineralizing and maintenance of bone. It is also thought to keep bones healthy as they age, prompting one in three adults aged 60 and older in the U.S. to take a vitamin D supplement and another third to take a multivitamin. Yet, it has long been unclear just how beneficial the vitamin is in preventing the bone fractures that many older adults dread as they age.

PAYERS

CMS hikes Medicare pay for rehab, psychiatric and hospice providers

Maya Goldman, Modern Healthcare

In regulations issued Wednesday, the Centers for Medicare and Medicaid Services finalized a 3.8% payment update for hospices, which amounts to an estimated $825 million increase from 2022. Inpatient rehabilitation providers will see an overall 3.2% update, about $275 million more, while inpatient psychiatric providers will get an overall 2.5% pay hike, according to an agency fact sheet.

UnitedHealth's Expansion Strategy Is Threatened by US Regulators

John Tozzi, Bloomberg Businessweek

The dominant insurer wants to add data company Change Healthcare to its stable, but the government says the deal would open a window into rivals' plans.

Humana's Q2 profit jumps to $696M on lower medical costs

Samantha Liss, Healthcare Dive

Humana's net income increased 18% to $696 million for the second quarter as the Louisville-based insurer recorded increased revenues of $23.6 billion amid enrollment growth in both Medicare and Medicaid.

Bill to Curb Medicare Advantage Lapses Wins House Panel's OK

Tony Pugh, Bloomberg Law

Lawmakers on Capitol Hill moved a step closer on Wednesday to requiring better transparency and more timely coverage decisions by Medicare managed care plans.

Health Insurance Price Data: It's Out There, but It's Not for the Faint of Heart

Julie Appleby, Kaiser Health News

Data wonks with mighty computers are overjoyed. Ordinary consumers, not so much. That's the reaction about three weeks into a data dump of enormous proportions. Health insurers are posting their negotiated rates for just about every type of medical service they cover across all providers.

PROVIDERS

Air Ambulance Provider Wins Dispute Over No Surprises Act Rule

Mary Anne Pazanowski, Bloomberg Law

A federal judge in Texas invalidated parts of a rule that allegedly unfairly favor health insurers in administrative proceedings to determine who should pay for unexpected medical costs, because they conflict with the new No Surprises Act.

PHARMA, BIOTECH AND DEVICES

Wyden says Merck and Abbott aren't cooperating with probe into pharma tax practices

Ed Silverman, Stat News

In his ongoing quest to probe pharmaceutical industry tax practices, the head of the U.S. Senate Finance Committee is pressing Merck and Abbott Laboratories to provide detailed financial information that so far, the companies have refused to submit.

Pfizer Copay Ruling Deals Fresh Blow to Pharma Medicare Aid

Christopher Brown, Bloomberg Law

A Second Circuit ruling blocking Pfizer Inc.'s proposal to help middle-income Medicare beneficiaries afford an expensive heart drug may end an effort by drugmakers to boost sales by eliminating copays for many patients.

FDA chief's long-promised opioid review faces skepticism

Matthew Perrone, The Associated Press

As U.S. opioid deaths mounted in 2016, the incoming head of the Food and Drug Administration promised a "sweeping review" of prescription painkillers in hopes of reversing the worst overdose epidemic in American history.

Labcorp to Spin Off Clinical-Development Business

Cara Lombardo, The Wall Street Journal

Laboratory Corp. of America Holdings plans to spin off its unit focused on clinical drug trials, according to people familiar with the matter, a move that will create a new stand-alone company in the fast-growing contract-research sector.

GSK says U.S. FDA approves kidney disease drug for children

Reuters

GSK Plc said on Wednesday the U.S. Food and Drug Administration had cleared its kidney disease drug Benlysta for the treatment of children aged 5 to 17 years.

AbbVie is scolded by a trade group over sales rep 'strategically loitering' in a hospital

Ed Silverman, Stat News

In an embarrassing episode for AbbVie, the company was reprimanded by a U.K. pharmaceutical industry trade group for appearing to condone "strategic loitering" by one of its sales reps, who visited a hospital in hopes of encountering numerous health care providers.

A Message From Better Medicare Alliance:

Better Medicare Alliance's 2022 State of Medicare Advantage Report compiles the latest research and data to deliver a comprehensive picture of the Medicare Advantage experience today - from enrollment trends and advances in health equity, to supplemental benefit offerings and consumer savings. This year's report finds seniors on Medicare Advantage are saving nearly $2,000 per year while giving their coverage a 94% satisfaction rate. Read more.

HEALTH TECHNOLOGY

AmerisourceBergen launches tech to help docs dispense digital therapeutics to patients

Heather Landi, Fierce Healthcare

Pharmaceutical distributor AmerisourceBergen is rolling out a new tech solution that enables clinicians to dispense apps and devices to patients in much the same way that they order prescription medications.

Teladoc posts nearly a $10B loss in first half of 2022

Brock E.W. Turner, Modern Healthcare

Teladoc said it posted a net loss of $3.1 billion in the second quarter of 2022 and a $9.7 billion loss for the first half of the year. The losses are primarily due to a non-cash goodwill impairment charge related to the Livongo acquisition that totaled $9.6 billion in the first half of 2022.

Healthcare data breach costs reach record high at $10M per attack: IBM report

Heather Landi, Fierce Healthcare

A healthcare data breach now comes with a record-high price tag—to the tune of $10.1 million on average, according to IBM Security's annual Cost of a Data Breach Report. IBM looked at data breaches from March 2021 to March 2022.

Internal documents on IQVIA's secretive relationship with Experian undercut its image as a Fort Knox of patient data

Casey Ross, Stat News

To the outside world and its countless health care customers, the data powerhouse IQVIA has portrayed itself as a bastion of privacy, fully committed to safeguarding the medical secrets it has spent decades collecting on tens of millions of Americans. But internal documents reveal a different reality

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OPINIONS, EDITORIALS AND PERSPECTIVES

To Stem the Spread of Monkeypox, Health Departments Tap Into Networks of Those Most at Risk

Céline Gounder, Kaiser Health News

Rather than asking what the monkeypox outbreak means for them now, the public could be asking how the monkeypox outbreak could affect them in the future and why and how it could be contained now.

RESEARCH REPORTS

Blood pressure-lowering treatment for prevention of major cardiovascular diseases in people with and without type 2 diabetes: an individual participant-level data meta-analysis

Milad Nazarzadeh et al., The Lancet

Controversy exists as to whether the threshold for blood pressure-lowering treatment should differ between people with and without type 2 diabetes. We aimed to investigate the effects of blood pressure-lowering treatment on the risk of major cardiovascular events by type 2 diabetes status, as well as by baseline levels of systolic blood pressure.

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FROM: AIS Health Daily <aishealthdaily@aishealth.com>
TO: hborski@utah.gov
DATE: 28/07/2022 06:05

AIS Health Daily

July 28, 2022

AIS Health Poll: Tell Us What You Think

HRA Pharma recently requested FDA approval for the first over-the-counter daily birth control pill. Do you think the FDA will approve the pill?

Yes

No

Here's what AIS Health Daily readers told us in the last poll:

Does the new Senate drug pricing reform effort have a chance at passage?

39% say Yes

61% say No

Email Executive Editor Jill Brown Kettler to submit your own polling questions.

Today's Featured Story

UnitedHealth Plans on Eliminating Out-Of-Pocket Costs for Some Drugs, Raises Financial Guidance

by Tim Casey

Starting as early as next year, UnitedHealth Group expects to have no co-pays or out-of-pocket costs for members in its UnitedHealthcare division's standard fully insured group plans who take several medications, including insulins. The managed care organization made the announcement on July 15, coinciding with the release of the company's second quarter financial results that beat Wall Street analyst expectations.

UnitedHealth targets insulin and epinephrine, among other drugs

- The company's announcement about eliminating out-of-pocket costs for some drugs comes as the company looks to increase its members' medication adherence and reduce their risk for severe illness and hospitalizations. That, in turn, would lower the costs for UnitedHealth and its Optum Rx PBM and improve their financial footing.
- Besides insulin, UnitedHealth will eliminate out-of-pocket costs for epinephrine, which is used to treat severe allergic reactions; glucagon, which is used to treat hypoglycemia; naloxone, which is used to treat opioid overdoses; and albuterol, which is used to treat acute asthma attacks. The plan is subject to customary approval from state regulators and is intended to be implemented as early as Jan. 1, 2023.
- "You've got to think about the consequences of folks who are unfortunately affected by the conditions that these meds address," UnitedHealth CEO Andrew Witty told analysts on a conference call on July 15. "If they don't get the meds when they need them, they're going to end up in the emergency room or worse. And that brings with it enormous personal human consequences and, of course, cost….We believe this is a really appropriate place for us to lean in and address that."

Firm sees lower MLR in 2Q

- For the second quarter, UnitedHealth generated $80.3 billion in revenue, a 12.6% increase from a year ago. The company also had an adjusted net EPS of $5.57, a 19% increase from the same time period last year and easily beating Wall Street's consensus of $5.19, per Bloomberg. In a July 15 note to investors, Barclays analysts Steve Valiquette and Tiffany Yuan attributed the higher adjusted net EPS in large part to UnitedHealth's 81.5% medical loss ratio (MLR), which was better than the 82.5% consensus.
- Valiquette and Yuan noted that the insurer's 82% MLR in the first quarter was offset by a higher-thanexpected selling, general and administrative (SG&A) expense.
- "However, with 2Q22 results today, SG&A was more under control, which allowed for lower-than-expected medical costs to flow directly to the [earnings before interest and taxes] line to drive operational upside," Valiquette and Yuan wrote.
- Evercore ISI analyst Michael Newshel wrote in a note to investors on July 15 that UnitedHealth was being conservative in raising its adjusted net EPS guidance by only $0.20 per share.
- "We view the guidance raise as conservatism given lingering uncertainty about utilization recovery and COVID trends, and note last year [UnitedHealth] also made guidance raises in Q1 and Q2 below the magnitude of quarterly beats but still ended up beating expectations in the back half of the year as well," Newshel wrote.

From Health Plan Weekly

Subscribers may read the in-depth article online. Learn more about subscribing to AIS Health's publications.

Today's AIS Health Datapoint

The FDA last week granted tentative approval to Avadel Pharmaceuticals' narcolepsy drug Lumryz, a potential rival to Jazz Pharmaceuticals' Xyrem, pending the resolution of a patent dispute between the two companies. Lumryz's main advantage over Xyrem is its extended-release formula, whereas Xyrem requires two nightly doses. For the treatment of narcolepsy, Xyrem currently holds covered or better status for 96% of all insured lives in the U.S. under the pharmacy benefit. About 20% of insured lives have preferred access to Xyrem, largely with utilization management restrictions applied.

Source: MMIT Analytics, as of 7/27/22

People On the Move

- Roche: Change in the Board of Directors and Corporate Executive Committee in Spring 2023
- Centene's Oregon Subsidiary Appoints Sarah Brewer as CEO
- Neighborhood Health Plan of Rhode Island Announces Two New Members of Executive Leadership Team

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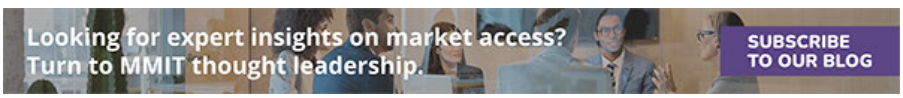

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July 28, 2022

TOP STORIES

CDC plans to make monkeypox a notifiable condition

The CDC plans to make monkeypox a nationally notifiable condition effective Aug. 1 to give the agency a better understanding of how fast the virus is spreading, as nationwide cases rise to nearly 3,600 as of Monday. The designation will require states to provide standardized data and report probable or confirmed monkeypox infections within one day to the federal government. **Full Story:** Politico (7/27), Reuters (7/27)

CMS unveils plan to improve maternal care

The CMS has released its Maternity Care Action Plan, designed to enhance health outcomes and mitigate disparities affecting individuals, particularly people of color, during pregnancy, childbirth and the postpartum period by taking a more coordinated and holistic approach to maternal care. The agency also approved plans by Kansas, Connecticut and Massachusetts to extend postpartum coverage for mothers

enrolled in Medicaid and the Children's Health Insurance Program from 60 days to one year. **Full Story:** Patient Engagement HIT (7/27), Healthcare Finance (7/27)

Superior health plan member experience report

High member expectations for service have leading health plans rethinking their member engagement. We surveyed 330 policyholders revealing insights on member experience today and strategies for payers to build a better member journey. **Download the report here!**

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PROVIDERS & SUPPLIERS

CMS raises 2023 payment rates for inpatient rehab facilities

The CMS has issued a final rule raising Medicare payment rates for inpatient rehabilitation facilities by 3.9%, or around $275 million, for fiscal 2023. Under the final rule, inpatient rehab facilities must collect patient data, regardless of insurer, starting in 2026, while providers must collect patient assessment instrument data on all inpatient rehab facility patients starting Oct. 1, 2024. **Full Story:** Becker's Hospital Review (7/27)

USPSTF: Match behavioral counseling to CVD risk

For the 12.2% of the US adult population that does not have cardiovascular disease risk factors, the US Preventive Services Task Force has recommended individual behavioral counseling to help ensure adherence to guidelines for physical activity and healthful eating. A USPSTF report at the Journal of the American Medical Association noted individualized counseling yields "small but statistically significant benefits across a variety of important intermediate health outcomes" for those without CVD risk factors, while intensive behavioral counseling to improve diet quality and physical activity is recommended for those with CVD risk factors. **Full Story:** Healio (free registration) (7/26)

Thwart portal cyberattacks with the right protection

The proliferation of digital tools such as member and provider portals, coupled with increasing consumerism in healthcare, means that there are exponentially more entry points for attackers to exploit. Join webinar panelists from LexisNexis Risk Solutions, ForgeRock and Arkansas Blue Cross and Blue Shield to learn how health plans can ensure portal security and prevent attacks. **Watch on demand.**

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MEDICAL UPDATE

Adults who exceed exercise guidelines may live longer

Research published in the journal Circulation suggests that adults who get more than the recommended amount of weekly physical activity may have greater longevity than those who don't exceed recommendations. Researchers analyzed self-reported activities of more than 116,000 adults over three decades and found the greatest reduction in early mortality among people who got 150 to 300 minutes of vigorous physical activity per week, or 300 to 600 minutes of moderate activity, or a combination of the two, nor was there harm associated with those who got more than four times the recommended amount. **Full Story:** CNN (7/26)

BA.5 is dominant coronavirus subvariant in US

Statistics from the CDC show that as of July 23, the BA.5 subvariant of the Omicron coronavirus strain represented just under 82% of circulating variants in the US. The FDA has asked vaccine makers to focus their efforts on fall booster shots specifically targeting BA.4 and BA.5. **Full Story:** Reuters (7/26)

EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

Low socioeconomic status tied to CPS reporting

A 14-year study that followed nearly 4,000 children with a history of child maltreatment hospitalization before they were age 3 found that those with public health insurance were more likely to be reported to child protective services compared to those with private insurance, according to research published in the journal Pediatrics. "This suggests that children and families of a lower socioeconomic status may be more closely scrutinized for child maltreatment in hospital settings than those with more means," said lead author Rebecca Rebbe.
Full Story: Healio (free registration) (7/25)

Older-adult foster program connects veterans with care

The Department of Veterans Affairs program called Medical Foster Home helps older veterans with daily activities like medication, appointment transportation, bathing, dressing and cooking by placing them as residents in a caregiver's home. A study published in the journal Geriatrics found that foster caregivers were able to help patients access telehealth appointments, get vaccinated against COVID-19 and combat social isolation, among other benefits. **Full Story:** Medscape (free registration)/WebMD (7/26)

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HEALTH INSURANCE PROVIDER COMPANY NEWS

- American Fidelity Ranks in Top 50 Insurers
- AmeriHealth New Jersey and Thyme Care Collaborate to Support Members in Navigating their Cancer Journey
- Message from CareOregon CEO Eric C. Hunter: Securing the Future - Annual Report 2021
- Centene's Trillium Community Health Plan Appoints Sarah Brewer as CEO
- Commonwealth Care Alliance Recognized as a "Best Place to Work for Disability Inclusion"
- Fidelity Study: More Than Half of Caregivers of Loved Ones With Disabilities or Special Needs Had Little Time to Prepare Before Assuming Responsibility -- for Future Caregivers, the Time to Plan Is Now
- UCare and Kente Circle bring America's First Mental Health Barbershop Movement to South Minneapolis

SOLUTIONS PROVIDER NEWS

- Availity Named Single-Source Technology Partner for California's Centralized Provider Directory
- Blue Health Intelligence Appoints Bob Darin as CEO

PHARMA NEWS

Fall booster campaign could avert over 48M COVID-19 cases

An analysis from the Commonwealth Fund estimates that implementing an early fall COVID-19 booster vaccine campaign in the US could save nearly 160,000 lives and avert more than 48 million COVID-19 infections and over 1.7 million hospitalizations if 80% of eligible people get their booster shots. Under the same scenario, the US could save more than $109 billion in direct medical costs by March 2023 compared with the current rates. **Full Story:** The Hill (7/27), The Commonwealth Fund (7/26)

FDA OKs use of GSK's Benlysta for active lupus nephritis

The FDA has granted expanded approval to GlaxoSmithKline's Benlysta, or belimumab, as a treatment for active lupus nephritis in patients ages 5 to 17 who are receiving standard treatment. The drug was previously approved for treatment of active systemic lupus erythematosus in patients ages 5 and older who are receiving standard therapy. **Full Story:** eMPR (7/27)

POLICY WATCH

Key Democrats agree on spending bill with health provisions

Sen. Joe Manchin, D-W.Va., and Senate Majority Leader Charles Schumer, D-N.Y., have agreed to advance a spending bill with several health care provisions, including measures that would allow Medicare to negotiate some prescription drug prices and an extension of enhanced Affordable Care Act premium subsidies through 2025. The legislation will be considered by the full Senate next week, Manchin and Schumer noted. **Full Story:** USA Today (7/28), CNBC (7/27)

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New motion graphic on mental health access

AHIP recently released a motion graphic video focused on how health insurance providers are working to boost mental health access and affordability. The video reaffirms health insurance providers' commitment to working together to improve access to mental health support for every patient who needs it. Watch the video.

Webinar: At-home solutions for health equity - register today.

Join us on Friday, Aug. 5 from 1 to 2 p.m. ET for "Prioritizing Health Equity to Close Gaps in Care" as LetsGetChecked discusses the impact of the pandemic on health equity across diverse member populations, top challenges affecting equitable health care access, and how at-home health testing programs can expand access to preventive care and improve health outcomes.

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SUBJECT: A new treatment option for NYHA class II-III obstructive HCM
FROM: Managed Care News <managedcare_news@newsletter.docwirenews.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 28/07/2022 09:01

Visit the website to learn more. | If you are unable to see the message below, view the web version.

[redacted]

INDICATION

CAMZYOS is indicated for the treatment of adults with symptomatic New York Heart Association (NYHA) class II-III obstructive hypertrophic cardiomyopathy (HCM) to improve functional capacity and symptoms.

SELECT IMPORTANT SAFETY INFORMATION

WARNING: RISK OF HEART FAILURE

CAMZYOS reduces left ventricular ejection fraction (LVEF) and can cause heart failure due to systolic dysfunction.

Echocardiogram assessments of LVEF are required prior to and during treatment with CAMZYOS. Initiation of CAMZYOS in patients with LVEF <55% is not recommended. Interrupt CAMZYOS if LVEF is <50% at any visit or if the patient experiences heart failure symptoms or worsening clinical status.

Concomitant use of CAMZYOS with certain cytochrome P450 inhibitors or discontinuation of certain cytochrome P450 inducers may increase the risk of heart failure due to systolic dysfunction; therefore, the use of CAMZYOS is contraindicated with the following:

- **Moderate to strong CYP2C19 inhibitors or strong CYP3A4 inhibitors**
- **Moderate to strong CYP2C19 inducers or moderate to strong CYP3A4 inducers**

Because of the risk of heart failure due to systolic dysfunction, CAMZYOS is available only through a restricted program under a Risk Evaluation and Mitigation Strategy (REMS) called the CAMZYOS REMS PROGRAM.

Please see additional Important Safety Information for CAMZYOS, including **Boxed WARNING,** below, and U.S. Full Prescribing Information for CAMZYOS here.

CAMZYOS Is Now Approved

The first and only cardiac myosin inhibitor for the treatment of symptomatic NYHA class II-III obstructive HCM in adults to improve functional capacity and symptoms[1,2]

CAMZYOS is the first and only approved cardiac myosin inhibitor that targets HCM at the source.[1,2]

Visit CAMZYOShcp.com for more information

Get started

IMPORTANT SAFETY INFORMATION

WARNING: RISK OF HEART FAILURE

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Because of the risk of heart failure due to systolic dysfunction, CAMZYOS is available only through a restricted program under a Risk Evaluation and Mitigation Strategy (REMS) called the CAMZYOS REMS PROGRAM.

CONTRAINDICATIONS

CAMZYOS is contraindicated with concomitant use of:

- Moderate to strong CYP2C19 inhibitors or strong CYP3A4 inhibitors
- Moderate to strong CYP2C19 inducers or moderate to strong CYP3A4 inducers

WARNINGS AND PRECAUTIONS

Heart Failure

CAMZYOS reduces systolic contraction and can cause heart failure or totally block ventricular function. Patients who experience a serious intercurrent illness (e.g., serious infection) or arrhythmia (e.g., atrial fibrillation or other uncontrolled tachyarrhythmia) are at greater risk of developing systolic dysfunction and heart failure.

Assess the patient's clinical status and LVEF prior to and regularly during treatment and adjust the CAMZYOS dose accordingly. New or worsening arrhythmia, dyspnea, chest pain, fatigue, palpitations, leg edema, or elevations in N-terminal pro-B-type natriuretic peptide (NT-proBNP) may be signs and symptoms of heart failure and should also prompt an evaluation of cardiac function.

Asymptomatic LVEF reduction, intercurrent illnesses, and arrhythmias require additional dosing considerations.

Initiation of CAMZYOS in patients with LVEF <55% is not recommended. Avoid concomitant use of CAMZYOS in patients on disopyramide, ranolazine, verapamil with a beta blocker, or diltiazem with a beta blocker as these medications and combinations were excluded from EXPLORER-HCM. Concomitant use of CAMZYOS with disopyramide in combination with verapamil or diltiazem has been associated

with left ventricular systolic dysfunction and heart failure symptoms in patients with obstructive HCM.

CYP 450 Drug Interactions Leading to Heart Failure or Loss of Effectiveness

CAMZYOS is primarily metabolized by CYP2C19 and CYP3A4 enzymes. Concomitant use of CAMZYOS and drugs that interact with these enzymes may lead to life-threatening drug interactions such as heart failure or loss of effectiveness.

Advise patients of the potential for drug interactions, including with over the counter medications (such as omeprazole, esomeprazole, or cimetidine). Advise patients to inform their healthcare provider of all concomitant products prior to and during CAMZYOS treatment.

CAMZYOS Risk Evaluation and Mitigation Strategy (REMS) Program

CAMZYOS is only available through a restricted program called the CAMZYOS REMS Program because of the risk of heart failure due to systolic dysfunction. Notable requirements of the CAMZYOS REMS Program include the following:

- Prescribers must be certified by enrolling in the REMS Program.
- Patients must enroll in the REMS Program and comply with ongoing monitoring requirements.
- Pharmacies must be certified by enrolling in the REMS Program and must only dispense to patients who are authorized to receive CAMZYOS.
- Wholesalers and distributors must only distribute to certified pharmacies.

Further information is available at www.CAMZYOSREMS.com or by telephone at 1-833-628-7367.

Embryo-Fetal Toxicity

CAMZYOS may cause fetal toxicity when administered to a pregnant female, based on animal studies. Confirm absence of pregnancy in females of reproductive potential prior to treatment and advise patients to use effective contraception during treatment with CAMZYOS and for 4 months after the last dose. CAMZYOS may reduce the effectiveness of combined hormonal contraceptives (CHCs). Advise patients using CHCs to use an alternative contraceptive method that is not affected by CYP 450 enzyme induction or to add nonhormonal contraception. Advise females of reproductive potential about the potential risk to the fetus with maternal exposure to CAMZYOS during pregnancy.

ADVERSE REACTIONS

In the EXPLORER-HCM trial, adverse reactions occurring in >5% of patients and more commonly in the CAMZYOS group than in the placebo group were dizziness (27% vs 18%) and syncope (6% vs 2%).

Effects on Systolic Function

In the EXPLORER-HCM trial, mean (SD) resting LVEF was 74% (6) at baseline in both treatment groups. Mean (SD) absolute change from baseline in LVEF was -4% (8) in the CAMZYOS group and 0% (7) in the placebo group over the 30-week treatment period. At Week 38, following an 8-week interruption of trial drug, mean LVEF was similar to baseline for both treatment groups. In the EXPLORER-HCM trial, 7 (6%) patients in the CAMZYOS group and 2 (2%) patients in the placebo group experienced reversible reductions in LVEF <50% (median 48%: range 35-49%) while on treatment. In all 7 patients treated with CAMZYOS, LVEF recovered following interruption of CAMZYOS.

DRUG INTERACTIONS

Potential for Other Drugs to Affect Plasma Concentrations of CAMZYOS

CAMZYOS is primarily metabolized by CYP2C19 and to a lesser extent by CYP3A4 and CYP2C9. Inducers and inhibitors of CYP2C19 and moderate to strong inhibitors or inducers of CYP3A4 may affect the exposures of CAMZYOS.

Impact of Other Drugs on CAMZYOS:

- Moderate to Strong CYP2C19 Inhibitors or Strong CYP3A4 Inhibitors: Concomitant use increases CAMZYOS exposure, which may increase the risk of heart failure due to systolic dysfunction. Concomitant use is contraindicated.
- Moderate to Strong CYP2C19 Inducers or Moderate to Strong CYP3A4 Inducers: Concomitant use decreases CAMZYOS exposure, which may reduce CAMZYOS' efficacy. The risk of heart failure due to systolic dysfunction may increase with discontinuation of these inducers as the levels of induced enzyme normalizes. Concomitant use is contraindicated.
- Weak CYP2C19 Inhibitors or Moderate CYP3A4 Inhibitors: Concomitant use with a weak CYP2C19 inhibitor or a moderate CYP3A4 inhibitor increases CAMZYOS exposure, which may increase the risk of adverse drug reactions. Initiate CAMZYOS at the recommended starting dose of 5 mg orally once daily in patients who are on stable therapy with a weak CYP2C19 inhibitor or a moderate CYP3A4 inhibitor. Reduce dose of CAMZYOS by one level (i.e., 15 to 10 mg, 10 to 5 mg, or 5 to 2.5 mg) in patients who are on CAMZYOS treatment and intend to initiate a weak CYP2C19 inhibitor or a moderate CYP3A4 inhibitor. Schedule clinical and echocardiographic assessment 4 weeks after inhibitor initiation, and do not up-titrate CAMZYOS until 12 weeks after inhibitor initiation. Avoid initiation of concomitant weak CYP2C19 and moderate CYP3A4 inhibitors in patients who are on stable treatment with 2.5 mg of CAMZYOS because a lower dose is not available.

Potential for CAMZYOS to Affect Plasma Concentrations of Other Drugs

CAMZYOS is an inducer of CYP3A4, CYP2C9, and CYP2C19. Concomitant use with CYP3A4, CYP2C19, or CYP2C9 substrates may reduce plasma concentration of these drugs. Closely monitor when CAMZYOS is used in combination with CYP3A4, CYP2C19, or CYP2C9 substrates where decreases in the plasma concentration of these drugs may reduce their activity.

Hormonal Contraceptives: Progestin and ethinyl estradiol are CYP3A4 substrates. Concomitant use of CAMZYOS may decrease exposures of ethinyl estradiol and progestin, which may lead to contraceptive failure or an increase in breakthrough bleeding. Advise patients to use a contraceptive method that is not affected by CYP 450 enzyme induction (e.g., intrauterine system) or add nonhormonal contraception (such as condoms) during concomitant use and for 4 months after the last dose of CAMZYOS.

Drugs That Reduce Cardiac Contractility

Expect additive negative inotropic effects of CAMZYOS and other drugs that reduce cardiac contractility. Avoid concomitant use of CAMZYOS with disopyramide in combination with verapamil or diltiazem. If concomitant therapy with a negative inotrope is initiated, or if the dose of a negative inotrope is increased, monitor LVEF closely until stable doses and clinical response have been achieved.

SPECIFIC POPULATIONS

Pregnancy

CAMZYOS may cause fetal harm when administered to a pregnant female. Advise pregnant females about the potential risk to the fetus with maternal exposure to CAMZYOS during pregnancy. There is a pregnancy safety study for CAMZYOS. If CAMZYOS is administered during pregnancy, or if a patient becomes pregnant while receiving CAMZYOS or within 4 months after the last dose of CAMZYOS, healthcare providers should report CAMZYOS exposure by contacting Bristol Myers Squibb at 1-800-721-5072 or www.bms.com.

Lactation

The presence of CAMZYOS in human or animal milk, the drug's effects on the

breastfed infant, or the effects on milk production are unknown. The developmental and health benefits of breastfeeding should be considered along with the mother's clinical need for CAMZYOS and any potential adverse effects on the breastfed child from CAMZYOS or from the underlying maternal condition.

Females and Males of Reproductive Potential

Confirm absence of pregnancy in females of reproductive potential prior to initiation of CAMZYOS. Advise females of reproductive potential to use effective contraception during treatment with CAMZYOS and for 4 months after the last dose. Use of CAMZYOS may reduce the effectiveness of CHCs. Advise patients using CHCs to use an alternative contraceptive method or add nonhormonal contraception.

INDICATION

CAMZYOS™ (mavacamten) is indicated for the treatment of adults with symptomatic New York Heart Association (NYHA) class II-III obstructive hypertrophic cardiomyopathy (HCM) to improve functional capacity and symptoms.

CAMZYOS is available in 2.5 mg, 5 mg, 10 mg, and 15 mg capsules.

Please see US Full Prescribing Information, including **Boxed WARNING**.

References:

1. CAMZYOS [package insert]. Princeton, NJ: Bristol-Myers Squibb Company; 2022.
2. Olivotto I, Oreziak A, Barriales-Villa R, et al; EXPLORER-HCM study investigators. Mavacamten for treatment of symptomatic obstructive hypertrophic cardiomyopathy (EXPLORER-HCM): a randomised, double-blind, placebo-controlled, phase 3 trial. *Lancet*. 2020;396(10253):759-769.

Bristol Myers Squibb is committed to transparency. For more information on the list price of CAMZYOS as well as information regarding average out-of-pocket costs and assistance programs, please visit our pricing information page.

Bristol Myers Squibb™

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SUBJECT: Celebrating 32 Years of the Americans with Disabilities Act
FROM: "Public Health Weekly" <pr@astho.org>
TO: hborski@utah.gov
DATE: 28/07/2022 10:10

View this email in your browser.

PUBLIC HEALTH WEEKLY

July 28, 2022

Stigma Around Substance Use During Pregnancy: A Louisiana Response

Opioid use disorder during pregnancy contributes to maternal death and poor birth outcomes. Although prenatal care can reduce these effects, pregnant individuals may delay care due to concerns about stereotyping and stigmatizing by providers.

Joseph Kanter, MD, MPH, (SHO-LA) and Amy Ladley, PhD, discuss Louisiana's approach to reducing stigma and fears of criminalization around opioid use in pregnant and postpartum individuals, and the importance of partnerships. Learn more in this new episode of the Public Health Review podcast.

LISTEN

States Leverage COVID-19 Relief Funding to Improve Accessibility for People with Disabilities

This week, we are commemorating 32 years of the Americans with Disabilities Act (ADA) opening access to employment, transportation, housing, public accommodations, and governmental programs for people with disabilities. In addition to the federal law, a majority of states have enacted laws protecting the rights of people with disabilities.

Learn more about how states have used COVID-19 funding to improve care and accommodations for people with disabilities in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

ASTHO has two new articles out in the *Journal of Public Health Management and Practice:*

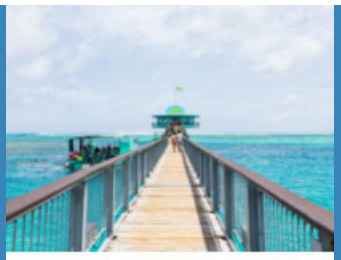
- **Sustained Management of COVID-19: Doing More of What Works to Control Future Surges |** With fall—and a potentially major surge of COVID-19 cases—around the corner, ASTHO has some suggestions for health officers and departments to maintain a sustainable response. **Read more here**.
- **Strategies to Operationalize Health Equity in State and Territorial Health Departments |** As part of an ongoing column on centering health equity in the wake of the COVID-19 response, this installment covers a technical package of interventions ASTHO has prioritized to support state efforts. **Check out these strategies here.**

Social Connectedness: A Key Component to Youth Mental Wellness, Including Youth with Serious Mental Illness or Emotional Disturbances | Join ASTHO for a two-part webinar series on Aug. 3-4. Presenters from the Wisconsin Office of Children's Mental Health and the Maine Resiliency Building Network will discuss the collective impact we can make toward improving youth mental and behavioral health outcomes through social connectedness. **Register here!**

ASTHO is delighted to announce that Nicole Alexander-Scott, MD, MPH, (alumni-RI) has joined the organization as a senior executive consultant on the health and racial equity team. **Learn more about her history in public health** and her future work with ASTHO.

LATEST ASTHO RESOURCES AND EVENTS

[redacted]



Blog

Setting the Stage for Equity in the Island Areas

READ

Report

Climate and Health Capacity Survey

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Brief

Boundary Spanning Leadership Model Strengthens Oklahoma Harm Reduction Programs

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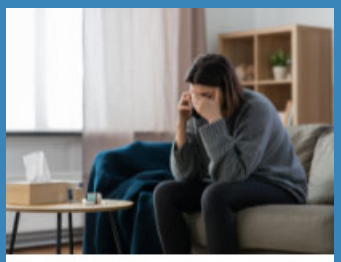

Blog

Guam Behavioral Health and Wellness Center: A Pandemic Lifeline

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Blog

Placemaking Begets Youth Sports, Promoting Healthier Communities

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Brief

Climate and Health Capacity Survey: 10 Key Takeaways

READ

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Heat Waves Require New Thinking** | Evan Mallen, CDC
- **Hawaii's 9-8-8 Experience** | Belinda Danielson, Hawaii Department of Health
- **Best of ME: Hope for the PH Workforce** | Bruce Perry, Northwestern University
- **CDC's Multi-Billion Dollar Investment** | Nick Davidson, South Carolina Department of Health and Environmental Control
- **Health Equity Summit Preview** | Kimberlee Wyche-Etheridge, ASTHO

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PUBLIC HEALTH REVIEW PODCAST

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC

astho

PUBLIC HEALTH REVIEW

[redacted]

• **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

• **Nirav Shah Is Ambivalent About His Celebrity.** | *Down East* | Mike Fraser, ASTHO CEO and Nirav Shah (SHO-ME), ASTHO president

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SUBJECT: Insurers Must Provide Contraception, Biden Admin. Warns
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 29/07/2022 02:48

Friday, July 29, 2022

Follow

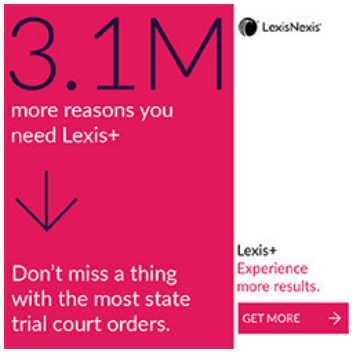
TOP NEWS

Insurers Must Provide Contraception, Biden Admin. Warns
Health insurance plans must provide patients with birth control and other contraceptives at no extra cost, the Biden administration warned providers on Thursday, following a U.S. Supreme Court ruling last month that overturned the right to abortion.
Read full article »

NY State Accuses CVS Of Illegal Service Tying
New York's attorney general on Thursday accused CVS in state court of using its retail pharmacy clout to force safety-net hospitals and other providers into contracting with one of its subsidiaries to process claims for a federal prescription drug subsidy program.

Complaint attached | Read full article »

CR Bard's Mesh Design Was Substandard, Patient Says
A Rhode Island jury heard a blistering critique of medical device marker C.R. Bard on Thursday in openings for a surgical mesh trial, where lawyers for a hernia patient said



[redacted]

the company quietly built the device with plastic that wasn't to be used in humans.
Read full article »

3rd Circ. Revives Nursing Homes' Claims Of Union Extortion
The Third Circuit revived part of a lawsuit Thursday that nursing home operators filed claiming Service Employees International Union affiliates extorted the companies during bargaining, reversing an earlier panel decision and saying a jury could reasonably determine that the unions endorsed vandalism at the properties.

Decision attached | Read full article »

POLICY & REGULATION

Senate Advances Bill To Create FDA-USPTO Patent Task Force
The Senate Judiciary Committee on Thursday advanced a bill that would lead to the U.S. Patent and Trademark Office and U.S. Food and Drug Administration working more closely on patent-related issues, with a goal of addressing high prescription drug prices.

3 documents attached | Read full article »

ENFORCEMENT & COMPLIANCE

Ex-UChicago Prof's Insider Trades Merit Prison, Feds Say
Federal prosecutors are seeking a one-year prison sentence for a former University of Chicago professor who pled guilty to insider trading related to a cancer drug trial, according to a Wednesday court filing.

Memorandum attached | Read full article »

2 NJ Firefighters Admit Roles In $50M Drug Fraud Scheme
Two firefighters each face up to 10 years in prison after admitting to defrauding New Jersey health benefit programs and other insurers by filing false claims for unnecessary prescription medications and pocketing nearly $500,000 as part of a larger $50 million conspiracy, according to the U.S. Department of Justice.
Read full article »

Fla. Man Charged In $25M Medicare Fraud Scheme
A Florida man was charged in Pennsylvania with conspiring to bill $25 million worth of fraudulent Medicare claims related to cancer screenings, the U.S. Attorney's Office for the Western District of Pennsylvania announced.
Read full article »

LITIGATION

9th Circ. Tosses Health District's Virus Coverage Suit
The Ninth Circuit affirmed the dismissal of a California health care district's COVID-19 coverage lawsuit against a Zurich unit, finding Thursday that its policy's contamination exclusion prevents coverage.

Opinion attached | Read full article »

Judge Mulls Feds', Tobacco Cos.' Decree On Health Warnings
A D.C. federal judge on Thursday lauded the federal government and tobacco companies including Philip Morris USA and R.J. Reynolds for reaching an agreement they condensed into a proposed consent decree to resolve litigation over tobacco warnings that has lasted more than two decades.
Read full article »

Biogen Denies Misleading Investors Over Alzheimer's Drug
Healthcare giant Biogen denied making any misleading statements to its investors Wednesday in a motion to dismiss a securities class action alleging the company knew an Alzheimer's drug was deficient but went ahead with its production anyway.

Memorandum attached | Read full article »

GOP AGs Tell 8th Circ. Right To Vote Doesn't Cover Initiatives
Fifteen Republican state attorneys general told the Eighth Circuit on Thursday that the principle of "one person, one

COMPANIES IN TODAY'S NEWS

Altria Group Inc.
Amazon.com Inc.
American Bar Association
American Civil Liberties Union
BTI Consulting Group Inc.
Baylor University
Biogen Inc.
C.R. Bard Inc.
CVS Health Corp.
Cigna Corp.
Five Prime Therapeutics Inc.
Getty Images Inc.
Google LLC
International Academy of Sportslaw Practioners & Executives
Johnson & Johnson
LG Electronics Inc.
LyondellBasell Industries NV
National Association for Law Placement Inc.
National Native American Bar Association
New York State Bar Association
Palomar Health
R.J. Reynolds Tobacco Co. Inc.
Sentry Data Systems Inc.
Service Employees International Union
Silversmith Capital Partners
SolarWinds Corp.
Space Exploration Technologies Corp.
Temple University
eBay Inc.

LAW FIRMS IN TODAY'S NEWS

Alston & Bird
Bailey & Glasser
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Bracewell LLP
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Faegre Drinker
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Gray Reed
Greenberg Traurig
Greines Martin
Hall Booth
Holland & Knight
Holland Law Firm PC
Hooper Lundy
Jones Day
K&L Gates
Kirkland & Ellis
Levy Ratner

vote" should not extend to the process for putting a medical marijuana legalization initiative on the ballot in Nebraska.

2 documents attached | Read full article »

Cigna Can't Dodge TCPA Suit Over Dental Marketer's Calls

A Maryland federal judge has refused to release Cigna from a proposed class action over allegedly unlawful dental discount plan robocalls placed by a marketing provider, rejecting the insurer's argument that it didn't have sufficient connections to the state.

Opinion attached | Read full article »

Supplement Cos. Fight $476K Atty Fee Bid In Trademark Row

A pair of supplement companies are asking a Georgia federal court to deny a rival's bid for $476,000 in attorney fees following a judgment against them in a trademark dispute, saying this is not an exceptional case that warrants an award of fees.

Motion attached | Read full article »

DEALS

Kirkland-Led Silversmith Closes $1.25B Fund

Guided by Kirkland & Ellis LLP, growth equity firm Silversmith Capital Partners said Thursday it closed on a $1.25 billion fund to continue the group's focus on investing in profitable technology and health care companies.

Read full article »

BANKRUPTCY

Judge Orders Claim Estimation For J&J Talc Unit's Ch. 11

A New Jersey bankruptcy judge ordered an abbreviated estimation process Thursday to establish the aggregate value of the thousands of talc injury claims in the Chapter 11 case of a bankrupt Johnson & Johnson unit.

Read full article »

EXPERT ANALYSIS

HHS Fraud Alert Is A Major Warning To Telehealth Industry

The U.S. Department of Health and Human Services recently issued a rare fraud alert, indicating potential changes in telemedicine enforcement, and suggesting that digital health entities are likely to face subpoenas, civil investigative demands and other inquiries, say attorneys at Hooper Lundy.

Read full article »

Circuit Split On Cannabis Prosecutions Heightens Uncertainty

Congress' use of an appropriations bill rider to defund certain kinds of criminal cannabis prosecutions has resulted in a circuit split over how it should be enforced, adding to the already long list of regulatory uncertainties that burden state-legal cannabis industries and operators, say Julia Matlin and Richard Trotter at Feuerstein Kulick.

Read full article »

LEGAL INDUSTRY

How Much Do Associates Like Their Jobs? Not Much

Associates at many law firms don't sound very happy: Only about a quarter rank their job satisfaction as excellent, a mere 40% believe they are well mentored, and just 52% would recommend their current firm to a peer, a new report shows.

Read full article »

Class Of 2021 Law Grads See Record High Employment

Fueled by talent competition among the largest law firms, the employment rate for the class of 2021 law school graduates climbed 3.5% compared with the previous year,

Lewis Roca
Lowenstein Sandler
Massey & Gail
McIntyre Tate
Milbank LLP
Motley Rice
Munck Wilson
Munger Tolles
Naman Howell
Otterbourg PC
Parkins & Rubio
Patterson & Sheridan
Quinn Emanuel
Reed Smith
Riley Safer
Robbins Russell
Saxe Doernberger
Skadden Arps
Spencer Fane
Stafford Rosenbaum
Strong & Hanni
The Consumer Protection Firm
Williams & Connolly
Winston & Strawn
Wollmuth Maher

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arkansas Attorney General's Office
Centers for Medicare & Medicaid Services
Federal Judicial Center
Federal Trade Commission
Food and Drug Administration
Judicial Conference of the United States
Nebraska Attorney General's Office
New York Attorney General's Office
U.S. Attorney's Office
U.S. Attorney's Office for the District of New Jersey
U.S. Attorney's Office for the Northern District of Illinois
U.S. Attorney's Office for the Western District of Pennsylvania
U.S. Bankruptcy Court for the District of New Jersey
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maryland
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of New Jersey
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. Patent and Trademark Office
U.S. Supreme Court
United Nations

[redacted]

according to data released Thursday, reaching historic peaks as the U.S. economy recovered from COVID-19-related disruptions.
Read full article »

Federal Court Security Breach Said To Have 'Startling' Scope
An early 2020 security breach affecting the federal judiciary's electronic document filing system had a deeper impact than was initially disclosed, the chair of the House Judiciary Committee revealed Thursday, saying he found the episode "startling."
Read full article »

Alito Sees Threat To Religious Liberty In 'Secular Society'
Justice Samuel Alito, coming off perhaps his most significant term since he joined the U.S. Supreme Court, gave a recent speech in Italy in which he called on religious liberty advocates to become more proactive in protecting religious exercise.
Read full article »

Senate Bill Seeks To Stop 'Rogue' Supreme Court Decisions
Senate Democrats proposed a bill on Thursday that would give Congress more power to pass legislation in response to U.S. Supreme Court rulings that interpret federal statutes or roll back constitutional rights.
Read full article »

Gains In Fed. Judicial Diversity May Slow After Midterms
Partisanship and lawmakers' focus on the political leanings of federal court nominees undermine efforts to create a more diverse bench, a panel of judicial experts said Thursday.
Read full article »

Senate Committee Advances 9th Circ. Nominee
The Senate Judiciary Committee advanced the Ninth Circuit nomination of Roopali H. Desai on Thursday, moving her one step closer to confirmation while holding over six other judicial picks until a future meeting.
Read full article »

Analysis
The Slow Death Of New York's 'Brick And Mortar' Office Rule
New York's "brick and mortar" office rule for out-of-state lawyers — long derided in the internet age as archaic, oblivious and generally unhelpful — may finally be ready to expire. But don't expect anyone to throw a parade.
Read full article »

Analysis
Albright's Dimmed Power Upsets New Waco Patent Practices
Even faster than U.S. District Judge Alan Albright threw open the doors of his Waco, Texas, courtroom to patent litigators, a new court policy to randomly assign patent cases across the Western District of Texas shut them, flummoxing attorneys and leaving some firms with new Waco offices rethinking their investments.
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SUBJECT: Morning Consult Health Presented by Better Medicare Alliance:Democrats Will Address Insulin in Reconciliation Package, Schumer Says
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 29/07/2022 06:03

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 29, 2022

BY MATT BRACKEN

Twitter Email

TOP STORIES

- Senate Majority Leader Chuck Schumer (D-N.Y.) said Democrats "will be adding things on insulin" to the reconciliation package he negotiated with Sen. Joe Manchin (D-W.Va.), a move that comes as a bipartisan effort from Sens. Jeanne Shaheen (D-N.H.) and Susan Collins (R-Maine) to lower insulin costs appears to have hit Republican roadblocks. It's unclear whether insulin cost reduction measures would survive the arcane Senate rules on reconciliation, while Shaheen said she'd back the move but will also continue working with "Collins to address the full scope of the skyrocketing costs to bring relief to American families." (The Hill)

- The Biden administration is planning a September campaign for reformulated COVID-19 booster shots after Pfizer Inc. and Moderna Inc. said they could deliver the millions of required doses on that timeline, people familiar with the deliberations said. The

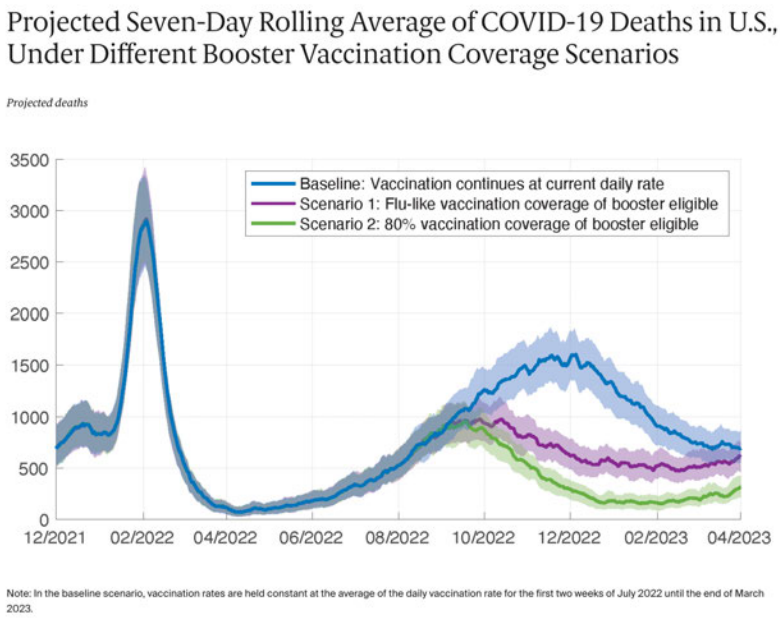
shots, which would be available for all adults and potentially children, are expected to fare better against the omicron BA.5 subvariant, though additional data is pending. (The New York Times)

- Senate Democrats are seeking $21 billion in new emergency spending on COVID-19 as well as preparedness measures for additional outbreaks, monkeypox potentially among them. The bill would appropriate $16 billion for a key Health and Human Services program to be used in the fight against COVID-19 via tests, vaccines, supplies and research on current and future strains, while another $5 billion would support other countries in their pandemic battle. (The Washington Post)

- Pfizer reported second-quarter revenue of $27.7 billion, a year-over-year jump of 47% fueled by better-than-expected sales of the drugmaker's COVID-19 vaccine and antiviral treatment Paxlovid, which generated global sales of $8.1 billion. Pfizer's vaccine, developed in partnership with BioNTech SE, saw a 13% rise in sales to $8.8 billion. (The Wall Street Journal)

CHART REVIEW

How Many Lives Could a Fall COVID-19 Booster Campaign Save in the United States?
The Commonwealth Fund



EVENTS CALENDAR (ALL TIMES LOCAL)

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New Report Highlights Medicare Advantage's Value to Seniors and Taxpayers

With average annual savings of nearly $2,000 for consumers, a 94% beneficiary satisfaction rate, better health outcomes, and lower per-beneficiary government spending, Medicare Advantage is delivering on its promise for seniors and taxpayers alike. Get the latest facts in Better Medicare Alliance's 2022 State of Medicare Advantage report.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

How Long Can the Coronavirus Keep Reinfecting Us?

Sarah Zhang, The Atlantic

When the original Omicron variant swept across the country this winter, it launched America into a new COVID era, one in which nearly everyone—95 percent of adults, according to one CDC estimate—has some immunity to the virus through vaccines, infection, or both. Since then, however, Omicron subvariants have still managed to cause big waves of infection. They've accomplished this by eroding our existing immunity.

Drug companies could create new drugs to protect the Covid vulnerable. Why aren't they?

Jason Mast, Stat News

Although the problem is now eight months old, few other prophylactic drugs for people with compromised immune systems are on the horizon. Several companies have announced plans to bring forward new Covid-19 antibodies, but they virtually are all either still in animal studies or are being principally developed as therapeutics.

A rare look inside the Strategic National Stockpile — and how it went wrong at the start of the pandemic

Berkeley Lovelace Jr. et al., NBC News

NBC News was granted exclusive access inside one of the top-secret facilities — the first news organization allowed inside with television cameras since the pandemic began — and spoke with federal health officials who are now grappling with rebuilding supplies, correcting the mistakes of the Covid crisis and trying to prepare for the next pandemic.

Walgreens Escapes Liability for Covid Vaccine-Related Fall

Mary Anne Pazanowski, Bloomberg Law

Walgreen Co. is immune from a customer's suit seeking damages for injuries she suffered in a fall after receiving her Covid-19 vaccine, a federal court in New Mexico said.

GENERAL

Lobbying ramps up around new health agency headquarters

Lauren Clason, Roll Call

At least 10 states are vying to host a new agency tasked with speeding to market innovative technologies for diseases like cancer and Alzheimer's.

Health secretary calls on Congress and states to do more to help contain monkeypox outbreak

Spencer Kimball, CNBC

The U.S. health secretary on Thursday said the federal government needs Congress to help end the growing monkeypox outbreak and that states, cities and communities need to do more at the local level to prevent the spread of the virus.

U.N. Strikes Deal To Distribute HIV Prevention Shot In Low-Income Countries

Robert Hart, Forbes

The United Nations-backed Medicines Patent Pool (MPP) has signed a deal to boost access to an groundbreaking HIV prevention drug, global health agency Unitaid announced on Thursday, a landmark deal that could save lives and help turn the tide of the AIDS pandemic.

CDC has spent $16,000 on Walensky's media training

Brad Dress, The Hill

The Centers for Disease Control and Prevention (CDC) has spent $16,000 on training sessions for Director Rochelle Walensky to improve her ability

to speak to the media and communicate crucial public health messages during the coronavirus pandemic.

Deal on Capitol Hill could ease seniors' health costs

Matt Sedensky and Carla K. Johnson, The Associated Press

A deal on Capitol Hill that could cut prescription drug costs for millions of Medicare beneficiaries was cautiously cheered by older Americans and their advocates Thursday even as many worried it might never come to fruition.

At least 43 abortion clinics shut in month after Supreme Court overturned Roe, research says, with more likely to close

Jen Christensen and Tierney Sneed, CNN

At least 43 abortion clinics have shut their doors in the 30 days since the US Supreme Court overturned Roe v. Wade in June, according to new research. The research was published Thursday by the Guttmacher Institute, a research and policy organization focused on sexual and reproductive health that supports abortion rights.

Democrats Seek $350 Million Abortion Travel Fund, Hyde Rollback

Alex Ruoff and Jeannie Baumann, Bloomberg Law

Senate Democrats want to create a $350 million fund to help people who live in states where abortion is illegal to travel to where it remains legal and roll back the Hyde amendment, a long-standing prohibition on using federal funds for abortion.

FDA Layoff Notices Loom if User Fee Deal Stalls Into September

Celine Castronuovo, Bloomberg Law

FDA employees could start receiving layoff warnings by early September if House and Senate leaders don't reach a compromise to reauthorize the fees that help fund the agency by then, the FDA's head said Thursday.

Altarum: Healthcare spending declined in Q1 for the first time in decades

Paige Minemyer, Fierce Healthcare

Health spending declined for the first time in more than 60 years during the first quarter, according to a new analysis from Altarum.

Testing is crucial to getting monkeypox under control, but there's a 'shocking' lack of demand

Elizabeth Cohen, CNN

Testing for monkeypox, a crucial part of containing the growing outbreak, has gotten off to a sluggish start at the five commercial laboratories that are doing nearly all of the nation's testing, CNN has learned.

Doctors should test levels of PFAS in people at high risk, report says

Sandee LaMotte, CNN

On Thursday, the prestigious National Academies of Sciences, Engineering, and Medicine strode into the fray with a 300-plus-page

report providing detailed advice for clinicians on how to test, diagnose and treat the millions of Americans who may have been exposed to PFAS.

A.I. Predicts the Shape of Nearly Every Protein Known to Science

Cade Metz, The New York Times

DeepMind has expanded its database of microscopic biological mechanisms, hoping to accelerate research into all living things.

Altria Slashes Value of Juul by 70%

Jennifer Maloney, The Wall Street Journal

Altria Group Inc. slashed Thursday the value of its investment in Juul Labs Inc. by about 70% following the Food and Drug Administration's decision to order the e-cigarette company off the U.S. market.

PAYERS

Biden Team Offers Stern Reminder on Contraceptive Coverage

Sara Hansard, Bloomberg Law

The Biden administration issued guidance Thursday to reinforce Obamacare requirements that health plans cover contraceptive coverage at no cost to participants.

States mixed on how to improve Medicaid unwinding with PHE end date unknown

Rebecca Pifer, Healthcare Dive

Estimates of how many people will become newly disenrolled at the end of the PHE vary, ranging from 5 million to 14 million. Many of these people will be eligible for other sources of coverage, such as subsidized plans in the Affordable Care Act exchanges, but "whether they will be connected to coverage and successfully enrolled remains to be seen," said Martha Heberlein, a principal analyst for the Medicaid and CHIP Payment and Access Commission.

Molina Healthcare to slash two-thirds of real estate footprint amid permanent shift to remote work

Paige Minemyer, Fierce Healthcare

Molina Healthcare reported $248 million in profit for the quarter as well as $8.1 billion in revenue. Both figures beat Wall Street expectations, according to Zacks Investment Research, and pushed the company to boost its annual guidance to $17.60 in earnings per share.

Inspector General pushes CMS to recover $226M in Medicare overpayments

Kara Hartnett, Modern Healthcare

The Office of Inspector General at the Department of Health and Human Services conducted an audit and found that CMS has only recovered $272 million of the $498 million in overpayments the OIG identified 2018, but the inspector general located proper documentation for just $120 million of it, the report says.

PROVIDERS

SEC complaint filed against HCA Healthcare over emergency department admissions practices, investor disclosures

Dave Muoio, Fierce Healthcare

An investment group affiliated with major labor unions has filed a Securities and Exchange Commission (SEC) complaint against HCA Healthcare alleging the hospital chain is misleading investors with high emergency department admissions that could trigger enforcement action by Medicare regulators.

CVS siphoned millions from 'safety net' hospitals - New York lawsuit

Brendan Pierson and Manas Mishra, Reuters

New York on Thursday sued CVS Health Corp (CVS.N) for allegedly forcing hospitals that serve low-income patients to pay millions of dollars to access discounted prescription drugs, violating state antitrust law.

Hospitals report more cases of parechovirus in infants: "This is not normal"

Alexander Tin, CBS News

Multiple health systems are now reporting a potential uptick in serious cases of parechovirus infections in infants, after cases largely disappeared from children's hospitals during the COVID-19 pandemic.

PHARMA, BIOTECH AND DEVICES

Drugmakers are waging a 'Hail Mary' campaign to sink reconciliation bill

Megan R. Wilson, Politico

"The ground is shifting. It's starting to sink in for them, what the bill does," one industry lobbyist told POLITICO about the sentiment among pharmaceutical executives at a recent gathering. "The CEOs who have significant concerns are very engaged."

Drug industry poised for rare political loss on prices

Christopher Rowland, The Washington Post

Year after year for most of two decades, proposals to allow the government to negotiate lower prices from drug companies for Medicare recipients have wound up dead in Congress, defeated by the powerful pharmaceutical industry and its allies. Now the Washington drug lobby is on the cusp of a rare political loss.

Biosimilars to curb drug price hikes next year, report shows

Alex Kacik, Modern Healthcare

Pharmaceutical prices are projected to increase 3.26% in 2023, marking a steep decline from the 6% price hike in 2017, according to the group purchasing organization Vizient, which forecasts what its member hospitals and health systems might pay for drugs after discounts and

rebates. Vizient predicted a 3.3% increase last year; the actual price change was 2.8%. The 2017 spike was the highest in the last five years.

Merck CEO concerned about proposed drug pricing bill hurting innovation

Reuters

Merck & Co (MRK.N) Chief Executive Rob Davis on Thursday raised concerns that a proposed bill to curb drug prices would hurt innovation, but said it would not impact sales of the company's top-selling drug and vaccine in the near-term.

AstraZeneca raises forecasts after strong Covid and cancer drug sales

Hannah Kuchler, Financial Times

Chief executive Pascal Soriot says revenue rise will allow drugmaker to boost investment in R&D.

FTC Caught in Balancing Act With Pharmacy Benefit Manager Probe

Celine Castronuovo, Bloomberg Law

The FTC will have to sift through competing claims within the pharmacy supply chain as it probes the entities that manage prescription drug benefits.

Pharma Is Immune to a Recession, but Not to Washington

David Wainer, The Wall Street Journal

One slice of the economy that has been relatively resilient is the drug industry. Pfizer and Merck, two of America's largest pharmaceutical companies, on Thursday reported second-quarter results that solidly beat Wall Street's expectations. That followed similarly strong earnings from Bristol-Myers Squibb on Wednesday.

A Message From Better Medicare Alliance:

Better Medicare Alliance's 2022 State of Medicare Advantage Report compiles the latest research and data to deliver a comprehensive picture of the Medicare Advantage experience today - from enrollment trends and advances in health equity, to supplemental benefit offerings and consumer savings. This year's report finds seniors on Medicare Advantage are saving nearly $2,000 per year while giving their coverage a 94% satisfaction rate. Read more.

HEALTH TECHNOLOGY

Teladoc's earnings point to potential threats to the telehealth industry

Mohana Ravindranath, Stat News

Telehealth giant Teladoc is bracing for disappointing earnings this year as it faces headwinds that could also thwart competitors struggling to turn a profit — including increasingly frugal employers delaying or dropping contracts for virtual care.

GV's newest general partner, a psychiatrist and investor, wants to place 'big bets' in healthcare

Heather Landi, Fierce Healthcare

Spun out of Google in 2009, GV has placed big wagers on the future of healthcare and life sciences innovation. Health tech and life sciences startups now make up a third of GV's portfolio and the venture capital firm has backed some of the more recognizable names in the space—One Medical, Flatiron Health, Grail and 23andMe.

OPINIONS, EDITORIALS AND PERSPECTIVES

An Alternative to Expanded ObamaCare Subsidies

Brian Blase, The Wall Street Journal

The new Democratic reconciliation bill includes a three-year extension of enhanced ObamaCare subsidies—which is bad policy motivated by election politics. It's part of the Inflation Reduction Act, hashed out by Senate Majority Leader Chuck Schumer and Sen. Joe Manchin (D., W.Va.). Mr. Manchin is ostensibly concerned about rising prices and the deficit. But this expanded-subsidies extension would raise inflation and increase the deficit. Democrats want it because the original expanded subsidies, established by the American Rescue Plan in 2021, expire after 2022. If nothing is done, enrollees will receive notice of large premium increases right before the midterm elections.

RESEARCH REPORTS

The Effectiveness of Digital Interventions on COVID-19 Attitudes and Beliefs

Susan Athey et al., National Bureau of Economic Research

During the course of the COVID-19 pandemic, a common strategy for public health organizations around the world has been to launch interventions via advertising campaigns on social media. Despite this ubiquity, little has been known about their average effectiveness. We conduct a large-scale program evaluation of campaigns from 174 public health organizations on Facebook and Instagram that collectively reached 2.1 billion individuals and cost around $40 million.

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FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 29/07/2022 10:54

LAW360 HEALTH

Friday, July 29, 2022

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BREAKING: Abortion Rights Atty Picked For 1st Circ.
President Joe Biden on Friday announced he is nominating Julie Rikelman, an attorney who represented the Mississippi abortion clinic at the center of the recent Supreme Court ruling overturning the constitutional right to an abortion, to a vacancy on the First Circuit.

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SUBJECT: Out of the Office Re: BREAKING: Abortion Rights Atty Picked For 1st Circ.
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: bounces+1121182-2e95-hborski=utah.gov@em9547.law360.com
DATE: 29/07/2022 10:54

Thank you for your email. I am out of the office July 25 - July 29, returning on Monday, August 1. I will be checking email periodically, and will delayed in responding.

Heather R. Borski, MPH, MCHES

[redacted]

[redacted]
Assistant Deputy Director, Community Health & Well-Being
hborski@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

SUBJECT: NACDD Legislative and Policy News
FROM: Zachary Harris <zharris@chronicdisease.org>
TO: Zachary Harris <zharris@chronicdisease.org>
DATE: 29/07/2022 11:34

[redacted]

LEGISLATIVE & POLICY NEWS

NATIONAL ASSOCIATION OF CHRONIC DISEASE DIRECTORS
Promoting Health. Preventing Disease.

On Thursday, the Senate Appropriations Committee released a $1.7 trillion FY23 spending package. The package includes a total of $10.5 billion for the CDC, a 23.5 percent increase from the FY22 enacted level and $231 million below President Biden's budget request. See the attached chart for a comparison between proposed House funding levels and proposed Senate funding levels for chronic disease programs.

The Senate package also includes investments in public health infrastructure, including:

- $600 million, an increase of $400 million, to strengthen core public health capacity and enable health departments to assess and respond to specific health needs in their communities.
- $200 million, an increase of $100 million, to modernize the United States Public Health Surveillance Enterprise core systems, ensure innovation and interoperability, and develop needed workforce skills.
- $100 million, an increase of $92 million, to address social determinants of health.
- $132.07 million, an increase of $18.5 million, to strengthen the CDC's communication to the public, key partners, and Congress.

The spending package confirms previous speculation that Senate funding levels would be lower than the appropriations bills introduced by the House. However, a few exceptions include comprehensive cancer, heart disease and stroke prevention, breast and cervical cancer, and tobacco control. With the September 30 deadline approaching, it remains likely that Congress will pass a continuing resolution to avoid a government shutdown. This means that pre-existing spending levels will be maintained until legislators can come to an agreement on permanent funding.

This Week's News

Potent tetrahydrocannabinol (THC) concentrations creating cannabis addicts

A new review of studies found that higher concentrations of THC – the chemical compound in cannabis that gets you high – is causing more people to become addicted worldwide. THC levels increased by about 5.7 milligrams (mg) annually between 1975 and 2017. In addition to a higher risk of becoming addicted, regular users of cannabis products with over 10mg of THC have an increased chance of experiencing negative mental health outcomes.

The latest legal challenge to the Affordable Care Act's (ACA) preventive services guarantee

Plaintiffs in a lawsuit in Texas, *Kelley v. Becerra*, are arguing that the ACA's preventive services requirement violates the Constitution. Currently, the ACA requires most private health insurance plans to cover preventive services without cost sharing measures like copayments and deductibles. The preventive services requirement covers over 100 services like cancer screenings, tobacco cessation, infectious disease immunizations, and FDA-approved contraception. If the preventive services requirement were to ultimately be declared unconstitutional, insurers would have the option to introduce cost sharing or drop coverage for preventive services entirely.

Exercise more than the recommended amounts for the longest life

The World Health Organization (WHO) recommends that adults get 150 to 300 minutes of moderate physical activity or 75 to 150 minutes of vigorous physical activity per week. However, a new study published by the American Heart Association says that individuals who exceed the WHO's recommendations live longer than those who don't. Researchers analyzed more than 116,000 adults over the course of 30 years and found that the greatest reductions in early deaths were amongst those who reported 150 to 300 minutes a week of vigorous physical activity or 300 to 600 minutes of moderate physical activity per week.

Spending on insulin in the United States reaches "catastrophic" levels

Insulin is an essential medicine for people with diabetes, but costs pose significant financial barriers for patients living in the United States. A recent Health Affairs study found that about 14.1 percent of Americans who use insulin reached "catastrophic" levels of spending, defined as spending at least 40 percent of post-subsistence income on just insulin, between 2017 and 2018. Two-thirds of patients experiencing catastrophic spending were Medicare beneficiaries. Medicaid beneficiaries were 61 percent less likely to experience catastrophic spending, which suggests that factors other than income (e.g., insurance type) influence the affordability of insulin.

Food insecurity, missed workdays, and hospitalizations among working-age U.S. adults with diabetes

According to new research, food insecurity is associated with increased chances of both missing work and having to stay overnight at a hospital. In fact, odds were twice as high compared to missing work for health-related reasons. Such findings show that food insecurity negatively impacts economic productivity in addition to immediate consequences like an individual's overall health and well-being.

Inside America's obesity epidemic: How America's weight (and weight loss) aren't so simple

Over 40 percent of Americans are obese, which places them at greater risk of developing other complications like diabetes and heart disease. A diverse array of factors is contributing to America's current obesity epidemic. One reason is that human biology has evolved to hold extra calories, thus making it challenging to lose weight independently. Human evolution is compounded by additional factors such as stigmatization, poor diet, and the prohibitive cost of healthy food options.

Zachary Harris, Public Policy Coordinator
National Association of Chronic Disease Directors
(540) 272-9535 | zharris@chronicdisease.org

[redacted]

SUBJECT: Senate proposal hurts impaired driving victims
FROM: Mothers Against Drunk Driving <enews@madd.org>
TO: hborski@utah.gov
DATE: 29/07/2022 12:03

madd
NO MORE VICTIMS

TAKE ACTION

Dear Utah Department Of Health,
Mothers Against Drunk Driving (MADD) needs your help. Senator Mike Rounds has introduced legislation (Senate Bill 4647) that would reverse a 2021 law to eliminate impaired driving.

Please click here to email your Senators to urge them to oppose Senate Bill 4647. *Taking action is quick and easy.*

Please also consider calling your Senators to urge them to oppose Senate Bill 4647. You can find out your Senator's phone number by going here. *In your message, please say you are with MADD and that you oppose Senate Bill 4647 as it removes anti-drunk driving provisions in the 2021 bipartisan Infrastructure Law.*

Why Senate Bill 4647 is bad in the fight against drunk driving? The bipartisan HALT (Honoring Abbas Family Legacy to Terminate) Drunk Driving Act was signed into law in November as part of the bipartisan infrastructure law. The provision requires the National Highway Traffic Safety Administration (NHTSA) to issue a rulemaking by 2024 to make passive drunk driving prevention technology standard in new cars, which could save 9,400 lives a year and prevent countless injuries. For more information, please visit madd.org/haltact.

Please email and call your Senators today.

Sincerely,
Alex Otte
Alex Otte
MADD National President

Mothers Against Drunk Driving
511 E. John Carpenter Fwy. Suite 700
Irving, TX 75062
madd.org | 877.ASK.MADD

GUIDESTAR PLATINUM TRANSPARENCY 2021

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TO: hborski@utah.gov
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OUR BEST INTEL

JULY 29, 2022

SHORT SURVEY

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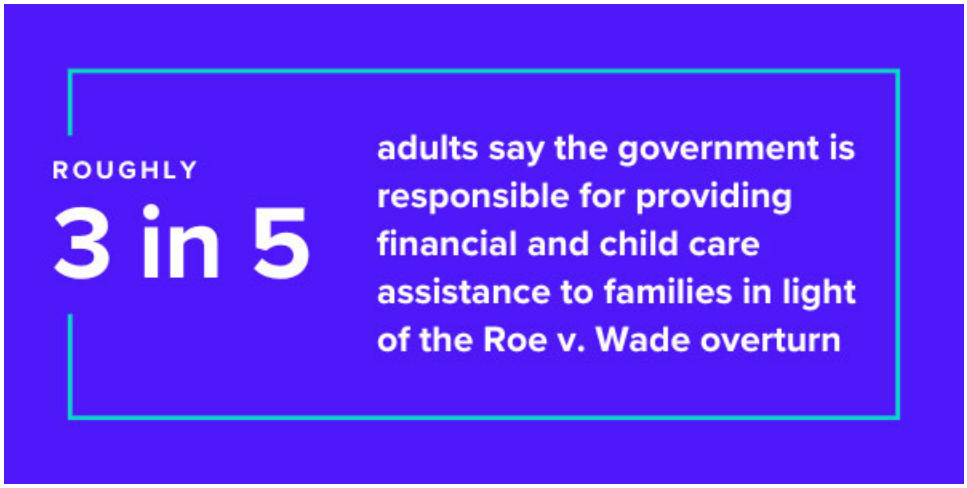

FINANCE

After Fall of Roe v. Wade, Most Americans Say Government Should Step In to Help Family Finances

In the wake of the Supreme Court's ruling to overturn Roe v. Wade, more than half of U.S. adults say the federal government has a responsibility to implement policies that financially support families with children, a new Morning Consult survey found. Read more.

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REPORT

Back To School Shopping 2022

Inflation poses a major challenge for retailers as the back-to-school shopping season takes off. Find out more in our Back to School Shopping 2022 report. Download now.

REPORT

Global Consumer Confidence: July 2022

Our latest Global Consumer Confidence report provides a comprehensive assessment of the economic views and expectations of consumers across major global economies. Download today.

FROM OUR ANALYSTS

GEOPOLITICS

If China Invades Taiwan, Only 16% Of Americans Support Direct Military Retaliation: Conflict between the United States and China over Taiwan is less improbable than it once was. Read more.

GEOPOLITICS

U.S.-U.K. Trade Advocates Can Cheer State-Level Deals Now and Push for Broader Negotiations After the Midterms: The United Kingdom's strategy of negotiating modest state-level trade deals as a potential precursor to a national-level free trade agreement is a sound one in the court of public opinion. Read more.

GET IN TOUCH

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SUBJECT: New from NICHQ: Racially Motivated Violence is a Children's HealthIssue, FREE NICHQ Webinar on Breastfeeding and Safe Sleep, and More!
FROM: NICHQ Communications <communications@nichq.org>
TO: hborski@utah.gov
DATE: 29/07/2022 16:42

ABOUT INSIGHTS RESOURCES NEWS

In this month's edition of NICHQ News, join us in honoring Minority Mental Health Awareness Month with a new insight featuring a conversation with NICHQ staff Dr. Stacy Scott and Becky Russell about racially motivated violence, hear from our summer interns about their experiences and goals for the future, and register for NICHQ's upcoming FREE webinar about centering community voices in safe sleep and breastfeeding/chestfeeding initiatives.
Scroll for your monthly dose of inspiration!

FEATURED STORIES AND RESOURCES

Racially Motivated Violence is a Children's Health Issue

[redacted]

A Conversation with Dr. Stacy Scott and Becky Russell

In the wake of recent mass shootings in Buffalo, Uvalde, and Highland Park, and too many others, we discuss the mental health implications of racially motivated and gun violence on children and their families with Stacy Scott, PhD, MPA, Executive Project Director and Equity Lead at NICHQ, and Becky Russell, MSPH, Senior Director of Applied Research and Evaluation at NICHQ.

Read More

AUG. 24 WEBINAR – CENTERING COMMUNITY VOICES: SOLUTIONS TO SAFE SLEEP AND BREASTFEEDING USING A QI FRAMEWORK

WHILE SUDDEN UNEXPECTED INFANT DEATH (SUID) AND BREASTFEEDING ARE PUBLIC HEALTH ISSUES ACROSS POPULATION GROUPS, SIGNIFICANT DISPARITIES EXIST ACROSS RACE, ETHNICITY, AND GEOGRAPHY. TO CENTER THE LIVED EXPERIENCES OF COMMUNITIES, MANY MCH PROGRAMS ARE SHIFTING TO COMMUNITY-DRIVEN WORK TO PROMOTE SAFE SLEEP AND BREASTFEEDING, INCLUDING THE NAPPSS-IIN PROJECT. THIS WEBINAR WILL DISCUSS HOW THE NAPPSS-IIN PROGRAMMATIC AND EVALUATION PURSUITS SHIFTED TO CENTER COMMUNITY VOICES WITHIN PARTICIPATORY QUALITY

IMPROVEMENT (QI). COMMUNITY PARTNERS WILL SHARE THEIR EXPERIENCES LEADING AND IMPLEMENTING QI ACTIVITIES. IMPLICATIONS FOR MCH PROJECTS AND COMMUNITY-BASED RESEARCH WILL BE DISCUSSED.

Register

NICHQ Summer Intern Profiles

ELYSE ANDERSON

by Lyndsay Brooks, NICHQ intern

Elyse Anderson (she/her) is a Healthy Start Intern Summer 2022 at NICHQ. She is a Master of Public Health student at Boston University School of Public Health (BUSPH). Elyse is studying Community Assessment, Program Design, Implementation, and Evaluation (CAPDIE) and Maternal and Child Health (MCH).

"I came to public health after working in healthcare and seeing the things that patients and providers both had to go through to provide good care and access to good care. I wanted to do something related to that field, not necessarily be a healthcare provider, but help to make the process of accessing healthcare better for everyone involved." – Elyse Anderson

Read More

LYNDSAY BROOKS

by Lucy Burzynski, NICHQ intern

Lyndsay Brooks (she/her) is a 2022 summer intern on NICHQ's Marketing and Communications Team. Originally from Davidsonville, MD, Lyndsay is now a Master's of Public Health student at Boston University (BU) studying Health, Policy, and Law and Maternal and Child Health (MCH).

"My main passion project is postpartum Medicaid expansion. That was the main takeaway from my undergrad thesis. I concluded that more states need to expand their postpartum Medicaid coverage. And then six months later, I actually saw that happen. To me, it showed that actual change is possible. It showed that there are lots of advocates in

this field. You are not working alone on an uphill battle. Change does matter and people are doing it!" – Lyndsay Brooks

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LUCIA (LUCY) BURZYNSKI

by Macy Parakh,
NICHQ intern

Lucia (Lucy) Burzynski (she/her) is a Marketing and Communications Intern this Summer at NICHQ. Born and raised in Milwaukee, she is currently a Master of Public Health student at Boston University specializing in Community Assessment and Program Design and Maternal and Child Health (MCH).

"Broadly, I'm passionate about health equity and health justice, primarily, work that's rooted in creating systems that work to serve Black and Brown children and families. Thinking about people that have been historically and systemically marginalized and oppressed and creating systems that work for them and are informed by their opinions – that's something that I'm really passionate about. Community work." – Lucy Burzynski

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WHAT'S NEW FROM NICHQ PARTNERS

PARTNER RESOURCES: NCSACW ON INFANTS AND PARENTS AFFECTED BY PRENATAL SUBSTANCE EXPOSURE

The **National Center on Substance Abuse and Child Welfare** (NCSACW) is a national training and technical assistance (TTA) resource center jointly funded by the Administration on Children, Youth, and Families (ACYF) Children's Bureau's Office on Child Abuse and Neglect and the Substance Abuse and Mental Health Services Administration's Center for Substance Abuse Treatment. NCSACW offers TTA to tribes, states, counties, courts, and community-based agencies to improve safety, well-being, stability, and recovery for families in or at-risk of entering the child welfare system.Several perinatal quality collaboratives (PQC) are participating with state teams engaged in the NCSACW's In-Depth Technical Assistance Program.

National Center on Substance Abuse and Child Welfare

In-Depth Technical Assistance Program

Learn More

NICHQ currently serves as the coordinating center for the ***National Network of Perinatal Quality Collaboratives (NNPQC).***

HAVE YOU HEARD? New & Noteworthy in Children's Health

FACT SHEET: PRESIDENT BIDEN'S AND VICE PRESIDENT HARRIS'S MATERNAL HEALTH BLUEPRINT DELIVERS FOR WOMEN, MOTHERS, AND FAMILIES [THE WHITE HOUSE]

The White House released the Biden-Harris Administration's Blueprint for Addressing the Maternal Health Crisis, a whole-of-government approach to combatting maternal mortality and morbidity. For far too many mothers, complications related to pregnancy, childbirth, and postpartum can lead to devastating health outcomes — including hundreds of deaths each year. This maternal health crisis is particularly devastating for Black women, Native women, and women in rural communities who all experience maternal mortality and morbidity at significantly higher rates than their white and urban counterparts.

PARENTAL COVID-19 VACCINE HESITANCY IN DIVERSE COMMUNITIES: A NATIONAL SURVEY [ACADEMIC PEDIATRICS]

Parental vaccine hesitancy was similar overall, but drivers of hesitancy varied by racial/ethnic groups. While the perception that vaccines had been "insufficiently researched" was a major concern among all groups, we found that parents are generally inclined to follow health providers' recommendations. Health professionals can play an important role in COVID-19 vaccine education and should provide access to vaccines.

ANSWERS FOR FAMILIES: SUPPORTING YOUR LGBTQ+ CHILD | BOSTON CHILDREN'S HOSPITAL [BOSTON CHILDREN'S HOSPITAL]

Providers in the Gender Multispecialty Service (GeMS) and the Center for Gender Surgery at Boston Children's Hospital celebrated Pride Month and talk about how to support and empower your LGBTQ+ child! Learn what challenges LGBTQ+ children face, how to families can support their children, how to advocate for your child and support them when they're involved with advocacy, how to foster resilience within your LGBTQ+ child, and more!

SOCIAL POST TO SHARE

SPREAD THE WORD ABOUT NATIONAL BREASTFEEDING MONTH!

Share this post on social media – it's optimized for Instagram. Make sure you're following @NICHQ_org!

August is National Breastfeeding Month! In honor of #NBM22, the U.S. Breastfeeding Committee is celebrating the collective impact that is possible when we all work together to support babies, families, and human milk feeding. This month, join us in the conversation about how to ensure families across the nation have access to the necessary resources and support to reach the minimum duration recommended for human milk feeding. For helpful tools, resources, and additional information, head to NICHQ.org.

[redacted]

#NBM22 #Breastfeeding #HumanMilkFeeding #BreastfeedingSupport

Learn more about NICHQ's current initiatives, capabilities and how we partner with mission-aligned organizations to drive change to improve children's health.

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Join our mailing list *for NICHQ news and updates in maternal and infant health all month long.*

National Institute for Children's Health Quality (NICHQ), 308 Congress Street, 5th Floor, Boston, Massachusetts 02210, United States, 617-391-2700

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SUBJECT: CDC Health Alert Network (HAN) Health Update 472: Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding
FROM: "Health Alert Network (CDC)" <healthalert@CDC.GOV>
TO: <CDC-HAN-PRIORITY-LIST@LISTSERV.CDC.GOV>
DATE: 30/07/2022 11:13

[redacted]

View this CDC HAN Health Update as a PDF.

This is an official
CDC HEALTH UPDATE

Distributed via the CDC Health Alert Network
July 30, 2022, 1:15 PM ET
CDCHAN-00472

Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding

Summary
As of July 29, 2022, the Centers for Disease Control and Prevention (CDC) and state and local public health partners are reporting 5,189 cases of *Monkeypox virus* infections in the United States across 47 states, Washington, D.C., and Puerto Rico. CDC is also reporting multiple outbreaks of monkeypox have also been reported globally in 72 countries that do not normally report monkeypox activity. On Friday, July 22, CDC reported the first two cases of monkeypox in children in the United States during the current outbreak.

This Health Alert Network (HAN) Health Update serves to alert clinicians to clinical considerations for preventing, diagnosing, and managing monkeypox in people with HIV, children, adolescents, and people who are pregnant or breastfeeding.

Background
Since May 2022, CDC has been urging healthcare providers in the United States to be on alert for patients who have rash illnesses consistent with monkeypox. People with HIV, individuals who are immunocompromised, children, adolescents, and people who are pregnant or breastfeeding may be at risk for increased disease severity and adverse health outcomes associated with monkeypox infection. Clinicians should be familiar with unique clinical considerations for monkeypox in these patient populations. A broad diagnostic approach is encouraged to distinguish *Monkeypox virus* infection from other causes of fever and rash illness. Testing should be performed on persons for whom monkeypox is suspected based on clinical presentation or epidemiologic criteria. Clinicians should consult their state or territorial health department (State Contacts) or CDC through the CDC Emergency Operations Center (770-488-7100) as soon as monkeypox is suspected.
CDC has issued clinical considerations for monkeypox infection in multiple populations including: people with HIV, children and adolescents, and people who are pregnant or breastfeeding. These newly released clinical considerations complement existing clinical guidance for managing monkeypox and provide information on signs and symptoms of *Monkeypox virus* infection; pre- and post-exposure prophylaxis; treatment; and infection control in these populations.

Recommendations and Information for Healthcare Providers on Monkeypox in People with HIV
In the current outbreak, available international summary surveillance data in the CDC-issued clinical considerations for people with HIV indicate 30-51% HIV prevalence among persons with monkeypox for whom HIV status was known. It is currently unknown whether HIV infection affects a person's risk of acquiring *Monkeypox virus* infection and developing disease after exposure.

Persons with advanced and uncontrolled HIV might be at higher risk for severe or prolonged monkeypox disease. Therefore, prophylaxis (e.g., vaccination), medical treatment and close monitoring are a priority for this population. Compared with other persons with monkeypox, case reports among persons with inadequately treated HIV who have CD4 counts ≤350 per mm^3 reported higher rates of secondary bacterial infection, more prolonged illness (and thereby also longer period of infectiousness), as well as a higher likelihood of a confluent or partially confluent rash, rather than discrete lesions. In contrast, recent reports of patients with HIV infection and monkeypox who are on effective antiretroviral therapy (ART) have noted no deaths or evident excess hospitalizations to date. Providers should consider both viral suppression and CD4 count in weighing the risk of severe outcomes from monkeypox for any patient with HIV.

The rash of monkeypox can be confused with other rash illnesses that are considered in people with HIV, including herpes zoster (shingles), scabies, molluscum contagiosum, herpes, syphilis, chancroid, lymphogranuloma venereum, allergic skin rashes, and drug eruptions. Immunocompromised persons, including persons with advanced, untreated or inadequately suppressed HIV, may present with an atypical rash, including a disseminated rash that may make diagnosis more challenging.

Prevention of monkeypox and infection control practices in the home or healthcare setting are the same regardless of peoples' HIV status. Post-exposure prophylaxis (PEP) and antiviral treatments, including tecovirimat, are available for persons exposed to monkeypox or with *Monkeypox virus* infection. The safety and immunogenicity of JYNNEOS, a live, non-replicating viral vaccine, has been specifically established in people with HIV; however, immunogenicity among persons with HIV who have CD4 counts below 100 cells/mm^3 or who are not virologically suppressed remains unknown. ACAM2000, a replicating viral vaccine, should not be given to people with HIV (regardless of immune status). Antiviral treatments for monkeypox have few interactions with antiretroviral therapy. ART and opportunistic infection prophylaxis should be continued in all people with HIV who develop monkeypox.

Recommendations and Information for Healthcare Providers on Monkeypox in Children and Adolescents
Limited pediatric data on infection with the Congo Basin clade of *Monkeypox virus* suggest increased risk of severe disease in children younger than 8 years of age. Rare complications of monkeypox include abscess, airway obstruction due to severe lymphadenopathy, cellulitis, corneal scarring, encephalitis, keratitis, pneumonia, and sepsis. The West African clade of *Monkeypox virus* involved in the current outbreak typically causes less severe disease than the Congo Basin clade.
Monkeypox virus can spread to children through contact with infectious body fluids (e.g., lesion exudates and respiratory secretions) of people or animals or through contact with fomites, as may occur in households and other close contact settings. The number of monkeypox cases among children in the United States is currently low; however, CDC acknowledges that the expanding U.S. outbreak and the possible risk for transmission in households and other settings may result in additional pediatric cases. Pediatric providers should be familiar with prevention, recognition, and testing considerations for monkeypox in children and adolescents.
Families should be counseled about preventing the spread of *Monkeypox virus* between children, caregivers, and household members in the home, including avoidance of contact with persons who have monkeypox, the body fluids of an infected person, and fomites (e.g., clothing, towels, bedding); wearing a well-fitting mask or respirator by the person with monkeypox and the contact (for children over 2 years of age) when interaction is unavoidable; and minimizing the number of caregivers for children with monkeypox. Particular attention should be made to keep children with monkeypox from scratching lesions or touching their eyes to prevent auto-inoculation and more severe illness. Caregivers should cover areas of broken skin with bandages to the extent possible and avoid direct skin-to-skin contact with the rash.
Children and adolescents who are close contacts of a person with monkeypox (e.g., household contact, other family member, caregiver, or friend) should be evaluated for illness and offered post-exposure prophylaxis with JYNNEOS or ACAM2000 (for children older than 12 months) or treatment when indicated. Monkeypox should be considered when children or adolescents present with signs or symptoms that could be consistent with the disease, especially if epidemiologic criteria are present. The rash of monkeypox can be confused with other rash illnesses that are commonly considered in children including varicella (chickenpox); hand, foot, and mouth disease; measles; scabies; molluscum contagiosum; herpes; allergic skin rashes and syphilis (including congenital syphilis); and drug eruptions.
Data are limited on the effectiveness of PEP for children who have been exposed to monkeypox or treatment for children with illness, and no vaccines or other products are currently licensed for monkeypox prevention or treatment in children or adolescents. However, PEP should not be withheld from children or adolescents who are otherwise eligible. Decisions about whether to offer PEP should take into account the patient's degree of exposure and the patient's individual risk of severe disease.

Prophylactic therapeutics that can be administered include vaccination, Vaccinia immune globulin, and antiviral medication. For almost all children and adolescents, vaccination is the preventive treatment that should be administered. Immune globulin or antivirals may also be considered for infants under 6 months of age, given their immature immune systems and possible decreased responses to vaccination.

Tecovirimat is currently being used as the first-line treatment for infection with *Monkeypox virus*, including for children and adolescents with severe disease or underlying medical conditions that may increase risk for severe disease and those with complications from monkeypox. Individual risks and benefits must be considered prior to initiating tecovirimat. Other treatments such as Vaccinia immune globulin may be considered in unusual circumstances.

In pediatric inpatient care settings, infection control procedures for children with monkeypox infection should also consider the child's age and caregiving needs; family and caregiver preferences; the extent, severity, and course of the child's illness; and risks for severe monkeypox disease in exposed caregivers (e.g., pregnancy or immunocompromising conditions).

Recommendations and Information for Healthcare Providers on Monkeypox in People who are Pregnant or Breastfeeding

Data regarding *Monkeypox virus* infection during pregnancy are limited. It is unknown if pregnant people are more susceptible to acquiring *Monkeypox virus* infection or if illness is more severe during pregnancy. Other poxviruses cause more severe infection during pregnancy. *Monkeypox virus* can be transmitted to the fetus during pregnancy and to the newborn by close contact during and after birth. There are few case reports of spontaneous pregnancy loss and stillbirth, preterm delivery, and neonatal monkeypox infection; the frequency and circumstances for these outcomes are unknown. Whether *Monkeypox virus* is present in breast milk is unknown; however, it may be transmitted through close contact during breastfeeding.

Prevention measures for monkeypox infection are similar for pregnant and non-pregnant people. Pre- or post-exposure prophylaxis should be offered to people who are pregnant or breastfeeding. When pre- or post-exposure prophylaxis by vaccination is chosen, JYNNEOS, a live, non-replicating viral vaccine, can be used. ACAM2000, a replicating viral vaccine, should not be used in people who are pregnant or breastfeeding.

During pregnancy, the cause of fever may be difficult to differentiate from other infections, such as intraamniotic infection (chorioamnionitis), until the monkeypox rash appears. Pregnant patients with rashes initially considered characteristic of dermatoses of pregnancy (e.g., polymorphic eruption of pregnancy) or of more common infections (e.g., varicella zoster or sexually transmitted infections) should be carefully evaluated for a monkeypox rash, and submission of specimens of lesions for monkeypox diagnosis should be considered, especially if the person has any epidemiologic risk factors for monkeypox infection.

While most adults with *Monkeypox virus* infection experience self-limiting infection and recover within 2–4 weeks, pregnant and breastfeeding people should be prioritized for medical treatment, if needed, due to the probable increased risk of severe disease during pregnancy, risk of transmission to the fetus during pregnancy or to the newborn by close contact during and after birth, and risk of severe infection in newborns. Treatment for *Monkeypox virus* infection should be offered to people who are pregnant or breastfeeding. The risks and benefits of treatment options should be discussed with the patient.

Recommendations for infection prevention and control of monkeypox in healthcare settings are the same for pregnant and non-pregnant patients. Newborns born to people with monkeypox should be placed in isolation, and healthcare personnel should follow infection prevention and control recommendations. Patients with monkeypox should be counseled about measures to prevent risk of transmission of *Monkeypox virus* to their newborn from close contact and breastfeeding.

For More Information

- Clinical Considerations for Monkeypox in People Who are Pregnant or Breastfeeding | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Monkeypox in Children and Adolescents | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Treatment and Prophylaxis of Monkeypox virus Infection in People with HIV | Monkeypox | Poxvirus | CDC
- Visit CDC-INFO or call CDC-INFO at 1-800-232-4636
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The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

Categories of Health Alert Network messages

Health Alert **Requires immediate action or attention. Conveys the highest level of importance about a public health event.**

Health Advisory **Requires immediate action. Provides important information about a public health event.**

Health Update **May require immediate action. Provides updated information about a public health event.**

HAN Info Service **Does not require immediate action. Provides general information about a public health event.**

##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors, public information officers, HAN coordinators, and clinician organizations##

[redacted]

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SUBJECT: Fwd: CDC Health Alert Network (HAN) Health Update 472: Update forClinicians on Monkeypox in People with HIV, Children and Adolescents, andPeople who are Pregnant or Breastfeeding
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Joe Dougherty (DHHS)" <joedougherty@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 30/07/2022 11:20

Do you all receive these HANs? If not, should you?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Health Alert Network (CDC)** <healthalert@cdc.gov>
Date: Sat, Jul 30, 2022 at 11:15 AM
Subject: CDC Health Alert Network (HAN) Health Update 472: Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding
To: <CDC-HAN-PRIORITY-LIST@listserv.cdc.gov>

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This Health Alert Network (HAN) Health Update serves to alert clinicians to clinical considerations for preventing, diagnosing, and managing monkeypox in people with HIV, children, adolescents, and people who are pregnant or breastfeeding.

Background
Since May 2022, CDC has been urging healthcare providers in the United States to be on alert for patients who have rash illnesses consistent with monkeypox. People with HIV, individuals who are immunocompromised, children, adolescents, and people who are pregnant or breastfeeding may be at risk for increased disease severity and adverse health outcomes associated with monkeypox infection. Clinicians should be familiar with unique clinical considerations for monkeypox in these patient populations. A broad diagnostic approach is encouraged to distinguish *Monkeypox virus* infection from other causes of fever and rash illness. Testing should be

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Persons with advanced and uncontrolled HIV might be at higher risk for severe or prolonged monkeypox disease. Therefore, prophylaxis (e.g., vaccination), medical treatment and close monitoring are a priority for this population. Compared with other persons with monkeypox, case reports among persons with inadequately treated HIV who have CD4 counts ≤350 per mm^3 reported higher rates of secondary bacterial infection, more prolonged illness (and thereby also longer period of infectiousness), as well as a higher likelihood of a confluent or partially confluent rash, rather than discrete lesions. In contrast, recent reports of patients with HIV infection and monkeypox who are on effective antiretroviral therapy (ART) have noted no deaths or evident excess hospitalizations to date. Providers should consider both viral suppression and CD4 count in weighing the risk of severe outcomes from monkeypox for any patient with HIV.

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Prevention of monkeypox and infection control practices in the home or healthcare setting are the same regardless of peoples' HIV status. Post-exposure prophylaxis (PEP) and antiviral treatments, including tecovirimat, are available for persons exposed to monkeypox or with *Monkeypox virus* infection. The safety and immunogenicity of JYNNEOS, a live, non-replicating viral vaccine, has been specifically established in people with HIV; however, immunogenicity among persons with HIV who have CD4 counts below 100 cells/mm^3 or who are not virologically suppressed remains unknown. ACAM2000, a replicating viral vaccine, should not be given to people with HIV (regardless of immune status). Antiviral treatments for monkeypox have few interactions with antiretroviral therapy. ART and opportunistic infection prophylaxis should be continued in all people with HIV who develop monkeypox.

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Families should be counseled about preventing the spread of *Monkeypox virus* between children, caregivers, and household members in the home, including avoidance of contact with persons who have monkeypox, the body fluids of an infected person, and fomites (e.g., clothing, towels, bedding); wearing a well-fitting mask or respirator by the person with monkeypox and the contact (for children over 2 years of age) when interaction is unavoidable; and minimizing the number of caregivers for children with monkeypox. Particular attention should be made to keep children with monkeypox from scratching lesions or touching their eyes to prevent auto-inoculation and more severe illness. Caregivers should cover areas of broken skin with bandages to the extent possible and avoid direct skin-to-skin contact with the rash.
Children and adolescents who are close contacts of a person with monkeypox (e.g., household contact, other family member, caregiver, or friend) should be evaluated for illness and offered post-exposure prophylaxis with JYNNEOS or ACAM2000 (for children older than 12 months) or treatment when indicated. Monkeypox should be considered when children or adolescents present with signs or symptoms that could be consistent with the disease, especially if epidemiologic criteria are present. The rash of monkeypox can be confused with other rash illnesses that are commonly considered in children including varicella (chickenpox); hand, foot, and mouth disease; measles; scabies; molluscum contagiosum; herpes; allergic skin rashes and syphilis (including congenital syphilis); and drug eruptions.
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SUBJECT: Morning Consult Health Presented by Better Medicare Alliance:What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 31/07/2022 07:32

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JULY 31, 2022

BY MATT BRACKEN

Twitter Email

Good morning to you, health readers. Another week in Washington, D.C., another week of Sen. Joe Manchin (D-W.Va.) grabbing headlines. We'll get to that in a moment, but first, a story that flew quite a bit below the reconciliation radar.

After the House passed legislation earlier this month to codify the federal right to contraception, Sen. Joni Ernst (R-Iowa) last week blocked a unanimous consent request from Senate Democrats to pass birth control protections. Our quiz question for the week: What share of voters said they support congressional passage of a federal law to protect birth control access?

A: 55%
B: 65%
C: 75%
D: 85%

You can find the answer at the bottom of the newsletter.

WHAT'S AHEAD

Reconciliation has been resurrected, and now comes the pre-recess crunch for Senate Democrats. We'll be watching for a Senate

[redacted]

parliamentarian ruling on various elements of the surprise package from Manchin and Majority Leader Chuck Schumer (D-N.Y.), which revived several climate and tax priorities in addition to a third-year extension of Affordable Care Act subsidies and a measure to allow Medicare to negotiate the prices of some prescription drugs officially.

From a health-specific perspective, the Inflation Reduction Act of 2022 pushes the next ACA subsidy expiration date past the 2024 midterm elections, while a summary of the legislation said the drug pricing provision would save the government $288 billion.

Meanwhile, Schumer said Democrats "will be adding things on insulin" to the package, a move that comes as a bipartisan effort from Sens. Jeanne Shaheen (D-N.H.) and Susan Collins (R-Maine) to lower insulin costs appears to have hit Republican roadblocks.

It's the Super Bowl week of earnings for health care companies. Cassava Sciences Inc., fresh off the news that it is facing a Department of Justice criminal investigation over allegations that it manipulated and misrepresented research on its experimental Alzheimer's drug, will kick things off with its second-quarter earnings Monday.

Gilead Sciences Inc. is slated to report Tuesday, as is 1Life Healthcare Inc., the operator of One Medical clinics that was acquired by Amazon.com Inc. earlier this month in a $3.9 billion deal.

On Wednesday, Novavax Inc. will report its earnings for the first time since its traditional protein-based COVID-19 vaccine was authorized by federal regulators.

Others on the docket for Wednesday include Moderna Inc., CVS Health Corp., Amerisourcebergen Corp., McKesson Corp. and Regeneron Pharmaceuticals Inc. And finally on Thursday, Eli Lilly and Co., Allscripts Healthcare Solutions Inc. and Cigna Corp., among others, are scheduled to report.

EVENTS CALENDAR

View Full Calendar

PRESENTED BY BETTER MEDICARE ALLIANCE

New Report Highlights Medicare Advantage's Value to Seniors and Taxpayers

With average annual savings of nearly $2,000 for consumers, a 94% beneficiary satisfaction rate, better health outcomes, and lower per-beneficiary government spending, Medicare Advantage is delivering on its promise for seniors and taxpayers alike. Get the latest facts in Better Medicare Alliance's 2022 State of Medicare Advantage report.

WEEK IN REVIEW

COVID-19 vaccines: The Biden administration is planning a September campaign for reformulated COVID-19 booster shots after Pfizer Inc. and Moderna said they could deliver the millions of required doses on that timeline, people familiar with the deliberations said. The shots, which would be available for all adults and potentially children, are expected to fare better against the omicron BA.5 subvariant, though additional data is pending.

As part of the campaign, the administration said it would purchase 66 million doses of the Moderna shot for $1.74 billion, with an option to buy 234 million additional doses. The agreement follows a deal the government previously struck with Pfizer-BioNTech SE to buy 105 million doses of its reformulated vaccine.

Pfizer reported second-quarter revenue of $27.7 billion, a year-over-year jump of 47% fueled by better-than-expected sales of its COVID-19 vaccine and antiviral treatment Paxlovid, which generated global sales of $8.1 billion. Pfizer's vaccine saw a 13% rise in sales to $8.8 billion.

Monkeypox: The Department of Health and Human Services will likely declare monkeypox a public health emergency in the coming days, two people with knowledge of the matter said, a move that comes after the Centers for Disease Control and Prevention designated the disease as a

nationally notifiable condition to standardize case identification and bolster data-sharing among states.

HHS said it will make available about 786,000 monkeypox vaccine doses, after the Food and Drug Administration signed off on the Danish-made Jynneos vaccine for distribution.

The White House is planning to name a national monkeypox coordinator, with expertise in epidemic response and government operations among the primary qualifications it seeks for the role, according to two people familiar with the plan.

The price tag to fight the country's monkeypox outbreak could amount to nearly $7 billion, according to Biden administration estimates detailed in a memo to the president and shared with lawmakers, though a formal request for those funds — which would cover monkeypox tests, vaccine doses and treatments — was not made.

Drugmakers in litigation: A federal appeals court in New York upheld a lower-court ruling against Pfizer that said the drugmaker's Direct Copay Assistance Program — an effort to cover patient co-pays on the heart medicines Vyndaqel and Vyndamax — violated an anti-kickback law.

Teva Pharmaceutical Industries Ltd. agreed to a tentative settlement of up to $4.25 billion with about 2,500 local governments, states and tribes over the Israeli drugmaker's role in the opioid epidemic.

AbbVie Inc.'s Allergan division struck a deal to pay $2.37 billion to settle more than 2,500 lawsuits filed by state and local governments and tribes over the drugmaker's role in the opioid epidemic.

STAT OF THE WEEK

58%

The share of U.S. adults who say that given the Supreme Court's overturning of Roe v. Wade, the federal government is responsible for providing access to paid family leave for working parents.

THE MOST READ STORIES THIS WEEK

1) What's in Joe Manchin and Chuck Schumer's Reconciliation Deal on Climate, Health and Tax Policy?
Richard Rubin et al., The Wall Street Journal

2) Scientists are narrowing in on why some people keep avoiding Covid. BA.5 could end that luck.
Aria Bendix, NBC News

3) Klobuchar asks FTC to investigate Amazon's $3.9 billion move to acquire One Medical
Rebecca Klar, The Hill

4) Health industry's post-pandemic profit boom
Caitlin Owens, Axios

5) How the Public's Views on COVID-19 Have Shifted Since the Pandemic Began
Matt Bracken, Morning Consult

6) Think You've Never Had Covid-19? Think Again
Julie Wernau, The Wall Street Journal

7) White House to launch effort to develop next generation of Covid vaccines
Matthew Herper and Lev Facher, Stat News

8) House passes bill extending telehealth reimbursement through 2024
Jessica Kim Cohen and Lauren Berryman, Modern Healthcare

9) Why is insulin still so expensive for diabetes patients in the U.S.?
Berkeley Lovelace Jr., NBC News

10) New study estimates how many children will get long Covid
Erika Edwards, NBC News

OTHER HEALTH NEWS

- Democrats seek $21 billion to fight coronavirus and other outbreaks (The Washington Post)
- Biden recovers from COVID, compares his mild case to Trump's more serious illness (Reuters)
- Two HIV Patients Appear to Have Beaten Virus, Offering Hope for Cure (The Wall Street Journal)
- White House summit sets lofty goals for new Covid vaccines — but largely sidesteps questions of funding (Stat News)
- House passes bill extending telehealth reimbursement through 2024 (Modern Healthcare)

- HHS to restore, strengthen ACA nondiscrimination rules (Modern Healthcare)
- Pfizer starts mid-stage trial for vaccine against Omicron subvariant (Reuters)
- CMS hikes Medicare pay for rehab, psychiatric and hospice providers (Modern Healthcare)
- 3M to Spin Off Healthcare Business; Earplugs Unit Files for Bankruptcy (The Wall Street Journal)
- FDA chief's long-promised opioid review faces skepticism (The Associated Press)
- UnitedHealth's Expansion Strategy Is Threatened by US Regulators (Bloomberg Businessweek)
- Centene to sell international assets to private hospital operator in France (Healthcare Dive)

The answer to this week's quiz question is **C:** 75% of voters said they would support congressional passage of a federal law to protect access to birth control, including 87% of Democrats, 75% of independents and 62% of Republicans. Read more from Morning Consult senior politics reporter Eli Yokley: Congress Should Act to Protect Same-Sex Marriage Nationwide, Most Voters Say.

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[redacted]

SUBJECT: Re: CDC Health Alert Network (HAN) Health Update 472: Update forClinicians on Monkeypox in People with HIV, Children and Adolescents, andPeople who are Pregnant or Breastfeeding
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Joe Dougherty (DHHS)" <joedougherty@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 31/07/2022 11:20

I do receive these---these go to a pretty broad distribution list, but good to assess and determine additions that need to be made, given agency updates.

HB

On Sat, Jul 30, 2022 at 11:21 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Do you all receive these HANs? If not, should you?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------

From: **Health Alert Network (CDC)** <healthalert@cdc.gov>

Date: Sat, Jul 30, 2022 at 11:15 AM

Subject: CDC Health Alert Network (HAN) Health Update 472: Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding

To: <CDC-HAN-PRIORITY-LIST@listserv.cdc.gov>

View this CDC HAN Health Update as a PDF.

This is an official
CDC HEALTH UPDATE

Distributed via the CDC Health Alert Network
July 30, 2022, 1:15 PM ET
CDCHAN-00472

Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding

Summary
As of July 29, 2022, the Centers for Disease Control and Prevention (CDC) and state and local public health partners are reporting 5,189 cases of *Monkeypox virus* infections in the United States across 47 states, Washington, D.C., and Puerto Rico. CDC is also reporting multiple outbreaks of monkeypox have also been reported globally in 72 countries that do not normally report monkeypox activity. On Friday, July 22, CDC reported the first two cases of monkeypox in children in the United States during the current outbreak.

This Health Alert Network (HAN) Health Update serves to alert clinicians to clinical considerations for preventing, diagnosing, and managing monkeypox in people with HIV, children, adolescents, and people who are pregnant or breastfeeding.

Background
Since May 2022, CDC has been urging healthcare providers in the United States to be on alert for patients who have rash illnesses consistent with monkeypox. People

[redacted]

with HIV, individuals who are immunocompromised, children, adolescents, and people who are pregnant or breastfeeding may be at risk for increased disease severity and adverse health outcomes associated with monkeypox infection. Clinicians should be familiar with unique clinical considerations for monkeypox in these patient populations. A broad diagnostic approach is encouraged to distinguish *Monkeypox virus* infection from other causes of fever and rash illness. Testing should be performed on persons for whom monkeypox is suspected based on clinical presentation or epidemiologic criteria. Clinicians should consult their state or territorial health department (State Contacts) or CDC through the CDC Emergency Operations Center (770-488-7100) as soon as monkeypox is suspected.
CDC has issued clinical considerations for monkeypox infection in multiple populations including: people with HIV, children and adolescents, and people who are pregnant or breastfeeding. These newly released clinical considerations complement existing clinical guidance for managing monkeypox and provide information on signs and symptoms of *Monkeypox virus* infection; pre- and post-exposure prophylaxis; treatment; and infection control in these populations.

Recommendations and Information for Healthcare Providers on Monkeypox in People with HIV
In the current outbreak, available international summary surveillance data in the CDC-issued clinical considerations for people with HIV indicate 30-51% HIV prevalence among persons with monkeypox for whom HIV status was known. It is currently unknown whether HIV infection affects a person's risk of acquiring *Monkeypox virus* infection and developing disease after exposure.

Persons with advanced and uncontrolled HIV might be at higher risk for severe or prolonged monkeypox disease. Therefore, prophylaxis (e.g., vaccination), medical treatment and close monitoring are a priority for this population. Compared with other persons with monkeypox, case reports among persons with inadequately treated HIV who have CD4 counts ≤350 per mm^3 reported higher rates of secondary bacterial infection, more prolonged illness (and thereby also longer period of infectiousness), as well as a higher likelihood of a confluent or partially confluent rash, rather than discrete lesions. In contrast, recent reports of patients with HIV infection and monkeypox who are on effective antiretroviral therapy (ART) have noted no deaths or evident excess hospitalizations to date. Providers should consider both viral suppression and CD4 count in weighing the risk of severe outcomes from monkeypox for any patient with HIV.

The rash of monkeypox can be confused with other rash illnesses that are considered in people with HIV, including herpes zoster (shingles), scabies, molluscum contagiosum, herpes, syphilis, chancroid, lymphogranuloma venereum, allergic skin rashes, and drug eruptions. Immunocompromised persons, including persons with advanced, untreated or inadequately suppressed HIV, may present with an atypical rash, including a disseminated rash that may make diagnosis more challenging.

Prevention of monkeypox and infection control practices in the home or healthcare setting are the same regardless of peoples' HIV status. Post-exposure prophylaxis (PEP) and antiviral treatments, including tecovirimat, are available for persons exposed to monkeypox or with *Monkeypox virus* infection. The safety and immunogenicity of JYNNEOS, a live, non-replicating viral vaccine, has been specifically established in people with HIV; however, immunogenicity among persons with HIV who have CD4 counts below 100 cells/mm^3 or who are not virologically suppressed remains unknown. ACAM2000, a replicating viral vaccine, should not be given to people with HIV (regardless of immune status). Antiviral treatments for monkeypox have few interactions with antiretroviral therapy. ART and opportunistic infection prophylaxis should be continued in all people with HIV who develop monkeypox.

Recommendations and Information for Healthcare Providers on Monkeypox in Children and Adolescents
Limited pediatric data on infection with the Congo Basin clade of *Monkeypox virus* suggest increased risk of severe disease in children younger than 8 years of age. Rare complications of monkeypox include abscess, airway obstruction due to severe lymphadenopathy, cellulitis, corneal scarring, encephalitis, keratitis, pneumonia, and sepsis. The West African clade of *Monkeypox virus* involved in the current outbreak typically causes less severe disease than the Congo Basin clade. *Monkeypox virus* can spread to children through contact with infectious body fluids (e.g., lesion exudates and respiratory secretions) of people or animals or through contact with fomites, as may occur in households and other close contact settings. The number of monkeypox cases among children in the United States is currently low; however, CDC acknowledges that the expanding U.S. outbreak and the possible risk for transmission in households and other settings may result in additional pediatric cases. Pediatric providers should be familiar with prevention, recognition, and testing considerations for monkeypox in children and adolescents.
Families should be counseled about preventing the spread of *Monkeypox virus* between children, caregivers, and household members in the home, including avoidance of contact with persons who have monkeypox, the body fluids of an infected person, and fomites (e.g., clothing, towels, bedding); wearing a well-fitting mask or respirator by the person with monkeypox and the contact (for children over 2 years of age) when interaction is unavoidable; and minimizing the number of caregivers for children with monkeypox. Particular attention should be made to keep children with monkeypox from scratching lesions or touching their eyes to prevent auto-inoculation and more severe illness. Caregivers should cover areas of broken skin with bandages to the extent possible and avoid direct skin-to-skin contact with the rash.
Children and adolescents who are close contacts of a person with monkeypox (e.g., household contact, other family member, caregiver, or friend) should be evaluated for illness and offered post-exposure prophylaxis with JYNNEOS or ACAM2000 (for children older than 12 months) or treatment when indicated.
Monkeypox should be considered when children or adolescents present with signs or symptoms that could be consistent with the disease, especially if epidemiologic criteria are present. The rash of monkeypox can be confused with other rash illnesses that are commonly considered in children including varicella (chickenpox); hand, foot, and mouth disease; measles; scabies; molluscum contagiosum; herpes; allergic skin rashes and syphilis (including congenital syphilis); and drug eruptions.
Data are limited on the effectiveness of PEP for children who have been exposed to monkeypox or treatment for children with illness, and no vaccines or other products are currently licensed for monkeypox prevention or treatment in children or adolescents. However, PEP should not be withheld from children or adolescents who are otherwise eligible. Decisions about whether to offer PEP should take into account the patient's degree of exposure and the patient's individual risk of severe disease.

Prophylactic therapeutics that can be administered include vaccination, Vaccinia immune globulin, and antiviral medication. For almost all children and adolescents, vaccination is the preventive treatment that should be administered. Immune globulin or antivirals may also be considered for infants under 6 months of age, given their immature immune systems and possible decreased responses to vaccination.

Tecovirimat is currently being used as the first-line treatment for infection with *Monkeypox virus*, including for children and adolescents with severe disease or underlying medical conditions that may increase risk for severe disease and those with complications from monkeypox. Individual risks and benefits must be considered prior to initiating tecovirimat. Other treatments such as Vaccinia immune globulin may be considered in unusual circumstances.

In pediatric inpatient care settings, infection control procedures for children with monkeypox infection should also consider the child's age and caregiving needs; family and caregiver preferences; the extent, severity, and course of the child's illness; and risks for severe monkeypox disease in exposed caregivers (e.g., pregnancy or immunocompromising conditions).

Recommendations and Information for Healthcare Providers on Monkeypox in People who are Pregnant or Breastfeeding
Data regarding *Monkeypox virus* infection during pregnancy are limited. It is unknown if pregnant people are more susceptible to acquiring *Monkeypox virus* infection or if illness is more severe during pregnancy. Other poxviruses cause more severe infection during pregnancy. *Monkeypox virus* can be transmitted to the fetus during pregnancy and to the newborn by close contact during and after birth. There are few case reports of spontaneous pregnancy loss and stillbirth, preterm delivery, and neonatal monkeypox infection; the frequency and circumstances for these outcomes are unknown. Whether *Monkeypox virus* is present in breast milk is unknown; however, it may be transmitted through close contact during breastfeeding.
Prevention measures for monkeypox infection are similar for pregnant and non-pregnant people. Pre- or post-exposure prophylaxis should be offered to people who are pregnant or breastfeeding. When pre- or post-exposure prophylaxis by vaccination is chosen, JYNNEOS, a live, non-replicating viral vaccine, can be used. ACAM2000, a replicating viral vaccine, should not be used in people who are pregnant or breastfeeding.

[redacted]

During pregnancy, the cause of fever may be difficult to differentiate from other infections, such as intraamniotic infection (chorioamnionitis), until the monkeypox rash appears. Pregnant patients with rashes initially considered characteristic of dermatoses of pregnancy (e.g., polymorphic eruption of pregnancy) or of more common infections (e.g., varicella zoster or sexually transmitted infections) should be carefully evaluated for a monkeypox rash, and submission of specimens of lesions for monkeypox diagnosis should be considered, especially if the person has any epidemiologic risk factors for monkeypox infection.
While most adults with *Monkeypox virus* infection experience self-limiting infection and recover within 2–4 weeks, pregnant and breastfeeding people should be prioritized for medical treatment, if needed, due to the probable increased risk of severe disease during pregnancy, risk of transmission to the fetus during pregnancy or to the newborn by close contact during and after birth, and risk of severe infection in newborns. Treatment for *Monkeypox virus* infection should be offered to people who are pregnant or breastfeeding. The risks and benefits of treatment options should be discussed with the patient.
Recommendations for infection prevention and control of monkeypox in healthcare settings are the same for pregnant and non-pregnant patients. Newborns born to people with monkeypox should be placed in isolation, and healthcare personnel should follow infection prevention and control recommendations. Patients with monkeypox should be counseled about measures to prevent risk of transmission of *Monkeypox virus* to their newborn from close contact and breastfeeding.

For More Information

- Clinical Considerations for Monkeypox in People Who are Pregnant or Breastfeeding | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Monkeypox in Children and Adolescents | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Treatment and Prophylaxis of Monkeypox virus Infection in People with HIV | Monkeypox | Poxvirus | CDC
- Visit CDC-INFO or call CDC-INFO at 1-800-232-4636
- CDC 24/7 Emergency Operations Center (EOC) 770-488-7100

The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

Categories of Health Alert Network messages

Health Alert **Requires immediate action or attention. Conveys the highest level of importance about a public health event.**
Health Advisory **Requires immediate action. Provides important information about a public health event.**
Health Update **May require immediate action. Provides updated information about a public health event.**
HAN Info Service **Does not require immediate action. Provides general information about a public health event.**

##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors, public information officers, HAN coordinators, and clinician organizations##

If you would like to unsubscribe from this ListServ LIST, please send an email to LIST@cdc.gov, enter CDC in the email Subject, and include the following "one" line in the Body of the email: signoff CDC-HAN-PRIORITY-LIST

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SUBJECT: Bannon Sees Good In Judge's Doubts On Legal Advice Ruling
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 01/08/2022 02:11

Monday, August 1, 2022

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TOP NEWS

Analysis

Bannon Sees Good In Judge's Doubts On Legal Advice Ruling

Fresh off a D.C. jury verdict finding him guilty of two counts of contempt of Congress, ex-Trump White House aide Steve Bannon and his defense team quickly declared that it would not stand, thanks at least in part to a pretrial ruling they believe gives them ammunition for their expected appeal.

Read full article »

Analysis

DOJ Set To Pitch Book Publisher Merger Challenge To Judge

[redacted]

Prolific scribe Stephen King is among a parade of industry players slated to testify about the business of publishing blockbuster books during a trial that starts Monday over Penguin Random House's planned purchase of Simon & Schuster.

4 documents attached | Read full article »

DC Circ. Backs SEC In 'D-Limit' Fight With Citadel

A D.C. Circuit panel on Friday upheld the U.S. Securities and Exchange Commission's decision to allow a type of stock order designed to discourage certain high-frequency trading, rebuffing the objections of market-making giant Citadel Securities LLC.

Opinion attached | Read full article »

DC Circ. Grounds Challenge To FAA's Remote ID Drone Rule

A D.C. Circuit panel on Friday dismissed a constitutional challenge to a Federal Aviation Administration rule requiring small drones to be remotely identifiable and locatable by the agency, ruling that the regulation does not violate the Fourth Amendment's right to a reasonable expectation of privacy.

Opinion attached | Read full article »

Biden Nominates Abortion Rights Atty For 1st Circ.

President Joe Biden said Friday that he is nominating Julie Rikelman, an attorney who represented the Mississippi abortion clinic at the center of the recent U.S. Supreme Court ruling overturning the constitutional right to abortion, to a vacancy on the First Circuit.

Read full article »

Gov. Asks Pa. Justices To Bar Abortion, Voter ID Amendments

Pennsylvania Gov. Tom Wolf has asked the state Supreme Court to block the legislature from moving ahead with a raft of constitutional amendments, including one denying that the state constitution grants any right to abortion, arguing that an omnibus bill improperly contained multiple amendments that should have been voted on separately.

Complaint attached | Read full article »

BANKING & SECURITIES

DOJ, CFPB Stress Military Compliance For Auto Finance Cos.

Federal authorities are cautioning the auto finance industry about a need to buckle down on compliance with certain interest rate restrictions and other special consumer protections afforded to active-duty service members and their families.

Letter attached | Read full article »

GOP Lawmakers Scrutinize CFPB 'Conspiring' With State AGs

House Republicans are accusing the Consumer Financial Protection Bureau of "conspiring" with state attorneys general to use enforcement for intimidation and have demanded that the agency detail its recent interactions with state prosecutors.

Letter attached | Read full article »

ENERGY & ENVIRONMENTAL

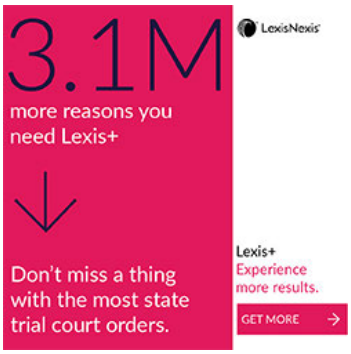
Feds' Habitat Credit Program On Deck For First-Ever Regs

The U.S. Fish and Wildlife Service for the first time is working toward formally regulating a program that offers salable credits to private parties that protect endangered species habitats, a process that will force the agency to clear up gray areas that landowners, conservation banks and developers have navigated for decades.

1 document attached | Read full article »

Groups Say High Court Ruling Muddies Toss Of Species Rules

Environmental and animal rights groups have asked a California federal judge to change his earlier order vacating Trump-era Endangered Species Act regulations so he rules



LAW FIRMS IN TODAY'S NEWS

Addleshaw Goddard
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Arrowood LLP
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Hooper Lundy
Hunton Andrews
Jackson Lewis P.C.
Jones Day
Kanji & Katzen
King & Spalding
Kirkland & Ellis
Latham & Watkins
Leigh Day
Lester Aldridge
Lewis Silkin
Manatt Phelps
McDermott Will
McDowell Hetherington
Miles & Stockbridge

on the merits, a step they say is necessary in light of an April U.S. Supreme Court decision.

3 documents attached | Read full article »

HEALTH & LIFE SCIENCES

2nd Circ. Backs NY Schools' 2019 Update To Vaccine Rules

The Second Circuit on Friday sided with New York officials and school boards in a suit alleging that a 2019 update to vaccination requirements for students was unconstitutional and discriminated against children with disabilities.

Opinion attached | Read full article »

IP & TECHNOLOGY

USPTO Clarifies IP Disclosure Duties Amid Drug Pricing Push

The U.S. Patent and Trademark Office reinforced disclosure and inquiry duties for patent applications and challenges Friday as the agency works toward strengthening the drug patent system and limiting abuse.

Notice attached | Read full article »

REAL ESTATE

Kirkland To Fight Cubs' Federal Wrigley ADA Suit

The Chicago Cubs tapped Kirkland & Ellis LLP to defend the team against a suit from federal prosecutors who argue the club's $575 million renovation of Wrigley Field left fans with disabilities the worst seats in the stadium, violating the Americans with Disabilities Act.

Motion attached | Read full article »

EMPLOYMENT & BENEFITS

Bureau Of Labor Statistics Reports Slowed Wage Growth

Growth in wages and benefits costs slowed slightly in the second quarter of 2022, the U.S. Bureau of Labor Statistics disclosed Friday.

Report attached | Read full article »

COMPETITION

Monthly Merger Review Snapshot

United Kingdom antitrust authorities reopened their review of Meta's Giphy deal, European Union officials faulted Illumina for "jumping the gun" in finalizing its reacquisition of Grail while still under investigation, and the Federal Trade Commission challenged a Meta deal looking to expand its presence in the virtual reality metaverse.

Read full article »

CONSUMER PROTECTION

Calif. Judge Orders Solar Panel Co. To Pay $6M In Fraud Suit

About 100 homeowners were awarded $2.2 million in restitution as part of a $6 million judgment from a Los Angeles judge who found that a solar panel contractor talked Hispanic homeowners into taking out energy-efficiency loans for projects the company never completed.

Read full article »

AEROSPACE & DEFENSE

Analysis

CHIPS Act Marks One Step In A Long Race With China

The CHIPS Act, passed in Congress last week, dedicates $52 billion for domestic semiconductor production, but experts say it should be viewed as just one stepping stone toward a competitive edge over China.

Read full article »

INTERNATIONAL TRADE

S. Africa Targets EU Citrus Regs With First-Ever WTO Case

South Africa has lodged its first-ever legal challenge at the World Trade Organization, calling out the European Union for abruptly tightening its citrus fruit import rules, according to WTO documents circulated Friday.

Miller & Chevalier
Mintz Levin
Morgan Lewis
Morrison Foerster
Munger Tolles
Myers Brier
Napthens Solicitors
Norton Rose
Nossaman LLP
O'Melveny & Myers
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Prince Lobel
Quinn Emanuel
Reed Smith
Robbins Geller
Ropes & Gray
Schlam Stone
Seyfarth Shaw
Simpson Thacher
Skadden Arps
Sokoloff Stern
Spencer Fane
Squire Patton
Sullivan & Cromwell
TLT LLP
Todd & Weld
White & Case
Wiggin LLP
Wiley Rein
Willkie Farr
Wilson Elser
Winston & Strawn
Yodice Associates

COMPANIES IN TODAY'S NEWS

A.P. Moller-Maersk
AO Kaspersky Lab
Activision Blizzard Inc.
Altria Group Inc.
Amazon.com Inc.
American Airlines Group Inc.
American Civil Liberties Union
Animal Legal Defense Fund
Apple Inc.
Bertelsmann AG
Booz Allen Hamilton Holding Corp.
Bouygues
Broadcom Inc.
CVS Health Corp.
Carpenter Co.
Center for Biological Diversity
Change Healthcare Inc.
Chicago Cubs Baseball Club LLC
China Mobile Ltd.
China Telecom Corp. Ltd.
Citadel Securities LLC
Community Legal Services of Prince George's County Inc.
Cummins Inc.
DHL International GmbH
DocuSign Inc.
Drexel University
EE Ltd.
ESPN Inc.
Early Warning Services LLC
Earthjustice
Endo International PLC
Ericsson Inc.
Ethereum GmbH

Notice attached | Read full article »

IMMIGRATION

Fingerprinting Deal Reached In Child Refugee Detention Suit
The federal government has agreed to deadlines for taking and processing the fingerprints of parents and sponsors of immigrant children held in government custody in a deal stemming from their lawsuit over a Trump-era fingerprint policy the families said delayed them from reuniting with their children.

Settlement attached | Read full article »

Feds Should Better Publicize Asylee Benefits, Report Says
The Migration Policy Institute urged the federal immigration courts system, alongside other agencies, to better publicize available asylee services after a report published Thursday showed that the current resettlement process for asylum seekers is fragmented and prone to delay.

Report attached | Read full article »

WHITE COLLAR

Mass. Man Admits To $1.2M COVID-19 Relief Fraud
A Massachusetts man admitted to falsifying application forms for around $1.2 million in COVID-19 relief funds in a Boston federal court Thursday, pleading guilty to one count of bank fraud.

2 documents attached | Read full article »

NATIVE AMERICAN

DOI Says Okla. Can't Regulate Coal Mining On Tribes' Lands
The U.S. Department of the Interior has urged a federal judge to deliver an early win against Oklahoma's suit over coal mining on three tribes' lands, saying a DOI agency has sole authority to regulate there in the wake of the U.S. Supreme Court's McGirt decision.

Brief attached | Read full article »

TELECOMMUNICATIONS

Analysis

The Biggest Telecom Developments Of 2022: Midyear Report
It's been a bustling year for telecom policy despite lawmakers' unwillingness to fill an empty seat on the Federal Communications Commission. Here, Law360 takes a look at some of the most prominent actions, regulatory activity and controversies affecting the telecom world so far this year.
Read full article »

Democrats Push To Return Net Neutrality Authority To FCC
Democratic lawmakers are pushing a new bill that would boost efforts to restore Obama-era net neutrality rules at the Federal Trade Commission.

2 documents attached | Read full article »

CANNABIS

Cannabis Corner

The Advocate Pushing For A More Just Cannabis Industry
Attorney and cannabis policy advocate Amber Littlejohn recently announced her departure as executive director of the Minority Cannabis Business Association, an organization she joined in 2019 that focuses on policies aimed at redressing the harms caused by cannabis prohibition.
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PEOPLE

Covington Taps Partner To Head Latin America Initiative

FireEye Inc.
Frontier Airlines Inc.
GCP Applied Technologies Inc
GRAIL Inc.
George Washington University
Georgetown University
Google LLC
Guttmacher Institute
HP Inc.
HSBC Holdings PLC
Hachette Book Group Inc.
HarperCollins Publishers LLC
Harvard University
Illumina Inc.
Inmarsat PLC
Instagram Inc.
International Centre for Settlement of Investment Disputes
Investments Ltd.
JUUL Labs Inc.
Lenovo Group Ltd.
Maersk Drilling AS
Major Lindsey & Africa LLC
Make the Road New York
Meggitt PLC
Meritor Inc.
Microsoft Corp.
Migration Policy Institute
Minority Cannabis Business Association
MoneyGram International Inc.
NBCUniversal Media LLC
National Center for Youth Law
National Collegiate Athletic Association
National Immigration Law Center
National Organization for the Reform of Marijuana Laws
National Women's Law Center
Natural Resources Defense Council
Nestle SA
New Civil Liberties Alliance
New York Civil Liberties Union
Noble Corp.
Pacific Legal Foundation
Paramount Global
Parker-Hannifin Corp.
Penguin Random House LLC
Ripple Labs Inc.
Saint-Gobain SA
Sanofi SA
Saudi Arabian Airlines Corp.
Shelf Drilling Ltd.
Sierra Club
Sika AG
Simon & Schuster Inc.
Sky PLC
Smart Approaches to Marijuana
Spectrum Management Holding Co.
Spirit Airlines Inc.
Spotify Technology SA
Standard General LP
T-Mobile US Inc.
Tegna Inc.
Tesla Inc.
The Blackstone Group LP
The Center for Reproductive Rights Inc.
The Leadership Conference on Civil & Human Rights
The New York Times Co.
TikTok Inc.
Twitter Inc.

Covington & Burling LLP has selected an experienced arbitration attorney to help spearhead its Latin America initiative targeting four practice areas.
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EXPERT ANALYSIS

NY Crypto Moratorium Would Provoke Miner Exodus
New York Gov. Kathy Hochul may soon sign a recently passed moratorium on certain methods of crypto mining that rely on fossil fuels, placing pressure on an industry already leading the charge on sustainability and effectively forcing companies to relocate to less restrictive states, thus damaging New York's economic interests, says John Cahill at Wilson Elser.
Read full article »

Post-Dobbs HHS Guidance Brings Privacy Considerations
The U.S. Supreme Court's recent decision in Dobbs v. Jackson Women's Health Organization, and ensuing guidance from the U.S. Department of Health and Human Services, will create new privacy compliance issues for health care providers and other companies collecting personal information concerning the use of reproductive health services, say attorneys at Ropes & Gray.
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Apple Must Produce Docs On Tim Cook's 'Letter To Investors'
A California magistrate judge on Friday ordered Apple to produce multiple documents related to Apple CEO Tim Cook's 2019 "Letter to Investors" in its fight with a certified class of Apple stockholders who allege they were misled about iPhone sales, finding that many of the documents are not protected under attorney-client privilege.
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GOVERNMENT AGENCIES IN TODAY'S NEWS

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Centers for Disease Control and Prevention
Cherokee Nation
Choctaw Nation of Oklahoma
Committee on Foreign Investment in the United States
Companies House
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Congressional Research Service
Consumer Financial Protection Bureau
European Commission
European Union
Executive Office for Immigration Review
Executive Office of the President
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Election Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
International Chamber of Commerce
National Aeronautics and Space Administration
National Security Agency
National Telecommunications and Information Administration
New York Attorney General's Office
New York State Department of Environmental Conservation
New York State Senate
Office of Surface Mining Reclamation and Enforcement
Office of the U.S. Trade Representative
Oklahoma Attorney General's Office
Oneida Indian Nation
Pennsylvania Supreme Court
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office for the District of Massachusetts
U.S. Attorney's Office for the Northern District of Illinois
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the Southern District of Ohio
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the First Circuit

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Read full article »

Hub Hires: Harvard Law, Hogan Lovells, Prince Lobel
The hottest month of the year has brought with it a red-hot Boston legal market. Harvard added a former U.S. Supreme Court justice, Hogan Lovells LLP brought in more lawyers from Foley Hoag LLP, and Prince Lobel LLP brought in an IP lawyer who had been running his own practice.
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U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Interior
U.S. District Court for the District of Columbia
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
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SUBJECT: Biden's 1st Circ. Pick, Abortion Rights Atty Up Against Clock
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 01/08/2022 02:51

HEALTH

Monday, August 1, 2022

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Biden Nominates Abortion Rights Atty For 1st Circ.

President Joe Biden said Friday that he is nominating Julie Rikelman, an attorney who represented the Mississippi abortion clinic at the center of the recent U.S. Supreme Court ruling overturning the constitutional right to abortion, to a vacancy on the First Circuit.

Read full article »

Analysis

UnitedHealth, Change Gear Up To Defend $14B Merger At Trial

UnitedHealth Group and health care technology outfit Change Healthcare are bound for court Monday in the largest litigated U.S. Department of Justice merger challenge brought so far during the Biden administration.

4 documents attached | Read full article »

2nd Circ. Backs NY Schools' 2019 Update To Vaccine Rules

The Second Circuit on Friday sided with New York officials and school boards in a suit alleging that a 2019 update to vaccination requirements for students was unconstitutional and discriminated against children with disabilities.

Opinion attached | Read full article »

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A Tennessee state judge who was disqualified from an opioid case over his social media remarks was suspended this week by the state's Board of Judicial Conduct for continuing to talk to the media and for having an affair with a woman in an adoption case.

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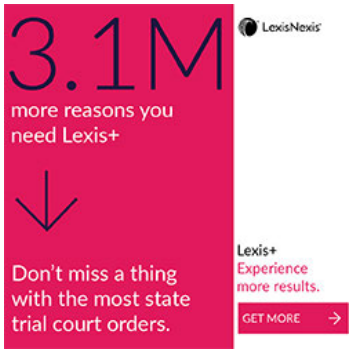
POLICY & REGULATION

Gov. Asks Pa. Justices To Bar Abortion, Voter ID Amendments



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AARP Inc.
Aetna Inc.
Alivecor Inc.
Allianz SE Reinsurance
American Civil Liberties Union
American Civil Liberties Union of Texas
Ampio Pharmaceuticals Inc.
Aon PLC
Apple Inc.
Auto-Owners Insurance Co.
CVS Health Corp.
Change Healthcare Inc.
Chicago Cubs Baseball Club LLC
Cigna Corp.
Cincinnati Financial Corp.
Community Legal Services of Prince George's County Inc.
Computer & Communications Industry Association
DHL International GmbH
Deloitte Touche Tohmatsu Ltd.
DocuSign Inc.
Drexel University
EE Ltd.

[redacted]

Pennsylvania Gov. Tom Wolf has asked the state Supreme Court to block the legislature from moving ahead with a raft of constitutional amendments, including one denying that the state constitution grants any right to abortion, arguing that an omnibus bill improperly contained multiple amendments that should have been voted on separately.

Complaint attached | Read full article »

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Read full article »

ENFORCEMENT & COMPLIANCE

SEC Says Pharma Adviser Passed Insider Tips To His Family

A scientific adviser to Colorado-based Ampio Pharmaceuticals Inc. has agreed to settle U.S. Securities and Exchange Commission claims that he passed along insider tips that allowed his brother and another family member to dodge hundreds of thousands of dollars of investment losses when his company's stock tanked.

Complaint attached | Read full article »

LITIGATION

Sepsis Testing Trial Ends In $2.1M Patent Verdict In Del.

A medical device startup failed to convince jurors in Delaware that a rival's patent covering a new method of testing for sepsis was already covered by decades-old research, leading to an infringement verdict that totals at least $2.1 million in royalties, as well as an ongoing $2.66 royalty on every kit sold.

Verdict attached | Read full article »

10th Circ. Tosses Sanofi's EpiPen Antitrust Suit Against Mylan

A Tenth Circuit panel ruled Friday that Sanofi-Aventis US LLC cannot pursue allegations that Mylan illegally blocked a potential competitor to its emergency allergy treatment EpiPen, finding there's not enough evidence of monopolization to show a jury.

Opinion attached | Read full article »

1st Circ. Revives Seaman's Suit For Medical Bills

The First Circuit ruled Thursday that a seaman can recover medical expenses from his employers after he became extremely ill while working on their scalloping vessel in 2014, overturning a ruling in favor of the defendants.

Opinion attached | Read full article »

Analysis

4 August Court Hearings For Benefits Attys To Know

The Fifth Circuit will soon hear arguments from the federal government and religious groups battling over an injunction protecting religious medical providers that assert faith-based objections from having to perform abortions or gender-transition surgery, or cover those procedures for employees.

Read full article »

Texas Justices Turn Away Bid To Toss Pacemaker Implant Suit

The Texas Supreme Court on Friday declined to review a hospital's bid to toss a lawsuit accusing one of its doctors of

ESPN Inc.
Early Warning Services LLC
Endo International PLC
Express Scripts Holding Co.
Franciscan Physician Network
Gannett Co. Inc.
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Google LLC
Guttmacher Institute
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Investments Ltd.
Lenovo Group Ltd.
Major Lindsey & Africa LLC
Migration Policy Institute
Minority Cannabis Business Association
Mutual of Enumclaw Insurance Co.
Mylan NV
NBCUniversal Media LLC
National Collegiate Athletic Association
National Immigration Law Center
National Organization for the Reform of Marijuana Laws
National Women's Law Center
Nestle SA
New Civil Liberties Alliance
Optum Inc.
Penguin Random House LLC
Pfizer Inc.
Providence Health & Services Inc.
Ripple Labs Inc.
S&P Global Inc.
Sanofi SA
Saudi Arabian Airlines Corp.
Simon & Schuster Inc.
Sky PLC
Smart Approaches to Marijuana
Spectrum Management Holding Co.
Spotify Technology SA
Tegna Inc.
Tesla Inc.
Texas Health Resources Inc.
The Blackstone Group LP
The Center for Reproductive Rights Inc.
The Leadership Conference on Civil & Human Rights
The New York Times Co.
TikTok Inc.
Toys R Us Inc.
Twitter Inc.
United Services Automobile Association
UnitedHealth Group Inc.
Viatris Inc.
Virgin Media Inc.
Vodafone Group PLC
Willis Towers Watson PLC
Workday Inc.
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Akin Gump
Arrowood LLP
Baker Botts

negligently and unnecessarily implanting a pacemaker that caused a bacterial infection and other injuries to a patient.
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Property Insurance Cases To Watch In The 2nd Half Of 2022
Policyholders and insurers will be eagerly awaiting rulings from several state high courts on coverage for COVID-19 business interruption losses in the back half of 2022, as well as guidance on when property insurance appraisals can proceed and whether insurers can depreciate labor costs when calculating payments to homeowners.
Read full article »

Providence Health Patients Allege Unnecessary Surgeries
Three patients have filed a proposed class action in Washington federal court accusing Providence Health & Services Washington and two neurosurgeons of performing a high rate of unsupervised and medically unnecessary spinal surgeries to boost profits, resulting in serious injuries.
Complaint attached | Read full article »

ITC Told Banning Apple Watch Could Harm Health
A tech company consortium is urging the U.S. International Trade Commission to hold off on imposing an import ban that would keep the Apple Watch out of the United States, at least until the Patent Trial and Appeal Board makes a decision on whether the patents at issue are even valid.
Comments attached | Read full article »

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Post-Dobbs HHS Guidance Brings Privacy Considerations
The U.S. Supreme Court's recent decision in Dobbs v. Jackson Women's Health Organization, and ensuing guidance from the U.S. Department of Health and Human Services, will create new privacy compliance issues for health care providers and other companies collecting personal information concerning the use of reproductive health services, say attorneys at Ropes & Gray.
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Series

In-House At A Cannabis Company: The Int'l Trademark Issues
Cannabis companies face a variety of challenges securing global trademark protection under the Nice Classification system, so as the market evolves trademark examiners need better tools to understand industry nuances and distinguish cannabis from other goods, says Stephanie Melnychuk, former counsel at Aurora Cannabis.
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Kirkland To Fight Cubs' Federal Wrigley ADA Suit

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Davis Polk
Davis Wright
Dechert LLP
Dorsey & Whitney
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Etter McMahon
Faegre Drinker
Farrar & Ball
Fish & Richardson
Fisher Phillips
Foley & Lardner
Foley Hoag
Freeths LLP
Fried Frank
Gibson Dunn
Goldberg Segalla
Greenberg Traurig
Hamlins LLP
Harbottle & Lewis
Hogan Lovells
Holland & Knight
Hooper Lundy
Jackson Lewis P.C.
Jones Day
Kanji & Katzen
King & Spalding
Kirkland & Ellis
Lang Xifaras
Lanier Law Firm
Latham & Watkins
Leigh Day
Lester Aldridge
Lewis Brisbois
Lewis Silkin
Manatt Phelps
McDermott Will
McDowell Hetherington
Miles & Stockbridge
Miller & Chevalier
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Morrison Foerster
Munger Tolles
Myers Brier
Napthens Solicitors
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Orrick Herrington
Paul Hastings
Paul Weiss
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Quinn Emanuel
Reed Smith
Richards Layton
Robbins Geller
Ropes & Gray
Schlam Stone
Seyfarth Shaw
Simpson Thacher
Skadden Arps
Sokoloff Stern
Spencer Fane

The Chicago Cubs tapped Kirkland & Ellis LLP to defend the team against a suit from federal prosecutors who argue the club's $575 million renovation of Wrigley Field left fans with disabilities the worst seats in the stadium, violating the Americans with Disabilities Act.
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Bureau of Indian Affairs
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Centers for Disease Control and Prevention
Companies House
Consumer Financial Protection Bureau
Executive Office for Immigration Review
Executive Office of the President
Federal Election Commission
Florida Supreme Court
Food and Drug Administration
International Chamber of Commerce
International Trade Commission
New York Attorney General's Office
Ohio Supreme Court
Pennsylvania Supreme Court
Texas Supreme Court
U.S. Attorney's Office for the Northern District of Illinois
U.S. Bankruptcy Court for the Southern District of Ohio
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Department of Education
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the District of Columbia
U.S. District Court for the District of Delaware
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Tennessee
U.S. District Court for the Western District of Washington
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SUBJECT: Re: CDC Health Alert Network (HAN) Health Update 472: Update forClinicians on Monkeypox in People with HIV, Children and Adolescents, andPeople who are Pregnant or Breastfeeding
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Joe Dougherty (DHHS)" <joedougherty@utah.gov>
DATE: 01/08/2022 05:13

I am receiving them, as well

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Sun, Jul 31, 2022 at 11:21 AM Heather Borski (DHHS) <hborski@utah.gov> wrote:

> I do receive these---these go to a pretty broad distribution list, but good to assess and determine additions that need to be made, given agency updates.
> HB
>
> On Sat, Jul 30, 2022 at 11:21 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
>
> > Do you all receive these HANs? If not, should you?
> >
> > **Tracy S. Gruber**
> > Executive Director
> > O: 435.772.6550

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tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------

From: **Health Alert Network (CDC)** <healthalert@cdc.gov>

Date: Sat, Jul 30, 2022 at 11:15 AM

Subject: CDC Health Alert Network (HAN) Health Update 472: Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding

To: <CDC-HAN-PRIORITY-LIST@listserv.cdc.gov>

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CDC HEALTH UPDATE

Distributed via the CDC Health Alert Network
July 30, 2022, 1:15 PM ET
CDCHAN-00472

Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding

Summary
As of July 29, 2022, the Centers for Disease Control and Prevention (CDC) and state and local public health partners are reporting 5,189 cases of *Monkeypox virus* infections in the United States across 47 states, Washington, D.C., and Puerto Rico. CDC is also reporting multiple outbreaks of monkeypox have also been reported globally in 72 countries that do not normally report monkeypox activity. On Friday, July 22, CDC reported the first two cases of monkeypox in children in the United States during the current outbreak.

This Health Alert Network (HAN) Health Update serves to alert clinicians to clinical considerations for preventing, diagnosing, and managing monkeypox in people with HIV, children, adolescents, and people who are pregnant or breastfeeding.

Background
Since May 2022, CDC has been urging healthcare providers in the United States to be on alert for patients who have rash illnesses consistent with monkeypox. People with HIV, individuals who are immunocompromised, children, adolescents, and people who are pregnant or breastfeeding may be at risk for increased disease severity and adverse health outcomes associated with monkeypox infection. Clinicians should be familiar with unique clinical considerations for monkeypox in these patient populations. A broad diagnostic approach is encouraged to distinguish *Monkeypox virus* infection from other causes of fever and rash illness. Testing should be performed on persons for whom monkeypox is suspected based on clinical presentation or epidemiologic criteria. Clinicians should consult their state or territorial health department (State Contacts) or CDC through the CDC Emergency Operations Center (770-488-7100) as soon as monkeypox is suspected.
CDC has issued clinical considerations for monkeypox infection in multiple populations including: people with HIV, children and adolescents, and people who are pregnant or breastfeeding. These newly released clinical considerations complement existing clinical guidance for managing monkeypox and provide information on signs and symptoms of *Monkeypox virus* infection; pre- and post-exposure prophylaxis; treatment; and infection control in these populations.

Recommendations and Information for Healthcare Providers on Monkeypox in People with HIV
In the current outbreak, available international summary surveillance data in the CDC-issued clinical considerations for people with HIV indicate 30-51% HIV prevalence among persons with monkeypox for whom HIV status was known. It is currently unknown whether HIV infection affects a person's risk of acquiring *Monkeypox virus* infection and developing disease after exposure.

Persons with advanced and uncontrolled HIV might be at higher risk for severe or prolonged monkeypox disease. Therefore, prophylaxis (e.g., vaccination), medical treatment and close monitoring are a priority for this population. Compared with other persons with monkeypox, case reports among persons with inadequately treated HIV who have CD4 counts ≤350 per mm^3 reported higher rates of secondary bacterial infection, more prolonged illness (and thereby also longer period of infectiousness), as well as a higher likelihood of a confluent or partially confluent rash, rather than discrete lesions. In contrast, recent reports of patients with HIV infection and monkeypox who are on effective antiretroviral therapy (ART) have noted no deaths or evident excess hospitalizations to date. Providers should consider both viral suppression and CD4 count in weighing the risk of severe outcomes from monkeypox for any patient with HIV.

The rash of monkeypox can be confused with other rash illnesses that are considered in people with HIV, including herpes zoster (shingles), scabies, molluscum contagiosum, herpes, syphilis, chancroid, lymphogranuloma venereum, allergic skin rashes, and drug eruptions. Immunocompromised persons, including

[redacted]

persons with advanced, untreated or inadequately suppressed HIV, may present with an atypical rash, including a disseminated rash that may make diagnosis more challenging.

Prevention of monkeypox and infection control practices in the home or healthcare setting are the same regardless of peoples' HIV status. Post-exposure prophylaxis (PEP) and antiviral treatments, including tecovirimat, are available for persons exposed to monkeypox or with *Monkeypox virus* infection. The safety and immunogenicity of JYNNEOS, a live, non-replicating viral vaccine, has been specifically established in people with HIV; however, immunogenicity among persons with HIV who have CD4 counts below 100 cells/mm^3 or who are not virologically suppressed remains unknown. ACAM2000, a replicating viral vaccine, should not be given to people with HIV (regardless of immune status). Antiviral treatments for monkeypox have few interactions with antiretroviral therapy. ART and opportunistic infection prophylaxis should be continued in all people with HIV who develop monkeypox.

Recommendations and Information for Healthcare Providers on Monkeypox in Children and Adolescents

Limited pediatric data on infection with the Congo Basin clade of *Monkeypox virus* suggest increased risk of severe disease in children younger than 8 years of age. Rare complications of monkeypox include abscess, airway obstruction due to severe lymphadenopathy, cellulitis, corneal scarring, encephalitis, keratitis, pneumonia, and sepsis. The West African clade of *Monkeypox virus* involved in the current outbreak typically causes less severe disease than the Congo Basin clade.

Monkeypox virus can spread to children through contact with infectious body fluids (e.g., lesion exudates and respiratory secretions) of people or animals or through contact with fomites, as may occur in households and other close contact settings. The number of monkeypox cases among children in the United States is currently low; however, CDC acknowledges that the expanding U.S. outbreak and the possible risk for transmission in households and other settings may result in additional pediatric cases. Pediatric providers should be familiar with prevention, recognition, and testing considerations for monkeypox in children and adolescents.

Families should be counseled about preventing the spread of *Monkeypox virus* between children, caregivers, and household members in the home, including avoidance of contact with persons who have monkeypox, the body fluids of an infected person, and fomites (e.g., clothing, towels, bedding); wearing a well-fitting mask or respirator by the person with monkeypox and the contact (for children over 2 years of age) when interaction is unavoidable; and minimizing the number of caregivers for children with monkeypox. Particular attention should be made to keep children with monkeypox from scratching lesions or touching their eyes to prevent auto-inoculation and more severe illness. Caregivers should cover areas of broken skin with bandages to the extent possible and avoid direct skin-to-skin contact with the rash.

Children and adolescents who are close contacts of a person with monkeypox (e.g., household contact, other family member, caregiver, or friend) should be evaluated for illness and offered post-exposure prophylaxis with JYNNEOS or ACAM2000 (for children older than 12 months) or treatment when indicated. Monkeypox should be considered when children or adolescents present with signs or symptoms that could be consistent with the disease, especially if epidemiologic criteria are present. The rash of monkeypox can be confused with other rash illnesses that are commonly considered in children including varicella (chickenpox); hand, foot, and mouth disease; measles; scabies; molluscum contagiosum; herpes; allergic skin rashes and syphilis (including congenital syphilis); and drug eruptions.

Data are limited on the effectiveness of PEP for children who have been exposed to monkeypox or treatment for children with illness, and no vaccines or other products are currently licensed for monkeypox prevention or treatment in children or adolescents. However, PEP should not be withheld from children or adolescents who are otherwise eligible. Decisions about whether to offer PEP should take into account the patient's degree of exposure and the patient's individual risk of severe disease.

Prophylactic therapeutics that can be administered include vaccination, Vaccinia immune globulin, and antiviral medication. For almost all children and adolescents, vaccination is the preventive treatment that should be administered. Immune globulin or antivirals may also be considered for infants under 6 months of age, given their immature immune systems and possible decreased responses to vaccination.

Tecovirimat is currently being used as the first-line treatment for infection with *Monkeypox virus*, including for children and adolescents with severe disease or underlying medical conditions that may increase risk for severe disease and those with complications from monkeypox. Individual risks and benefits must be considered prior to initiating tecovirimat. Other treatments such as Vaccinia immune globulin may be considered in unusual circumstances.

In pediatric inpatient care settings, infection control procedures for children with monkeypox infection should also consider the child's age and caregiving needs; family and caregiver preferences; the extent, severity, and course of the child's illness; and risks for severe monkeypox disease in exposed caregivers (e.g., pregnancy or immunocompromising conditions).

Recommendations and Information for Healthcare Providers on Monkeypox in People who are Pregnant or Breastfeeding

Data regarding *Monkeypox virus* infection during pregnancy are limited. It is unknown if pregnant people are more susceptible to acquiring *Monkeypox virus* infection or if illness is more severe during pregnancy. Other poxviruses cause more severe infection during pregnancy. *Monkeypox virus* can be transmitted to the fetus during pregnancy and to the newborn by close contact during and after birth. There are few case reports of spontaneous pregnancy loss and stillbirth, preterm delivery, and neonatal monkeypox infection; the frequency and circumstances for these outcomes are unknown. Whether *Monkeypox virus* is present in breast milk is unknown; however, it may be transmitted through close contact during breastfeeding.

Prevention measures for monkeypox infection are similar for pregnant and non-pregnant people. Pre- or post-exposure prophylaxis should be offered to people who are pregnant or breastfeeding. When pre- or post-exposure prophylaxis by vaccination is chosen, JYNNEOS, a live, non-replicating viral vaccine, can be used. ACAM2000, a replicating viral vaccine, should not be used in people who are pregnant or breastfeeding.

During pregnancy, the cause of fever may be difficult to differentiate from other infections, such as intraamniotic infection (chorioamnionitis), until the monkeypox rash appears. Pregnant patients with rashes initially considered characteristic of dermatoses of pregnancy (e.g., polymorphic eruption of pregnancy) or of more common infections (e.g., varicella zoster or sexually transmitted infections) should be carefully evaluated for a monkeypox rash, and submission of specimens of lesions for monkeypox diagnosis should be considered, especially if the person has any epidemiologic risk factors for monkeypox infection.

While most adults with *Monkeypox virus* infection experience self-limiting infection and recover within 2—4 weeks, pregnant and breastfeeding people should be prioritized for medical treatment, if needed, due to the probable increased risk of severe disease during pregnancy, risk of transmission to the fetus during pregnancy or to the newborn by close contact during and after birth, and risk of severe infection in newborns. Treatment for *Monkeypox virus* infection should be offered to people who are pregnant or breastfeeding. The risks and benefits of treatment options should be discussed with the patient.

Recommendations for infection prevention and control of monkeypox in healthcare settings are the same for pregnant and non-pregnant patients. Newborns born to people with monkeypox should be placed in isolation, and healthcare personnel should follow infection prevention and control recommendations. Patients with monkeypox should be counseled about measures to prevent risk of transmission of *Monkeypox virus* to their newborn from close contact and breastfeeding.

For More Information

- Clinical Considerations for Monkeypox in People Who are Pregnant or Breastfeeding | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Monkeypox in Children and Adolescents | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Treatment and Prophylaxis of Monkeypox virus Infection in People with HIV | Monkeypox | Poxvirus | CDC
- Visit CDC-INFO or call CDC-INFO at 1-800-232-4636

[redacted]

- CDC 24/7 Emergency Operations Center (EOC) 770-488-7100

The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

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Health Advisory	**Requires immediate action. Provides important information about a public health event.**
Health Update	**May require immediate action. Provides updated information about a public health event.**
HAN Info Service	**Does not require immediate action. Provides general information about a public health event.**

##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors, public information officers, HAN coordinators, and clinician organizations##

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SUBJECT: Morning Consult Health: DOJ Begins Case Against UnitedHealth-ChangeHealthcare Merger
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 01/08/2022 06:04

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 1, 2022

BY MATT BRACKEN

Twitter Email

[redacted]

TOP STORIES

- The Department of Justice's antitrust case against UnitedHealth Group Inc. over the company's planned $13 billion acquisition of the health technology firm Change Healthcare will begin today in a federal courthouse in Washington, D.C., in an early test for the Biden administration's crackdown on mergers that it believes compromise competition. The trial, expected to last about three weeks, will center on DOJ claims that UnitedHealth's deal would provide it with sensitive industry data that it could leverage over its competitors. (The Wall Street Journal)

- Department of Veterans Affairs Secretary Denis McDonough said in a CNN interview that the agency is "looking very closely" at protecting abortion access for veterans, though he declined to provide specifics in response to a letter from 24 Senate Democrats calling for abortion services at VA facilities. (The Hill) McDonough also said a GOP amendment to place "a year-on-year cap" on what the VA can spend on care for those exposed to toxic burn pits could result in the agency having to "ration care for veterans," comments that come after Senate Republicans last week blocked passage of the PACT Act. (CNN)

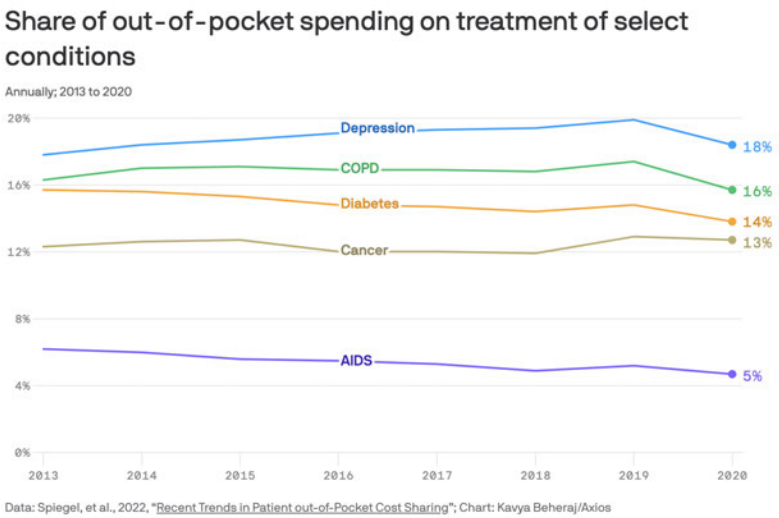
- The Centers for Medicare and Medicaid Services projected basic monthly Medicare premiums for Part D prescription drug coverage to be $31.50 next year, a 1.8% drop from 2022. (Bloomberg Law) Nursing homes will receive a 2.7% boost in Medicare rates in fiscal 2023 for a net increase of $904 million, per a final rule issued by CMS. (Modern Healthcare)

- A confidential government review of the United Network for Organ Sharing, obtained by The Washington Post, found that the nonprofit agency charged with connecting donated kidneys, livers and hearts to needy patients has relied on outdated technology that experiences hourslong crashes, and the system has never been audited for security flaws. The White House's U.S. Digital Service recommended that the government "break up the current monopoly" at UNOS, which is overseen by the Health Resources and Services Administration but has rejected reform efforts by HRSA. (The Washington Post)

CHART REVIEW

Employees are increasingly on the hook for their medical costs

Axios



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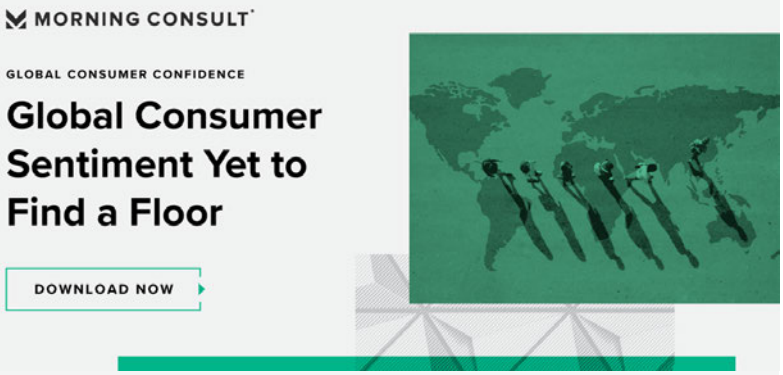

Global Consumer Confidence: July 2022

The slide in global consumer sentiment accelerated last month as prices increased across the world and risks of an economic downturn mounted. Our latest Global Consumer Confidence report provides a comprehensive assessment of the economic views and expectations of consumers across major global economies. Download today.

WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Doctor: Biden tests positive for COVID for 2nd day in a row

Josh Boak, The Associated Press

President Joe Biden tested positive for COVID-19 for the second straight day, in what appears to be a rare case of "rebound" following treatment with an anti-viral drug.

Of Course Biden Has Rebound COVID

Rachel Gutman-Wei, The Atlantic

With more than 40,000 prescriptions being handed out a day, we're taking Paxlovid at about the same rate that we're taking oxycodone. When Biden got sick last week, he started taking the pills before the day was out. When Anthony Fauci had COVID in June, he took two courses. That enthusiasm is in line with the government's messaging around the drug.

Biden covid case highlights confusing CDC guidance on ending isolation

Lena H. Sun and Joel Achenbach, The Washington Post

Before President Biden emerged from coronavirus isolation Wednesday, he made double-sure he was no longer contagious. He received negative tests Tuesday night and Wednesday morning. To test at all meant Biden was going above and beyond the guidance from the Centers for Disease Control and Prevention for exiting isolation.

How the Covid-19 Pandemic Changed Americans' Health for the Worse

Brianna Abbott, The Wall Street Journal

Covid-19 has killed more than one million people in the U.S., a toll mounting by some 350 people a day. A range of other chronic diseases and acute threats to health also worsened during the pandemic, data show, as people missed screenings, abandoned routines and experienced loss and isolation.

Loss of smell is a warning sign of Alzheimer's. What if you lose your sense of smell from Covid?

Kaitlin Sullivan, NBC News

New findings suggest there might be a connection between Covid-related loss of smell and cognitive impairment, but experts say more research is needed.

GENERAL

US Pandemic Revamp Raises Worry of 'More Cooks in the Kitchen'

Shira Stein and Riley Griffin, Bloomberg

An effort to give new powers to a US health emergency preparedness and response office is unlikely to clarify what part of the federal government takes charge in future pandemics, say former health officials.

'Not enough shots': U.S. faces 'vaccine cliff' on monkeypox

Dan Diamond, The Washington Post

Federal officials this week touted the arrival of hundreds of thousands of additional monkeypox vaccine doses, heralding it as a milestone in the nation's fight against the outbreak. What they left out: The United States is entering a critical three-month period where cases may continue to multiply, but no more vaccines are scheduled to arrive until October at the earliest.

House Oversight chair urges HHS to declare monkeypox a public health emergency

Julia Shapero, Axios

Rep. Carolyn Maloney (D-N.Y.) on Friday urged the Biden Administration to declare a public health emergency over the monkeypox outbreak.

Monkeypox is Spreading Fast. Now Kids Are Getting It, Too

Madison Muller, Bloomberg

The widening monkeypox outbreak is sparking concern that the virus could spread among a surprising cohort particularly prone to transmitting contagious infections: kids.

The campaign to rename monkeypox gets complicated

Helen Branswell, Stat News

Since the earliest days of the current global monkeypox outbreak, scientists and public health authorities have been calling for the disease to be renamed, arguing that it has racist overtones and carries a stigma that will hinder efforts to stop its spread.

New York City declares monkeypox a public health emergency

Faris Tanyos, CBS News

Just two days after New York state called monkeypox an "imminent threat," New York City followed suit Saturday, declaring the disease a "public health emergency."

World's first HIV-positive to HIV-positive heart transplant performed at NYC hospital

Minyvonne Burke, NBC News

The patient, a woman in her 60s, suffered from advanced heart failure and received the donation, along with a simultaneous kidney transplant, in early Spring at Montefiore Health System in the Bronx, according to a news release.

For pioneering AIDS activists, monkeypox outbreak evokes déjà vu

Matt Lavietes, NBC News

Four leading AIDS activists from the 1980s and '90s argue the global public health response to contain the current monkeypox outbreak has already failed.

Major legal fights loom over abortion pills, travel out of state

Ann E. Marimow et al., The Washington Post

The Supreme Court's three liberal justices, in denouncing their colleagues' decision to eliminate the nationwide right to abortion, warned last month that returning this polarizing issue to the states would give rise to greater controversy in the months and years to come.

Banana Boat recalled a sunscreen spray after detecting trace amounts of a carcinogen

Shauneen Miranda, NPR News

The manufacturer of Banana Boat voluntarily recalled multiple batches of a hair and scalp sunscreen spray after an internal review found trace amounts of the cancer-causing chemical benzene.

New York Polio Case Now Connected to Traces of Virus Found in UK and Israel

Robin Fields, ProPublica

Using sewage sample tests from three countries separated by thousands of miles, public health officials hope to unravel the mystery of where this polio started circulating and what threat it poses.

Indiana Senate narrowly passes near-total abortion ban

Arleigh Rodgers and Rick Callahan, The Associated Press

Indiana state senators narrowly passed a near-total abortion ban Saturday during a rare weekend session, sending the bill to the House after a contentious week of arguments over whether to allow exceptions for rape and incest.

PAYERS

House Democrats push for legislation to close Medicaid coverage gap in Senate package

Robert King, Fierce Healthcare

A group of 50 House Democrats wrote to Senate leadership calling for closing the coverage gap as part of the Inflation Reduction Act, which includes legislation to lower drug prices and extend Affordable Care Act subsidies.

CMS seeking feedback on ways to improve Medicare Advantage

Paige Minemyer, Fierce Healthcare

The Biden administration wants the public to weigh in on ways to improve the Medicare Advantage (MA) program.

PROVIDERS

Inflation-dogged health systems confident payers will concede higher rates in 2023 contract negotiations

Dave Muoio, Fierce Healthcare

Executives from some of the country's largest for-profit health systems say it's likely their organizations will be able to pass rising cost pressures along to commercial insurers during the next round of contract negotiations.

Private equity is the biggest player in a booming autism-therapy industry. Some therapists say the 'money grab' is hurting the quality of care

Erika Fry, Fortune

When Hopebridge, a nationwide chain of autism therapy centers, opened a branch in Athens, Georgia, in the fall of 2020, Sara counted herself lucky; she began sending her five-year-old daughter Zoe there almost immediately. True, the 40-hour-per-week program required strict, on-time attendance—Zoe could lose her spot after just a few tardies—but it seemed that Sara had finally found safe, quality, insurance-covered care for her daughter.

Abortion ruling prompts action by healthcare unions

Ginger Christ, Modern Healthcare

Unions representing healthcare workers are executing plans to help workers who may run afoul of state abortion laws.

To Retain Nurses and Other Staffers, Hospitals Are Opening Child Care Centers

Lauren Sausser, Kaiser Health News

Nationally, only about 1 in 10 workers have access to employer programs that cover some or all of the costs for child care services — either on the job site or off — according to a report published last year by the U.S. Department of Labor. The health sector seems to be doing more: About one-third of U.S. hospitals offer child care benefits.

From low pay to workplace culture, obstacles litter the path to diversity in EMS

Akila Muthukumar, Stat News

Emergency medical services have since become predominantly white, as well as mostly male, in Pittsburgh and nationally. Programs like Freedom House 2.0 have sprouted across the nation in an effort to diversify EMS. As of 2000, less than 5% of certified EMS professionals were African Americans, and that proportion remained until 2017. As of 2019, it had increased slightly: non-Hispanic Black people accounted for 8% of EMTs and 5% of paramedics.

PHARMA, BIOTECH AND DEVICES

U.S. Would Gain Power to Negotiate Drug Prices Under Manchin-Schumer Bill

Joseph Walker, The Wall Street Journal

Among the drugs that could face price negotiation are blood thinner Eliquis from Bristol-Myers Squibb Co. and Pfizer Inc., Johnson & Johnson's Darzalex multiple-myeloma therapy and Novo Nordisk A/S's

diabetes and weight-loss treatment Ozempic, according to an analysis by SVB Securities.

Groups launch last-ditch effort against drug pricing changes

Jessie Hellmann, Roll Call

Special interest groups are hammering the airwaves in states like West Virginia, Nevada, Georgia, New Hampshire and the District of Columbia as the Senate closes in on passing legislation that would allow Medicare to demand lower prices for prescription drugs and cut into the profits of pharmaceutical companies.

Bipartisan bill on antibiotics faces crucial stretch

Paige Kupas, The Hill

The bipartisan legislation, with its $11 billion price tag, aims to establish a subscription model in which antibiotic developers are paid upfront for the use of their medicine, which could spur a flurry of new drugs to the market. To qualify, a new antibiotic must be checked against certain criteria in the bill — but physicians and experts worry how effective that could be in practice.

Amgen Fights IRS Over $10.7 Billion Tax Bill

Joseph Walker and Richard Rubin, The Wall Street Journal

Biotech Amgen Inc. is in a pitched battle with the Internal Revenue Service over the company's international tax strategy and $10.7 billion in back taxes and penalties that the agency says it is owed.

Mylan Beats Sanofi on Appeal in Antitrust Case Over EpiPen

Mike Leonard, Bloomberg Law

Two Mylan NV units prevailed Friday in an antitrust case brought by affiliates of rival Sanofi SA, after a federal appeals court in Denver rejected allegations that Mylan schemed to shield its blockbuster EpiPen allergy treatment from competition.

'Pharma bro' Martin Shkreli is fresh out of prison with a new Web3-crypto 'drug discovery' business

Yvonne Lau, Fortune

'Pharma bro' Martin Shkreli, the former pharmaceutical executive best known for hiking the price of a life-saving drug by 4,000% and then going to prison, is getting into a new business.

The web is home to an illegal bazaar for abortion pills. The FDA is ill-equipped to stop it.

Ruth Reader, Politico

Enter "buy cytotec online cheap" into Google's search engine and the first four results are sites that illegally offer to ship the abortion pills without a prescription.

HEALTH TECHNOLOGY

HHS Publishes Telehealth Federal Nondiscrimination Law Guidance

Bloomberg Law

The Department of Health and Human Services and the Department of Justice have partnered to issue guidance on federal nondiscrimination laws and telehealth, according to a news release Friday.

OPINIONS, EDITORIALS AND PERSPECTIVES

Monkeypox Is About to Become the Next Public Health Failure

Scott Gottlieb, The New York Times

When about 100 cases of monkeypox had been confirmed or suspected in Europe in May, it was clear the virus was spreading outside the areas where it was previously seen. Some on social media suggested it might already be spreading rapidly in communities in Europe and the United States. These reports should have been a code red for federal infectious disease response.

While monkeypox cases rise, why are we waiting for the cavalry to rescue us?

Dr. Sanjay Gupta, CNN

We are one of the wealthiest countries in the world, spending more than $4 trillion dollars a year on health care, more per person than anywhere else. With all those resources and technology, it's not as if the United States is incapable of mounting a significant response to an emerging outbreak. And there is little doubt we will eventually do what should have already been done: declare monkeypox a public health emergency, appoint a national coordinator and mount a more significant response. But why do we wait so long, drag our feet and endure so much suffering in the meantime?

WTO: Don't make a bad situation worse by granting intellectual property waivers for Covid-19 therapeutics and diagnostics

Kenneth E. Thorpe, Stat News

The World Trade Organization recently agreed to suspend patent protections for Covid-19 vaccines. The trade body is now considering going one step further: extending the intellectual property waiver to Covid-19 therapeutics and diagnostics. That misguided idea would have disastrous consequences: further eroding intellectual property protections will discourage research and development and make it even harder to fight deadly diseases and future pandemics.

RESEARCH REPORTS

Trends in Utilization of Electronic Consultations Associated With Patient Payer and Language Among US Academic Medical Centers During the COVID-19 Pandemic

Anita Arora et al., JAMA Network Open

In this cohort study including 14 545 completed eConsultations, eConsultations as a proportion of all specialty consultations significantly increased in the first week of the pandemic. This held true for both English- and non-English-speaking patients and across all payer types, except for self-pay and uninsured patients.

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FROM: AIS Health Daily <aishealthdaily@aishealth.com>
TO: hborski@utah.gov
DATE: 01/08/2022 06:04

AIS Health Daily

August 1, 2022

Today's Featured Story

Medication Abortion Faces Legal Uncertainty Post-Dobbs

by Peter Johnson

With abortion banned or on the verge of a ban in a growing number of states following the Supreme Court's decision in Dobbs v. Jackson Women's Health Organization, medication

abortion has become more important than ever for women and pregnant people seeking abortion care. Abortifacients don't require an in-person consultation and, since the start of the pandemic, have been dispensed online without medical risk to patients. However, experts say that the legal status of medication abortion is far from settled in states where abortion has been banned.

Does the FDA's drug authority preempt abortion bans?

- The FDA's authority to approve drugs may preempt state laws that ban abortifacients, Katie Keith, an attorney and researcher at Georgetown University's Center on Health Insurance Reforms, tells AIS Health. GenBioPro, Inc., a manufacturer of generic mifepristone, sued the state of Mississippi in 2020 over its ban of medication abortion.
- Citing the Federal Food, Drug & Cosmetic Act of 1938, GenBioPro (GBP) argues that "the FDA imposed restrictions on who can prescribe mifepristone, where it can be dispensed, and what information must be given to patients – all to ensure patient safety without unduly burdening access. Contrary to these federal authorities, Mississippi has instituted a near-total ban on medicated abortion….The ban and restrictions effectively preclude GBP from operating in Mississippi. By obstructing GBP's ability to provide and patients' ability to obtain mifepristone, Mississippi's laws contravene….the FDA's judgment concerning the safety and efficacy of mifepristone."
- Keith says she's "expecting a ruling reasonably soon — they just invited one more round of briefing in the wake of Dobbs" — and adds that the case may not actually be impacted by the legal reasoning in Dobbs.
- "Dobbs was about the constitutional right to a pre-viability abortion. We are here talking about a completely different issue," Keith says. "This is about federal preemption of a state restriction on an approved drug, regardless of whether it's about abortion."

States could block telehealth prescribing

- Telehealth access to an abortifacient prescription will be hard — or illegal — to come by for many patients, according to the Kaiser Family Foundation. Some 22 states and the District of Columbia allow surgical and medication abortion, including telehealth visits to obtain an abortifacient prescription.
- "Right now, to have a telehealth consult for this type of care, you have to drive to a state that does not ban abortion," explains Elizabeth Mitchell, president and CEO of the Purchaser Business Group on Health. Then patients have to "literally be able to show, on a phone or another device, where you are located….or the provider will be held liable."
- Mitchell says that ERISA may preempt state laws that regulate telehealth visits, but she's not sure: "If they are simply administering it on behalf of a self-insured employer, my understanding is that they [the ERISA plan member] are protected. But this all has to go through the plan. If they try to reimburse this or pay separately outside the plan, it exposes them to legal risk."
- However, fully insured plans are subject to state-level regulation, meaning fully insured and small-group plans are subject to state abortion bans. And Keith isn't sure whether ERISA preempts criminal law.
- "Does ERISA preempt state criminal law?" Keith wonders. "The idea of ERISA preemption is states can't step in to regulate the ERISA plan. It will probably come down to how the state laws are written and how they get applied."

From Radar on Drug Benefits

[redacted]

Subscribers may read the in-depth article online. Learn more about subscribing to AIS Health's publications.

Today's AIS Health Datapoint

After originally exiting the marketplace in 2017, Blue Cross Blue Shield of Nebraska will return to the state's ACA exchanges for the 2023 plan year. "Ever since we've gotten out, we've been analyzing, trying to figure out when is the right time to get back in. Now is the right time," Executive Vice President Ron Rowe told the Omaha World-Herald July 22. The insurer will offer Nebraska HeartlandBlue in all 93 of the state's counties. As of the first-quarter of 2022, four insurers currently participate in Nebraska's exchanges: Medica (60,000 members); Bright Health (43,000 members); Centene Corp. (12,800 members); and Oscar Health (2,900 members).

From AIS's Directory of Health Plans

People On the Move

- Arkansas Blue Cross & Blue Shield Names Four New Execs
- CenCal Health Appoints New Chief Medical Officer
- Blue Cross and Blue Shield of Louisiana Names Curtis Anders Vice President, Provider Networks and Contracting

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SUBJECT: August 2022 UPHA Newsletter
FROM: UPHA <upha@memberclicks-mail.net>
TO: hborski@utah.gov
DATE: 01/08/2022 07:24

[redacted]

Utah Public Health Association

AUGUST 2022 NEWSLETTER

PRESIDENT'S MESSAGE

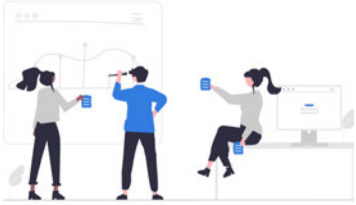
Jessica Strong
UPHA President

Fall brings a welcome crispness to the air, fresh sharp pencils, and the promise of learning new things. Back to school season is upon us. For those who will be stepping into a real-life, or virtual classrooms, I wish you well on your formal education journey! Many of us will not be returning to a formal classroom, but we can be lifelong learners.

I recently reviewed the 2022 Public Health Outcome Measures Report of Utah. It reminded me of the first of the 10 Essential Public Health Services – to Assess and Monitor Population Health. Despite the many challenges public health has faced in the past several years, we continue to gather and disseminate data. This is critical for us and our many partners who look to this data for program development, partnerships, and evaluation. The most recent health outcome report shows Utah has made significant improvements in many areas such as adolescent births, teen cigarette use, and motor vehicle deaths. There are other areas that need continued efforts to improve the health of our communities such as uninsured kids, child and adult obesity, and STIs. Even in areas where we have made improvements, we still lag the rest of the country, such as mammography screening. Without this essential data tracking, we can't know if we are winning or losing, if health areas are failing or improving. If you haven't looked at this report, I encourage you to check it out!

Thank you to all the public health workers who are working to make a difference in these health areas. The data shows the numbers, but it's the workers behind the scenes that are driving the impact. YOU are making a difference for the lives of Utahns.

EVENTS & ANNOUNCEMENTS



USING CANVA TO SPEAK FOR HEALTH WEBINAR

[redacted]

Monday, August 1, 2022 | 3:00pm–4:00pm ET

Veronica Layos, former National Public Health Week fellow and current Affiliate Affairs consultant, will walk you through Canva, a free graphic design tool that makes it easy for you to create professional designs. As we prepare to celebrate Speak for Health in August, this is a great opportunity to brush up on your design skills to impact your communication efforts!

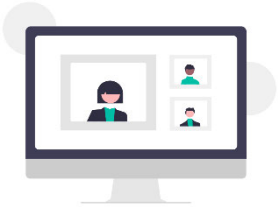
Register here

USOPHE - CALL FOR ABSTRACTS

Submission Deadline:
Wednesday, August 3, 2022 by 11:59 pm

Utah Society of Public Health Education (USOPHE) is currently accepting abstract submissions for the 2022 virtual USOPHE Conference! The USOPHE planning committee welcomes abstracts related to all public health topics.

Learn more



REPRODUCTIVE RIGHTS AND JUSTICE: WHERE DO WE GO FROM HERE?

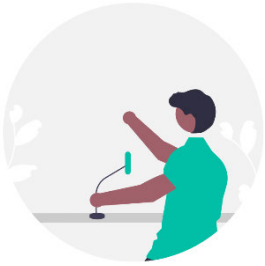
Wednesday, August 3, 2022 | 12:00pm–1:30pm ET

Leaders will discuss the landscape of abortion access and reproductive justice in the wake of the Dobbs decision. Attendees will learn what public health can do to protect access to comprehensive reproductive health care, and how we can uphold and support the work reproductive justice advocates have been doing for decades.

Register here

[redacted]

[redacted]



HEALTHY PEOPLE, HEALTHY DEMOCRACY WEBINAR

Wednesday, August 10, 2022 | 2:00pm–3:00pm ET

Healthy People, Healthy Democracy is a nonpartisan initiative from major public health and civic engagement groups like the Society for Public Health Education, National Association of County and City Health Officials, and APHA that support public health professionals. Hear from the folks at Healthy People, Healthy Democracy and Affiliates who have used their tools and partnerships to educate their members and communities about voting as a public health issue and how to encourage people to vote with public health in mind.

Register here

CONTINUE EDUCATION (CE) OPPORTUNITIES

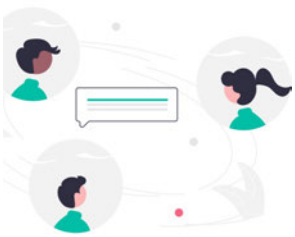
Partnership for Food Safety Education

WEBINAR: BREAKING THROUGH FOOD SAFETY BARRIERS & MYTHS

Thursday, August 11, 2022
1pm ET

Register here

Register to earn free CEUs from ANFP, CDR, NCHEC, and NEHA!



GUIDELINES, TOOLS, & RESOURCES FOR OPTIMAL COVID COMMUNICATION

Wednesday, August 17, 2022

[redacted]

10:30am - 12:00pm CST

Register here

Free CHES® credits are available.

CELEBRATING SUCCESS IN PUBLIC HEALTH- USOPHE CONFERENCE 2022

Wednesday, November 2, 2022 | 8:30pm–4:00pm

Register here

CHES® /MCHES® and CPH credits will be available.

BOARD MEMBER SPOTLIGHT

Danny Reyes

- **Role on UPHA Board:**
  Communications Committee
- **Tell us about your talents/skills/superhero powers:**
  Minimalistic, positive attitude, attention to detail.
- **Favorite hobbies**:
  Reading, listening to audiobooks, watching sports, watching documentaries, and listening to music.
- **Lesson you've learned in your career:**
  Great leaders will trust you and make you feel safe.
- **Why you enjoy working in public health**:
  I believe health is our most valuable possession and prevention is key to healthy living.
- **What book has influenced your career, or you wish everyone in public health would read and why?**
  The following book has influenced how I think and how I get things done: *Essentialism* by Greg Mckeown. "Essentialism is not about how to get more things done; it's about how to get the right things done."

[redacted]

FOLLOW UPHA ON SOCIAL MEDIA

upha.org

This email was sent to hborski@utah.gov by communications@upha.org

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SUBJECT: News release: Take protective measures against mosquito bites
FROM: Utah Department of Health and Human Services <jennyjohnson@utah.gov>
TO: <hborski@utah.gov>
DATE: 01/08/2022 09:21

View this email in your browser

Utah Department of Health & Human Services

FOR IMMEDIATE RELEASE:
August 1, 2022
Media contact:
Jenny Johnson
Public Information officer
jennyjohnson@utah.gov
801.209.2591

Take protective measures against mosquito bites

Salt Lake City—Even though no human cases of West Nile virus in Utah have been reported to date, the Utah Department of Health and Human Services says the virus has been found in mosquito pools in Davis, Salt Lake, and Uintah counties. That means the risk of West Nile virus spreading to humans still exists.

West Nile virus is spread by mosquitoes and can cause illness in people and animals. While most people who get infected with West Nile virus will have no symptoms, some develop symptoms

[redacted]

similar to the flu, including fever, headache, body aches, nausea, or rashes. In a small number of cases, people can develop a severe form of the virus, which can result in hospitalization and death. Symptoms of the severe form of West Nile virus include high fever, severe headache, stiff neck, disorientation, and confusion. If you are experiencing symptoms, contact a healthcare provider immediately.

“West Nile virus has an annual presence in Utah and it isn’t going away," according to Hannah Rettler, Utah Department of Health and Human Services (DHHS) vector borne/zoonotic epidemiologist. “Now is a good time to protect yourself from mosquito bites and work to eliminate mosquito breeding sites around your home," adds Rettler.

Take these simple precautions to avoid mosquito bites and reduce your risk for infection:

- Wear long-sleeves, long pants, and socks while outdoors and use an insect repellent with 20%-30% DEET, which is safe to use during pregnancy. Repellents are not recommended for children younger than two months of age.
- The hours from dusk to dawn are peak biting times for many mosquitoes. Consider rescheduling outdoor activities that occur in the evening or early morning.
- Mosquitoes lay their eggs in standing water. Remove any puddles of water or standing water including in pet dishes, flower pots, wading and swimming pools, buckets, tarps, and tires.
- Report bodies of stagnant water to your local Mosquito Abatement District (MAD). Visit http://www.umaa.org/ for a list of MADs.
- Keep doors, windows, and screens in good condition and make sure they fit tightly.
- Consult with an immunization travel clinic before traveling to areas that may have mosquito-borne illness such as Zika or dengue and take the necessary precautions.

West Nile virus surveillance will continue into early fall. You can find an updated weekly report at https://epi.health.utah.gov/west-nile-virus-reports/. For more information about West Nile virus, call your local health department or visit https://epi.health.utah.gov/west-nile-virus/.
View this media advisory in Spanish

###

Utah Department of Health & Human Services

[redacted]

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Our mailing address is:
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Salt Lake City, Utah 84116

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SUBJECT: Time's running out! Register for the reproductive rights webinar.
FROM: "APHA" <membership.mail@apha.org>
TO: hborski@utah.gov
DATE: 01/08/2022 13:52

APHA WEBINAR

150 YEARS APHA

REPRODUCTIVE RIGHTS AND JUSTICE: WHERE DO WE GO FROM HERE?

Wednesday, Aug. 3, 2022
12:00 - 1:30 p.m. EDT

Leaders will discuss the landscape of abortion access and reproductive justice in the wake of the Dobbs decision. Attendees will learn what public health can do to protect access to comprehensive reproductive health care, and how we can uphold and support the work reproductive justice advocates have been doing for decades. This session will allow ample time for questions and discussion.

[redacted]

[redacted]

This event will be recorded. If you cannot join live, register to receive access to the recording.

REGISTER NOW!

Moderator:
Regina Mahone
Senior Editor, The Nation

Panelist:
Benny Del Castillo, LICSW
Board President, DC Abortion Fund

Panelist:
Hayley McMahon, MSPH, CPH
Doctoral Student, Emory University - Rollins School of Public Health

Panelist:
Jeryl Hayes, JD, LLM
Movement Building Director, If/When/How

Help us spread the word!

Tweet this! Join @PublicHealth on 8/3 for a free webinar on what public health can do to protect access to comprehensive reproductive health care and support the work of reproductive justice advocates. #AbortionIsHealthcare https://apha.org/Events-and-Meetings/APHA-Calendar/2022/Reproductive-Rights-and-Justice

Tweet this! The overturning of Roe v. Wade jeopardizes the health and lives of all Americans. Join our free webinar on 8/3 hosted by @PublicHealth to learn about the landscape of abortion access and reproductive justice in the wake of the Dobbs decision. https://apha.org/Events-and-Meetings/APHA-Calendar/2022/Reproductive-Rights-and-Justice

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Your support makes a difference. To help APHA continue offering free educational webinars, consider making a

[redacted]

[redacted]

one-time or recurring gift today to APHA. Bookmark the APHA 150th Anniversary page for future events.

The contents of this webinar are solely the responsibility of the presenters and do not necessarily represent the official views of APHA.

American Public Health Association
800 I St. NW, Washington DC 20001
www.apha.org
202-777-2742

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higher logic

SUBJECT: Team update (8.1.2022): Get to know the Office of Primary Care andRural Health. Plus, important forms, how to protect yourself from mosquitobites and celebrating our centenarians!
FROM: "Utah Dept of Health and Human Services (DHHS)" <dhhs@utah.gov>
TO: "Utah Dept of Health and Human Services (DHHS)" <dhhs@utah.gov>
BCC: teamdhhs@utah.gov
DATE: 01/08/2022 14:10

Utah Department of Health & Human Services

Team update

DEAR TEAM:

If you live or work near the Wasatch Front, you generally have plenty of doctors or hospitals to choose from. But in the rural parts of the state, it's a different story. Finding primary care can be a real challenge.

In this next installment of **DHHS 101**, Ashley Moretz, who directs our **Office of Primary Care and Rural Health,** talks about how his office is increasing primary care in and attracting medical providers to rural Utah to help those who are medically underserved. **Get to know PCRH in this week's video**.

And now… the email of the week!

- Do you have anything to declare?

Conflict of interest forms.

DHHS Policy 02-28 requires all DHHS employees to submit a conflict of interest form annually by July 1. Because this is a new policy that just went into effect on July 1, we're asking for all employees who haven't completed a conflict of interest form since April 30 to go into the DHHS Forms system and **complete this by August 31**. You will need to be logged into the VPN to access this if not at a DHHS location.

Time to fill out new telework/telecommute/surge agreements

If you are a telework eligible individual, we're asking that you complete a **new telework agreement by August 31** using the DHHS Forms system. You will need to be logged into the VPN to access this if not at a DHHS location. For those of you that telework 50% or

[redacted]

[redacted]

more of your time, you will need to fill out a "Telework Agreement" and the "DHHS Telework Alternate Worksite Safety Checklist." For those of you who telework less than 50% of your time you will need to fill out a "Telecommute Agreement" and the "DHHS Telework Alternate Worksite Safety Checklist." For those that work full time from the office, but are surge eligible, you will need to fill out the "Telework Surge Agreement."

- DHHS media hits

  Utah COVID numbers: 5,800 new cases, 16 deaths reported this week (Tribune)

  State Auditor: Utah underage drinking prevention program falling short (Axios local)

  Why some parents are declining to vaccinate children (Deseret News)

- **Coming up!**

  On Thursday, our Division of Aging and Adult Services (DAAS) will celebrate **Utah centenarians** with Gov. Cox and Lt. Gov. Henderson.

  Check out the 2022 Centenarian Yearbook here.

  Do you know someone who will be at least 100 years old next year? Let us know!

- **Protect yourself**

  We have learned of the first Utah **mosquitoes carrying West Nile virus** have been identified in Davis, Salt Lake, and Uintah counties. No human cases have been reported. Today, we're sharing with the media how to protect ourselves from mosquito bites:

  Wear long-sleeves, long pants, and socks while outdoors and use an **insect repellent** with 20%-30% DEET, which is safe to use during pregnancy. Repellents are not recommended for children younger than 2 months of age.

  The hours from **dusk to dawn are peak biting times** for many mosquitoes. Consider rescheduling outdoor activities that occur in the evening or early morning.

  Mosquitoes lay their eggs in standing water. **Remove any puddles of water or standing water** including in pet dishes, flower pots, wading and swimming pools, buckets, tarps, and tires.

  Report bodies of stagnant water to your local Mosquito Abatement District (MAD). Visit http://www.umaa.org/ for a list of MADs.

  Keep doors, windows, and screens in good condition and make sure they fit tightly.

- **Reminder: Sign up for surge telework notifications**

  If you are eligible for surge telework and want a notification from DHHS about upcoming surge telework days, please see the process for signing up for an email to work or personal email addresses, or both!

  Here's how it will work:
  1. Opt in to getting an email at your personal and/or work email **by filling out this Google form**. (We are now up to 1,908 email addresses.)
  2. Former UDOH surge teleworkers were not automatically opted in and will need to fill out the form.
  3. Supervisors of surge teleworkers may opt in for these notifications, as well.
  4. We continue to evaluate various text message systems and the need for text messages in the department. Let us know how you feel in the same Google form.

[redacted]

[redacted]

P.S.

Tracy's Open Door hours are most Fridays, for all staff from 1pm-3pm. Please reach out to Trudy Ellis (trudyellis@utah.gov) to request time on Tracy's schedule

[redacted]

[redacted]

[redacted]

SUBJECT: Sotomayor, Barrett Liken Court To 'Family' Despite Leak
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 02/08/2022 01:25

Tuesday, August 2, 2022

Follow

TOP NEWS

Sotomayor, Barrett Liken Court To 'Family' Despite Leak

The unprecedented leak in May of the draft ruling overturning the constitutional right to abortion rocked the U.S. Supreme Court and the larger political world, but Justices Sonia Sotomayor and Amy Coney Barrett insisted during a joint appearance days later that the personal goodwill among the justices is like that of a "family" or "marriage."

Read full article »

[redacted]

Imminent Tillis Bill Expands Eligibility, Protects Diagnostics
Sen. Thom Tillis, R-N.C., will be introducing a bill to codify exceptions to patent eligibility, which will override case law that has made it extremely difficult to receive patents on diagnostics and otherwise blurred the line about what inventions are considered abstract, a staffer said Monday.
Read full article »

Top 3 Groups Lobbying The FCC
During the month of July, the Federal Communications Commission heard from lobbying groups on numerous issues ranging from regulatory fees on industry members to reducing inflated phone call traffic.
Read full article »

US Agrees To Halt Calif. Oil And Gas Leasing Pending Review
The federal government on Sunday agreed to defer approval of any new oil and gas drilling projects on more than 1 million acres in central California until it completes a new, thorough environmental review.
2 documents attached | Read full article »

DOJ Stresses Risks Of UnitedHealth $13.8B Buy In Court
The U.S. Department of Justice urged a D.C. federal judge in opening arguments Monday to block UnitedHealth Group's planned $13.8 billion purchase of health care technology outfit Change Healthcare, arguing any consequences for abusing data access matter little for an insurance technology unit "dwarfed" by the more profitable UnitedHealthcare.
Read full article »

Immigration Enforcement Can't Block Grants, 9th Circ. Rules
The Ninth Circuit ruled that federal funds for criminal justice programs can't be withheld from states and counties that don't enforce immigration laws, upholding lower court decisions that found the denial an overreach of the U.S. Department of Justice's authority.
Opinion attached | Read full article »

11th Circ. Urged To Back Ruling Ending CDC Mask Mandate
The group that successfully challenged the federal mask mandate for public transportation told the Eleventh Circuit Monday that the Centers for Disease Control and Prevention never had the authority to issue a "breathtaking" and "unprecedented" requirement infringing on the entire U.S. population.
Brief attached | Read full article »

USTR Bulks Up China Tariff Paper Trail On Remand
The Office of the U.S. Trade Representative released updated explanations on Monday for retaliatory tariffs on roughly $300 billion worth of Chinese goods, aiming to show the U.S. Court of International Trade that it satisfied its obligations under the Administrative Procedure Act.
3 documents attached | Read full article »

Harvard Allies Cite Calif. Affirmative Action Law At High Court
A slew of California-based bar and lawyers associations, civil rights organizations and community foundations are asking the U.S. Supreme Court to rule in favor of Harvard University and the University of North Carolina in a landmark affirmative action case, citing California's attempt at doing away with race-conscious admissions at state institutions in 1996.
Brief attached | Read full article »

DOI Set To Finalize Fossil Protection Rule
The U.S. Department of the Interior announced Monday it has finalized a plan to better manage and protect fossilized remains found on federal lands.
1 document attached | Read full article »

ENERGY & ENVIRONMENTAL

Alaska Native Corp. Ahtna Can Step Into Fishing Fight

LAW FIRMS IN TODAY'S NEWS

Advocates for the West
Akin Gump
Arnold & Porter
Ashby & Geddes
Bartlett LLP
Bernstein Litowitz
Byman & Associates
Cain & Skarnulis
Cleary Gottlieb
Consovoy McCarthy
Constangy Brooks
DLA Piper
Davillier Law Group
Davis Polk
Finnegan
Foley Hoag
Friedman Oster
Greenberg Traurig
Hausfeld LLP
Hogan Lovells
Jomarron Lopez
Jones Day
Kelley Drye
Kellogg Hansen
Kennedys Law LLP
Kilpatrick Townsend
Kirkland & Ellis
Kirsch & Niehaus
Koskoff Koskoff
Lichten & Liss-Riordan
Littler Mendelson
McDowell Hetherington
Meyer Unkovic
Milbank LLP
Nelson Mullins
Norton Rose
O'Melveny & Myers
Orrick Herrington
Paul Weiss
Porzio Bromberg
Potter Anderson
Quinn Emanuel
Seyfarth Shaw
Shearman & Sterling
Simpson Thacher
Skadden Arps

An Alaska federal judge has allowed Ahtna Inc. to take part in a challenge to a state order that would allow gill net fishing by all Alaskans on a stretch of the Kuskokwim River, saying that the Alaska Native corporation can intervene to seek to preserve key circuit precedent on Native subsistence fishing.

Order attached | Read full article »

Enviro Group Drops Suit Over BLM Well Oversight

Western Watersheds Project decided to drop its newly filed lawsuit that asked a D.C. federal court to vacate what the group characterized as an "unwarranted loophole" in federal oversight of federal oil and gas development.

Notice attached | Read full article »

HEALTH & LIFE SCIENCES

FDA Pulled 'Surprise Switcheroo,' Vape Co. Says

The company behind the Juno e-cigarette system has asked the Second Circuit to rescind the U.S. Food and Drug Administration's denial of its application to sell and market flavored vape products, saying the agency pulled a "surprise switcheroo" by changing the criteria for approval after the applications were submitted.

Brief attached | Read full article »

Ohio Abortion Docs Say Licensing Rules Flout Due Process

Two southwest Ohio abortion surgical centers are asking a federal judge to rule that the hoops they have to jump through to maintain their licenses are unconstitutional, saying the requirements are not the same as those for clinics that do not provide such services.

Memorandum attached | Read full article »

Long Island Doc Paid Kickbacks In Medicaid Scam, AG Says

A Long Island doctor was indicted on charges he bribed other doctors for referrals, subjected patients to invasive and unneeded tests and then billed Medicaid for them, New York Attorney General Letitia James announced Monday.

Read full article »

IP & TECHNOLOGY

Copyright Office Says Deferred Exams Aren't A Good Idea

The U.S. Copyright Office on Monday came down against a proposal from the ranking Republican on the U.S. Senate's intellectual property subcommittee to give those filing for copyright protection the ability to put off having the office review the applications, warning that it could empower more frivolous lawsuits and "chill creativity."

2 documents attached | Read full article »

REAL ESTATE

Pa. Panel Lets Hotel Next Door Set Pittsburgh Tower's Height

A Pennsylvania appellate court will allow developers to build a 13-story office and laboratory tower in Pittsburgh's Oakland neighborhood because a neighboring hotel can act as a yardstick for the new building's height limit, even if its entrance is on a different side of the block.

Opinion attached | Read full article »

EMPLOYMENT & BENEFITS

Mass. AG Hopeful Criticized Over Atty Fees During Debate

A prominent labor attorney vying to be Massachusetts' next attorney general drew sharp criticism from her opponents during a testy debate Monday as they said federal judges had rejected class action settlements that would have netted her millions, claims she flatly denied.

Read full article »

COMPETITION

DOJ Tells Judge Book Merger Would Reduce Author Pay

Attorneys for the U.S. Department of Justice urged a D.C. federal judge on Monday to block Penguin Random House

Smith Katzenstein
Sonosky Chambers
Spertus Landes
Thompson Hine
Willkie Farr
WilmerHale
Winston & Strawn

COMPANIES IN TODAY'S NEWS

Aetna Inc.
Ahtna Inc.
Aimbridge Hospitality
Allergan PLC
Amazon.com Inc.
American Bankers Association
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Delaware
American Civil Liberties Union of Ohio
American Federation of Labor & Congress of Industrial Organizations
Association of Corporate Counsel
Association of Village Council Presidents
Bank Policy Institute
Bertelsmann AG
BlockFi Inc.
BuzzFeed Inc.
CVS Health Corp.
Center for Biological Diversity
Chamberlain Group Inc.
Change Healthcare Inc.
Cigna Corp.
CoinMarketCap OpCo LLC
Coinbase Global Inc.
Consumer Technology Association
CorePoint Lodging Inc.
Cornell University
DuckDuckGo Inc.
Earthjustice
Endo International PLC
Freddie Mac
George Washington University
Google LLC
Hachette Book Group Inc.
HackerOne Inc.
HarperCollins Publishers LLC
Harvard University
Instagram Inc.
Johnson & Johnson
KPMG International
La Quinta Holdings Inc.
Learfield Communications Inc.
Liga Nacional de Futbol Profesional
LinkedIn Corp.
Lyft Inc.
Major League Baseball Players Association
Massachusetts Institute of Technology
McKinsey & Co. Inc.
Meta Platforms Inc.
Microsoft Corp.
MobiMeds Inc.
Moelis & Co.
Myriad Genetics Inc.
NFP Corp.
National Association of Broadcasters
National Hockey League
National Parks Conservation Association
National Public Radio Inc.

from buying Simon & Schuster in a planned $2.18 billion deal, contending during opening arguments that the move would cause author compensation to decline.
Read full article »

Meta, FTC Must Work Together To Clarify Market, Judge Says
A D.C. federal judge on Monday ordered Meta Platforms Inc. to give the U.S. Federal Trade Commission certain information on Facebook, Instagram, WhatsApp and Facebook Messenger features that should be considered "personal social networking," while also ordering the FTC to clarify whether those features are indeed within its market definition.

Order attached | Read full article »

CYBERSECURITY & PRIVACY

Bank Sector Groups Push Back On Defense Bill's Cyber Rules
Financial industry trade groups are claiming that new data security rules tucked into an amendment attached to the 2023 defense budget bill passed by the U.S. House of Representatives last month would overlap with existing regulations and force banks to turn over a dangerously large amount of key data.

Letter attached | Read full article »

CONSUMER PROTECTION

NY's AG Seeks Whistleblowers Amid 'Concerning' Crypto Drop
New York Attorney General Letitia James said Monday that she wants to hear from would-be whistleblowers in the state about potential fraud or other misconduct they've encountered in the cryptocurrency industry, citing "concerning" recent investor losses and volatility in the digital asset market.
Read full article »

IMMIGRATION

Bipartisan Duo's Bill Would Increase Afghan Visa Processing
Two members of the U.S. House of Representatives, a Democrat and a Republican, introduced legislation Friday that would speed up green card processing for vulnerable Afghan nationals who provided translation and interpretation services for the U.S. military.
Read full article »

Mexico To Review 5th USMCA Labor Rights Complaint
Mexico has agreed to review labor rights claims submitted by the Biden administration under the U.S.-Mexico-Canada Agreement that alleged workers at an automotive interior production facility in Mexico struggled to engage in free association and collective bargaining.
Read full article »

TELECOMMUNICATIONS

Mo. Broadcast Co. Pulls Support For Radio Geotargeting Plan
A Missouri-based broadcasting company withdrew the support of its stations for a proposed geotargeted broadcasting plan, stating that allowing stations to broadcast location-specific information could have negative effects on radio quality and hurt smaller stations.

Letter attached | Read full article »

PEOPLE

Ex-FinCEN Enforcement Head Joins Skadden In DC
A former head of enforcement and compliance at the U.S. Department of the Treasury's Financial Crimes Enforcement Network and a principal assistant U.S. attorney has joined Skadden Arps Slate Meagher & Flom LLP as a litigation partner in the firm's Washington, D.C., office.
Read full article »

Hogan Lovells Names Space And Satellite Practice Co-Leader
Hogan Lovells has tapped a Milbank LLP partner to serve as co-leader of the firm's space and satellite practice, the firm announced Monday.

Native American Rights Fund Inc.
Natural Resources Defense Council
NetSuite Inc.
New York University
NorthShore University HealthSystem
Optum Inc.
Oracle Corp.
Panasonic Corp.
Paramount Global
Penguin Random House LLC
Planned Parenthood Federation
Poloniex LLC
Population Services International
Porzio Life Sciences LLC
Recording Industry Association of America Inc.
Refinitiv US Holdings Inc.
Ripple Labs Inc.
Sierra Club
Signify Health Inc.
Simon & Schuster Inc.
Skechers USA Inc.
SolarCity Corp.
Sony Interactive Entertainment Inc.
Stolt-Nielsen SA
Target Corp.
Tesla Inc.
Teva Pharmaceutical Industries Ltd.
The Motion Picture Association Inc.
The Procter & Gamble Co.
The State University of New York
The Trade Desk Inc.
The Wilderness Society
Twitter Inc.
Uber Technologies Inc.
United States Telecom Association
UnitedHealth Group Inc.
Visa Inc.
Walmart Inc.
Yahoo Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Alaska Department of Law
Bureau of Citizenship and Immigration Services
Bureau of Land Management
Bureau of Reclamation
California Attorney General's Office
Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Commodity Futures Trading Commission
Delaware Court of Chancery
Executive Office of the President
Federal Communications Commission
Federal Trade Commission
Financial Crimes Enforcement Network
Fish and Wildlife Service
Florida Department of State
Food and Drug Administration
Massachusetts Supreme Judicial Court
National Park Service
New York Attorney General's Office
New York State Assembly
North Carolina Department of Justice
Office of the U.S. Trade Representative

Read full article »

Winston & Strawn Health Care Co-Chair Joins DOJ

A Winston & Strawn LLP litigation partner and co-chair of the firm's health care and life sciences group has decamped for a senior position in the U.S. Department of Justice's antitrust division.

3 documents attached | Read full article »

Greenberg Traurig Adds NY Sen. As Gov't Shareholder

Former New York state Sen. Todd Kaminsky left his public service job to become a shareholder in Greenberg Traurig LLP's government law and policy practice in Albany, the firm announced Monday.

Read full article »

EXPERT ANALYSIS

Speech Signals Intense DOJ Antitrust Focus On Private Equity

The first speech from the new deputy assistant attorney general for the U.S. Department of Justice's Antitrust Division serves as a warning to private equity investors in the health care sector and beyond — expect longer reviews and less visibility into deal progress, say David Evans and William MacLeod at Kelley Drye.

Read full article »

Coinbase Insider Trading Case Raises Crypto Policing Issues

The U.S. Department of Justice and U.S. Securities and Exchange Commission's recent insider trading charges against a former Coinbase employee and his associates highlight unique legal issues that go to the heart of the law enforcement model for policing the crypto industry and raise fundamental questions about the SEC's next moves in the sector, say attorneys at Simpson Thacher.

2 documents attached | Read full article »

Cos. Should Engage With EPA On PVC Hazard Designation

A pending petition to the U.S. Environmental Protection Agency to classify discarded polyvinyl chloride products as hazardous waste could have wide-ranging and unanticipated effects due to the ubiquity of PVC products — so potentially regulated industries should provide information to the EPA on the economic impact of such a move, say attorneys at Kilpatrick.

Read full article »

Prepare For Scrutiny In Marketing Contraception After Dobbs

With tensions around reproductive rights running exceptionally high, it is more critical than ever for pharmaceutical companies to reexamine their marketing practices for contraceptive drugs to ensure scrupulous legal and regulatory compliance, says Jennifer Romanski at Porzio Life Sciences.

Read full article »

Navigating Arbitral Subpoenas In A Post-COVID Landscape

Courts' mixed enforcement during the pandemic of physical presence and territorial requirements for arbitral subpoenas shows that the rules were not built for a virtual world, making it critical for lawyers to understand the possible limitations on third-party evidence, say Emily Kirsch and Craig Tarasoff at Kirsch & Niehaus.

Read full article »

LEGAL INDUSTRY

Littler To Hand Attys Summer Special Bonuses

Despite looming recession fears, Littler Mendelson PC is reportedly offering special award bonuses to associates, counsel and first-level shareholders who were on a 2,100-hour pace at the end of June.

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Ohio Attorney General's Office
Ohio Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the Southern District of New York
U.S. Copyright Office
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Commerce
U.S. Department of Education
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Alaska
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maryland
U.S. District Court for the District of Minnesota
U.S. District Court for the Eastern District of California
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
United States District Court for the Southern District of Ohio

[redacted]

What's Really Behind The Lack Of Diversity At Law Firms?
A new survey to be released on Tuesday contains numbers and insights about the lack of law firm diversity that one executive calls "eye-popping" and "a game changer."
Read full article »

Wikipedia Used As 'Shortcut' By Judges, Researchers Find
In an academic "stress test" on court decision-making, researchers found that Wikipedia entries are having a significant impact on judges' behavior and legal decisions, according to a paper published online Monday.
Read full article »

Ex-DLA Piper Atty May Get Stay Of Own Pot Co.'s Breach Suit
A California judge said Monday he may have erred by refusing to stay a cannabis company's breach of fiduciary duty suit against an ex-DLA Piper attorney who co-owns the business, lecturing the company's attorneys that their discovery requests appear related to a separate case at another courthouse.
Read full article »

Sen. Graham Tries To Escape Ga. Trump Probe Subpoena
South Carolina Sen. Lindsey Graham is asking a Georgia federal court to block a special grand jury subpoena for his testimony as part of an investigation into whether former President Donald Trump and others criminally tried to interfere in Georgia's November 2020 election.
Read full article »

Alex Jones Damages Trial Can Continue Despite Ch. 11 Filing
A Texas bankruptcy judge ruled Monday that the Chapter 11 filing of the parent company of right-wing conspiracy theorist Alex Jones' InfoWars website would not halt the ongoing state court damages trial that followed a default judgment finding him liable for defaming the families of victims of the 2012 Sandy Hook school shooting.
Read full article »

The Top In-House Hires Of July
Legal department hires during July included high-profile appointments at the Federal Home Loan Mortgage Corp., Sony Interactive Entertainment Corp., and the Major League Baseball Players Association.
Read full article »

Catching Up With Delaware's Chancery Court
Delaware Chancery Court was running at full speed last week, with new cases involving Skechers, Fleet Feet Sports, and promotion of the University of Florida's athletics programs.
Read full article »

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SUBJECT: DOJ Stresses Risks Of UnitedHealth $13.8B Buy In Court
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 02/08/2022 02:18

HEALTH

Tuesday, August 2, 2022

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TOP NEWS

DOJ Stresses Risks Of UnitedHealth $13.8B Buy In Court
The U.S. Department of Justice urged a D.C. federal judge in opening arguments Monday to block UnitedHealth Group's planned $13.8 billion purchase of health care technology outfit Change Healthcare, arguing any consequences for abusing data access matter little for an insurance technology unit "dwarfed" by the more profitable UnitedHealthcare.
Read full article »

Analysis

Product Liability Cases To Watch: Midyear Review
More trials are expected to start over claims that drug companies fueled the opioid crisis, and e-cigarette giant Juul is set to face its first case in multidistrict litigation over allegations it misrepresented the safety of its wares. Here is Law360's list of product liability cases to watch for the rest of the year.
Read full article »

W.Va. AG Inks $400M Deal With Drug Distributors Over Opioids
The nation's three largest drug distributors — AmerisourceBergen, Cardinal Health and McKesson — have agreed to pay $400 million to end claims from West Virginia cities and counties that claim the pharmaceutical giants flooded the area with huge shipments of opioids and created a public nuisance, the state attorney general announced Monday.
Read full article »

7th Circ. Declines To Revive Humira 'Patent Thicket' Claims
A Seventh Circuit panel on Monday refused to revive landmark private antitrust claims from Humira buyers accusing pharmaceutical giant AbbVie of using a "patent thicket" to illegally shield the blockbuster immunosuppressant from competition, ruling that there's nothing wrong with AbbVie's high volume of patents.
Opinion attached | Read full article »

11th Circ. Urged To Back Ruling Ending CDC Mask Mandate
The group that successfully challenged the federal mask mandate for public transportation told the Eleventh Circuit Monday that the Centers for Disease Control and Prevention never had the authority to issue a "breathtaking" and "unprecedented" requirement infringing on the entire U.S. population.
Brief attached | Read full article »

Hospital Strikes $10.3M Deal In Religious Workers' Vax Suit
NorthShore University HealthSystem agreed to pay $10.3 million to resolve a proposed class action from workers who claim the hospital's requirement that they get vaccinated against COVID-19 conflicted with their religious beliefs, according to a filing in Illinois federal court.

COMPANIES IN TODAY'S NEWS

3M Co.
AbbVie Inc.
Aetna Inc.
Aimbridge Hospitality
Allergan PLC
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Delaware
American Civil Liberties Union of Ohio
American Federation of Labor & Congress of Industrial Organizations
AmerisourceBergen Corp.
Amgen Inc.
Anda Inc.
Apple Inc.
Associated Press
Association of Corporate Counsel
AxoGen Inc.
Barrick Gold Corporation
Burger King Holdings Inc.
BuzzFeed Inc.
CVS Health Corp.
Cap Gemini SA
Cardinal Health Inc.
Change Healthcare Inc.
Cigna Corp.

[redacted]

Settlement attached | Read full article »

Ohio Abortion Docs Say Licensing Rules Flout Due Process

Two southwest Ohio abortion surgical centers are asking a federal judge to rule that the hoops they have to jump through to maintain their licenses are unconstitutional, saying the requirements are not the same as those for clinics that do not provide such services.

Memorandum attached | Read full article »

ENFORCEMENT & COMPLIANCE

Former Surgeon Jailed After Feds Say He Faked Virus Setback

A former orthopedic surgeon who copped to fraud and identity theft charges has been jailed for allegedly lying about having severe COVID-19 complications to delay his sentencing, according to a federal judge's order unsealed Monday in White Plains, New York.

1 document attached | Read full article »

LITIGATION

11th Circ. Won't Revive Investor Suit Against Med Tech Co.

The Eleventh Circuit on Monday affirmed the toss of a proposed securities class action against Axogen Inc. in the wake of a short-seller report that found the medical technology company overstated the market for its products, with the panel saying the challenged statements are forward-looking and shielded from liability.

Opinion attached | Read full article »

Judge Won't Toss $950M COVID-19 Vax Trade Secrets Row

A Seattle federal judge has ruled that it's too soon to decide whether an Indian generic-drug maker can use its minimal connections to the U.S. to ditch a $950 million suit over allegedly stolen trade secrets from a small American company with a proprietary mRNA platform to develop a new COVID-19 vaccine in India.

Order attached | Read full article »

Rush Medical Center Inks $2.95M Deal To End ERISA Suit

Rush University Medical Center will fork over $2.95 million to end a proposed class action lodged by former employees who claim the medical center weighed down its $1.2 billion retirement plan with unnecessarily high administrative fees and kept underperforming investment options, the ex-employees told an Illinois federal court.

Settlement attached | Read full article »

Catching Up With Delaware's Chancery Court

Delaware Chancery Court was running at full speed last week, with new cases involving Skechers, Fleet Feet Sports, and promotion of the University of Florida's athletics programs.

Read full article »

GOVERNMENT CONTRACTS

Gov't Contracts Of The Month: Internet In Space, Fall Vaccines

July saw a number of U.S. Department of Defense awards, including a deal to build internet connectivity in outer space and a $1.74 billion deal for COVID-19 booster shots in time for fall. Here are Law360's top picks for government contracts for July 2022.

Read full article »

GAO Says No Conflict Of Interest On $2B DHA IT Deal

The U.S. Government Accountability Office denied Deloitte and ManTech's protests over an up-to $2 billion Defense Health Agency information technology deal, saying they had not shown an alleged conflict of interest involving brothers on opposite sides of the bid had tainted it.

Decision attached | Read full article »

PEOPLE

Cisco Systems Inc.
CommonSpirit Health
CorePoint Lodging Inc.
Cornell University
Deloitte Touche Tohmatsu Ltd.
DuPont de Nemours Inc.
DuckDuckGo Inc.
Edison International
Edward-Elmhurst Health
Emcure Pharmaceuticals Ltd.
Endo International PLC
Freddie Mac
Fresenius Kabi AG
Google LLC
HackerOne Inc.
Harvard University
JUUL Labs Inc.
Johnson & Johnson
Johnson Controls International PLC
L'Oreal SA
L3Harris Technologies Inc.
La Quinta Holdings Inc.
Learfield Communications Inc.
LinkedIn Corp.
London Court of International Arbitration
Lowe's Cos. Inc.
Major League Baseball Players Association
ManTech International Corp.
Massachusetts Institute of Technology
McKinsey & Co. Inc.
Microsoft Corp.
MobiMeds Inc.
Moderna Inc.
Moelis & Co.
NFP Corp.
National Hockey League
NetSuite Inc.
NorthShore University HealthSystem
Northrop Grumman Corp.
Olin Corp.
Omega Flex, Inc.
Omnicare Inc.
Optum Inc.
Oracle Corp.
Oshkosh Corp.
Peanut Corporation of America
Peraton Corp.
Pfizer Inc.
Planned Parenthood Federation
Population Services International
Porzio Life Sciences LLC
Purdue Pharma LP
QUALCOMM Inc.
Refinitiv US Holdings Inc.
Salesforce.com Inc.
San Francisco Unified School District
Signify Health Inc.
Simon & Schuster Inc.
Skechers USA Inc.
SolarCity Corp.
Sony Interactive Entertainment Inc.
Space Exploration Technologies Corp.
Stolt-Nielsen SA
Target Corp.
Tesla Inc.
Teva Pharmaceutical Industries Ltd.
The Chemours Co.
The Procter & Gamble Co.
The Trade Desk Inc.

Winston & Strawn Health Care Co-Chair Joins DOJ
A Winston & Strawn LLP litigation partner and co-chair of the firm's health care and life sciences group has decamped for a senior position in the U.S. Department of Justice's antitrust division.

3 documents attached | Read full article »

Gordon & Rees Hires Health Care Partners For Raleigh Office
Gordon & Rees LLP has announced the addition of two partners experienced in defending medical providers to its office in Raleigh, North Carolina.
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EXPERT ANALYSIS

Speech Signals Intense DOJ Antitrust Focus On Private Equity
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Post-Hughes Rulings Hint At Difficulty For ERISA Fee Cases
The Sixth Circuit's interpretation of the U.S. Supreme Court's Hughes v. Northwestern University decision in two recent Employee Retirement Income Security Act fee and expense cases suggests that Hughes' context-specific inquiry standard may lead to more dismissals at the pleading stage, say attorneys at Sidley.
Read full article »

Navigating Arbitral Subpoenas In A Post-COVID Landscape
Courts' mixed enforcement during the pandemic of physical presence and territorial requirements for arbitral subpoenas shows that the rules were not built for a virtual world, making it critical for lawyers to understand the possible limitations on third-party evidence, say Emily Kirsch and Craig Tarasoff at Kirsch & Niehaus.
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LEGAL INDUSTRY

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Sotomayor, Barrett Liken Court To 'Family' Despite Leak
The unprecedented leak in May of the draft ruling overturning the constitutional right to abortion rocked the U.S. Supreme Court and the larger political world, but Justices Sonia Sotomayor and Amy Coney Barrett insisted during a joint appearance days later that the personal goodwill among the justices is like that of a "family" or "marriage."
Read full article »

What's Really Behind The Lack Of Diversity At Law Firms?
A new survey to be released on Tuesday contains numbers and insights about the lack of law firm diversity that one

Trader Joe's Co.
Twitter Inc.
Uber Technologies Inc.
United Food & Commercial Workers International Union
UnitedHealth Group Inc.
VCA Inc.
Visa Inc.
Walgreens Co.
Walmart Inc.
Werner Co.
Yahoo Inc.

LAW FIRMS IN TODAY'S NEWS

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Bartlett LLP
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Saxena White
Seyfarth Shaw
Sidley Austin
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Smith Katzenstein
Spertus Landes
Stokes Lawrence
Stris & Maher
Vedder Price
White & Case

executive calls "eye-popping" and "a game changer."
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South Carolina Sen. Lindsey Graham is asking a Georgia federal court to block a special grand jury subpoena for his testimony as part of an investigation into whether former President Donald Trump and others criminally tried to interfere in Georgia's November 2020 election.
Read full article »

Harvard Allies Cite Calif. Affirmative Action Law At High Court
A slew of California-based bar and lawyers associations, civil rights organizations and community foundations are asking the U.S. Supreme Court to rule in favor of Harvard University and the University of North Carolina in a landmark affirmative action case, citing California's attempt at doing away with race-conscious admissions at state institutions in 1996.
Read full article »

Alex Jones Damages Trial Can Continue Despite Ch. 11 Filing
A Texas bankruptcy judge ruled Monday that the Chapter 11 filing of the parent company of right-wing conspiracy theorist Alex Jones' InfoWars website would not halt the ongoing state court damages trial that followed a default judgment finding him liable for defaming the families of victims of the 2012 Sandy Hook school shooting.
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GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Defense Health Agency
Delaware Court of Chancery
Executive Office of the President
Federal Trade Commission
Florida Department of State
Food and Drug Administration
Government Accountability Office
National Aeronautics and Space Administration
New York Attorney General's Office
North Carolina Department of Justice
Ohio Attorney General's Office
Ohio Supreme Court
Pennsylvania Supreme Court
U.S. Air Force
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Defense
U.S. Department of Education
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maryland
U.S. District Court for the District of Minnesota
U.S. District Court for the Middle District of Florida
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Texas
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Securities and Exchange Commission
U.S. Supreme Court
United States District Court for the Northern District of Ohio

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SUBJECT: Poll: Should MA Payers Revamp Their Internal Audits?
FROM: AIS Health Daily <aishealthdaily@aishealth.com>
TO: hborski@utah.gov
DATE: 02/08/2022 06:04

AIS Health Daily

August 2, 2022

AIS Health Poll: Tell Us What You Think

The Supreme Court recently declined to review UnitedHealthcare's case challenging a CMS rule that requires Medicare Advantage plans to return any overpayments they identify. Should MA plans as a best practice avoid conducting one-way chart reviews and begin performing broader internal audits to identify overpayments?

Yes

No

Here's what AIS Health Daily readers told us in the last poll:

HRA Pharma recently requested FDA approval for the first over-the-counter daily birth control

[redacted]

pill. Do you think the FDA will approve the pill?

73% say Yes

27% say No

Email Executive Editor Jill Brown Kettler to submit your own polling questions.

Today's Featured Story

Centene Reports Progress in Value Creation Plan, Despite Headwinds

by Jill Brown Kettler

Despite facing several headwinds over the next year, including anticipated deterioration in Medicare Advantage star ratings and falling Medicaid enrollment, Centene Corp. increased its full-year 2022 earnings projections and unveiled the latest steps in its ongoing value creation plan. The moves pleased investors, who drove Centene shares to a 52-week high, closing at $93.15 on July 26, the day financial results were posted.

Centene beats out earnings expectations

- Centene posted second-quarter 2022 adjusted earnings per share (EPS) of $1.77 on revenues of $35.9 billion, besting analysts' estimate of $1.69.
- "Overall, the company remains on track with its targets as the momentum from its multi-year value creation plan accelerates," said Oppenheimer analyst Michael Wiederhorn about Centene's results.
- The value creation plan includes a sharp reduction in its office space footprint as it adjusts to a hybrid workforce, sales of non-health plan assets, and a planned exit from international insurance markets.
- Centene boosted its projected EPS range for full-year 2022 to $5.60 to $5.75, a 20-cent increase from a few months ago, and continues to predict that the value creation effort will bear fruit starting in 2023.
- That year, the insurer is projecting that it will achieve $300 million of the total goal of $700 million in annual savings in sales, general and administrative spending, Wiederhorn said. And as it continues to sell non-core assets, "Management expects to use the majority of the net proceeds from the sales to buy back shares and optimize the company's debt structure," he said.

Star ratings, Medicaid redeterminations could cause headaches

- Centene executives outlined some headwinds facing the company, however. Chief among them is dropping Medicare star ratings scores, which drive bonuses for the highest-rated plans.
- "The star scores….are going to be disappointing and unacceptable to this management team," said Chief Financial Officer Drew Asher during a call to discuss second-quarter results, per a transcript from Seeking Alpha. And lower Medicare revenue and star scores make it more challenging to develop attractive benefit designs.
- CEO Sarah London elaborated that the deterioration in 2023 star scores was driven by the company's performance in 2020 and 2021. At that time, WellCare and Centene had just combined operations, employees were adjusting to a new work-at-home model because of the pandemic, and Centene's quality program had new leadership.
- Another headwind, Asher said, is the effect of upcoming Medicaid redeterminations. The suspension of redeterminations has benefited Centene, the nation's managed Medicaid leader. But the insurer has estimated that 1.7 million to 1.8 million of the estimated 3 million new Medicaid members Centene has gained since the onset of the COVID-19 pandemic will no longer be eligible for Medicaid once redetermination efforts are completed.

- The impact of redeterminations is a "$7 billion to $7.5 billion revenue headwind at some point when that annualizes, depending on the timing of the commencement of redeterminations," Asher said during the call.

From Health Plan Weekly

Subscribers may read the in-depth article online. Learn more about subscribing to AIS Health's publications.

Today's AIS Health Datapoint

Despite the availability of generic competitors, Bristol Myers Squibb posted Revlimid sales of $2.5 billion for the second quarter of 2022, beating out analyst expectations. BMS said in its earnings report it expects total Revlimid sales of $9.0 to $9.5 billion for the full year. Teva Pharmaceuticals launched Lenalidomide, the first Revlimid generic available in the U.S., in May. Other generic competitors are available internationally, and more copies are set to arrive in the U.S. later this year. For the treatment of multiple myeloma, Lenalidomide holds preferred generic status for 19% of all insured lives under the pharmacy benefit. Revlimid, meanwhile, is a preferred multiple myeloma drug for 52% of insured lives.

SOURCE: MMIT Analytics, as of 8/1/22

On the Record

"I haven't seen any piggyback announcements [from other large payers], but [zero cost-sharing] is becoming more and more prevalent. [UnitedHealth] is not the first ones to think of this, but I do commend them on doing it for this population."

—Dan Mendelson, CEO of Morgan Health, JPMorgan Chase Co.'s health care arm, spoke with AIS's Radar on Drug Benefits about UnitedHealth Group's decision to eliminate out-of-pocket costs for insulin and other select medications for beneficiaries enrolled in fully insured plans.

Subscribers may read the Radar on Drug Benefits article in which this quote appeared online. Learn more about subscribing to AIS Health's publications.

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SUBJECT: Morning Consult Health: FEMA, CDC Officials Will Coordinate U.S.Monkeypox Response
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 02/08/2022 06:06

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

AUGUST 2, 2022

BY MATT BRACKEN

Twitter Email

TOP STORIES

- Robert Fenton, who helped lead the Federal Emergency Management Agency's COVID-19 mass vaccination effort and served as the agency's acting administrator at the beginning of the Biden administration, will be tapped by the White House today to oversee the country's monkeypox response. Dr. Demetre Daskalakis, director of the Centers for Disease Control and Prevention's HIV prevention unit, will serve as Fenton's deputy, with the duo working to coordinate "strategy and operations to combat the current monkeypox outbreak, including equitably increasing the availability of tests, vaccinations and treatments," the White House said. (The Associated Press)

- Hospitals will receive a 4.3% increase in Medicare payments for inpatient services in 2023, the Centers for Medicare and Medicaid Services said in issuing a final rule that comes after a monthslong lobbying campaign from provider groups panning the initially proposed 3.2% rise as "woefully inadequate." Hospital trade groups, including the American Hospital Association and the Federation of American Hospitals, had cited an "unprecedented inflationary environment" as cause for a greater reimbursement bump. (Stat News)

- Sen. Bill Cassidy (R-La.) said Democrats' provisions to lower prescription drug costs as part of the party's reconciliation bill will be challenged by Republicans via the so-called Byrd rule, which

[redacted]

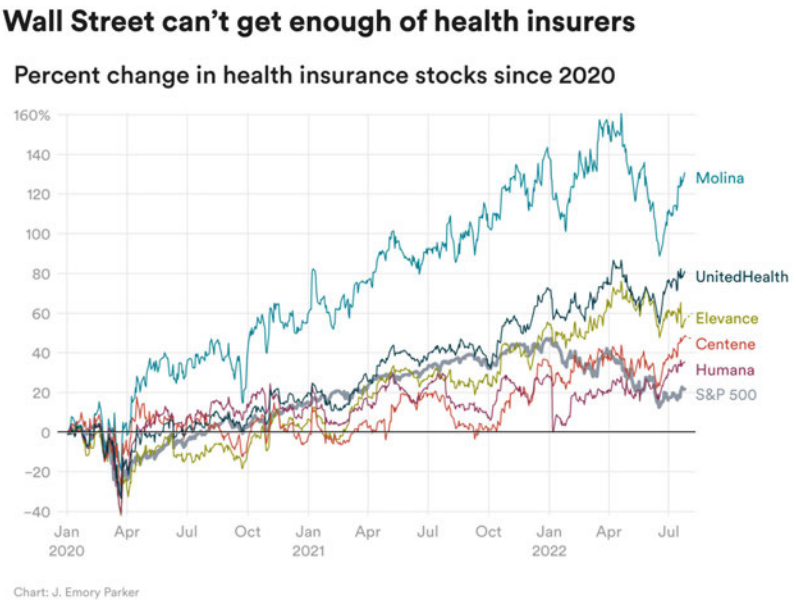
determines which measures are primarily budgetary in nature and therefore allowed to be passed with a simple-majority vote. Cassidy said there "is a lot in" Democrats' reconciliation package "that is not pertaining to increasing or decreasing the revenue of the federal government." (Bloomberg)

- In opening arguments of its trial seeking to block UnitedHealth Group Inc.'s acquisition of Change Healthcare Inc., the Department of Justice said the merger would allow the insurance giant to gain access to "vast amounts" of data on how its rivals do business. UnitedHealth said it already possesses data on its competitors via its Optum services division, and that the DOJ's case is a "novel and unprecedented legal theory" that relies on a "daisy chain of speculation." (Bloomberg)

CHART REVIEW

Wall Street's love affair with insurers, hospitals pressure Medicare, and swimming in a risk pool

Stat News



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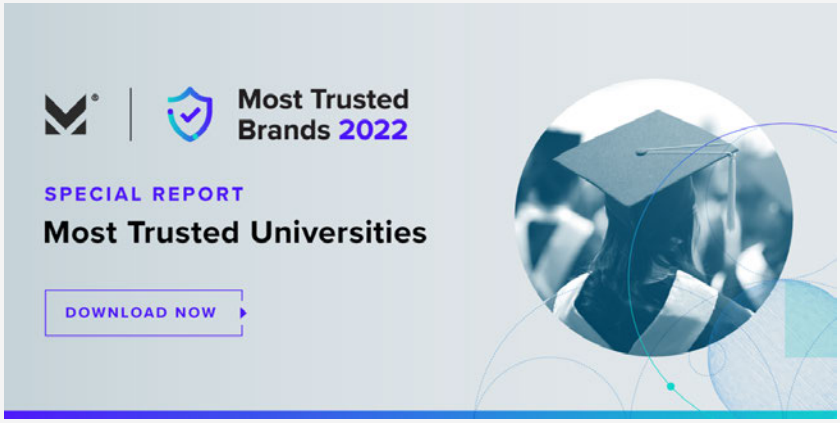

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WHAT ELSE YOU NEED TO KNOW

CORONAVIRUS

Biden's COVID sequel: back on the balcony, dog for company

Zeke Miller and Darlene Superville, The Associated Press

It's back to the White House balcony and the Treaty Room for President Joe Biden as he contends with a "rebound" case of COVID-19.

How Some Parents Changed Their Politics in the Pandemic

Sheera Frenkel, The New York Times

They were once Democrats and Republicans. But fears for their children in the pandemic transformed their thinking, turning them into single-issue voters for November's midterms.

Axcella long COVID treatment helps some patients in small trial

Julie Steenhuysen, Reuters

One of the first trials aimed at tackling long COVID helped some patients recover from lingering physical and mental fatigue, although the drug developed by Axcella Health Inc (AXLA.O) failed on the small study's main goal of restoring the normal function of mitochondria - the energy factories of cells.

FTC Scores Wins in 2 Cases Over Covid Supplies Allegations

Bloomberg Law

The Federal Trade Commission scored summary judgments in lawsuits against QYK Brands, doing business as California-based Glowyy and through related companies, and Louisiana-based American Screening LLC for allegedly not delivering on personal protective equipment orders during the Covid-19 pandemic, according to a Monday news release.

GENERAL

Bipartisan senators introduce bill to codify abortion rights

Nathaniel Weixel, The Hill

The bill from Sens. Tim Kaine (D-Va.), Lisa Murkowski (R-Alaska), Kyrsten Sinema (D-Ariz.) and Susan Collins (R-Maine) comes after the Supreme Court overturned Roe v. Wade, the landmark abortion rights case, and left the authority to regulate the procedure to individual states.

Senate GOP backtracks after veterans bill firestorm

Jordain Carney and Anthony Adragna, Politico

Republican leaders are promising a veterans' health care bill blocked by most of their members will pass this week, even as some still blame Democrats for the blockade.

How the U.S. Let 20 Million Doses of Monkeypox Vaccine Expire

Joseph Goldstein, The New York Times

At the start of the monkeypox outbreak the U.S. stockpile contained just 2,400 doses of vaccine, a far cry from the more than 20 million it once held.

Up to 1 in 4 known pregnancies may end in miscarriage

Linda Searing, The Washington Post

Among women who know they are pregnant, up to 25 percent of those pregnancies will end in a miscarriage, according to the National Library of Medicine.

Monkeypox Patients Report Excruciating Pain and Lack of Guidance as U.S. Cases Mount

Dominique Mosbergen, The Wall Street Journal

More than two months after monkeypox was detected in the U.S. as part of a global outbreak mostly among men who have sex with men, transmission shows no sign of slowing. The U.S. has surpassed Spain as the country with the most known cases. Federal officials are considering whether to declare monkeypox a public-health emergency.

Gap between monkeypox vaccine demand, supply dire in hotspot cities

Chelsea Cirruzzo and Cuneyt Dil, Axios

In some states that have become hotspots for the monkeypox outbreak, there's a drastic disconnect between the number of doses that local

health officials say they need versus what they have been allotted, an Axios Local review of a dozen states found.

Cities are lobbying to host the ARPA-H headquarters. Experts don't understand why

Lev Facher, Stat News

"This is a crazy and unnecessary bidding war. People don't recognize: this is not a big, shiny building with a lot of lab equipment and clinical space," said Francis Collins, the former director of the National Institutes of Health and current White House science adviser, in a recent interview.

Scientists create synthetic mouse embryos, a potential key to healing humans

Carolyn Y. Johnson, The Washington Post

Stem cell researchers in Israel have created synthetic mouse embryos without using a sperm or egg, then grown them in an artificial womb for eight days, a development that opens a window into a fascinating, potentially fraught realm of science that could one day be used to create replacement organs for humans.

Cognitive decline linked to ultraprocessed food, study finds

Sandee LaMotte, CNN

In fact, men and women who ate the most ultraprocessed foods had a 28% faster rate of global cognitive decline and a 25% faster rate of executive function decline compared with people who ate the least amount of overly processed food, the study found.

Alzheimer's researchers are looking beyond plaques and tangles for new treatments

Jon Hamilton, NPR News

The field of Alzheimer's research is branching out. After decades of focusing on the sticky amyloid plaques and tangled tau fibers associated with the disease, brain researchers are searching for other potential causes of impaired memory and thinking.

Local prosecutors can enforce Michigan's pre-Roe abortion ban, court rules

Oriana Gonzalez, Axios

An appellate court on Monday ruled that the injunction on Michigan's pre-Roe 1931 abortion ban does not apply to local prosecutors, allowing them to enforce the law.

Abortion bans violate religious freedom, clergy say in new legal campaign

Michelle Boorstein, The Washington Post

When the Rev. Laurie Hafner ministers to her Florida congregants about abortion, she looks to the founding values of the United Church of Christ, her lifelong denomination: religious freedom and freedom of thought. She taps into her reading of Genesis, which says "man became a living being" when God breathed "the breath of life" into Adam. She thinks of Jesus promising believers full and abundant life. "I am pro-choice not in spite of my faith, but because of my faith," Hafner says.

Breaking Nicotine's Powerful Draw

Andrew Jacobs, The New York Times

Millions of smokers could be forced to confront the agony of nicotine withdrawal as the F.D.A. weighs calling for a drastic reduction in the addictive lure of cigarettes.

Inside the super-secure Swiss lab trying to stop the next pandemic

Jennifer Rigby, Reuters

The setting is straight from a spy thriller: Crystal waters below, snow-capped Swiss Alps above and in between, a super-secure facility researching the world's deadliest pathogens. Spiez Laboratory, known for its detective work on chemical, biological and nuclear threats since World War Two, was tasked last year by the World Health Organization to be the first in a global network of high-security laboratories that will grow, store and share newly discovered microbes that could unleash the next pandemic.

California and Illinois declare monkeypox emergencies

Dennis Romero, NBC News

California and Illinois on Monday declared health emergencies in their states regarding the monkeypox virus.

PAYERS

CMS Issues Guidance on New Medicaid Home Benefit for Children

Bloomberg Law

The Department of Health and Human Services, through the Centers for Medicare & Medicaid Services, has published guidance on a new Medicaid health home benefit to help state programs provide children with medically complex conditions with person-centered care management, care coordination, and patient and family support, according to a Monday news release.

Accrediting group adds health equity metrics to quality data

Kara Hartnett, Modern Healthcare

The National Committee for Quality Assurance is adding metrics to the Healthcare Effective Data and Information Set to track how well insurers address health disparities.

Dialysis consolidation bad for Medicare Advantage plan health, study says

Maya Goldman, Modern Healthcare

Policymakers should tackle the consolidation of dialysis providers, as it could lead to negative downstream effects for Medicare Advantage beneficiaries, a study published Monday in Health Affairs suggested.

PROVIDERS

Minor recovery can't save hospitals from 6th straight month of negative operations, per industry report

Dave Muoio, Fierce Healthcare

June's modest volume and expense improvements were not enough to pull the hospital industry's median operating margin into the green, marking six straight months of negative operations across the country, according to a new industry report.

Abortion clinics go mobile, seeking flexibility amid patchwork state restrictions

Rebecca Pifer, Healthcare Dive

Advocates are hoping the mobile clinic model will accelerate access to abortions, especially for those in states where the procedure is outlawed.

Ochsner Health closes merger with 7-hospital Rush Health Systems, pledges higher minimum wages to new employees

Dave Muoio, Fierce Healthcare

Ochsner Health and Rush Health Systems have wrapped up a planned merger that sees the smaller southern organization rebranded as Ochsner Rush Health, according to a Monday morning release.

After Receiving Millions in Drug Company Payments, Pain Doctor Settles Federal Kickback Allegations

Charles Ornstein, ProPublica

Dr. Gerald M. Sacks, who was named in a 2010 ProPublica investigation, will pay more than $270,000 to resolve allegations of taking kickbacks, though he denies taking them.

PHARMA, BIOTECH AND DEVICES

West Virginia cities reach $400 mln opioid distributor settlement

Dietrich Knauth, Reuters

West Virginia's cities and counties reached a $400 million settlement on Monday with drug distributors McKesson Corp, AmerisourceBergen Corp and Cardinal Health Inc, resolving the local governments' allegations that the three companies fueled an opioid crisis in the state.

AbbVie Beats Antitrust Challenge to Humira Patent Settlements

Christopher Yasiejko, Bloomberg Law

AbbVie Inc.'s thicket of more than 130 patents on Humira, an arthritis treatment and the world's best-selling drug, doesn't violate antitrust laws, the Seventh Circuit said Monday, affirming an Illinois federal court's 2020 ruling dismissing the lawsuit.

Major European research funders often fail to set policies or monitor progress on clinical trial transparency

Ed Silverman, Stat News

Nearly two dozen major organizations that fund medical research in Europe often failed to set policies or monitor progress for registering

clinical trials and publishing study results, an issue that can lead to shortcomings in medical literature, a new analysis finds.

HEALTH TECHNOLOGY

Oracle vows to get VA's $16B EHR overhaul 'back on track' as lawmakers warn project could be scrapped

Heather Landi, Fierce Healthcare

An Oracle executive vowed to get the Veterans Affairs' troubled health IT project "back on track" as House lawmakers warned they would consider scuttling the multi-billion-dollar project unless officials show progress in the coming months.

Summer Health launches out of stealth to provide access to pediatricians via text message

Heather Landi, Fierce Healthcare

Summer Health is starting with pediatrics by offering message-based concierge services for urgent care and developmental care. Parents can text to get answers to questions about their children's rashes, congestion, colds and even COVID-19.

With the help of a sticky, stretchy material, scientists design a continuous ultrasound system

Edward Chen, Stat News

It took hundreds of failed experiments, sticking gummy gels to all sorts of surfaces, for scientists at Massachusetts Institute of Technology to get what they were looking for: a material so adhesive, it could cement a device to the skin for two full days while still letting sound waves pass through.

OPINIONS, EDITORIALS AND PERSPECTIVES

Biden has tested positive again. That's no reason to avoid Paxlovid.

Leana S. Wen, The Washington Post

President Biden has tested positive for the coronavirus again, which is being attributed to his use of the antiviral pill Paxlovid. While a second round of isolation is inconvenient, the possibility of such a rebound should not deter Americans from making use of this highly effective treatment.

Keeping climate provisions in the budget reconciliation act is a key step toward protecting Americans' health

David Blumenthal, Stat News

Last week's surprise agreement between Sen. Joe Manchin (D-W.Va.) and Senate Majority Leader Chuck Schumer (D-N.Y.) makes the pending budget reconciliation act —now called the Inflation Reduction Act —

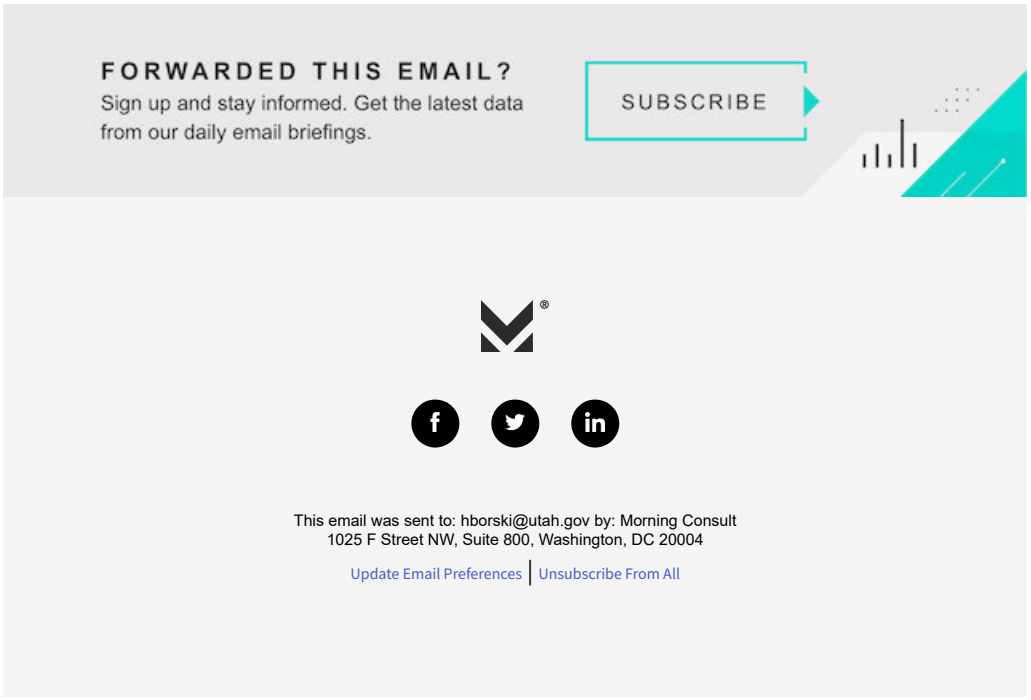
perhaps the most important health care bill considered by the Congress since the Affordable Care Act of 2010.

RESEARCH REPORTS

US Adults' Beliefs About Harassing or Threatening Public Health Officials During the COVID-19 Pandemic

Rachel J. Topazian et al., JAMA Network Open

In this survey study of 1086 US adults, the share who believed that harassing or threatening public health officials because of business closures was justified rose from 20% to 25% and 15% to 21%, respectively, from November 2020 to July and August 2021. There were increases in negative views over time among higher earners, political independents, those with more education, and those most trusting of science.



SUBJECT: Can Pharmacies Help States Boost Access to Routine Immunizations?
FROM: NASHP News <info@nashp.org>
TO: <hborski@utah.gov>
DATE: 02/08/2022 08:00

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AUGUST 2, 2022

TOP HEADLINES

- Increasing Access to Routine Immunizations
- #NASHPCONF22 Opening Plenary: What Is the Forecast for State Health Policy?
- Early Bird Registration Ends Soon for #NASHPCONF22!
- How Two States Are Improving Access to Oral Health Care for Tribal Populations
- Tracker of the Week: State Efforts to Extend Medicaid Postpartum Coverage

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INCREASING ACCESS TO ROUTINE IMMUNIZATIONS

COVID-19 had a tremendous negative impact on child vaccination rates, and children enrolled in the Medicaid program are disproportionately represented in this immunization gap.

Increasing pharmacy participation in the Vaccines for Children program (VFC) is one strategy states can use to promote access to vaccination for low-income children who may be behind on vaccinations or have difficulty in accessing a primary care provider.

Explore how states can address barriers to VFC enrollment in our brief.

READ THE BRIEF

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#NASHPCONF22 Opening Plenary: What Is the Forecast for State Health Policy?

Join us for the opening session of #NASHPCONF22! This session will address how state policymakers are addressing challenges and innovating to improve health for those they serve.

Senior state leaders will share their major health-related priorities for the coming years and how they are addressing outstanding challenges.

Speakers include:

- Patrick Allen, Director, Oregon Health Authority
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- Danette Smith, Chief Executive Officer, Nebraska Department of Health and Human Services

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REGISTER TODAY AND SAVE

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How Two States Are Improving Access to Oral Health Care for Tribal Populations

Improving access to oral health care is vital for tribal populations who face stark inequities in care and outcomes.

The data: Studies show that American Indian and Alaska Native populations face many barriers to dental care, such as geographic isolation and shortages of dentists within the Indian Health Service.

Find out how Arizona **and** Oklahoma are engaging tribes in state Medicaid oral health policy through tribal consultation, community engagement, and other strategies.

LEARN MORE

SHARE TWEET

Tracker of the Week: State Efforts to Extend Medicaid Postpartum Coverage

Last week, Connecticut, Kansas, and Massachusetts became the latest states to extend postpartum Medicaid coverage to 12 months after pregnancy. Explore our tracker to learn more.

SEE THE TRACKER

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- ***NEW!*** Executive Assistant, Massachusetts Health Policy Commission
- ***NEW!*** Senior Associate, Health Care Transformation and Innovation (evaluation), Massachusetts Health Policy Commission
- ***NEW!*** Senior Associate, Health Care Transformation and Innovation (ACO), Massachusetts Health Policy Commission
- ***NEW!*** Chief, Health Account Management Division, California Public Employees' Retirement System (CalPERS)
- Health Care Market Oversight Economist, Oregon Health Authority
- HSCRC Analyst I, Maryland Health Services Cost Review Commission

For over 35 years, NASHP has been a nonpartisan organization of, by, and for state policymakers, committed to developing and advancing health policy innovations and solutions. NASHP provides a unique forum for the productive exchange of strategies across state government, including the legislative and executive branches.

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SUBJECT: New Infographic: The Uneven Burden of Maternal Mortality in the U.S.
FROM: NIHCM Foundation <nihcm@nihcm.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 02/08/2022 08:04

The U.S. is the only high-income country with an increasing maternal mortality rate

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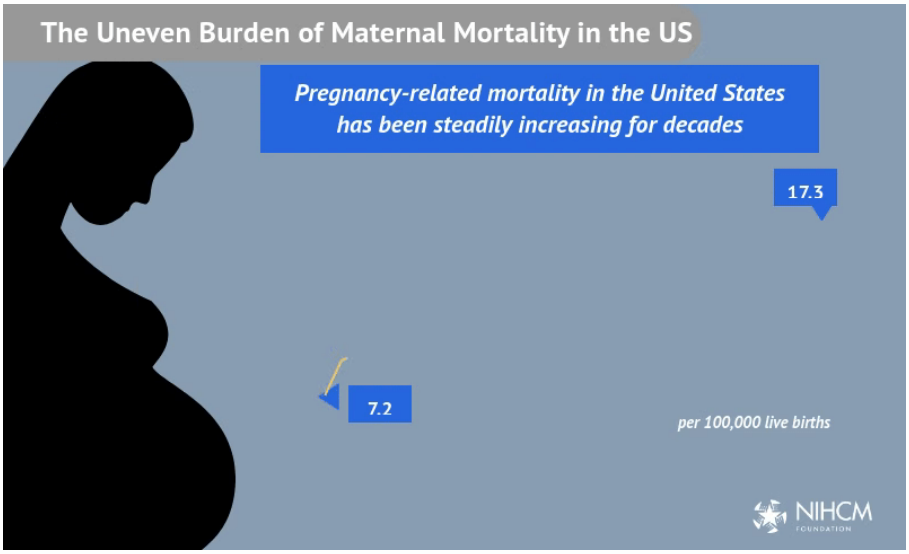
NIHCM FOUNDATION

New Infographic

The Uneven Burden of Maternal Mortality in the U.S.



The United States has the highest maternal mortality rate among high-income countries, and it is the only country where maternal mortality is increasing. In 2020, the maternal mortality rate in the U.S. was 23.8 deaths per 100,000 live births, a 14% increase from the prior year, yet most pregnancy-related deaths are preventable. The rate among Black women is nearly three times that of White women. These racial disparities are linked to structural racism, underlying chronic conditions, disparities in access to health care and many of the social determinants of health.

This infographic highlights the new and existing challenges to providing effective reproductive health care that will reduce racial disparities in maternal mortality, and potential strategies to reduce maternal mortality and morbidity nationwide.

View Full Infographic

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TO: hborski@utah.gov
DATE: 02/08/2022 08:39

August 2, 2022

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TOP STORY

W+K, HP show the rules of work have changed

(HP/YouTube)

Wieden+Kennedy Portland created a "Work Happy" campaign for HP, which features a 60-second anthem spot showing actor Murphy Guyer as a businessman whose outdated work rules are shown to be irrelevant by a sea of people working remotely as life and work blend together. The push, touting HP Hybrid tools, shows Guyer continue to unravel across a series of shorter ads as he realizes that "the rules have changed." **Full Story:** Muse by Clio (8/1), The Drum (free registration) (8/1), Ad Age (tiered subscription model) (8/1)

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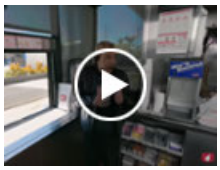
CREATIVE

Saatchi & Saatchi re-creates "Pregnant Man"

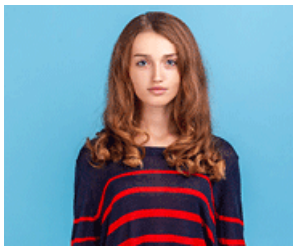
(Saatchi & Saatchi/Twitter)

Saatchi & Saatchi updated its "Pregnant Man" ad from the 1970s, which featured a man with a bump and said, "Would you be more careful if it was you that got pregnant?" The new ad, running across social, shows US Supreme Court Justice Samuel Alito as the pregnant man with the copy "Would you be more careful with your vote if it was you that got pregnant?" **Full Story:** The Drum (free registration) (8/1), Ad Age (tiered subscription model) (8/1), MediaPost Communications (free registration) (8/1)

TBWA\Chiat\Day reunites Mark Hamill with Jack in the Box


(Jack in the Box/YouTube)

TBWA\Chiat\Day Los Angeles recruited former Jack in the Box employee Mark Hamill to re-create the clown impression he was fired for from the chain many years ago. A 90-second spot shows Hamill surprising drive-thru customers with his clown impersonation and two 15-second ads feature the star with the brand's mascot, while the pair also feature together in a comic book running across social. **Full Story:** Muse by Clio (8/1), Marketing Dive (8/1), Ad Age (tiered subscription model) (8/1)



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AGENCY INSIDER

How agencies, the 4A's are investing in talent

Agencies such as GroupM are investing in internal education programs to develop talent and the American Association of Advertising Agencies is continuing to support their efforts with its agency accelerator program, which includes foundational training and four onboarding certifications. "There are evolving needs of the workforce to attract and retain talent, and agencies are looking to answer that in a few different ways," says the 4A's Sean McGlade. **Full Story:** Digiday (tiered subscription model) (8/2)

Doremus' Paul Hirsch talks favorite work

Paul Hirsch, president and chief creative officer of Doremus & Co., talks about creativity and favorite work. Hirsch explains why he was inspired by the work of Marget Larsen and why he's proud of the agency's work for Lego Education. **Full Story:** Muse by Clio (8/1)

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AGENCY NEWS

Brandtech Group negotiates to buy Jellyfish

Jellyfish has entered exclusive negotiations to be acquired by The Brandtech Group, previously known as You & Mr Jones. Jellyfish's client roster includes Facebook, Amazon, Salesforce and Google. **Full Story:** Adweek (8/1)

[redacted]

MEDIA & TECHNOLOGY TRENDS

Pinterest follows competitive platforms with slowing growth

Pinterest's monthly active user base remained flat for the second quarter at 433 million, while the reported $665.9 million in revenue marked a 9% quarterly increase and its slowest growth in two years. Pinterest executives attributed slowing ad growth to the "macroeconomic environment" and revealed plans to launch a global brand marketing campaign in mid-September and continued investments in native content and creator efforts. **Full Story:** TechCrunch (tiered subscription model) (8/1), The Wall Street Journal (8/1), Ad Age (tiered subscription model)/Bloomberg (8/1)

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SUBJECT: High Court Ruling Tees Up Tough Gun Control Battle
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TO: hborski@utah.gov
DATE: 24/06/2022 01:46

LAW360 PUBLIC POLICY

Friday, June 24, 2022 Follow

TOP NEWS

Analysis

High Court Ruling Tees Up Tough Gun Control Battle

The U.S. Supreme Court's expansion of gun rights Thursday was one of the largest in recent history and is certain to erode strict gun control laws in some states, and while resistance strategies are available, it won't be easy to circumvent the decision, experts said.

Read full article »

Justices Strike Down NY Gun Law, Expand 2nd Amendment

The U.S. Supreme Court ruled in a 6-3 vote Thursday that New York's restrictive licensing regime for firearm carry permits is unconstitutional, expanding the scope of the Second Amendment to outside the home for the first time.

Opinion attached | Read full article »

Justices Allow NC Lawmakers To Join Voter ID Case

The U.S. Supreme Court ruled Thursday that two leaders of the GOP-controlled North Carolina General Assembly are entitled to join their state's Democratic attorney general in defense of a contentious voter ID law amid worries that the Tarheel State's chief legal officer is not vigorously defending the measure in court.

Opinion attached | Read full article »

High Court Blocks Civil Miranda Suits Against Cops

Police officers cannot be subject to civil liability for failing to warn criminal suspects of their right against self-incrimination, the U.S. Supreme Court's conservative majority said Thursday, holding that Miranda warnings are not a constitutional guarantee.

Opinion attached | Read full article »

Trump DOJ Officials Detail Pressure To Overturn Election

Former President Donald Trump nearly replaced the attorney general with a U.S. Department of Justice attorney willing to go along with his push to overturn the election after the department's senior leadership repeatedly rebuffed his false allegations of election fraud, former officials told the House select committee investigating the Jan. 6 attack on the Capitol on Thursday.

Read full article »

LAW FIRMS IN TODAY'S NEWS

Abel Bean
Akerman LLP
Akin Gump
Archer Attorneys at Law
Arnold & Porter
Baker Botts
Baker Donelson
Baker McKenzie
Banner Witcoff
Bass Berry
Berger Singerman
Bird Marella
Blank Rome
Boyle Leonard
Brewer Pritchard
Brownstein Hyatt
Chapman & Cutler
Constangy Brooks
Cooley LLP
Cooper & Kirk
Covington & Burling
Crowell & Moring
DLA Piper
Davis Wright Tremaine
Dorsey & Whitney
Duane Morris LLP
Edelson PC
Erickson Immigration Group
Fenwick & West
Finnegan

[redacted]

Pelosi, JPMorgan Beat Suit Over Docs Used In Jan. 6 Probe

A D.C. federal judge on Thursday dismissed a lawsuit by a spokesman for former President Donald Trump against House Speaker Nancy Pelosi, the Jan. 6 House select committee, and JPMorgan Chase Bank NA that challenges the firm's decision to hand over his financial records to the committee.

Order attached | Read full article »

Senate OKs $19 Million For High Court Security, US Marshals

The Senate unanimously approved $19.4 million in supplemental funding for U.S. Supreme Court security just a week after President Joe Biden signed into law expanded protections for justices' family members, amid concerns about security following the leak of a draft opinion that would overturn the longstanding precedent of Roe v. Wade.

Read full article »

Open Ill. High Court Race Attracts Some Atypical Candidates

Voters in one suburban Chicago judicial district will vote next week to help winnow down a crowded field of seven Illinois Supreme Court candidates looking to fill the open seat lawmakers created when they redrew the state's judicial districts for the first time in more than 50 years.

Read full article »

Analysis

The Attys Who Took America To Abortion Rights Turning Point

America arrived at its current crossroads for abortion rights after a 50-year odyssey of unrelenting litigation shaped by lawyers from all walks of legal life. With U.S. Supreme Court conservatives poised to curtail those rights, Law360 looks at attorneys whose arguments during the past half-century changed the course of a profound cultural debate.

Read full article »

BANKING & SECURITIES

OCC Warns Of Bank Compliance Staffing Woes In Risk Report

The Office of the Comptroller of the Currency said Thursday that it has seen an increase in competition among banks for compliance experts and warned that the banking sector faces a "growing challenge" with hiring and retaining trained personnel.

1 document attached | Read full article »

Biden Admin. To Cancel An Additional $6B In Student Debt

The U.S. Department of Education told a California federal court it will cancel $6 billion in loans for approximately 200,000 students claiming they were defrauded by a college they attended, weeks after announcing it would forgive $5.8 billion in debt for 560,000 former Corinthian College students.

Motion attached | Read full article »

Big Banks Get Good Marks In Fed's Latest Stress Tests

Frankfurt Kurnit
Fried Frank
Gibson Dunn
Girardi & Keese
Goldberg & Rosen
Goldberg Kohn
Goodwin Procter
Grossman Roth
Hanson Bridgett
Harmon Parker
Haynes & Boone
Heise Suarez
Hinshaw & Culbertson
Holland & Hart
Holland & Knight
Irell & Manella
Ivie McNeill
J. Diamond & Associates
Jenner & Block
Jomarron Lopez
King & Spalding
Kirkland & Ellis
Kozyak Tropin
Kramer Levin
Lane Powell
Latham & Watkins
Lathrop GPM
Law Firm of Gary Williams
Parenti Watson & Gary
Lehotsky Keller
LippSmith LLP
Littler Mendelson
Manatt Phelps
Mayer Brown
McDermott Will
McGuireWoods
Morgan Lewis
Morrison Foerster
Nixon Peabody
O'Melveny & Myers
Ogletree Deakins
Orrick Herrington
Paul Weiss
Perkins Coie
Pillsbury Winthrop
Pita Weber
Podhurst Orseck
Proskauer Rose
Reed Smith
Robbins Russell
Ropes & Gray
Saltz Mongeluzzi
Schonbrun Seplow
Schuyler Roche
Searcy Denney
Seyfarth Shaw
Sheppard Mullin
Sher Tremonte
Shook Hardy
Sidley Austin
Silva & Silva PA

The Federal Reserve said Thursday that the nation's biggest banks have passed their latest round of stress tests and could keep credit flowing to the U.S. economy even amid a severe recession.

1 document attached | Read full article »

ENERGY & ENVIRONMENTAL

Biden Admin. Restores Flexibility To ESA Habitat Definition

The Biden administration on Thursday rescinded a Trump-era Endangered Species Act rule that it says made it too difficult to designate habitats for imperiled plants and animals.

1 document attached | Read full article »

White House, East Coast States Work To Boost Offshore Wind

The Biden administration on Thursday announced a partnership with 11 East Coast governors to work through manufacturing, supply-chain and labor logistics in an effort to use offshore wind energy to power 10 million homes in the United States by 2030.

Read full article »

HEALTH & LIFE SCIENCES

NCAI Backs Pick To Lead Administration For Native Americans

The nation's largest Native organization has lauded the recent nomination of Patrice H. Kunesh to serve as a top tribal liaison at the U.S. Department of Health and Human Services, calling her a "nationally recognized attorney, thought leader, and policy advocate."

Read full article »

IP & TECHNOLOGY

Cisco Rival Tells House To Put Limits On PTAB Reviews

An executive at a small Virginia cybersecurity company complained vigorously Thursday to members of the House's intellectual property subcommittee about the costs of defending against repeated Patent Trial and Appeal Board petitions on the same day a federal appeals court reversed his company's $2.75 billion win against Cisco Systems Inc.

Read full article »

REAL ESTATE

Feds Let Flipped Witness Keep Dirty Cash Tax-Free, Jury Told

An appraiser testifying against a real estate developer on trial for paying bribes to Los Angeles City Council member José Huizar conceded under cross-examination Thursday that after he agreed to assist the FBI and cooperate with prosecutors, the government allowed him to keep $340,000 he obtained facilitating bribes, tax-free.

Read full article »

EMPLOYMENT & BENEFITS

11th Circ. Says Tampa Electric Didn't Violate OSHA Guidelines

Skadden Arps
Stinson LLP
Stokes Lawrence
Tabet DiVito
Tilton & Tilton LLP
Vinson & Elkins
Weil Gotshal
Wiley Rein
Willkie Farr
WilmerHale
Winston & Strawn

COMPANIES IN TODAY'S NEWS

3M Co.
ACA Connects- America's Communications Association
Amazon.com Inc.
American Bankers Association
American Bar Association
American Civil Liberties Union
Americans United for Life
Apollo Global Management LLC
Apple Inc.
Avison Young Inc.
BP PLC
Cargill Inc.
Center for Biological Diversity
Cisco Systems Inc.
Citigroup Inc.
Clayton Dubilier & Rice LLC
Conference of State Bank Supervisors
Cox Media Group Inc.
DuPont de Nemours Inc.
Federation Internationale de Football Association
Fordham University
Freeport LNG Development LP
Georgetown University
Georgia State University
Getty Images Inc.
Google LLC
Guttmacher Institute
Harley-Davidson Inc.
Hewlett Packard Enterprise Co.
Honeywell International Inc.
Human Rights Campaign
JPMorgan Chase & Co.
LinkedIn Corp.
MSP Recovery
McDonald's Corp.
McGuireWoods Consulting LLC
Microsoft Corp.
Monsanto Co.
National Association for the Advancement of Colored

Tampa's electric utility can't be held liable for Occupational Safety and Health Administration violations after its workers didn't wear masks while responding to an ammonia leak at a power plant, the Eleventh Circuit has determined.

Opinion attached | Read full article »

COMPETITION

Lawmakers Warn DOJ Of Brewing Baby Formula-PE Deal

A quartet of liberal lawmakers are pressing the U.S. Department of Justice to be ready to challenge a potential sale of Reckitt Benckiser Group PLC's Enfamil infant formula business and indicated that they are particularly incensed the prospective buyer is a private equity firm.

Letter attached | Read full article »

Unions Call On FCC To Stop Tegna Go-Private Deal

Two broadcast industry unions want the Federal Communications Commission to reject Tegna's plan to go private in an $8.6 billion deal with hedge fund Standard General, saying the consolidation of TV stations would harm consumers and workers.

Petition attached | Read full article »

CYBERSECURITY & PRIVACY

House Panel Advances Data Privacy Bill, With Changes Ahead

The House's consumer protection subcommittee voted Thursday to move a bipartisan data privacy bill to the full Energy and Commerce Committee, although key lawmakers promised to further "refine" the proposal to resolve two long-standing issues that have derailed previous efforts.

Bill attached | Read full article »

Bipartisan Bill Looks To Stop Data Sale To 'High-Risk' Nations

A bipartisan group of U.S. senators introduced legislation Thursday aimed at giving the federal government the authority to prevent the sale of Americans' personal data to "high-risk" foreign countries such as China.

Read full article »

CONSUMER PROTECTION

FTC Orders Harley-Davidson, Westinghouse Warranty Fixes

The Federal Trade Commission has ordered Harley-Davidson and a Westinghouse generator manufacturer to make changes to their product warranties after the agency said they illegally restricted the rights of their customers to repair their products.

4 documents attached | Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

5th Circ. Grants En Banc Hearing On ATF's Bump Stock Ban

The Fifth Circuit on Thursday vacated a December ruling upholding the Bureau of Alcohol, Tobacco, Firearms and Explosives' rule banning bump stocks

People
National Center for Youth Law
National Congress of American Indians
Native American Rights Fund Inc.
New Civil Liberties Alliance
New York University
Northrop Grumman Corp.
Oracle Corp.
Palo Alto Networks Inc.
Planned Parenthood Federation
Reckitt Benckiser Group PLC
Salesforce.com Inc.
Samsung Electronics Co. Ltd.
Spotify Technology SA
Standard General LP
Starbucks Corp.
Surfside
TECO Energy Inc.
Tampa Electric Co.
Tegna Inc.
Temple University
Tesla Inc.
The Center for Reproductive Rights
The New York Times Co.
The Walt Disney Co.
United States Soccer Federation Inc.
Weyerhaeuser Co.
Yelp Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Cabazon Band of Mission Indians
California Supreme Court
Centers for Disease Control and Prevention
Community Development Financial Institutions Fund
Dormitory Authority of the State of New York
Equal Employment Opportunity Commission
European Commission
European Union
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Election Commission
Federal Reserve Bank of Minneapolis
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Georgia Supreme Court

and granted an en banc rehearing of a suit challenging the rule.

Order attached | Read full article »

IMMIGRATION

Feds Agree To Improve Emergency Shelters For Migrant Kids

The Biden administration has agreed to impose new living and sanitary standards on temporary emergency facilities housing hundreds of migrant children to resolve advocates' claims that it was holding minors in unsafe and unsanitary conditions.

2 documents attached | Read full article »

NATIVE AMERICAN

Enviros, Tribe To Sue Army Corps Over Fish-Farm Approval

A Native American tribe in Washington is among several groups that claim federal approval last year for offshore fish farms violates the Endangered Species Act, since the government did not consult wildlife agencies on the controversial facilities' impact on at-risk species and their habitats.

Letter attached | Read full article »

TELECOMMUNICATIONS

Cable Biz Says Case For Common Carrier Regs Has 'Vanished'

A cable industry group said Thursday that a new study showing a healthy spread of competition in the U.S. broadband marketplace should help defuse the ongoing push for common carrier regulation that would limit internet service providers' ability to favor some internet traffic over other traffic.

Report attached | Read full article »

CANNABIS

CBP Settles FOIA Suit Over Foreign Pot Workers Policy

U.S. Customs and Border Protection and Davis Wright Tremaine LLP have settled a Freedom of Information Act suit the firm filed over reports the agency decided Canadian cannabis workers weren't eligible to enter the U.S., which led to an overturned internal document contradicting officials.

Motion attached | Read full article »

New Pot Banking Bill Introduced As SAFE Banking Act Falters

Members of Congress on Thursday introduced new legislation to grant state-legal cannabis businesses access to financial services as reports emerged that the so-called SAFE Banking Act had been cut from another piece of legislation known as the America Competes Act.

Read full article »

Pot Advocates Ask 8th Circ. To Put Neb. Election Law On Ice

A Nebraska state law that would require medical marijuana advocates to collect signatures from a wide swath of rural counties to get a legalization initiative on the ballot is unconstitutional, advocates have told the Eighth Circuit.

Brief attached | Read full article »

Illinois Supreme Court
Mashantucket Pequot Tribal Nation
Minority Business Development Agency
National Indian Gaming Commission
National Marine Fisheries Service
Nebraska Attorney General's Office
New Jersey Department of Environmental Protection
New York Attorney General's Office
North Carolina Department of Justice
North Carolina General Assembly
Occupational Safety and Health Administration
Occupational Safety and Health Review Commission
Office of the Comptroller of the Currency
Quinault Indian Nation
Small Business Administration
Texas Health and Human Services Commission
Texas House of Representatives
Texas Supreme Court
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Western District of Washington
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Education
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of Veterans Affairs
U.S. Department of the Interior

NY Cannabis Regulators Hire First Chief Equity Officer

New York state cannabis regulators on Thursday approved the hiring of a point person to lead the state's efforts on social equity and agreed to open applications for adult-use cannabis processors starting next week.

Read full article »

PEOPLE

Biden Taps DOJ, Nixon Peabody Alum For VA Top Lawyer

President Joe Biden has nominated a seasoned attorney who has worked in government and private practice and in-house as general counsel for the U.S. Department of Veterans Affairs.

Read full article »

EXPERT ANALYSIS

High Court's Tribal Ruling May Enable More Gambling In Texas

The U.S. Supreme Court's recent ruling in Texas v. Ysleta, finding that Texas cannot regulate a tribe's electronic bingo, paves the way for Native American tribes in Texas to upscale their gaming operations, say attorneys at McGuireWoods.

Opinion attached | Read full article »

Proposed Online Platform Regs Deviate From Antitrust Norms

The U.S. and EU are on the cusp of adopting digital platform legislation that would impose regulations based solely on firms' size, avoiding traditional antitrust principles and potentially changing the way online platforms' conduct is litigated, say Daniel Fenske at Mayer Brown and Felipe Pereira at Tauil Chequer.

Read full article »

Employer Abortion Policy Considerations In A Post-Roe World

Restricted abortion access in many states after the U.S. Supreme Court's expected reversal of Roe v. Wade may cause corporate recruitment and retention concerns, but before implementing policies that help employees access reproductive care, employers should consider their workforce's values, legal risks and potential political backlash, says Meredith Kirshenbaum at Goldberg Kohn.

Read full article »

State Natural Resource Damages Suits: What Cos. Must Know

With numerous states currently following New Jersey's lead in stepping up litigation seeking natural resource damages, defendants face unique challenges, and must consider unique approaches to case management to limit liability, says Matthew Conley at Archer.

Read full article »

Lessons From Lawyer Fee-Sharing Agreements Gone Wrong

The recent fee-sharing dispute between Edelson and Girardi Keese is a reminder that lawyers who do not strictly follow the applicable rules may risk a

U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of New Jersey
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Western District of Texas
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Senate
U.S. Supreme Court
Ysleta del Sur Pueblo

disciplinary complaint, lose their share of the fee, or wind up in costly litigation with co-counsel, says David Grossbaum at Hinshaw.

Read full article »

LEGAL INDUSTRY

Clement Exits Kirkland After Firm Drops Gun Cases

Kirkland & Ellis LLP announced Thursday the firm will no longer handle gun rights cases just hours after notching a U.S. Supreme Court victory that knocked down a gun control law in New York. The move led partners Paul Clement and Erin Murphy to depart from Kirkland to open their own appellate firm.

Read full article »

Cisco's $2.75B Patent Loss Axed Over Judge's Stock Conflict

The Federal Circuit on Thursday vacated a $2.75 billion judgment against Cisco for infringing Centripetal Networks' cybersecurity patents, ruling that the now-deceased judge who oversaw the bench trial was disqualified from deciding the case because his wife owned Cisco stock.

Read full article »

51 Firms Named Among Best For Women In 2022

Professional services and research firm Seramount announced on Thursday the results of its latest Best Law Firms for Women survey, touting the firms that earned spots on its 2022 list.

Read full article »

Judge Approves $1B Surfside Deal, Holds Off On Fee Request

The judge overseeing the consolidated litigation over the collapse of the Champlain Towers South condominium in Surfside, Florida, approved a $1.02 billion global settlement on Thursday, but said he would not rule on a $100 million fee request from class counsel until after he had completed the claims process with victims.

Read full article »

Women's Soccer Seeks OK For Pay Deal 6 Years In Making

The landmark $24 million equal-pay settlement the U.S. women's national soccer team reached in February happened after six years of continued negotiations and thousands of hours reviewing discovery before trial, according to a filing seeking preliminary approval for the deal.

Read full article »

Ashurst Opens 3rd US Office In Austin, Texas

International law firm Ashurst has opened its third U.S. office in Austin, Texas, the firm announced Thursday.

Read full article »

Houston Judge Scolded For Delayed Rulings Yet Again

Another Texas appellate panel has told a Houston judge — for the 14th time — she is taking too long to rule on pending motions, this time directing her to decide a natural gas transportation company's more than 18-month-old bid to end a personal injury case.

Read full article »

Ga. Justices Balk At Giving Clerks Quasi-Judicial Immunity

Georgia Supreme Court justices signaled during oral argument Thursday that clerks of the Atlanta Municipal Court who failed to remove a rescinded order from a stack of files transmitted to Fulton County state court may not be entitled to quasi-judicial immunity, in a case brought by a man who says he was wrongly arrested due to their negligence.

Read full article »

Podcast

The Term: A Constitutional Right To Public Carry

States that require applicants to show a heightened need to obtain a license to carry firearms are violating the Constitution, the U.S. Supreme Court said in a blockbuster gun rights decision expanding the Second Amendment to outside the home. Law360's The Term discusses the ruling and other high court action on this week's episode.

Read full article »

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Trenton, New Jersey

Attorney - Assistant Attorney General - Opinions
Illinois Attorney General's Office
-, -

Public Interest Dependency Attorney
Los Angeles Dependency Lawyers, Inc.
Monterey Park, California

Public Interest Dependency Attorney - San Diego Location
Dependency Legal Services San Diego
San Diego, California

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SUBJECT: The Attys Who Took America To Abortion Rights Turning Point
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 24/06/2022 02:16

LAW360 HEALTH

Friday, June 24, 2022 Follow

TOP NEWS

Analysis

The Attys Who Took America To Abortion Rights Turning Point

America arrived at its current crossroads for abortion rights after a 50-year odyssey of unrelenting litigation shaped by lawyers from all walks of legal life. With U.S. Supreme Court conservatives poised to curtail those rights, Law360 looks at attorneys whose arguments during the past half-century changed the course of a profound cultural debate.

Read full article »

FDA Orders Juul E-Cigs Off Shelves

The U.S. Food and Drug Administration on Thursday officially said it was ordering e-cigarette giant Juul's products off the market, capping off a two-year review process of its tobacco and menthol-flavored vaping products.

Read full article »

High Court Blocks Civil Miranda Suits Against Cops

Police officers cannot be subject to civil liability for failing to warn criminal suspects of their right against self-incrimination, the U.S. Supreme Court's conservative majority said Thursday, holding that Miranda warnings are not a constitutional guarantee.

Opinion attached | Read full article »

5th Circ. Reverses Businessman's Kickback Conviction

The Fifth Circuit has reversed a businessman's conviction for paying illegal kickbacks, but affirmed he was rightly found guilty of conspiring to defraud a federal health care program out of tens of millions of dollars.

Opinion attached | Read full article »

Balwani Rips Feds' 'Incomplete' Case As Trial Nears End

Ex-Theranos executive Ramesh "Sunny" Balwani's attorney concluded the third day of his closing arguments in Balwani's criminal fraud trial Thursday, arguing that the government's "incomplete" case selectively focused on former employees and investors who portrayed themselves as heroes or

COMPANIES IN TODAY'S NEWS

3i Group
Abbott Laboratories
Allegheny Health Network
Amazon.com Inc.
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Arkansas
Americans United for Life
Apple Inc.
Avison Young Inc.
BC Partners
BP PLC
Boston University
Cisco Systems Inc.
Citigroup Inc.
Federation Internationale de Football Association
Ferrari SpA
Fordham University
Freeport LNG Development LP
Georgetown University
Georgia State University
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victims to the "radioactive" Theranos, even though they were once its cheerleaders.

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POLICY & REGULATION

Feds Agree To Improve Emergency Shelters For Migrant Kids

The Biden administration has agreed to impose new living and sanitary standards on temporary emergency facilities housing hundreds of migrant children to resolve advocates' claims that it was holding minors in unsafe and unsanitary conditions.

2 documents attached | Read full article »

ENFORCEMENT & COMPLIANCE

Feds Say NC Doctor Defrauded Medicare Out Of $11M

A doctor working for a telemedicine company has been charged with health care fraud and lying to the government after federal prosecutors in North Carolina said she signed off on $11 million worth of bogus claims for reimbursement relating to orthopedic braces.

Indictment attached | Read full article »

LITIGATION

11th Circ. Says Tampa Electric Didn't Violate OSHA Guidelines

Tampa's electric utility can't be held liable for Occupational Safety and Health Administration violations after its workers didn't wear masks while responding to an ammonia leak at a power plant, the Eleventh Circuit has determined.

Opinion attached | Read full article »

Nursing Home Asks 3rd Circ. To Keep Virus Death Suit Federal

A Pittsburgh-area nursing home asked the Third Circuit for a ruling that it was immune from claims it failed to contain a COVID-19 outbreak, or that claims from the family of a former housekeeper at least belonged in federal court.

Brief attached | Read full article »

Insurer Asks 11th Circ. To Nix $60M Surgery Death Claim

A Georgia federal court properly rejected a man's bid to recover a $60 million judgment against a medical practice stemming from a liposuction-related death from the practice's insurer, the insurer told the Eleventh Circuit, asking the panel to affirm the lower court's decision.

Brief attached | Read full article »

Pa. Justices To Hear Zoning Spat Over Suburban Hospital Plan

The Pennsylvania Supreme Court agreed to decide if the University of Pittsburgh Medical Center can build a hospital within a mile of one owned by its rival, a determination that will affect the health care system's plans to expand into Jefferson Hills.

Order attached | Read full article »

Abbott Must Face Suit Over Anticonvulsant Birth Defect Risks

Google LLC
Guttmacher Institute
Hewlett Packard Enterprise Co.
Highmark Inc.
Honeywell International Inc.
Imerys SA
JOANN Inc.
JPMorgan Chase & Co.
JUUL Labs Inc.
LinkedIn Corp.
MSP Recovery
Microsoft Corp.
National Center for Youth Law
New York University
Northrop Grumman Corp.
Oracle Corp.
OrbiMed Advisors LLC
Planned Parenthood Federation
Salesforce.com Inc.
Samsung Electronics Co. Ltd.
Spotify Technology SA
Starbucks Corp.
Surfside
TECO Energy Inc.
Tampa Electric Co.
Temple University
Tesla Inc.
The Center for Reproductive Rights
The New York Times Co.
The Walt Disney Co.
United Auto Workers
United States Soccer Federation Inc.
University of Pittsburgh Medical Center
Walgreens Co.
Yelp Inc.

LAW FIRMS IN TODAY'S NEWS

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Akin Gump
Arnold & Porter
Baker Botts
Baker Donelson
Baker McKenzie
Banner Witcoff
Barris Sott
Bass Berry
Berger Singerman
Blank Rome
Boyle Leonard
Brewer Pritchard
Brownstein Hyatt
Brustin & Lundblad
Bryan Cave
Burr & Forman
Campbell & Levine
Caplin & Drysdale

An Illinois appellate panel on Thursday reversed a summary judgment win for Abbott Laboratories in a suit brought by a couple claiming it failed to sufficiently warn physicians that its anticonvulsant drug Depakote could cause birth defects, ruling the suit wasn't barred by another case the couple filed against a Chicago hospital and its doctors.

Opinion attached | Read full article »

ACLU Wants State Experts Barred From Trans Care Battle

The American Civil Liberties Union Foundation asked a federal judge to exclude a doctor and a professor from testifying at a trial in the group's challenge to Arkansas' ban on certain kinds of medical treatment for teenagers with gender dysphoria, saying those professionals weren't legitimate experts on health care for transgender young people.

2 documents attached | Read full article »

Honeywell's Fee Bid In Benefits Suit Is Too Late, UAW Says

The United Auto Workers urged a Michigan federal court to reject Honeywell's attempt to force the union to cover over $263,000 of the company's legal fees and costs following Honeywell's win in a decadelong dispute over retirees' entitlement to health care benefits, calling the bid untimely and inappropriate.

Response attached | Read full article »

Pot Advocates Ask 8th Circ. To Put Neb. Election Law On Ice

A Nebraska state law that would require medical marijuana advocates to collect signatures from a wide swath of rural counties to get a legalization initiative on the ballot is unconstitutional, advocates have told the Eighth Circuit.

Brief attached | Read full article »

DEALS

BC Partners In Talks To Pay €1B For Health Care Biz Havea

An investor consortium led by private equity firm BC Partners said Thursday it's entered into exclusive negotiations to take a majority stake in French natural health care business Havea Group in a deal valued at a little over €1 billion (about $1.05 billion).

Read full article »

3 Firms Usher Radius Health Off Public Market In $890M Deal

Investment firms Gurnet Point Capital and Patient Square Capital will acquire publicly traded biopharmaceutical company Radius Health Inc. in a transaction valued up to $890 million and put together by Kirkland & Ellis, Latham & Watkins and Ropes & Gray, the companies said Thursday.

Read full article »

BANKRUPTCY

Cyprus Mines Wins Ch. 11 Stay Of Actions Against Parent

Talc producer Cyprus Mines Corp. received approval Thursday from a Delaware bankruptcy judge to extend the automatic stay of litigation against its

Chapman & Cutler
Constangy Brooks
Cooley LLP
Covington & Burling
Crowell & Moring
DLA Piper
Davis Wright Tremaine
Dorsey & Whitney
Duane Morris LLP
Edelson PC
Erickson Immigration Group
Fenwick & West
Finnegan
First Law Strategy Group
Frankfurt Kurnit
Fried Frank
Gibson Dunn
Gill Ragon
Girardi & Keese
Goldberg & Rosen
Goldberg Kohn
Goodwin Procter
Gordon & Rees
Grossman Roth
Hanson Bridgett
Harmon Parker
Hawkins Parnell
Heise Suarez
Hinshaw & Culbertson
Holland & Hart
Holland & Knight
Irell & Manella
Ivie McNeill
J. Diamond & Associates
Jenner & Block
Jomarron Lopez
Jones Walker
King & Spalding
Kirkland & Ellis
Klehr Harrison
Kozyak Tropin
Kramer Levin
Lane Powell
Latham & Watkins
Lathrop GPM
Law Firm of Gary Williams
Parenti Watson & Gary
Lehotsky Keller
Lewis Brisbois
LippSmith LLP
Littler Mendelson
Manatt Phelps
McDermott Will
Morgan Lewis
Morris Nichols
Morrison Foerster
Nixon Peabody
O'Melveny & Myers
Ogletree Deakins
Orrick Herrington
Partridge Snow

nondebtor parent company to stop the prosecution of claims for talc injury against the parent.

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PEOPLE

Jones Walker Adds Miami Partner To Health Care Practice

Jones Walker LLP has added a new partner to its health care industry team in Miami with more than 25 years of experience.

Read full article »

Crowell & Moring Adds Stein Mitchell Health Care Litigator

Crowell & Moring LLP has added a health care litigation partner from Stein Mitchell Beato & Missner LLP in Washington, D.C., the firm announced Wednesday.

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EXPERT ANALYSIS

Employer Abortion Policy Considerations In A Post-Roe World

Restricted abortion access in many states after the U.S. Supreme Court's expected reversal of Roe v. Wade may cause corporate recruitment and retention concerns, but before implementing policies that help employees access reproductive care, employers should consider their workforce's values, legal risks and potential political backlash, says Meredith Kirshenbaum at Goldberg Kohn.

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Lessons From Lawyer Fee-Sharing Agreements Gone Wrong

The recent fee-sharing dispute between Edelson and Girardi Keese is a reminder that lawyers who do not strictly follow the applicable rules may risk a disciplinary complaint, lose their share of the fee, or wind up in costly litigation with co-counsel, says David Grossbaum at Hinshaw.

Read full article »

LEGAL INDUSTRY

Clement Exits Kirkland After Firm Drops Gun Cases

Kirkland & Ellis LLP announced Thursday the firm will no longer handle gun rights cases just hours after notching a U.S. Supreme Court victory that knocked down a gun control law in New York. The move led partners Paul Clement and Erin Murphy to depart from Kirkland to open their own appellate firm.

Read full article »

Analysis

High Court Ruling Tees Up Tough Gun Control Battle

The U.S. Supreme Court's expansion of gun rights Thursday was one of the largest in recent history

Paul Weiss
Perkins Coie
Pillsbury Winthrop
Pita Weber
Podhurst Orseck
Proskauer Rose
Reed Smith
Robbins Russell
Robinson & Cole
Ropes & Gray
Ruggeri Parks
Saltz Mongeluzzi
Savage Turner
Schonbrun Seplow
Schuyler Roche
Searcy Denney
Seyfarth Shaw
Sheppard Mullin
Shook Hardy
Sidley Austin
Silva & Silva PA
Skadden Arps
Stein Mitchell
Stinson LLP
Stokes Lawrence
Sullivan & Cromwell
Tilton & Tilton LLP
Togut Segal
Vinson & Elkins
Wachtell Lipton
Weil Gotshal
Wiley Rein
Willkie Farr
WilmerHale
Winston & Strawn
Young Conaway

GOVERNMENT AGENCIES IN TODAY'S NEWS

Arkansas Attorney General's Office
California Supreme Court
Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Equal Employment Opportunity Commission
Executive Office of the President
Federal Election Commission
Food and Drug Administration
Georgia Supreme Court
Nebraska Attorney General's Office
New York Attorney General's Office
Occupational Safety and Health Administration
Occupational Safety and Health Review Commission
Pennsylvania Supreme Court

and is certain to erode strict gun control laws in some states, and while resistance strategies are available, it won't be easy to circumvent the decision, experts said.

Read full article »

Justices Strike Down NY Gun Law, Expand 2nd Amendment

The U.S. Supreme Court ruled in a 6-3 vote Thursday that New York's restrictive licensing regime for firearm carry permits is unconstitutional, expanding the scope of the Second Amendment to outside the home for the first time.

Read full article »

Trump DOJ Officials Detail Pressure To Overturn Election

Former President Donald Trump nearly replaced the attorney general with a U.S. Department of Justice attorney willing to go along with his push to overturn the election after the department's senior leadership repeatedly rebuffed his false allegations of election fraud, former officials told the House select committee investigating the Jan. 6 attack on the Capitol on Thursday.

Read full article »

Cisco's $2.75B Patent Loss Axed Over Judge's Stock Conflict

The Federal Circuit on Thursday vacated a $2.75 billion judgment against Cisco for infringing Centripetal Networks' cybersecurity patents, ruling that the now-deceased judge who oversaw the bench trial was disqualified from deciding the case because his wife owned Cisco stock.

Read full article »

Senate OKs $19 Million For High Court Security, US Marshals

The Senate unanimously approved $19.4 million in supplemental funding for U.S. Supreme Court security just a week after President Joe Biden signed into law expanded protections for justices' family members, amid concerns about security following the leak of a draft opinion that would overturn the longstanding precedent of Roe v. Wade.

Read full article »

51 Firms Named Among Best For Women In 2022

Professional services and research firm Seramount announced on Thursday the results of its latest Best Law Firms for Women survey, touting the firms that earned spots on its 2022 list.

Read full article »

Judge Approves $1B Surfside Deal, Holds Off On Fee Request

The judge overseeing the consolidated litigation over the collapse of the Champlain Towers South condominium in Surfside, Florida, approved a $1.02 billion global settlement on Thursday, but said he would not rule on a $100 million fee request from class counsel until after he had completed the claims process with victims.

Read full article »

Women's Soccer Seeks OK For Pay Deal 6 Years In Making

Texas Health and Human Services Commission
Texas House of Representatives
Texas Supreme Court
U.S. Attorney's Office
U.S. Attorney's Office for the Northern District of California
U.S. Attorney's Office for the Northern District of Texas
U.S. Attorney's Office for the Western District of North Carolina
U.S. Bankruptcy Court for the District of Delaware
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Veterans Affairs
U.S. District Court for the Central District of California
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Arkansas
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. Securities and Exchange Commission
U.S. Supreme Court

The landmark $24 million equal-pay settlement the U.S. women's national soccer team reached in February happened after six years of continued negotiations and thousands of hours reviewing discovery before trial, according to a filing seeking preliminary approval for the deal.

Read full article »

Ashurst Opens 3rd US Office In Austin, Texas

International law firm Ashurst has opened its third U.S. office in Austin, Texas, the firm announced Thursday.

Read full article »

Biden Taps DOJ, Nixon Peabody Alum For VA Top Lawyer

President Joe Biden has nominated a seasoned attorney who has worked in government and private practice and in-house as general counsel for the U.S. Department of Veterans Affairs.

Read full article »

Houston Judge Scolded For Delayed Rulings Yet Again

Another Texas appellate panel has told a Houston judge — for the 14th time — she is taking too long to rule on pending motions, this time directing her to decide a natural gas transportation company's more than 18-month-old bid to end a personal injury case.

Read full article »

Ga. Justices Balk At Giving Clerks Quasi-Judicial Immunity

Georgia Supreme Court justices signaled during oral argument Thursday that clerks of the Atlanta Municipal Court who failed to remove a rescinded order from a stack of files transmitted to Fulton County state court may not be entitled to quasi-judicial immunity, in a case brought by a man who says he was wrongly arrested due to their negligence.

Read full article »

Podcast

The Term: A Constitutional Right To Public Carry

States that require applicants to show a heightened need to obtain a license to carry firearms are violating the Constitution, the U.S. Supreme Court said in a blockbuster gun rights decision expanding the Second Amendment to outside the home. Law360's The Term discusses the ruling and other high court action on this week's episode.

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Employee Benefits Attorney (Associate Or Counsel)
Michael Best & Friedrich,

Schoen Legal Search
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[redacted]

[redacted]

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[redacted]

--

[redacted]

SUBJECT: Fwd: Resources for Mothers and Families
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>, Paul Ray DHS <pray@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>
DATE: 24/06/2022 06:25

[redacted]

[redacted] Title

Good morning.

Please see Rep. Peterson's email, on behalf of the women in the Legislature.

I think in order to get this information to them as quickly as possible, I think we just create a simple spreadsheet that has the name of the program, ages served and a **brief** summary of the program. I think you can indicate whether it is federal, state or both, in terms of funding. You can see in my email, I told them we would provide the most basic information so we can turn the request around quickly. We can always come back with number of people served and budget, which I suspect will be the next question.

I would like Marc or Paul to take lead on getting this started. I believe Marc is still out this week. I think if we can have this turned around as quickly as possible that would be great. It should not take a ton of work if this gets pushed down to the appropriate staff who know their programs best. We all know why timing is important for them.

Thanks!
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Tracy Gruber (DHS)** <tracygruber@utah.gov>
Date: Fri, Jun 24, 2022 at 5:18 AM
Subject: Re: Resources for Mothers and Families
To: Karen Peterson <kpeterson@le.utah.gov>
Cc: Karianne Lisonbee <karilisonbee@le.utah.gov>, Ann Millner <amillner@le.utah.gov>, Cheryl K. Acton <cacton@le.utah.gov>, Melissa Ballard <mballard@le.utah.gov>, stephaniegricius@gmail.com <stephaniegricius@gmail.com>, Kera Birkeland <kbirkeland@le.utah.gov>, Christine Watkins <christinewatkins@le.utah.gov>, Marsha Judkins <mjudkins@le.utah.gov>, Judy Rohner <jrohner@le.utah.gov>, Candice Pierucci <cpierucci@le.utah.gov>, Susan Pulsipher <susanpulsipher@le.utah.gov>

Representative Peterson,

Thank you for reaching out to us. Our department does provide programs and resources to women who fit into these categories. We have programs from prenatal through early childhood, as well as programs for families who have children with disabilities.

We are happy to provide this information. For speed, we will simply provide the name of the program and a brief summary. That will allow us to get you the information quickly and then we can provide any additional information that may be helpful. Please let us know when you would like to receive the information. We will have our team begin working on it today.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted] Title

On Thu, Jun 23, 2022 at 9:29 PM Karen Peterson <kpeterson@le.utah.gov> wrote:

> Tracy,
>
> The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also have observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.
>
> Thank you, we appreciate your help.
>
> Warm Regards,
>
> **Karen M. Peterson**
> District 13
> Utah House of
> Representatives

SUBJECT: Morning Consult Health Presented by Better Medicare Alliance:Senate Passes Gun Bill, Delivering Funding Boost to Mental Health Programs
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 24/06/2022 06:33

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JUNE 24, 2022

BY GABY GALVIN

Twitter Email

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short questions about your experience with Morning Consult's news and analysis: Take the survey now.

Parents of Babies, Toddlers Split on Vaccinating Their Kids
As the first week of the COVID-19 vaccine rollout for kids under 5 comes to a close, new Morning Consult data shows many parents aren't sold on the shots just yet. About 2 in 5 said they'll definitely or probably get their babies and toddlers vaccinated, while a roughly equal share said they probably or definitely won't. Read more here.

Top Stories

- The Senate passed a roughly $15 billion gun reform bill in a 65-33 vote, with more than half of that funding going toward mental health and school safety programs. Lawmakers tapped savings from a Trump-era drug rebate rule to cover the cost of the legislation, which now heads to the House. (The Wall Street Journal)

[redacted]

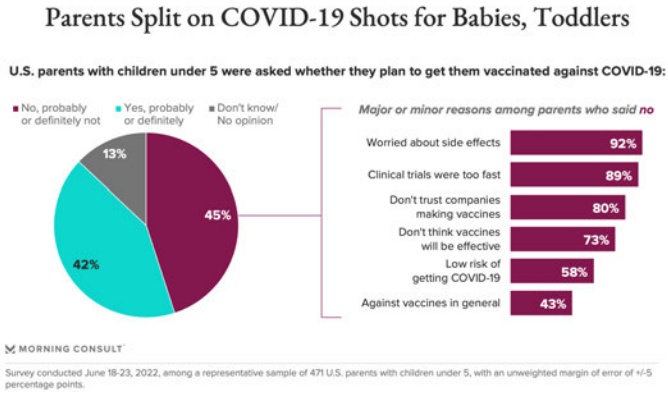
- The Centers for Disease Control and Prevention's vaccine advisory committee voted 15-0 to recommend that the agency promote Moderna Inc.'s COVID-19 vaccine for children ages 6 to 17, the second shot available for adolescents. CDC Director Dr. Rochelle Walensky is expected to sign off on the recommendation, which would trigger the vaccine's rollout by the end of the month. (The Washington Post)

- The Biden administration approved Colorado's proposal to offer a state-run health insurance plan on the Affordable Care Act exchanges next year, making it the first federally backed public option. The health plan is expected to lower premiums by an average of 22%, or about $132 monthly per person. (Fierce Healthcare)

- COVID-19 vaccines prevented an estimated 20 million deaths in the first year after they were made available, mostly in wealthier countries, according to new data published in The Lancet Infectious Diseases journal. Researchers estimated that more than 7 million lives were saved in countries covered by the vaccine-sharing initiative Covax, but that about 1 in 5 deaths in poorer countries could have been prevented had international vaccine targets been met. (Bloomberg)

Chart Review

Parents Aren't Jumping to Get Their Babies, Toddlers Vaccinated
Morning Consult



Events Calendar (All Times Local)

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Title

More Seniors Are Choosing Medicare Advantage - See Enrollment Rates in Your Community

With average annual savings of nearly $2,000 for consumers, lower per-beneficiary government spending, and a 94% beneficiary satisfaction rate, Medicare Advantage is now the leading choice of Medicare coverage for seniors in more than 120 Congressional districts nationwide. What's more, 31 states have MA enrollment rates of more than 40%. Medicare Advantage is working for more than 28 million Americans. Let's protect this bipartisan healthcare success story.

What Else You Need to Know

CORONAVIRUS

Trump swayed by 'dangerous ideas' about coronavirus, Birx tells House panel
Dan Diamond, The Washington Post
Deborah Birx, who was tapped to coordinate the Trump administration's coronavirus response in February 2020 but quickly lost favor with the president, on Thursday painted a picture of wide-ranging dysfunction that she said misled the public and state officials, hampered coronavirus testing and contributed to unnecessary deaths from the virus.

The White House Covid czar says he's still optimistic about more aid, despite recent Republican objections.
Sheryl Gay Stolberg, The New York Times
President Biden's coronavirus response coordinator said Thursday that he remained optimistic that Congress would approve billions of dollars in new emergency aid to fight Covid, even as Republicans on Capitol Hill have made clear the aid package is all but dead.

Sanofi, GSK variant-specific COVID shot found effective against Omicron
Natalie Grover, Reuters
Late-stage data on an experimental COVID-19 vaccine from Sanofi and GSK has showed the shot confers protection against the Omicron variant of the virus, the companies said on Friday.

Florida's Publix opts against Covid-19 vaccine for young kids
Arek Sarkissian, Politico
The grocery chain's move comes as Gov. Ron DeSantis and the White House have fought over accessing vaccinations for kids under 5 in the state.

White House: more COVID-19 tests available for blind and visually impaired people

[redacted]

Kanishka Singh and Ahmed Aboulenein, Reuters
U.S. President Joe Biden's administration is making more COVID-19 tests available for people who are blind or visually impaired, White House COVID-19 response director Ashish Jha said on Thursday.

Fauci says he's 'example' for COVID-19 vaccinations
The Associated Press
Dr. Anthony Fauci, the nation's top infectious disease expert, says his COVID-19 recovery is an "example" for the nation on the protection offered by vaccines and boosters.

These ER doctors said profit-driven company officials pressed them to work while they had Covid symptoms
Gretchen Morgenson, NBC News
One doctor who worked for American Physician Partners says in a lawsuit there was an unwritten policy: "Motrin, mask, man-up and must not test."

GENERAL

U.S. monkeypox response mirrors early coronavirus missteps, experts say
Lena H. Sun et al., The Washington Post
The Biden administration response raises concerns that the country is ill-prepared for the next pandemic.

Scientists Zero In on Origins of the Monkeypox Outbreak
Apoorva Mandavilli, The New York Times
Even as cases rise, genetic analysis suggests that the virus has been silently circulating in people since 2018.

Farm Programs, FDA Get Boost Amid Food Safety, Opioid Concerns
Celine Castronuovo et al., Bloomberg Law
Agriculture, rural development, and Food and Drug Administrations programs are in line for an 8% increase in the year starting Oct. 1 under legislation House appropriators approved Thursday.

State Dept. to pay 6-figure sums to Havana Syndrome victims
Matthew Lee and Nomaan Merchant, The Associated Press
The State Department is preparing to compensate victims of mysterious brain injuries colloquially known as "Havana Syndrome" with six-figure payments, according to officials and a congressional aide.

If Court Overturns Roe v. Wade, More Infants Might Be Placed for Adoption
Clare Ansberry, The Wall Street Journal
Infant adoptions have been on the decline in the U.S. Some sociologists and adoption specialists expect that number to increase if Roe v. Wade is overturned.

PAYERS

Mayo Clinic, UnitedHealthcare reach Medicare Advantage network agreement
Max Abrams, Modern Healthcare
Mayo Clinic and UnitedHealthcare have come to terms on an agreement that adds the provider to the insurer's network, the health system announced Thursday.

Health Plans' Obamacare Pay Claims Will Proceed as Class Action
Mary Anne Pazanowski, Bloomberg Law
Self-administered, self-insured employee health and welfare benefit plans can proceed as a class in a suit to recover millions paid into an Obamacare program that arguably didn't apply to them, a federal claims court said.

Supreme Court dialysis ruling sets stage for coverage limits
Nona Tepper, Modern Healthcare
A Supreme Court decision that greenlighted a private health plan's limited dialysis coverage may set the stage for other insurers to cut pay for kidney care and other treatments Medicare covers.

PROVIDERS

Staffing laws, unionization can improve nurse retention, new research shows
Hailey Mensik, Healthcare Dive
"Nurses cannot provide the health care that they know they're capable of because of their working conditions," said Robert Bruno, one of the report's authors.

Fertility Doctors Move Embryos to Other States in Case of Roe v. Wade Impact
Dominique Mosbergen, The Wall Street Journal
Fertility companies and patients are moving embryos and making contingency plans in case Roe v. Wade is overturned and abortion laws in some states extend to protect eggs fertilized in laboratories.

Assaults against abortion clinics, patients rose 128% in 2021: report
Oriana Gonzalez, Axios
Assaults directed at abortion clinic staff and patients increased 128% last year over 2020, according to a new report from the National Abortion Federation.

"We're at a Crisis Point": NY Attorney General Hearing Spotlights Child Mental Health Care Failures
Abigail Kramer and Gabriel Poblete, THE CITY/ProPublica
After THE CITY and ProPublica exposed a dramatic drop in beds at state psychiatric hospitals, New York's top law enforcer takes agonized testimony from patients and providers — and the parent who'd told us of her son's monthslong wait for care.

PHARMA, BIOTECH AND DEVICES

Collins faces uphill battle to win GOP support for insulin cost bill
Peter Sullivan, The Hill
Sen. Susan Collins (R-Maine) is facing an uphill climb as she seeks to win over GOP colleagues for a bipartisan insulin bill ahead of a vote expected next month.

CDC Eyes Bavarian Monkeypox Vaccine for Kids as Outbreak Spreads
Madison Muller and Riley Griffin, Bloomberg
US health officials are looking to expand use of the monkeypox vaccine for children as the outbreak continues to spread across the US and in countries around the world, with more than 3,300 cases reported globally.

Merck Pushes Forward With Potential Deal for Seagen
Dana Cimilluca et al., The Wall Street Journal
Merck & Co. is pushing forward with a potential deal for biotech Seagen Inc., according to people familiar with the matter, in what would be one of the largest takeovers of the year.

FDA halts study of Sarepta treatment for Duchenne muscular dystrophy due to safety concern
Adam Feuerstein, Stat News
Sarepta Therapeutics said Thursday that it has temporarily stopped a clinical trial of its second-generation medicine for patients with a certain type of Duchenne muscular dystrophy due to a serious safety incident reported by a patient.

FDA Outlines When It Will Pull a Drug's Breakthrough Status
Jeannie Baumann, Bloomberg Law
Promising drugs to fulfill unmet medical needs could lose an FDA special status if emerging data show they won't offer a substantial benefit or if another treatment comes to market, under an agency proposal released Thursday.

A Message From Better Medicare Alliance:

In communities across the country, more seniors are making an active choice for the quality, affordable, coordinated coverage found in Medicare Advantage. In fact, Medicare Advantage exceeds half of all Medicare enrollment in more than 120 Congressional districts nationwide. Better Medicare Alliance's interactive Medicare Advantage Enrollment Map lets you pinpoint MA enrollment rates by state, Congressional district, and even by county. Check it out for yourself here.

HEALTH TECHNOLOGY

Digital-health startup Ro just slashed 18% of its staff months after hitting a $7 billion valuation. We got the CEO's full note explaining the layoffs.
Rebecca Torrence and Maia Anderson, Insider
Just four months after hitting a $7 billion valuation, digital-health powerhouse Ro has laid off 18% of its workforce, Insider has learned.

Health Care Startups Turn to 'Coaches' to Help Patients Cope and Monitor Treatment
Darius Tahir, Kaiser Health News
Omada provides virtual treatment for chronic conditions.

OPINIONS, EDITORIALS AND PERSPECTIVES

Living with Covid-19 requires caution, not complacency
Editorial Board, Financial Times
While we should enjoy this hard-won return to normality — or something that resembles it — this is no time for complacency: Covid-19 has not gone away.

[redacted]

Title

RESEARCH REPORTS

Racial and Ethnic Disparities in Postpartum Care in the Greater Boston Area During the COVID-19 Pandemic

Tianyue Mi et al., JAMA Network Open

The study highlights racial and ethnic disparities in postpartum care access both before and after the onset of the pandemic, raising concerns about disparities in postpartum care-associated maternal and infant outcomes.

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SUBJECT: DRAFT - DHHS Abortion FAQs
FROM: "Joe Dougherty DHS (via Google Docs)" <drive-shares-noreply@google.com>
TO: hborski@utah.gov
CC: aslater@utah.gov, brittanyhuff@utah.gov, bdorff@utah.gov, carmenrichins@utah.gov, chaley@utah.gov, crmeaders@utah.gov, cmeaders@utah.gov, davidlitvack@utah.gov, jnp@utah.gov, jstrohecker@utah.gov, jennyjohnson@utah.gov, katieengland@utah.gov, kristigrimes@utah.gov, lbaksh@utah.gov, lindaw@utah.gov, lpnilson@utah.gov, mwatterson@utah.gov, mhofmann@utah.gov, natechecketts@utah.gov, ntaxin@utah.gov, pray@utah.gov, sbolivar@utah.gov, stephaniesaperstein@utah.gov, tonypatterson@utah.gov, thales@utah.gov, tracygruber@utah.gov
DATE: 24/06/2022 08:29

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SUBJECT: BREAKING: Supreme Court Overturns Roe V. Wade
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 24/06/2022 08:30

LAW360 HEALTH

Friday, June 24, 2022 Follow

BREAKING: Supreme Court Overturns Roe V. Wade

The U.S. Supreme Court on Friday upheld a Mississippi abortion ban and overturned the constitutional abortion right established nearly 50 years ago in Roe v. Wade, setting the stage for a massive rollback of abortion rights in many state houses around the country.

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SUBJECT: Security at DHHS Facilities
FROM: Nate Winters DHS <natewinters@utah.gov>
TO: DHHS ELT <DHHS_ELT@utah.gov>
CC: "Tyson Walker (DHS)" <tysonwalker@utah.gov>
DATE: 24/06/2022 08:32

Good Morning ELT,

We've heard concerns around safety at some of our DHHS locations, especially in light of the SCOTUS decision around Roe V. Wade. Please know that we have connected with the Department of Public Safety on these concerns. The intelligence that DPS has gathered indicates that any activity around this decision is looking to be held at the capitol. If they get word of a change they will let us know. Also, if we see anything, please let Tyson Walker know immediately. He has a direct connection with DPS to get a team sent to our facilities for security. Additionally, we've let our security companies know to be aware of anything unusual and to report.

Please let me know if you have any questions.

Thanks,

Nate

Nate Winters
Deputy Director
C: 801.450.2098
natewinters@utahg.gov
hs.utah.gov
health.utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted] Title

SUBJECT: 4 top systems, 14,144 open jobs | 1 dead in stabbing at Nev.hospital | Texas Health Resources names 5 presidents | Ex-employees sueMayo over vaccine rule | Publix won't vaccinate kids under 5 | $23B inhealthcare megadeals
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 24/06/2022 08:39

June 24, 2022

BECKER'S
HOSPITAL REVIEW

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1. Job openings at top hospitals and health systems, by the numbers Full story
2. 1 patient dead in stabbing at Las Vegas hospital Full story
3. Texas Health Resources names 5 hospital presidents Full story
4. Experts discuss how to improve care and reduce costs with tele-ICU. [Learn more]
5. $23B in healthcare megadeals this year Full story
6. 27 former employees sue Mayo Clinic over vaccination policy Full story
7. Curious about AI's place in cardiology? Demystify AI and learn how to make it part of your digital strategy.
8. Publix says it won't vaccinate children under 5 Full story
9. Hackensack Meridian names Sameer Sethi as chief data, analytics officer Full story
10. Dr. Roberta Luskin-Hawk leaving Providence leadership role Full story
11. Contrast dye won't be healthcare's last severe shortage. See how industry leaders are working to mitigate future shortages and strengthen the domestic healthcare supply chain here.
12. $25 minimum wage for some LA healthcare workers gains traction Full story
13. Q&A: Tom Grote, CEO of Banner|Aetna, on joint venture's 1st 5 years Full story
14. 'We will be in uncharted territory:' 4 leaders on the potential implications of Roe v. Wade reversal Full story
15. Stats by state:

- COVID-19 hospitalization rates
- COVID-19 test positivity rates
- Percentage of population fully vaccinated
- COVID-19 death rates
- ICU utilization
- Staffing shortages
- Booster rates
- COVID-19 vaccination rates up/down
- COVID-19 cases trend

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Becker's Hospital Review, A Becker's Healthcare Publication

SUBJECT: Fireworks, spotlighting service, and more
FROM: Office of Gov. Spencer Cox <govcomm@utah.gov>
TO: <hborski@utah.gov>
DATE: 24/06/2022 09:41

View this email in your browser

Happy Friday from #OneUtah, a weekly update from the office of Gov. Spencer J. Cox. Here's your recap of what we did this week, what's on the horizon, and

more. Reply to this email with any questions or suggestions regarding the newsletter. And thank you for subscribing!

Vote!

We encourage every eligible voter to cast their ballot in the Tuesday, June 28 primary election. Your vote is your voice. So please vote and help us shape our great state. If you have any questions, visit vote.utah.gov.

Fireworks safety

We met with firefighters and local officials to encourage Fire Sense as we head into fireworks season. Current drought conditions have made Utah a tinderbox and fire danger is extremely high statewide. In fact, 100% of the state is in drought and 83% of the state is in extreme drought or worse.

Firework sales begin today. If you choose to use fireworks this summer, please be smart and safe about it. Remember:

- Only use fireworks only during legal times and designated holidays.
- Keep a fire extinguisher and water nearby.
- Use fireworks away from dry grass — and never use them on state and federal lands, and all private lands outside cities and towns; and.
- Use extreme caution when lighting aerial fireworks.

You can always find the latest on fireworks safety and local restrictions at firemarshal.utah.gov/department-services/fireworks/.

We know that wildfires from fireworks are preventable. Last year, Utahns used good Fire Sense and cut human-caused wildfires by 51% — that's more than 500 fires that never started. As we gear up for summer celebrations, let's all stay vigilant and use good Fire Sense.

[redacted] Title

The Supreme Court's ruling

This administration has been dedicated to giving a voice to the most vulnerable in our society, including the unborn. We wholeheartedly support today's Supreme Court ruling and are encouraged to see abortion law will be left to elected state representatives.

As pro-life advocates, this administration is equally committed to supporting women and families in Utah. We all need to do more to support mothers, pregnant women, and children facing poverty and trauma.

Working together to keep Americans safe

We're heartbroken by recent gun violence, and we are committed to helping make a change.

We're proud to join a bipartisan group of governors who are coming together to make recommendations and identify solutions that give state and local leaders effective tools designed to stop mass shootings and instill confidence in our communities and schools.

Every state is unique, but we can all agree that there are common sense ways to keep our schools and communities safe in a manner consistent with the demands of the American people. Stay tuned for updates.

[redacted]

Recognizing Utah's Spirit of Service

Like so many Utahns, we know how important it is to give back, which is why we're thrilled to introduce the awardees of the inaugural Governor's Spirit of Service Awards. Out of more than 100 nominations, this year we honored:

- **Cristina Diaz de Leon**, who created Rancho Market COVID-19 vaccine clinics, advanced inclusion and cultural celebrations, empowered youth, led out on service projects, and strongly believed in "meeting people where they are". Unfortunately, she passed away from lung cancer on Jan. 22, 2022, and her family accepted the award in her honor.
- **Artes de México en Utah**, which creates cultural awareness, provides diverse perspectives, builds understanding and cross-cultural competence, helps the Latino-Hispanic youth connect with their roots and be proud of their multicultural heritage.
- **The Little Lambs Foundation for Kids**, which provides comfort kits for children placed into foster care, emergency shelters, and escaping domestic violence, Northern Utah's only direct service diaper bank, has distributed over 1.75 million diapers to Utah families.
- **Andilynn Chambers**, a 10-year-old with a very giving heart. She asks for donations rather than birthday gifts, and has donated more than 1,000 items to the local homeless shelters, domestic violence shelters, and The Christmas Box House.
- **Lenise Peterman**, the volunteer mayor of Helper. She was nominated for working tirelessly on behalf of her community, being a key volunteer for the city revitalization committee, writing grants for the city, securing key partnerships, and acting as a mentor to aspiring change-makers.
- **Ruff Haven Crisis Sheltering Center**, which works to prevent individuals from having to surrender their pets by providing shelter when someone is experiencing a crisis, temporary hardships, medical emergencies and more.
- **Emily Rojo Mendoza**, who tutors fellow Kearns HS students, helps at food banks, serves as the president of the My Kearns Evidence 2 Success Youth Council, has raised thousands of dollars for the local food pantries and the homeless youth resource center.
- **Ken Vaughn III**, who has been in a wheelchair for 20 years, is an active volunteer board member and webmaster for nonprofit Chairbound Sportsman, and helps fundraise and coordinate outdoor adventures for disabled persons.
- **Moab Multicultural Center**, which works to help the homeless find a place to sleep and make sure the less fortunate families in Moab get food for dinner.

These awardees are why Utah leads the nation in volunteerism and service work. You can read more about them here.

Opening Utah’s new state corrections facility

This week marked a big moment for the Department of Corrections and Utah as we celebrated the largest construction project in our state’s history: We officially cut the ribbon at the new Utah State Correctional Facility. We're proud of this effort to provide a safe and secure facility that's also conducive to recovery and rehabilitation.

What makes this building different? There's increased programming space for education, vocational training, and treatment; greater access to medical care and resources; and improved working environments for staff.

We applaud the individuals who have dedicated more than five years to this project: Jerry Jensen; Bryan Taylor; Capt. Matthew Coates; Lt. Bisera Habibija; Lt. Michael Millward; Elizabeth Brown; Steven Turley; and Mike Ambre.

We'd also like to thank the dedicated Department of Corrections staff. Corrections is not an easy career. It can be dangerous and thankless — and it can mean long hours. But it’s a vital part of keeping us all safe. Inmates will be moving to the new facility from the Draper prison site in the coming weeks.

Forward this email to a friend!

CDC authorizes COVID vaccines for children

The Centers for Disease Control and Prevention issued recommendations for vaccinating children 5 years of age and younger against COVID-19, which clears the way for the nearly 241,000 Utah children to get vaccinated!

Additionally, the FDA has authorized both the Pfizer and Moderna mRNA vaccines for use with all ages (6 months and older) eligible for COVID-19 vaccinations. Previously, only the Pfizer vaccine was available for children younger than 18.

Vaccines for this youngest age group are on the way. According to the Utah Department of Health and Human Services, providers have already ordered

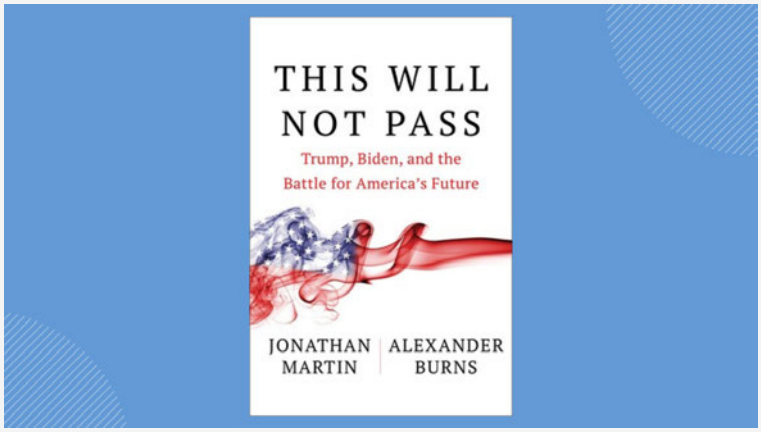
32,300 doses of the vaccines.
Providers such as local health departments, select pharmacies, and doctor's offices are offering vaccinations to the youngest Utahns over the next several days to weeks. For more information visit www.coronavirus.utah.gov/vaccine/ or call the COVID-19 hotline at 1-800-456-7707.

Good government in action

The town of Lynndyl in Millard County now has water, thanks to the quick action of state and local officials. Lynndyl has two wells powered by pumps. The state allocated $1.75 million to help the town build new drinking water infrastructure, but before that could happen, the pumps failed yesterday afternoon. The water shortage was not due to drought.
When the Department of Environmental Quality and Department of Public Safety got word, they reached out to work with Lynndyl and Delta City officials to expedite hauling water into the town and to see if the pumps could be fixed. By 9 p.m., water was on the way with LiquaDry from the neighboring town of Abraham hauling water to Lynndyl. DEQ helped install a new pump and ensured the water was safe to drink.
In the meantime, the Governor's Office of Economic Opportunity is working with Millard County to secure $113,000 in emergency funds to keep the water flowing until the grant money comes through.
"After talking with Gov. Cox last night, everything ran more smoothly," Lynndyl Mayor Briar Proctor said. "A huge thank you to the surrounding cities, the state and everyone who helped us. It's been an overwhelming amount of help."
We're grateful to DEQ, DPS, Go Utah, Delta City, Lynndyl City, LiquaDry and Millard County for coordinating so quickly and efficiently to make sure this town of 120 has water. This is good government in action!

State flag design preview

We're excited by the enthusiasm around a new state flag! Lt. Gov. Henderson and members of the Utah State Flag Task Force got a sneak peek of some of the 5,000 flag designs that have been submitted by the public..
Finalists were not selected at the preview event.
The new state flag aspires to reflect on Utah's past while uniting us with new symbolism and a shared identity. Learn more about the process and timeline here.



A discussion about America's future

We're looking forward to our discussion with author Jonathan Martin about his book, "This Will Not Pass."
The book explores how both of our political parties confronted a series of national traumas, including the coronavirus pandemic, the January 6 attack on the Capitol, and the political brinksmanship of President Biden's first year in the White House.
Join us for this free event at the Hinckley Institute of Politics at the University of Utah on Thursday, June 30, at 6:30 p.m. Hope to see you there!

Supporting local: Red Iguana 2

This week we were able to stop by Red Iguana 2 for a quick – and delicious — lunch. We especially loved the puntas de filete and queso.
The Cardenas family has proudly served the Salt Lake Valley since 1965, and we're sure they'll be satisfying hungry patrons for decades to come. We're always happy to see small family businesses thriving. Let us know what your favorite local restaurant is here!

Meeting with faith leaders

Faith leaders are a central part of the fabric of our community. This week we met with 31 different faith leaders from across the state of Utah.
Faith groups strengthen and illuminate our relationship with a higher power, but they also maintain cultural traditions, reinforce moral values and create community. We can't thank each of them enough for their guidance, goodness, and charity.

ICYMI

- More good economic news: Salt Lake City was ranked No. 4 by the Wall Street Journal in its annual rankings of the hottest job markets in the country. Provo was ranked No. 2 in smaller metro areas.
- Yes, Utah experienced a tornado this past week. In fact, we've averaged two per year since 1950. The good news is that this one was in a remote part of Duchesne County resulting in no structural damage or injuries. If you find yourself facing a tornado, try to take shelter in a low place like a ditch or ravine. If indoors, get into a basement, or a room without windows.
- We had a fun opportunity to talk about a more hopeful version of politics with Vermont State Sen. Becca Balint and Slate host Amanda Ripley. Listen here!
- Lt. Gov. Henderson welcomed the Consul General of the Republic of Georgia to the Capitol on Tuesday. He said he had a "wonderful visit to Utah."
- Courtesy of the Utah Office of Energy Development: Here are four energy saving tips to help you beat this summer heat!
- Preparing for a backcountry adventure can look a little different for each outing and individual, but the benefits of a well-planned trip help ensure safety in the wilderness. Find a few first hand tips from Escalante-based guide and search and rescue volunteer Rick Green here!

- We had yet another great jobs report. Our unemployment rate remains at a historic low, and our job growth is one of the best in the U.S. We're proud of the hard-working Utahns who contribute to the most robust economy in the nation.

Coming up

- June 24: Join Utah First Lady Abby Cox at the Show Up for Summer Service kickoff event tonight from 4 p.m. to 9 p.m.! Connect with local nonprofits to find the perfect service opportunity for you and your family or friends to do this summer.
- June 28: The Primary Election is less than one week away! If you have any questions, contact your county clerk or go to www.vote.utah.gov.
- June 30: Join us for a lively discussion with author Jonathan Martin about his book, "This Will Not Pass." This free event will be held at the Hinckley Institute of Politics at 6:30 p.m. No registration required.
- June 30: This is the last day to apply for a Utah Manufacturing Modernization Grant! This grant supports Utah businesses to modernize, establish, relocate, retain, or develop manufacturing in the state. The Legislature created the grant program to modernize Utah companies' manufacturing, increase supply chain resilience, and lessen American dependence on foreign manufacturing.
- July 1: Lt. Gov. Henderson will join the leadership of the newly consolidated Utah Department of Health & Human Services to celebrate its new vision and to reflect on its origins, which date back to Utah's first female state senator – suffragist, doctor and visionary – Martha Hughes Cannon.
- July 12: All Utah educators are invited to attend Show Up Utah's free conference focused on professional and personal wellness. Learn more here.

Get involved!

Looking for a new job opportunity? From great employee benefits to versatile work schedules, the career opportunities with the state are truly endless. Join Team Utah today!

Those looking to volunteer can also consider more than 300 boards and commissions. Find out which openings are available and how you can get involved here!

[redacted] Title

Get in touch!

You can reach the Governor's Office here. And you can follow us on Twitter, Facebook, Instagram, TikTok, and YouTube for the latest news and updates.

Contact the Governor's Office

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SUBJECT: Statement by AMCHP CEO Terrance E. Moore on the Final Majority Decision in Dobbs v. Jackson Women's Health Organization
FROM: AMCHP Communications <communications@amchp.org>
TO: hborski@utah.gov
DATE: 24/06/2022 09:48

AMCHP
ASSOCIATION OF MATERNAL & CHILD HEALTH PROGRAMS

FOR IMMEDIATE RELEASE
Contact: Chery Manon Espinal
202-843-9304, cmanonespinal@amchp.org

Statement by AMCHP CEO Terrance E. Moore on the Final Majority Decision in Dobbs v. Jackson Women's Health Organization

June 24, 2022

[redacted]

Washington, D.C. – Today, AMCHP's CEO Terrance E. Moore, issued the following statement in response to the final majority decision by the Supreme Court in Dobbs v. Jackson Women's Health Organization:

"Today's news confirms our worst fears, as outlined in my statement last month, that the U.S. Supreme Court's final majority opinion in the *Dobbs v. Jackson Women's Health Organization* would effectively overturn *Roe v. Wade*. In doing so, the *Dobbs* decision reverses nearly 50 years of legal precedent and issues a direct assault on reproductive justice, the public's health, and human rights."

"As the national professional association representing state public health professionals dedicated to improving maternal and child health in the United States, AMCHP cannot be silent about the known consequences of curtailing access to the full spectrum of reproductive health care, including abortion care, on the health and well-being of our nation's women, children, and families. In order to live up to our organizational commitments to ensure racial equity and health equity and undo systemic racism, we must clearly articulate the ways in which populations already disproportionately impacted by poor maternal health outcomes in the U.S. will experience the most harm as a result of the *Dobbs* decision."

"Access to abortion care is inextricably linked to maternal health. The United States is already failing to adequately support healthy births and healthy families. We have the highest rate of maternal deaths among industrialized countries. Poor maternal health outcomes disproportionately impact women and birthing people with low incomes, women and birthing people of color, and women and birthing people in rural communities. The *Dobbs* decision will exacerbate existing maternal health disparities and counteract the potential of recent investments made by the federal government and state governments to improve maternal health."

"A December 2021 study estimates that eliminating access to abortion care in the United States would increase pregnancy-related deaths among individuals of all races and ethnicities studied and most significantly among non-Hispanic Black individuals. The widely referenced longitudinal Turnaway Study (2008-2010) documents how individuals who are denied an abortion experience lasting, negative impacts on their health and well-being, and the well-being of their families. An amicus brief led by the National Birth Equity Collaborative and filed in the *Dobbs* case further illustrates the ways in which limiting access to safe and legal abortion will deepen our nation's maternal health crisis, particularly for Black women and birthing people."

"Access to safe and legal abortion in the United States is not eliminated by today's U.S. Supreme Court decision, but it has been severely curtailed. However, there are actions that state policymakers and federal policymakers are taking to protect and expand access to abortion services."

"How can public health professionals and individuals dedicated to improving maternal and child health respond in this moment? We can educate ourselves and others about the impact of abortion restrictions and other limits on reproductive health care on maternal and child health outcomes. We can support transparent, evidence-based, and culturally rigorous public health surveillance, programming, and communication. We can recommit to and build new and equitable partnerships with individuals and organizations leading the reproductive justice movement. We can humble ourselves and acknowledge that public health institutions have not always been reliable or vocal partners in advocating for the full spectrum of reproductive health care or in recognizing the urgency of reproductive justice, which is an enduring concept first defined by a group of Black women in 1994."

"AMCHP stands ready to work with our members in state health departments across the country to navigate a post-*Roe* landscape in ways that best support maternal and child health, advance equitable outcomes, and center our actions in a commitment to protecting human rights."

###

The Association of Maternal & Child Health Programs (AMCHP) is a national resource, partner, and advocate for state public health leaders and others working to improve the health of women, infants, children, youth, parents, families, and communities. AMCHP builds successful programs to serve its members by disseminating best practices; advocating on their behalf in Washington, DC; providing technical assistance; convening leaders to share experiences and ideas; and advising states about involving partners to reach our common goal of healthy children, healthy families, and healthy

communities. For more information, visit www.amchp.org and follow AMCHP on Twitter, LinkedIn, and Facebook.

VIEW ONLINE

We are where you are!

The Association of Maternal & Child Health Programs | 1825 K Street NW, Suite 250, Washington, DC 20006

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SUBJECT: Supreme Court ruling on Roe v. Wade sends abortion policy back tothe states
FROM: Route Fifty Alert <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 24/06/2022 10:12

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ROUTE FIFTY

Connecting state and local government leaders

News from Route Fifty

June 24, 2022

Supreme Court Overturns Roe v. Wade, Sending Abortion Policy Back to States

DANIELA ALTIMARI | While Democrats in blue states are scrambling to increase abortion access in response to the ruling, conservatives opposed to abortion say they will turn their attention to strengthening the social services safety net and expanding adoption programs.

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Government Executive Media Group, 600 New Hampshire Avenue NW, Washington, DC 20037

SUBJECT: Declined: (V) Follow-up on Abortion Issues @ Fri Jun 24, 2022 3:30pm- 4pm (MDT) (thales@utah.gov)
FROM: Heather Borski <hborski@utah.gov>
TO: thales@utah.gov
DATE: 24/06/2022 10:13

Heather Borski has declined this invitation.

(V) Follow-up on Abortion Issues

When Fri Jun 24, 2022 3:30pm – 4pm Mountain Time - Denver

Where Google Meet (map)

Joining info Join with Google Meet [redacted]

Join by phone
(US) [redacted] (PIN: [redacted])

More phone numbers

Calendar thales@utah.gov

Who
- thales@utah.gov - organizer
- Charla Haley
- cmeaders@utah.gov
- crmeaders@utah.gov
- davidlitvack@utah.gov
- Heather Borski
- jennyjohnson@utah.gov
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- ntaxin@utah.gov
- pray@utah.gov
- tonypatterson@utah.gov
- Carmen Richins

Good Afternoon,
For those able to attend, we're scheduling another quick follow up call to circle back on the status of the FAQ and AAG questions documents.
Thanks!

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[redacted]

[redacted] Title

SUBJECT: Turning Our Outrage Into Action
FROM: Essential Access Health <amoy@essentialaccess.org>
TO: Heather Borski <hborski@utah.gov>
DATE: 24/06/2022 10:18

essential access health

Turning Our Outrage into Action

Dear Heather:
This morning, the US Supreme Court released its decision in *Dobbs vs Jackson Women's Health*. The extreme and dangerous ruling overturns *Roe vs. Wade*, and erases the constitutional right to safe and legal abortion care nationwide. The real life consequences will be swift and devastating.
As a result of today's decision, millions of people in more than half of the country will be forced by their state government to remain pregnant against their will – putting their health, lives, and well-being at risk. The ruling will disproportionately impact young people, communities of color and people with low-incomes, and compound the systemic racism, misogyny, and coercive policies that have put abortion access out of reach for far too many, for far too long.
While it is important to pause to recognize and absorb the full weight of the sweeping and heart-wrenching ruling, we cannot and will not give up. As Reverend Martin Luther King Jr. proclaimed and Justice Sonia Sotomayor recently reminded us, "the arc of history bends toward justice." This fight is not over, and there is work to be done right now.
We must turn our outrage into action.
Essential Access Health is responding to the national abortion crisis through a broad range of strategies including:

- Urging Congress and the Biden Administration to protect access to abortion at the federal level.
- Advancing a package of bills and budget requests to protect and expand access to abortion care as a member of the California Future of Abortion Council (FAB Council) Steering Committee.
- Co-sponsoring AB 2134 (Weber), which seeks to establish a fund to support equitable and affordable access to abortion and birth control for anyone in need to these essential services in California.
- Co-sponsoring State Constitutional Amendment (SCA) 10 that seeks to explicitly protect the fundamental right to abortion and contraception for generations to come. If SCA 10 advances through the California legislature, voters statewide will have an opportunity to weigh-in on the measure this November.
- Working to make Los Angeles County a "safe haven for abortion care" as a founding member of the LA County Coalition for Women's Health and Equity.
- Expanding our Medication Abortion Access Program, which helps to create new abortion access points and supports the delivery of medication abortion treatment in diverse health settings.

Here's what you can do today:

- Join the call for Congress to fully fund the Title X federal family planning program. With abortion bans and restrictions in place, increasing the availability of birth control nationwide has become even more essential.
- Donate to help advance our work and FAB Council priorities.
- Support your local abortion fund.

Although the path ahead is daunting, we were made for this moment. We will continue to advance our mission to champion and promote quality sexual and reproductive health care for ALL and do everything possible to ensure that everyone, regardless of their income or where they live, can get the essential health care they want and need.
Onwards,

[redacted]

[redacted]

Title

Amy Moy
Chief External Affairs Officer
Acting President + CEO

Nomsa Khalfani
Chief Equity + Strategy Officer

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essential access health

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Get the latest sexual and reproductive health news by following us on Facebook and Twitter. Encourage your friends and colleagues to follow us as well!

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SUBJECT: President Biden Remarks on Dobbs v. Jackson @1230pm ET
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 24/06/2022 10:25

THE WHITE HOUSE
WASHINGTON

Women's Community Update

Friends - at 12:30pm ET today, the President will deliver remarks on the Supreme Court decision on Dobbs v. Jackson Women's Health Organization to overturn Roe v. Wade. You can livestream the remarks at whitehouse.gov/live.

If you or your organization are releasing statements on the decision, please send them, including the link, to ope@who.eop.gov.

All best,

White House Office of Public Engagement

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[redacted]

SUBJECT: "Vibrant arguments" are key to great culture
FROM: "SmartBrief on Workforce" <workforce@smartbrief.com>
TO: hborski@utah.gov
DATE: 24/06/2022 11:45

Created for hborski@utah.gov | Director at UTAH Department of Health
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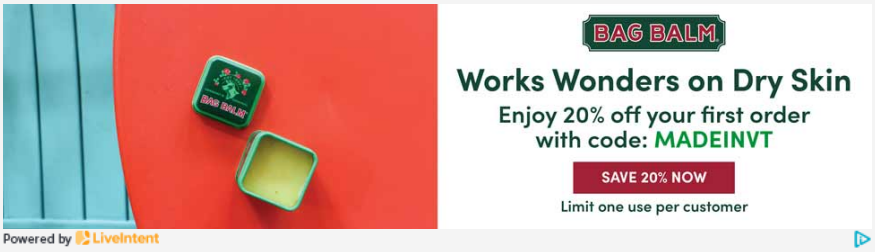

TOP STORY

Initial jobless claims slightly above 2019 levels

(Bloomberg/Getty Images)

Initial jobless claims dropped from a revised level of 231,000 to a seasonally adjusted 229,000 last week, according to the Labor Department. The 2019 pre-pandemic weekly average was 218,000. **Full Story:** Reuters (6/23), The Wall Street Journal (6/23)

RECRUITING & RETENTION

Using tech to suss cultural fits in your hiring

Rushing the recruitment process could be a risk in evaluating a potential hire's cultural fit. Leveraging online tests and tech that will automate searches on social presence and media archives can help HR in hiring, saving costs and eventual employee retention, writes Daniel Callaghan, co-founder and CEO of Veremark. **Full Story:** Spiceworks (6/20)

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How to flourish in the "next normal" workplace
Fast Company (tiered subscription model) (6/23)

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Social Media Today (6/23)

THE METAVERSE TAKES OVER

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Why the metaverse matters

Picture this: An open, interoperable metaverse becomes the dominant interface through which we conduct most of our daily activities. This means the full migration of today's internet into an immersive world in which most businesses (like yours!) will operate. Start preparing! **Read case studies.**

BENEFITS & COMPENSATION

Walmart addresses maternal health with new benefit

(NurPhoto/Getty Images)

Walmart will expand a health care benefit that covers pregnant employees who choose to use the services of a doula as part of the birthing team, which can cut the need for C-sections and other medical interventions in half, according to the National Black Doulas Association. The retailer, which will roll out the benefit in three more states after launching it in Georgia last year, said the move is designed to address racial inequalities in maternal health care. **Full Story:** The Associated Press (6/22)

THE HR LEADER

"Vibrant arguments" are key to great culture

Companies create good cultures when they face problems together and are willing to have "vibrant arguments" about how to proceed, says Daniel Coyle, author of "The Culture Playbook: 60 Highly Effective Actions to Help Your Group Succeed." "Just like the functions of our body or the strength and health of our body, the strength and health of our culture depend on what we do every single day," Coyle says. **Full Story:** McKinsey (6/22)

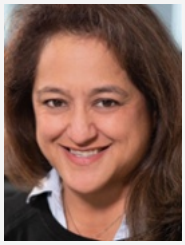
WORKPLACE CHATTER

A journalist's tribute to her high-school English teacher

Journalist Bonnie Jean Feldkamp writes about the profound impact her high-school English teacher, Chuck Keller, has had on her life and who is still a friend, colleague and mentor. Feldkamp explains how Keller has been part of her village -- "the people who believe in you, the people who hold space for you."

Full Story: Noozhawk (Santa Barbara, Calif.) (6/18)

ABOUT THE EDITOR


Kanoe Namahoe

I ran into my friend, Donna, and her daughter, Paulina, the other night as I was shopping. I hadn't seen Paulina in years. The last time I saw her, she was a quiet, slightly sullen (in the way kids can be with adults they don't know well) teenager who was trying to figure out what she wanted to do post-high school. I was interested to hear what she was doing now.

"I've been traveling with YWAM," she told me. YWAM is Youth with a Mission, a Christian organization that trains young people for the mission field. Paulina had not been real involved with her church youth group as a teenager, but after high school she decided to give YWAM a shot. "I love it! I've been to Nepal, Brazil and Portugal so far and now I'm working with the L.A. team on their anti-trafficking stuff," she told me.

I stood in the women's clothing section of Target, listening, fascinated, as Paulina talked about the training she's doing and the teams they're organizing to fight human trafficking. When we finally said goodbye, I hugged her tight and we exchanged contact info to talk more another time.

But that conversation stayed in my head all week. It surfaced again this morning when I read the top Leadership & Development story about the next normal workplace. Gwen Moran talks about checking in with yourself, thinking about priorities and goals and how that shapes your current situation and your future.

That conversation with Paulina prompted me to do that. The career I have now is one I love. It's been good to me and my family, and I believe 100% that the content my team and I produce helps professionals who are invested in their work.

But Kanoe 2.0 may look different. It's a ways away, but it very well might be involved in the anti-trafficking world. I may take my content skills and put them to use fighting for the rescue of women and children across the world who are trapped in the world of slavery.

What about you? When you do a gut check of your priorities and goals, what do you discover? Let me know! And if you enjoy this brief, tell others so they can benefit also.

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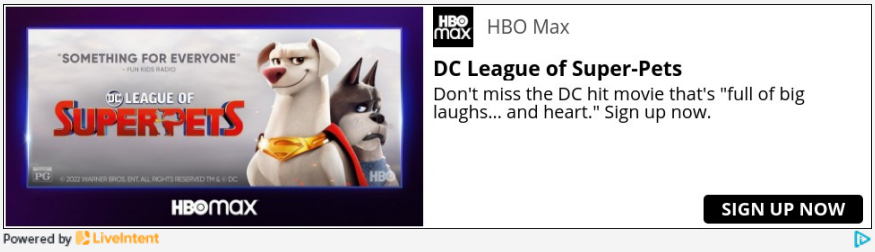
Who Said It?

The only lasting truth is Change.

Harry Styles or Octavia E. Butler

Check your answer here.



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1100 13th St. NW, Suite 1000, Washington, DC 20005

SUBJECT: “A failure of human rights, health and justice.” PHI Statement on Overturn of Roe v Wade
FROM: Mary A. Pittman, Public Health Institute <communications@phi.org>
TO: Heather <hborski@utah.gov>
DATE: 24/06/2022 11:49

PUBLIC HEALTH INSTITUTE®

JUN 24, 2022

“A failure of human rights, health and justice.” PHI Statement on Overturn of Roe v Wade

“Today’s U.S. Supreme Court decision overturning Roe v Wade is a failure of human rights, health and justice. Abortion is healthcare, and like any other healthcare, must be protected, safe, affordable and accessible. When people have control over when and if they get pregnant and when and if they have children, families, communities and countries are stronger, by almost every measure.

"Making abortion illegal doesn’t end abortion, it simply makes it less safe, and barriers to abortion will impact systemically excluded communities first and worst. Immigrants, people living in poverty, those without access to transportation, healthcare or other resources, Black women, young people and rural —all of whom already experience severe systemic barriers to health—will experience lifelong, generational impacts as a result of this ruling.

“In anticipation of this devastating ruling, PHI has been evaluating both internal and external policies to strengthen access across our work. We are reviewing internal policies to support employee access to abortion; dedicating a one-time fund assistance award for PHI programs working on abortion access; and investing in PHI policy research related to abortion pill access.

“We continue to support federal actions that reverse this terrible ruling. In a state that is vigorously pro-choice, we are also calling for policy changes that would make abortion more accessible within California, serve to support those who must now travel to California to seek abortion, and protect those who need or provide abortions. These include: decreased barriers and increased reimbursement for telehealth abortion services, especially through Medi-Cal; a call for the state of California to protect any abortion prescriber or provider from criminalization or prosecution; and, increased research, funding and support for self-managed abortion with abortion pills in any state.”

Read the statement on PHI's website →

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SUBJECT: TODAY 3PM ET: Call with Senior White House Officials on the Supreme Court Decision in Dobbs v. Jackson
FROM: White House Office of Public Engagement <ope@who.eop.gov>
TO: <hborski@utah.gov>
DATE: 24/06/2022 12:14

THE WHITE HOUSE
WASHINGTON

Women's Community Update

Partners,

Today, the Supreme Court expressly took away a Constitutional right from the American people.

Join Administration officials for a call at 3pm ET TODAY to hear more about the Supreme Court's ruling and the fight ahead.

- **DATE: TODAY, Friday 6/24/22**
- **TIME: 3pm ET**
- **REGISTRATION:** https://pitc.zoomgov.com/webinar/register/WN_aiGU4ScyQwahxYLHRv2X0A

This call is closed to the press, and this invitation is non-transferable.

Earlier today, the President and Attorney General made clear that the Administration will defend a woman's bedrock right to travel from her home to a state that allows abortion. In addition, the President directed the Department of Health and Human Services to ensure critical abortion medications are available to the fullest extent possible.

Key Links:

- President Biden's Remarks on the Supreme Court Decision
- Attorney General Garland's Statement
- Secretary Becerra's Statement

Stay Connected

[redacted]

[redacted] Title

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https://twitter.com/WhiteHouseGPC

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SUBJECT: DHHS EDO
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: "Heather Barnum (DHS)" <reply-106989973896876856555@profiles.google.com>,Michelle Hofmann <mhofmann@utah.gov>,Trudy Ellis DHS <trudyellis@utah.gov>,"David Litvack (DHS)" <davidlitvack@utah.gov>,Heather Borski <hborski@utah.gov>, Rebecca Brown <rebeccab@utah.gov>,Amanda Slater DHS <aslater@utah.gov>,"Tracy Gruber (DHS)" <tracygruber@utah.gov>,Nate Checketts <natechecketts@utah.gov>,Lori Erickson DHS <llerickson@utah.gov>,Nate Winters DHS <natewinters@utah.gov>,Tonya Hales <thales@utah.gov>, Tonya Merton <tmerton@utah.gov>
DATE: 24/06/2022 12:28

Joe Dougherty DHS, 2022-06-24 11:28:24
If you want to watch the LG's interview, Brian Mullahy streamed it here: https://www.facebook.com/Briarvh=e

About 6:13 into the video, she begins discussing that Utah is a family friendly state and that we should be more family friendly. She said that doesn't just mean being anti abortion, but it can include making contraceptives easier to obtain.

David Litvack (DHS), 2022-06-24 11:31:26
Thanks Joe!

Joe Dougherty DHS, 2022-06-24 12:05:22
One other update from the team on July 1 the new website will have a soft launch and be live on Monday. Not for the general public, but for you fine people.

Joe Dougherty DHS, 2022-06-24 12:05:39
Sorry, not for the general public to know...just this group for now.

SUBJECT: Fwd: FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
FROM: Tonya Hales <thales@utah.gov>
TO: Carmen Richins <carmenrichins@utah.gov>, Charla Haley <chaley@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Clover Meaders <crmeaders@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Jenny Johnson <jennyjohnson@utah.gov>, Joel Hoffman <jhoffman@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>, Kristi Grimes <kristigrimes@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Linda Wininger <lindaw@utah.gov>, Lynne Nilson <lpnilson@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Paul Ray DHS <pray@utah.gov>, Tony Patterson <tonypatterson@utah.gov>
DATE: 24/06/2022 15:09

Many may have already received this - but sending as FYI

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF** <medicaiddirector@utah.gov>

[redacted]

[redacted] Title

Date: Fri, Jun 24, 2022 at 2:51 PM
Subject: FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
To: <medicaiddirector@utah.gov>

To view this email as a web page, click here. June 24, 2022

HHS IEA
Office of Intergovernmental and External Affairs

Dear Emma,

FACT SHEET:
President Biden Announces Actions In Light of Today's Supreme Court Decision on *Dobbs v. Jackson Women's Health Organization*

Today, President Biden announced actions that his Administration is taking to protect women who will face the grave consequences of today's Supreme Court decision. This decision expressly took away a Constitutional right from the American people that it had recognized for nearly 50 years – a woman's right to choose, free from government interference.

This decision will have devastating consequences in the lives of women around the country.

The President made clear that the only way to secure a woman's right to choose is for Congress to restore the protections of *Roe* as federal law. Until then, he has announced two actions the Administration is taking to protect women.

Protecting the Right to Seek Medical Care

As the Attorney General made clear, women must remain free to travel safely to another state to seek the care they need.

A person has the right to travel between states for whatever reason they want – it is no one else's business – especially the government's. If a woman lives in a state that restricts abortion, the Supreme Court's decision does not prevent her from traveling from her home to a state that allows it.

If any state or local official tries to interfere with women exercising this basic right, the Biden Administration will fight that deeply un-American attack.

Protecting Access to Medication

The President directed the Secretary of Health and Human Services to protect women's access to critical medications for reproductive health care that are approved by the Food and Drug Administration—including essential preventive health care like contraception and medication abortion.

More than 20 years ago, the FDA approved mifepristone to safely end an early pregnancy; this drug is also commonly used to treat miscarriages. The American Medical Association and the American College of Obstetricians and Gynecologists wrote to President Biden and Vice President Harris, asking the federal government to protect access to this care. In the face of threats from state officials saying they will try to ban or severely restrict access to medication for reproductive health care, the President directed the Secretary of Health and Human Services to identify all ways to ensure that mifepristone is as widely accessible as possible in light of the FDA's determination that the drug is safe and effective—including when prescribed through telehealth and sent by mail.

Find more information here.

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Twitter

[redacted]

[redacted] Title

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200 Independence Avenue, S.W., Washington, DC, 20201 US

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SUBJECT: With the Roe v. Wade ruling
FROM: Diane Moore DHS <dmoore@utah.gov>
TO: Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Sarah Welliver DHS <swelliver@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 24/06/2022 15:13

Hi all,

I know there are conversations happening (and was added on a spreadsheet with Paul Ray) about services to pregnant mothers to ensure we have supports in place. I also wondered if there is anything we need to promote or do differently our Safe Haven efforts of relinquishment in Utah to prevent abuse/neglect.

https://www.utahsafehaven.org/

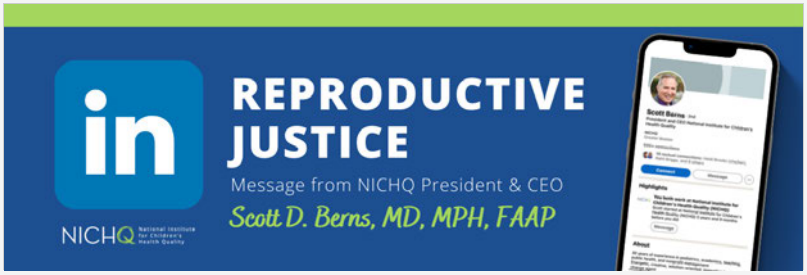
It is possible that this is a resource some people who previously wouldn't have experienced pregnancy will utilize going forward, and just wonder if we need to do anything with it in the larger discussions.

Best,
Diane

--
Diane Moore
Division Director
She/Her
C: 801.755.7302
dmoore@utah.gov
dcfs.utah.gov

Utah Department of Health & Human Services
Child & Family Services

SUBJECT: A Message on SCOTUS Final Majority Opinion in Dobbs v. Jackson Women's Health Organization
FROM: NICHQ Communications <communications@nichq.org>
TO: hborski@utah.gov
DATE: 24/06/2022 16:08



[redacted]

[redacted] Title

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A Message on SCOTUS Final Majority Opinion in Dobbs v. Jackson Women's Health Organization

As a physician, I know how deeply doctors value the 1:1 relationship we have with our patients. Without Roe v. Wade, medical professionals are limited in their ability to help patients achieve optimal outcomes. I believe in the individual right to bodily autonomy and that access to safe, comprehensive reproductive healthcare for all women, pregnant people, and their families is an intersectional issue. For more than 50 years, Roe v. Wade assured legal access to a critical health procedure for U.S. women and reinforced the patient-provider relationship with care centered on the patient's needs.

This historic reversal of a longstanding legal protection will disproportionally affect health outcomes for BIPOC patients, low-socioeconomic status households, and families who live in rural communities where abortion care has historically been hard to access despite being legal. Banning abortion will not stop abortions from happening – abortion will happen in unsafe environments, endangering the lives of women and birthing people.

Equity is important to me. I am concerned about the impact this decision will have and stand for doing everything we can to ensure that it does not affect the health of women and children, including by ensuring that women continue to have access to the healthcare they need and the right to make choices that advance their health, especially those women and birthing people who already experience the inequities of our healthcare system. As CEO at the National Institute for Children's Health Quality (NICHQ), one of my key goals is to challenge systemic inequities, and lasting change occurs only when we honor the experiences of people who are most impacted by the work we do.

Share LinkedIn Post

National Institute for Children's Health Quality (NICHQ), 308 Congress Street, 5th Floor, Boston, Massachusetts 02210, United States, 617-391-2700

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SUBJECT: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
DATE: 24/06/2022 18:19

---------- Forwarded message ---------
From: **Aundrea Peterson** <aundreapeterson@le.utah.gov>
Date: Fri, Jun 24, 2022 at 6:13 PM
Subject: S.B. 174 Abortion Prohibition Amendments Now in Effect
To: Aundrea Peterson <aundreapeterson@le.utah.gov>
CC: Alexa Roberts <aroberts@le.utah.gov>

UTAH STATE LEGISLATURE
STATE CAPITOL • SALT LAKE CITY, UTAH 84114
WWW.LE.UTAH.GOV

For Immediate Release
June 24, 2022

[redacted]

[redacted] Title

Contacts
Aundrea Peterson
Utah Senate
801-791-3365 | aundreapeterson@le.utah.gov

Alexa Roberts
Utah House of Representatives
801-865-5882 | aroberts@le.utah.gov

S.B. 174 Abortion Prohibition Amendments Now in Effect

SALT LAKE CITY – In accordance with state statute, the Legislative Branch's general counsel determined S.B. 174 *Abortion Prohibition Amendments* meets the legal requirements to take effect, following the U.S. Supreme Court's ruling regarding abortion.

In 2020, the Utah Legislature passed S.B. 174, prohibiting all elective abortions in Utah, except in rare circumstances involving rape, incest or medical emergency, contingent on the U.S. Supreme Court ruling.

On June 24, 2022, the U.S. Supreme Court issued a ruling that overturned Roe v. Wade, giving states the right to choose their abortion regulations. The U.S. Supreme Court's official opinion was sent to the Legislature's general counsel to determine if Utah's statute may take effect.

Members of the Legislative Management Committee (LMC) have been notified and the bill is now in effect. Utah code is updated to reflect the changes.

Attached is the official communication from the legislative general counsel informing LMC that the bill is in effect. The letter also addresses H.B. 166 (2019) *Down Syndrome Nondiscrimination Abortion Act*.

###

SUBJECT: White House | Women's Community Update
FROM: The Office of Public Engagement <noreply@mail.whitehouse.gov>
TO: <hborski@utah.gov>
DATE: 24/06/2022 19:06

THE WHITE HOUSE
WASHINGTON

Women's Community Update

All,
Today the Supreme Court issued its decision on *Dobbs v. Jackson Women's Health Organization.* This decision expressly took away a fundamental Constitutional right from the American people that it had recognized for nearly 50 years – a woman's right to choose, free from government interference. **Read below for the Administration's immediate actions following this decision.**

Administration Actions on Supreme Court Decision Overturning Roe v. Wade

President Biden made clear that the only way to secure a woman's right to choose is for Congress to restore the protections of *Roe* as federal law. President Biden also announced actions that his Administration is taking to protect women who will face the grave consequences of today's Supreme Court decision. Read the President's Fact Sheet here and watch his remarks below.

Protecting Access to Medication

The President directed the Secretary of Health and Human Services to protect women's access to critical medications for reproductive health care that are approved by the Food and Drug Administration—including essential preventive health care like contraception and medication abortion.

More than 20 years ago, the FDA approved mifepristone to safely end an early pregnancy. This drug is also commonly used to treat miscarriages. The American Medical Association and the American College of Obstetricians and Gynecologists wrote to President Biden and Vice President Harris, asking the federal government to protect access to this care. In the face of threats from state officials saying they will try to ban or severely restrict access to medication for reproductive health care, the President directed the Secretary of Health and Human Services to identify all ways to ensure that mifepristone is as widely accessible as possible in light of the FDA's determination that the drug is safe and effective—including when prescribed through telehealth and sent by mail.

Protecting the Right to Seek Medicare Care

As the Attorney General made clear, women must remain free to travel safely to another state to seek the care they need. A person has the right to travel between states for whatever reason they want – it is no one else's business – especially the government's. If a woman lives in a state that restricts abortion, the Supreme Court's decision does not prevent her from traveling from her home to a state that allows it.

If any state or local official tries to interfere with women exercising this basic right, the Biden Administration will fight that deeply un-American attack.

[redacted] Title

Vice President Harris's Remarks on Supreme Court Decision Overturning Roe v. Wade

Vice President Harris gave remarks on the Supreme Court's decision to overturn Roe v. Wade. See here for the full video.

Administration-Wide Statements on Supreme Court Decision Overturning Roe v. Wade

Members of the Administration released statements in response to the Supreme Court's ruling. Read below for their full statements.

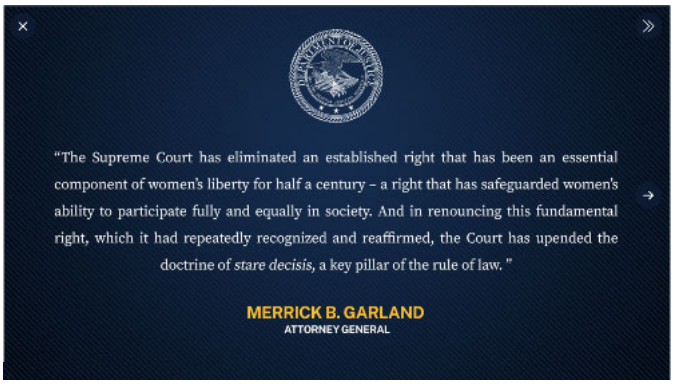
Attorney General Garland, Department of Justice | Tweets in English & Spanish
Secretary Becerra, Department of Health & Human Services
Secretary Austin, Department of Defense
Secretary Raimondo, Department of Commerce | Tweet
Secretary Haaland, Department of the Interior
Secretary Buttigieg, Department of Transportation
Secretary Walsh, Department of Labor | Tweet
Secretary Fudge, Department of Housing
Secretary Vilsack, Department of Agriculture | Tweet
Dr. Murthy, U.S. Surgeon General | Tweet

Attorney General Merrick Garland

[redacted]

[redacted]

Title



Secretary Xavier Becerra

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SUBJECT: A very late team update for (6.24.2022) Supreme Court ruling, meetMartha, learn about Recovery Services, plus some great awards and resourcesfor your mental health
FROM: "Utah Dept of Health and Human Services (DHS)" <dhhs@utah.gov>
TO: undisclosed-recipients:;
BCC: HS_ALLDHS@utah.gov
DATE: 24/06/2022 19:34

[redacted]

[redacted] Title

Utah Department of Health & Human Services

Team update

Dear Team:

Today, the Supreme Court of the United States released a 213-page opinion overturning the 1973 Roe v. Wade decision. With its opinion today, the Supreme Court says that there is no longer a fundamental right to abortion. Decisions about what is and isn't allowed is now up to the states.

Quoting from the intro to the opinion: *Abortion presents a profound moral issue on which Americans hold sharply conflicting views. Some believe fervently that a human person comes into being at conception and that abortion ends an innocent life. Others feel just as strongly that any regulation of abortion invades a woman's right to control her own body and prevents women from achieving full equality. Still others in a third group think that abortion should be allowed under some but not all circumstances, and those within this group hold a variety of views about the particular restrictions that should be imposed.*

Abortion is by no means a simple issue. Please remember that your co-workers have a range of feelings and personal opinions about this. We need to be extra cautious in the workplace about expressing our personal opinions because there are differing beliefs. As a reminder, you may not use official state resources to express personal views on this decision.
Please be extra sensitive to the thoughts of others, including co-workers. We will continue to monitor employee and building safety.

In official capacities, if you are contacted about the law by partners or the public, please direct inquiries to DHHS@utah.gov. Until we can provide further clarification, please do not engage with the general public about how the law is going to be interpreted.

We are continuing to analyze the potential impacts from the Supreme Court's decision.

Here are the facts we know right now as they pertain to Utah and the Utah Department of Health and Human Services:

- In the 2020 General Session, the Utah Legislature passed SB 174, which we were notified this evening, is now in effect, following a report from legislative general counsel to the Legislative Management Committee.
  The bill lists some specific responsibilities of DHHS.

And now… the rest of this fabulous, and very late, email!

- Thank you to the 530+ of you who tuned in live to our **All Hands Q&A on Thursday**. If you missed it, you can watch the replay here.

- This week, we'd also like to make your acquaintance with the Office of Recovery Services, led by the trusty Liesa Stockdale. You might know them as the "child support office," but that's not all they do: https://youtu.be/Q2imWsc7btk

- **Martha is on the move!**

  We are so excited to host a traveling exhibit on Dr. Martha Hughes Cannon at our MASOB and Cannon Health buildings over the next 2 weeks. The exhibit starts this Friday, June 24, through June 30. Then, the exhibit will be moved to the Cannon Health building on July 1, **which also happens to be the 165th anniversary of Dr. Cannon's birth AND our new agency's birthday**!

  The exhibit will be at the Cannon building until July 8. We will also be holding a media event honoring the life of Dr. Cannon and celebrating the birth of our new agency on July 1 at the Utah Capitol. We are thrilled to begin this new journey with each of you and honor those who have come before us.

[redacted]

- **Nate Checketts… thank you!**

  With the upcoming merger, comes a handful of leadership changes, including a new role for Utah Department of Health Executive Director Nate Checketts. Under DHHS, Nate will become a department deputy director over our Health Administration section. Recently, Gov. Cox and Lt. Gov. Henderson, recognized Nate for his work to lead the pandemic response while maintaining effective leadership to oversee the management of the Department of Health's responsibilities. They said he is a model public servant reflecting the values of humility, selflessness and steady leadership. Nate is pictured here with his wife, Ginger.

- Congratulations are also in order to Caitlyn Jasumback and Rachelle Boulton! Both were recognized at the Council of State and Territorial Epidemiologists conference. **Caitlyn was a finalist** for the Robert Wood Johnson Foundation Award for Outstanding Epidemiology Practice in Addressing Racial and Ethnic Disparities for her work "Does Discrimination Influence Prevention Healthcare Among Under Served Population?" Rachelle was awarded **CSTE's Distinguished Leader Award**. This is a huge honor for both of them!! People from around the nation are envious of our data systems and informatics

- **Mental and physical health**

  During our all-hands call and during Gov. Cox's employee town hall this week, we received questions about the leave hours that are available for taking care of our mental health. Please take advantage of these benefits.

  As of Jan. 1, 2022, Gov. Cox granted 4 hours of admin leave to address mental health issues, to be used during the calendar year.

  Starting July 1, our department will make 4 hours available for the next fiscal year, ending June 30, 2023.

  We have also worked with Blomquist Hale to hire an individual who can be available to be a mental health resource.

  Keep in mind that you may also use 4 hours of leave for wellness and health checkups. Please talk to your supervisor before using this leave.

  Tracy also reminded us that we can use any accumulated sick leave for mental or physical health time off.

- **ECO Passes**
  We're conscious of the cost of fuel. We make UTA ECO Passes available for free to all employees. If you apply, you need to use them at least 15 times per quarter. Please contact your finance officer to sign up. Please see our FAQ document to get started:ECO Pass FAQs

P.S.
Tracy's Open Door hours are most Fridays, for all staff from 1 p.m. to 3 p.m. Please reach out to Trudy Ellis (trudyellis@utah.gov) to request time on Tracy's schedule.

SUBJECT: Fwd: A very late team update for (6.24.2022) Supreme Court ruling,meet Martha, learn about Recovery Services, plus some great awards andresources for your mental health
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Liesa Stockdale DHS <lcorbri2@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 24/06/2022 20:36

This video is fantastic!

Thank you for participating and teaching me (and our staff) more about ORS! You are a critical piece of our vision. Without you and your team so many children would not have the resources they need to get their basic needs met.

Have a great weekend!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Utah Dept of Health and Human Services (DHS)** <dhhs@utah.gov>
Date: Fri, Jun 24, 2022 at 7:34 PM
Subject: A very late team update for (6.24.2022) Supreme Court ruling, meet Martha, learn about Recovery Services, plus some great awards and resources for your mental health
To:

Team update

Dear Team:

Today, the Supreme Court of the United States released a 213-page opinion overturning the 1973 Roe v. Wade decision. With its opinion today, the Supreme Court says that there is no longer a fundamental right to abortion. Decisions about what is and isn't allowed is now up to the states.

Quoting from the intro to the opinion: *Abortion presents a profound moral issue on which Americans hold sharply conflicting views. Some believe fervently that a human person comes into being at conception and that abortion ends an innocent life. Others feel just as strongly that any regulation of abortion invades a woman's right to control her own body and prevents women from achieving full equality. Still others in a third group think that abortion should be allowed under some but not all circumstances, and those within this group hold a variety of views about the particular restrictions that should be imposed.*

Abortion is by no means a simple issue. Please remember that your co-workers have a range of feelings and personal opinions about this. We need to be extra cautious in the workplace about expressing our personal opinions because there are differing beliefs. As a reminder, you may not use official state resources to express personal views on this decision.
Please be extra sensitive to the thoughts of others, including co-workers. We will continue to monitor employee and building safety.

In official capacities, if you are contacted about the law by partners or the public, please direct inquiries to DHHS@utah.gov. Until we can provide further clarification, please do not engage with the general public about how the law is going to be interpreted.

We are continuing to analyze the potential impacts from the Supreme Court's decision.

Here are the facts we know right now as they pertain to Utah and the Utah Department of Health and Human Services:

- In the 2020 General Session, the Utah Legislature passed SB 174, which we were notified this evening, is now in effect, following a report from legislative general counsel to the Legislative Management Committee.
  The bill lists some specific responsibilities of DHHS.

And now… the rest of this fabulous, and very late, email!

- Thank you to the 530+ of you who tuned in live to our **All Hands Q&A on Thursday**. If you missed it, you can watch the replay here.

- This week, we'd also like to make your acquaintance with the Office of Recovery Services, led by the trusty Liesa Stockdale. You might know them as the "child support office," but that's not all they do: https://youtu.be/Q2imWsc7btk

- **Martha is on the move!**

  We are so excited to host a traveling exhibit on Dr. Martha Hughes Cannon at our MASOB and Cannon Health buildings over the next 2 weeks. The exhibit starts this Friday, June 24, through June 30. Then, the exhibit will be moved to the Cannon Health building on July 1, **which also happens to be the 165th anniversary of Dr. Cannon's birth AND our new agency's birthday!**

  The exhibit will be at the Cannon building until July 8. We will also be holding a media event honoring the life of Dr. Cannon and celebrating the birth of our new agency on July 1 at the Utah Capitol. We are thrilled to begin this new journey with each of you and honor those who have come before us.

- **Nate Checketts… thank you!**

  With the upcoming merger, comes a handful of leadership changes, including a new role for Utah Department of Health Executive Director Nate Checketts. Under DHHS, Nate will become a department deputy director over our Health Administration section. Recently, Gov. Cox and Lt. Gov. Henderson, recognized Nate for his work to lead the pandemic response while maintaining effective leadership to oversee the management of the Department of Health's responsibilities. They said he is a model public servant reflecting the values of humility, selflessness and steady leadership. Nate is pictured here with his wife, Ginger.

- Congratulations are also in order to Caitlyn Jasumback and Rachelle Boulton! Both were recognized at the Council of State and Territorial Epidemiologists conference. **Caitlyn was a finalist** for the Robert Wood Johnson Foundation Award for Outstanding Epidemiology Practice in Addressing Racial and Ethnic Disparities for her work "Does Discrimination Influence Prevention Healthcare Among Under Served Population?" Rachelle was awarded **CSTE's Distinguished Leader Award**. This is a huge honor for both of them!! People from around the nation are envious of our data systems and informatics

- **Mental and physical health**

  During our all-hands call and during Gov. Cox's employee town hall this week, we received questions about the leave hours that are available for taking care of our mental health. Please take advantage of these benefits.

  As of Jan. 1, 2022, Gov. Cox granted 4 hours of admin leave to address mental health issues, to be used during the calendar year.

  Starting July 1, our department will make 4 hours available for the next fiscal year, ending June 30, 2023.

  We have also worked with Blomquist Hale to hire an individual who can be available to be a mental health resource.

  Keep in mind that you may also use 4 hours of leave for wellness and health checkups. Please talk to your supervisor before using this leave.

  Tracy also reminded us that we can use any accumulated sick leave for mental or physical health time off.

- **ECO Passes**
  We're conscious of the cost of fuel. We make UTA ECO Passes available for free to all employees. If you apply, you need to use them at least 15 times per quarter. Please contact your finance officer to sign up. Please see our FAQ document to get started:ECO Pass FAQs

P.S.
Tracy's Open Door hours are most Fridays, for all staff from 1 p.m. to 3 p.m. Please reach out to Trudy Ellis (trudyellis@utah.gov) to request time on Tracy's schedule.

SUBJECT: Public Health Newswire
FROM: Public Health Newswire <noreply+feedproxy@google.com>
TO: hborski@utah.gov
DATE: 24/06/2022 21:18

Public Health Newswire

Chorus of public health voices sound out against SCOTUS abortion decision
Posted: 24 Jun 2022 10:56 AM PDT
APHA: Overturning Roe v. Wade greatest setback for reproductive rights in more than a generation

You are subscribed to email updates from Public Health Newswire.
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SUBJECT: The Dobbs Decision: Everything You Need To Know
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 25/06/2022 04:26

Law360 Special Report

Saturday, June 25, 2022 Follow

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From Leak To Decision, Dobbs Majority Didn't Waver

Justice Samuel Alito's leaked draft striking down Roe v. Wade underwent few substantive changes before becoming the law of land Friday, signaling a unified conservative majority that never wavered even as public outcry over the decision grew.

Abortion Questions Swirl Over Health Attys In Post-Roe World

Lawyers for the health care industry's myriad participants — hospitals, pharmacies, telemedicine platforms, investors and more — are fielding countless queries about ethical duties to patients and a minefield of legal risks after the U.S. Supreme Court erased the constitutional right to abortion and allowed states to criminalize the procedure.

Dobbs May Be Just The First Domino, Dissent Warns

In a scathing and sorrowful dissent, the U.S. Supreme Court's liberal justices warned Friday that the "catastrophic" decision to overturn Roe v. Wade not only strips millions of American women of their constitutional right to abortion but "throws longstanding precedent to the winds" and threatens the very foundation of the U.S. legal system.

Dobbs Casts Shadow On Gay Rights, Birth Control

As other conservative U.S. Supreme Court justices sought to blunt a political firestorm by emphasizing that their decision to overturn women's constitutional abortion rights on Friday was not an attack on other rights, like those protecting birth control and same-sex couples, Justice Clarence Thomas made it clear that the door should be wide open.

Supreme Court Overturns Roe v. Wade

The U.S. Supreme Court on Friday upheld a Mississippi abortion ban and overturned the constitutional abortion right established nearly 50 years ago in Roe v. Wade, setting the stage for a widespread rollback of abortion rights in many statehouses around the country.

LEGISLATIVE LANDSCAPE

Alliance Defending Freedom
American Medical Association Inc.
Apple Inc.
BuzzFeed Inc.
Center for Democracy & Technology
Citigroup Inc.
Conde Nast Publications Inc.
Deutsche Bank AG
Dick's Sporting Goods Inc.
DoorDash Inc.
Federalist Society
George Washington University
Google LLC
Guttmacher Institute
JPMorgan Chase & Co.
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LinkedIn Corp.
Meta Platforms Inc.
National Association of Criminal Defense Lawyers
National Women's Law Center
Netflix Inc.
Nike Inc.
Paypal Holdings Inc.
Planned Parenthood Federation
Public Citizen Inc.
Reddit Inc.
Salesforce.com Inc.
Spotify Technology SA
Starbucks Corp.
Tesla Inc.
The Center for Reproductive Rights
Twitter Inc.
UCLA School of Law
University at Albany
University of Virginia
Warner Bros. Entertainment Inc.
Yelp Inc.
Zillow Group Inc.

GOVERNMENT AGENCIES

Equal Employment Opportunity Commission
Federal Trade Commission
Illinois Attorney General's Office
National Labor Relations Board
Texas Legislature
U.S. Department of Justice
U.S. Supreme Court

Biden Urges Congress To Undo High Court's 'Tragic Error'

President Joe Biden on Friday called the U.S. Supreme Court's decision overturning abortion rights a "tragic error" and called on Congress to codify abortion protections into law.

Roe Reversal Leaves States To Make Own Abortion Rules

State and local lawmakers now have new powers to outlaw abortions and punish those who seek or perform the procedure under Friday's U.S. Supreme Court decision that overturned abortion as a constitutional right.

Dems Call For FTC Probe Of Mobile Tracking By Apple, Google

Four members of Congress on Friday urged the Federal Trade Commission to investigate how Apple and Google track mobile phone users, saying they're particularly concerned about third parties' ability to access this location data in the wake of the U.S. Supreme Court's decision to overturn Roe v. Wade.

EMPLOYMENT RAMIFICATIONS

What Employers Should Do Now That Roe Has Fallen

The U.S. Supreme Court's decision to overturn Roe v. Wade presents major challenges for employers and health plans, experts say. Here are five things employers should do right now following the decision in Dobbs v. Jackson Women's Health Organization.

Disney, Other Cos. Pledge To Cover Workers' Abortion Travel

Dozens of prominent companies, including Disney, Meta Platforms Inc. and Deutsche Bank, responded to the U.S. Supreme Court's decision Friday overruling Roe v. Wade by saying they will cover employees' costs to travel to another state if needed to obtain a legal abortion.

PODCAST

The Term: 50 Years Of Abortion Rights, Overturned

On Friday, the U.S. Supreme Court overturned Roe v. Wade and upheld a Mississippi law banning abortions after 15 weeks of pregnancy. In this special episode, Law360's The Term breaks down the historic ruling and its potential impacts.

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[redacted]

[redacted] Title

SUBJECT: 13 healthcare voices on Roe v. Wade overturn | Supreme Court backsHHS on DSH rule | Sentara names CEO to succeed Howard Kern | Denver Health,Erlanger name CEOs | Ariz. hospital preps for mass layoff | Meta sued overclaims of patient data scraping
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 25/06/2022 08:15

June 25, 2022

BECKER'S
HOSPITAL REVIEW

Virtual Events • Webinars • Whitepapers • OnDemand Learning • Podcasts

1. 'Shameful, 'egregious': Medical groups react to Roe v. Wade overturn Full story
2. 13 healthcare responses to Roe v. Wade reversal Full story
3. Supreme Court backs HHS on Medicare payment to hospitals serving low-income patients Full story
4. Curious about AI's place in cardiology? Demystify AI and learn how to make it part of your digital strategy.
5. Sentara Healthcare selects CEO to succeed Howard Kern Full story
6. Denver Health selects next CEO Full story
7. Don't overlook providers' schedules in your efforts to combat burnout. Here's the innovative approach Ochsner Health is taking.
8. Erlanger offers Jim Coleman CEO role Full story
9. 31-day strike at New Jersey hospital ends Full story
10. Tech layoffs could be boon for CIOs Full story
11. Technology alone can't attract patients in the consumer era of healthcare. Here's what execs learned from more than 4,000 patients about what they expect from your hospital's digital strategy.
12. Arizona hospital preps for mass layoff Full story
13. Hospitals see continued weaponization of pandemic aid Full story
14. Facebook sued after claims of patient data being secretly sent to its platform Full story

Becker's Learning Opportunities

1. Inefficient medical device management is threatening retention and patient safety. Here are 5 strategies for hospitals to change that.
2. Nearly 8% of all lab orders are clinically inappropriate. Get 5 tips to improve utilization and reduce unnecessary spend here.
3. A simple optimization saved this surgical hospital $100k. This 1-page case study will tell you how.

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How

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effective medical device management improves patients safety and jobs

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factionHowAIcansolvehealthcare'sproblemAnalyz

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Title

[redacted]

Six Continents Hotels, Inc. Three Ravinia Drive, Suite 100 Atlanta, Georgia, 30346-2149, U.S.A.

SUBJECT: Morning Consult Health Presented by Better Medicare Alliance:What's Ahead & Week in Review
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 26/06/2022 07:31

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JUNE 26, 2022

BY GABY GALVIN

Twitter Email

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short questions about your experience with Morning Consult's news and analysis: Take the survey now.

Good morning all, and welcome back to Morning Consult Health. In light of the Food and Drug Administration's decision to order Juul Labs Inc.'s products off the U.S. market, what share of adults has a favorable view of the vaping giant?

A: 6%
B: 13%
C: 19%
D: 27%
E: 31%

Check out the answer at the bottom of today's newsletter.

What's Ahead

The House Oversight and Reform Committee will hold a hearing at 1:30 p.m. Monday on the federal response to the addiction crisis, featuring President Joe Biden's drug czar Dr. Rahul Gupta. With a $39

[redacted]

billion budget, his office is emphasizing harm reduction to stem drug overdoses, which killed about 107,000 Americans last year.

The FDA's vaccine advisory committee will meet at 8:30 a.m. Tuesday to discuss whether COVID-19 vaccines should be updated to combat emerging variants this fall. Both Pfizer Inc. and Moderna Inc. are pushing for new omicron-specific versions of their shots, and the FDA advisory group was generally supportive of the idea when it met in April.

A House Energy and Commerce Committee panel will hold a hearing at 11 a.m. Tuesday on oversight of the Medicare Advantage program. The privately run plans are highly popular with seniors, and big health insurers and startups alike view Medicare Advantage as a major growth opportunity. But there are also concerns over inflated payments within the program, and House lawmakers are now taking a closer look at the quality of the coverage.

The House E&C health subcommittee will meet at 11 a.m. Wednesday to work on public health legislation that tackles a slew of issues ranging from clinical trial diversity to rural telehealth access. The panel's Democratic leadership said the hearing will focus on shoring up the country's "public health workforce and infrastructure."

Walgreens Boots Alliance Inc. is reporting quarterly earnings Thursday. We're tuning in for more details on the pharmacy giant's new clinical trial business, which aims to lean on its deep community footprint to increase patient enrollment and diversity. It may just work — Morning Consult survey data shows that more than half of U.S. adults would be interested in participating in a clinical trial if they could do so from a Walgreens or another retail clinic.

Events Calendar

View Full Calendar

PRESENTED BY BETTER MEDICARE ALLIANCE

More Seniors Are Choosing Medicare Advantage - See Enrollment Rates in Your Community

With average annual savings of nearly $2,000 for consumers, lower per-beneficiary government spending, and a 94% beneficiary satisfaction rate, Medicare Advantage is now the leading choice of Medicare coverage for seniors in more than 120 Congressional districts nationwide. What's more, 31 states have MA enrollment rates of more

than 40%. Medicare Advantage is working for more than 28 million Americans. Let's protect this bipartisan healthcare success story.

Week in Review

Abortion: The Supreme Court overturned Roe v. Wade, opening the door for about half of states to restrict or ban abortion outright. A group of 20 Black congresswomen asked Biden to declare a public health emergency in response to the ruling, and providers across the country prepared to tackle reproductive health in a post-Roe world. Biden called the decision "a sad day for the court and the country" and said the fight for abortion rights is "not over."

Other rulings: The Supreme Court ruled that employer health plans can designate all dialysis providers as out-of-network, and will uphold a federal rule that allows the government to recover billions of dollars from health insurers in Medicare Advantage overpayments. The high court also reinforced the Health and Human Services Department's approach to certain Medicare payments for hospitals serving low-income patients.

Tobacco: The FDA said it will force Juul to take its e-cigarettes off the U.S. market after a nearly two-year review of the vaping giant's data, marking a departure from the agency's stance toward Juul's biggest rivals. A federal appeals court granted Juul a temporary stay of the FDA's decision. Separately, the Biden administration plans to require tobacco companies to slash nicotine levels in cigarettes sold in the United States in a bid to help addicted smokers quit and prevent young people from picking up the habit.

Monkeypox: The Biden administration said it will expand commercial lab testing for monkeypox in an effort to curb the country's outbreak, while health officials are looking to expand access to the monkeypox vaccine to children. The World Health Organization is also considering whether to declare the international outbreak a global emergency.

STAT OF THE WEEK

32%

The share of U.S. parents with kids under 5 who say they definitely won't get them vaccinated against COVID-19.

THE MOST READ STORIES THIS WEEK

1) Buying From Mark Cuban's Pharmacy Could Save Medicare Billions, Study Says
Joseph Walker, The Wall Street Journal

2) Supreme Court rules in favor of insurance plan that pushed kidney failure patient to Medicare
Bob Herman, Stat News

3) Senators release bill targeting insulin prices
Lauren Clason, Roll Call

4) Inequities in healthcare cost nearly $320B annually, new research shows
Hailey Mensik, Healthcare Dive

5) Washington ups pressure on PBMs with more aggressive FTC policy, congressional ask for GAO study
Rebecca Pifer, Healthcare Dive

6) Citing a disastrous pandemic response, an expert panel calls for an overhaul of the U.S. public health system.
Sheryl Gay Stolberg, The New York Times

7) UnitedHealth Rejected by High Court on Medicare Overpayments
Greg Stohr, Bloomberg

8) CMS to Congress: 'Time is of the essence' on extending boosted ACA subsidies
Robert King, Fierce Healthcare

9) PBM reform bill that boosts FTC powers inches closer to passage in Senate
Robert King, Fierce Healthcare

10) Long Covid Affects One in Five Virus Patients, US Survey Finds
John Tozzi, Bloomberg

OTHER HEALTH NEWS

- CDC Recommends Moderna's Covid-19 Vaccine for Kids 6 to 17 Years (The Wall Street Journal)
- Senate Passes Bipartisan Gun Bill Funding Red-Flag Laws, Mental Health Programs (The Wall Street Journal)
- Biden Signs Gun Bill Into Law, Ending Years of Stalemate (The New York Times)
- CMS approves first-ever public option plan for Colorado's ACA exchange (Fierce Healthcare)
- Bill to Create Biden's Biomedical Agency Wins House Passage (Bloomberg Law)
- Biden picks first woman, person of color as science adviser (The Associated Press)
- Biden Calls Effort to Vaccinate Very Young U.S. Children a 'Monumental Step Forward' (The New York Times)
- White House COVID adviser touts Moderna, Pfizer shots as 'good choices' for parents of kids under 5 (The Hill)
- Covid Vaccines Prevented 20 Million Deaths in First Year, Study Finds (Bloomberg)

[redacted]

[redacted] Title

The answer to this week's quiz is **B:** 13% of U.S. adults have a favorable view of Juul, with millennials more likely to back the brand than younger and older cohorts alike. Find more data through Morning Consult's Brand Intelligence platform.

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SUBJECT: High Court Backs HHS In 'Baffling' Hospital Pay Fight
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 27/06/2022 02:15

LAW360 HEALTH

Monday, June 27, 2022 Follow

TOP NEWS

High Court Backs HHS In 'Baffling' Hospital Pay Fight

The U.S. Supreme Court on Friday sided with the U.S. Department of Health and Human Services in a complex battle over special payments for hospitals in low-income areas, capping off a case that left the justices openly bewildered.

Opinion attached | Read full article »

3rd Judge On NYC Vax Case Refuses To Step Down

The third federal judge tapped to oversee a challenge to New York City's vaccine mandate for city workers has issued a statement saying she no longer owns stock in Pfizer after the plaintiffs pressed her on her earlier decision not to recuse herself.

Memorandum attached | Read full article »

DC Circ. Blocks Enforcement Of FDA's Juul Vape Ban

COMPANIES IN TODAY'S NEWS

Alliance Defending Freedom

The D.C. Circuit on Friday granted Juul Labs Inc. an administrative stay on the U.S. Food and Drug Administration's decision to pull its e-cigarette products from the shelves, the same day the vape maker had asked the court to block the ban.

2 documents attached | Read full article »

Analysis

Abortion Questions Swirl Over Health Attys In Post-Roe World

Lawyers for the health care industry's myriad participants — hospitals, pharmacies, telemedicine platforms, investors and more — are fielding countless queries about ethical duties to patients and a minefield of legal risks after the U.S. Supreme Court erased the constitutional right to abortion and allowed states to criminalize the procedure.

Opinion attached | Read full article »

Supreme Court Overturns Roe v. Wade

The U.S. Supreme Court on Friday upheld a Mississippi abortion ban and overturned the constitutional abortion right established nearly 50 years ago in Roe v. Wade, setting the stage for a widespread rollback of abortion rights in many statehouses around the country.

Opinion attached | Read full article »

Biden Urges Congress To Undo High Court's 'Tragic Error'

President Joe Biden on Friday called the U.S. Supreme Court's decision overturning abortion rights a "tragic error" and called on Congress to codify abortion protections into law.

Read full article »

Analysis

Dobbs Casts Shadow On Gay Rights, Birth Control

As other conservative U.S. Supreme Court justices sought to blunt a political firestorm by emphasizing that their decision to overturn women's constitutional abortion rights on Friday was not an attack on other rights, like those protecting birth control and same-sex couples, Justice Clarence Thomas made it clear that the door should be wide open.

Read full article »

RISING STAR

Rising Star: Foley & Lardner's Thomas Ferrante

Thomas Ferrante of Foley & Lardner LLP has helped numerous health-related businesses expand their platforms, including primary and urgent care business Carbon Health, earning him a spot among the health care attorneys under age 40 honored by Law360 as Rising Stars.

Read full article »

POLICY & REGULATION

Dems Call For FTC Probe Of Mobile Tracking By Apple, Google

Four members of Congress on Friday urged the Federal Trade Commission to investigate how Apple and Google track mobile phone users, saying they're particularly concerned about third parties' ability to

American Medical Association Inc.
American Psychiatric Association
Apple Inc.
Arcellx Inc.
Association of Corporate Counsel
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Boston University
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CVS Health Corp.
Celgene Corp.
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Public Citizen Inc.
Rite Aid Corp.
Safeway Inc.
Salesforce.com Inc.
SimpleLegal Inc.
Spotify Technology SA
The Brattle Group Inc.
The Brink's Co.
The Center for Reproductive Rights
The Kroger Co.
Trammell Crow Residential Co.

[redacted]

access this location data in the wake of the U.S. Supreme Court's decision to overturn Roe v. Wade.

Letter attached | Read full article »

LITIGATION

'Trust Your Eyes,' Feds Urge As Balwani Charges Go To Jury

A California federal jury began deliberations Friday on the criminal fraud case against ex-Theranos executive Ramesh "Sunny" Balwani after federal prosecutors made their final argument urging jurors to "trust your eyes" and find Balwani deceived investors and influenced the company's younger and less experienced CEO, Elizabeth Holmes.

Read full article »

Patients Slam UnitedHealth's Bid To Keep 9th Circ. Order Alive

UnitedHealth Group Inc. relied on contradictory arguments in its defense of the Ninth Circuit's decision unraveling court orders requiring the insurer's subsidiary to reprocess thousands of claims for mental health and substance use disorder treatment, plan participants have argued, doubling down on imploring the appeals court to revisit its ruling.

Response attached | Read full article »

Bristol-Myers Can't Dodge Celgene Investors' Drug Delay Suit

UMB Bank can pursue its claims that Bristol-Myers Squibb improperly delayed U.S. Food and Drug Administration approval of a cancer treatment to avoid paying $6.4 billion owed from a 2019 acquisition of Celgene Corp., because the bank "has the better reading" of the contract, a New York federal judge has ruled.

Opinion attached | Read full article »

Judge Won't Lift Stay In Masimo Patent Fight Against Apple

A California federal judge has refused to unpause medical device maker Masimo's patent suit against Apple over technology that monitors blood oxygen levels, ruling that it can stay on hold while the companies appeal a series of Patent Trial and Appeal Board decisions on the asserted patents that largely came out in Apple's favor.

Order attached | Read full article »

Retailers Cut Midtrial Deal With Impax In Opana Delay Case

Well into an antitrust trial over an alleged pay-for-delay scheme surrounding Endo Pharmaceuticals' Opana ER painkiller, a group of major retail chains cut a midtrial settlement Friday with Impax Laboratories, one of the defendants in the wide-ranging case.

Motion attached | Read full article »

Feature

Wash. Justices To View Long-Awaited Virus Coverage Issues

Policyholders and insurers will turn their attention to Washington's top court on June 28 as the justices consider whether a pediatric dental practice was

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insured for losses caused by government-imposed restrictions during the COVID-19 pandemic, in a venue policyholder attorneys have long hoped would prove friendly to their clients.

Read full article »

NJ Midyear Report: Disbarment Rethink, Record Access Wins

The New Jersey Supreme Court in recent months opened the door to reinstating disbarred attorneys and ensured public access to law enforcement records, while lower appellate courts blessed nondisparagement clauses in employment-related settlement agreements and put the burden on personal injury litigants to justify conditions for defense medical examinations.

Read full article »

Ill. Justices Back Revival Of 1 Claim In Hip Surgery Suit

The Illinois Supreme Court said Friday that a lower appellate panel was only half right to revive negligence claims against two doctors who allegedly botched a hip replacement surgery, because the panel lacked jurisdiction to review one of the doctor's summary judgment wins.

Opinion attached | Read full article »

Texas Justices Asked To End Pacemaker Implant Suit

A Texas hospital is asking the state supreme court to toss a woman's lawsuit accusing its doctor of negligently and unnecessarily implanting a pacemaker, arguing that the medical center is forced to play a "game of gotcha" if required to object to every untimely expert report the patient files.

Petition attached | Read full article »

Delaware Chancery Orders UpHealth To Delay Annual Meeting

Delaware's Court of Chancery on Friday ordered digital health company UpHealth Inc. to postpone its June 28 annual stockholder meeting, finding that the board's recent changes to quorum requirements were made with intent to interfere with a majority of stockholders' rights.

Read full article »

UnitedHealth Overpayment Recovery Defies ERISA, Suit Says

UnitedHealth Group Inc. regularly offsets overpayments to providers from certain health plans by withholding payments to those providers from other health plans, a practice that lines the pockets of the insurer and violates federal benefits law, according to a proposed class action filed Friday in Minnesota federal court

Complaint attached | Read full article »

REAL ESTATE

Real Estate Rumors: Santander, Moinian, Physicians Realty

Santander Bank has reportedly lent $92.3 million for a South Florida multifamily project, Moinian Group is said to have leased out 15,317 square feet in Manhattan to Valley National Bank and Physicians

Lewis & Llewellyn
Lipe Lyons
Livingston Barger
Lockridge Grindal
Lynch Thompson
Mayer Brown
McDermott Will
Miller Shakman
Montgomery McCracken
Morgan Lewis
Morris Nichols
Morrison Foerster
Motley Rice
Nelson Madden
Novack & Macey
Orrick Herrington
Outten & Golden
Pashman Stein
Pearson Simon
Pillsbury Winthrop
Proskauer Rose
Psych-Appeal Inc.
Reed Smith
Richards Layton
Riker Danzig
Ringler Law Firm
Ropes & Gray
Sacks Weston
Shook Hardy
Smith Gambrell
SmithAmundsen LLC
Statecraft PLLC
Stris & Maher
Sullivan & Cromwell
Vedder Price
Venable LLP
Watson Caraway
Weil Gotshal
Wexler Boley
Wilkinson Stekloff
Williams & Connolly
WilmerHale
Winston & Strawn
Womble Bond Dickinson
Zuckerman Spaeder

GOVERNMENT AGENCIES IN TODAY'S NEWS

Consumer Financial Protection Bureau
Delaware Court of Chancery
Executive Office of the President
Federal Trade Commission
Food and Drug Administration
Government Accountability Office
Illinois Supreme Court
New Jersey Supreme Court
Texas Supreme Court
U.S. Attorney's Office for the Eastern District of

Realty Trust has reportedly lent $18.38 million for a mixed-use project in South Florida.

Read full article »

PEOPLE

Health Hires: Arnold & Porter, Arcellx

Arnold & Porter has added a new life sciences regulatory partner to its Denver team from King & Spalding LLP, while biotechnology company Arcellx Inc. and health care-related services business Gale Healthcare Solutions have named new legal heads, highlighting Law360's latest roundup of personnel moves in health care and life sciences.

Read full article »

EXPERT ANALYSIS

Opinion

Now's The Time To Address Archaic Law School Curricula

With law school enrollments jumping significantly ahead of a potential recession and more students graduating than the market can absorb, law schools should turn to creative solutions to teach students how to negotiate, work with clients, specialize and use technology to practice their craft more efficiently, says University of Colorado adjunct professor Jason Mendelson.

Read full article »

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In a scathing and sorrowful dissent, the U.S. Supreme Court's liberal justices warned Friday that the "catastrophic" decision to overturn Roe v. Wade not only strips millions of American women of their constitutional right to abortion but "throws longstanding precedent to the winds" and threatens the very foundation of the U.S. legal system.

Read full article »

Podcast

The Term: 50 Years Of Abortion Rights, Overturned

On Friday, the U.S. Supreme Court overturned Roe v. Wade and upheld a Mississippi law banning abortions after 15 weeks of pregnancy. In this special

Pennsylvania
U.S. Attorney's Office for the Northern District of California
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. District Court for the Central District of California
U.S. District Court for the District of Minnesota
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court

episode, Law360's The Term breaks down the historic ruling and its potential impacts.

Read full article »

Kirkland Unlikely To Regret Split With Clement, Experts Say

Kirkland & Ellis LLP's decision to shun Second Amendment cases, and by extension famed appellate lawyer Paul Clement, appears to be the latest example of how client selection has become an increasingly important strategy for law firms when it comes to honing their brand.

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RNC Tells DC Circ. Jan. 6 Panel's Subpoena Too Intrusive

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Costco Can't Subpoena Itself To Use Chicken Docs In Arb.

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SUBJECT: Abortion Questions Swirl Over Health Attys In Post-Roe World
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 27/06/2022 02:55

LAW360 PUBLIC POLICY

Monday, June 27, 2022

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Abortion Questions Swirl Over Health Attys In Post-Roe World

Lawyers for the health care industry's myriad participants — hospitals, pharmacies, telemedicine platforms, investors and more — are fielding countless queries about ethical duties to patients and a minefield of legal risks after the U.S. Supreme Court erased the constitutional right to abortion and allowed states to criminalize the procedure.

Opinion attached | Read full article »

Analysis

Dobbs Casts Shadow On Gay Rights, Birth Control

As other conservative U.S. Supreme Court justices sought to blunt a political firestorm by emphasizing

that their decision to overturn women's constitutional abortion rights on Friday was not an attack on other rights, like those protecting birth control and same-sex couples, Justice Clarence Thomas made it clear that the door should be wide open.

Read full article »

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Read full article »

Roe Reversal Leaves States To Make Own Abortion Rules

State and local lawmakers now have new powers to outlaw abortions and punish those who seek or perform the procedure under Friday's U.S. Supreme Court decision that overturned abortion as a constitutional right.

Read full article »

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Justice Samuel Alito's leaked draft striking down Roe v. Wade underwent few substantive changes before becoming the law of land Friday, signaling a unified conservative majority that never wavered even as public outcry over the decision grew.

Read full article »

Biden Urges Congress To Undo High Court's 'Tragic Error'

President Joe Biden on Friday called the U.S. Supreme Court's decision overturning abortion rights a "tragic error" and called on Congress to codify abortion protections into law.

Read full article »

Supreme Court Overturns Roe v. Wade

The U.S. Supreme Court on Friday upheld a Mississippi abortion ban and overturned the constitutional abortion right established nearly 50 years ago in Roe v. Wade, setting the stage for a widespread rollback of abortion rights in many statehouses around the country.

Opinion attached | Read full article »

Judge Asks DOJ If Meadows Is Immune From Jan. 6 Subpoena

A D.C. federal judge is seeking clarity from the U.S. Department of Justice whether former White House chief of staff Mark Meadows is entitled to any level of immunity from a subpoena issued by the House select committee investigating last year's deadly attack on the U.S. Capitol.

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RNC Tells DC Circ. Jan. 6 Panel's Subpoena Too Intrusive

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Appalachian Mountain Advocates
ArentFox Schiff
Arnold & Porter
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Babst Calland
Beveridge & Diamond
Bird Marella
Butler Snow LLP
Cohen Milstein
Conner & Winters
Cotchett Pitre
Covington & Burling
DLA Piper
Dawson & Sodd
Eimer Stahl
Eversheds Sutherland
Falkenberg Ives
Farella Braun
Fried Frank
Gibson Dunn
Girardi & Keese
Greenberg Traurig
Gustafson Gluek
Hagens Berman
Hart McLaughlin
Hogan Lovells
Holland & Knight
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Jordan Price
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Morrison Foerster
Motley Rice
Nelson Madden
Novack & Macey
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Orrick Herrington
Outten & Golden
Pearson Simon
Peralez Franz
Proskauer Rose

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The Republican National Committee argued to the D.C. Circuit Friday that a subpoena from the Jan. 6 House select committee is too broad, urging the appellate court to block the bid for email campaign records and testimony from Salesforce.com, the RNC's software vendor.

1 document attached | Read full article »

Texas Justices Allow Narrower Fight Of Legislative Boundary

The Texas Supreme Court on Friday trimmed and returned for repleading a lawsuit challenging the constitutionality of a redrawn state House of Representatives district in South Texas, finding a state senator can continue pursuing his suit if he amends it to include the governor and secretary of state.

2 documents attached | Read full article »

BANKING & SECURITIES

Stronger Rules Needed After 'Meme Stock' Frenzy, Dems Say

House Democrats on Friday called for tighter regulations around how broker-dealers manage liquidity, saying that shortfalls in this area contributed to last year's "meme stock" turmoil.

2 documents attached | Read full article »

Mortgage Lender Seeks Win In FHA Whistleblower Fraud Suit

A mortgage lender asked a California federal court to award it a win in a whistleblower suit accusing the company of writing unqualified Federal Housing Administration loans to boost profits, arguing that the whistleblower hasn't shown any fraudulent activity.

Memorandum attached | Read full article »

Bank Groups Worry ESG Proposals Are 'Anything But Neutral'

A coalition of national and state banker groups is pushing back on efforts by Biden administration financial regulators to develop climate risk guidance and other ESG-minded rules, warning of potentially "acute, widespread and anything but neutral" effects, and consequences for banks' ability to serve customers.

Letter attached | Read full article »

OCC's Veteran Examiner And Ex-Acting Chief To Retire

The Office of the Comptroller of the Currency announced Friday that its senior deputy comptroller for supervision risk and analysis, who served briefly as acting comptroller last year, will retire from the agency after 36 years.

Read full article »

ENERGY & ENVIRONMENTAL

9th Circ. Stays Wash. Water Quality Order Against EPA

The Ninth Circuit on Thursday paused a deadline for the U.S. Environmental Protection Agency to revise water pollutant standards as the agency works on a possible settlement over standards necessary to protect wild salmon and orca in Washington waterways.

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Reese Marketos
Ritter Spencer
Rogers Morris
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Sacks Weston
Shook Hardy
Smith Gambrell
SmithAmundsen LLC
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Sonosky Chambers
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Steptoe & Johnson LLP
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Terry Bryant Accident & Injury Law
Vedder Price
Venable LLP
Vicente Sederberg
Vinson & Elkins
Weil Gotshal
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Winstead PC
Winston & Strawn
Womble Bond Dickinson
Yetter Coleman
Youngkin & Doss

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Academy Mortgage Corp.
Alliance Defending Freedom
American Bankers Association
American Immigration Council Inc.
American Immigration Lawyers Association
American Medical Association Inc.
Apple Inc.
Association of Corporate Counsel
Association of Village Council Presidents
Center for Democracy & Technology
Charah, Inc
Chevron Corp.
Cisco Systems Inc.
Costco Wholesale Corp.
Depository Trust & Clearing Corp.
Earthjustice
Enterprise Products Partners LP

3 documents attached | Read full article »

DC Circ. Allows Groups To Defend EPA Turbine Standards

The D.C. Circuit on Friday permitted three environmental groups to defend the EPA's decision to lift a nearly two-decade-long pause on hazardous air pollutant standards governing certain stationary combustion turbines, a move challenged by Williams Cos. and TransCanada Pipeline.

3 documents attached | Read full article »

EPA Pitches Reporting Rules For Chemicals

The U.S. Environmental Protection Agency on Friday announced a proposal to require advance notice before manufacturers begin new uses for dozens of chemicals, marking the latest effort by the Biden administration to evaluate chemicals before they head to market.

1 document attached | Read full article »

DOI Aims To Ease Offshore Wind-Fishing Industry Tensions

The U.S. Department of the Interior has issued guidelines to lessen the impacts of offshore wind development on commercial and recreational fishing, but fishing industry groups say the guidance is toothless without mandates for project developers.

1 document attached | Read full article »

Modernized Energy Charter Treaty Would Nix Intra-EU Claims

A final agreement has been reached on the modernization of the Energy Charter Treaty that would immediately bar European investors from filing investor-state claims against EU member states, according to a Friday announcement.

Read full article »

Pa. Coal Co. Settles Sierra Club's Water Warming Lawsuit

The Sierra Club and GenOn Power Midwest have reached an agreement to end litigation over a now-shuttered coal-fired facility in Pittsburgh, a deal that sees the environmental group collecting $140,000 from the company to cover its legal bills, according to a settlement filed Friday

Statement attached | Read full article »

HEALTH & LIFE SCIENCES

High Court Backs HHS In 'Baffling' Hospital Pay Fight

The U.S. Supreme Court on Friday sided with the U.S. Department of Health and Human Services in a complex battle over special payments for hospitals in low-income areas, capping off a case that left the justices openly bewildered.

Opinion attached | Read full article »

REAL ESTATE

Texas Justices Say High-Speed Rail Can Use Eminent Domain

A sharply divided Texas Supreme Court ruled Friday that developers of a proposed high-speed rail line connecting Dallas and Houston have eminent domain authority, greenlighting the controversial project in a decision one dissenting justice calls a

Federalist Society
Fieldale Farms Corp.
Financial Industry Regulatory Authority Inc.
GameStop Corp.
George Washington University
Google LLC
Greater Houston Partnership Inc.
Guttmacher Institute
Johnson & Johnson
Lambda Legal Defense & Educational Fund
Lehman Brothers Holdings Inc.
Major Lindsey & Africa LLC
McAfee Inc.
NASDAQ Inc.
National Association for Law Placement Inc.
National Association of Broadcasters
National Association of Criminal Defense Lawyers
National Congress of American Indians
National Immigration Forum
National Women's Law Center
Native American Rights Fund Inc.
Natural Resources Defense Council
New York Law School
Onit Inc.
Peco Foods Inc.
Pfizer Inc.
Pilgrim's Pride Corp.
Planned Parenthood Federation
Public Citizen Inc.
Salesforce.com Inc.
Sierra Club
SimpleLegal Inc.
Spotify Technology SA
T-Mobile US Inc.
The Brattle Group Inc.
The Brink's Co.
The Center for Reproductive Rights
The Williams Cos. Inc.
TransCanada Corporation
Tyson Foods Inc.
U.S. Chamber of Commerce
UCLA School of Law
University at Albany
University of Southern California
University of Virginia

"devastating erosion" of landowner property rights in the state.

5 documents attached | Read full article »

Texas Justices Clarify Eminent Domain Counterclaim Rules

The Texas Supreme Court on Friday ruled that defendants in eminent domain lawsuits can't transfer a suit from a county court to a state district court simply by filing hefty jurisdiction counterclaims, finding that county courts have long maintained power in that area.

Opinion attached | Read full article »

EMPLOYMENT & BENEFITS

Interview

Vidal Sees More Fintiv Changes After Formal Rulemaking

Guidance issued earlier this week clarifying how the Patent Trial and Appeal Board should apply the controversial Fintiv precedent was intended to memorialize the PTAB's current practice around the policy while the agency prepares for formal rulemaking, U.S. Patent and Trademark Office Director Kathi Vidal told Law360 in an exclusive interview Friday.

Read full article »

CYBERSECURITY & PRIVACY

Dems Call For FTC Probe Of Mobile Tracking By Apple, Google

Four members of Congress on Friday urged the Federal Trade Commission to investigate how Apple and Google track mobile phone users, saying they're particularly concerned about third parties' ability to access this location data in the wake of the U.S. Supreme Court's decision to overturn Roe v. Wade.

Letter attached | Read full article »

PERSONAL INJURY & MEDICAL MALPRACTICE

Ex-High School Athlete Takes Football Injury Suit To Justices

A former high school football player is asking the U.S. Supreme Court to revive his civil rights lawsuit against a Texas school district over multiple concussions he suffered during practices, in a bid to overturn the Fifth Circuit's rejection of the "state-created danger" doctrine.

Petition attached | Read full article »

AEROSPACE & DEFENSE

Texas Can't Preliminarily Block National Guard Vax Mandate

A Texas federal judge on Friday refused to preliminarily halt the Biden administration's COVID-19 vaccination mandate imposed on the Texas Army National Guard and the Texas Air National Guard, finding that the president appears to have the authority to exclude individuals from guard membership.

Order attached | Read full article »

INTERNATIONAL TRADE

WTO Official Stresses Close Trade Ties Amid Global Crises

GOVERNMENT AGENCIES IN TODAY'S NEWS

Alaska Department of Law
Bureau of Ocean Energy Management
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Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Delaware Court of Chancery
European Commission
Executive Office for Immigration Review
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Housing Administration
Federal Housing Finance Agency
Federal Reserve System
Federal Trade Commission
Government Accountability Office
Illinois Attorney General's Office
International Trade Commission
Office of the Comptroller of the Currency
San Carlos Apache Nation
Texas Attorney General's Office
Texas Health and Human Services Commission
Texas House of Representatives
Texas Legislature
Texas Secretary of State
Texas Supreme Court
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the Eastern District of Pennsylvania
U.S. Attorney's Office for the Eastern District of Texas
U.S. Census Bureau
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit

World Trade Organization Deputy Director-General Angela Ellard said Friday that close trade ties and a strengthened WTO are key to helping solve a recent surge of global calamities.

Read full article »

IMMIGRATION

Top 3 Immigration Policy Changes In 2022: Midyear Review

President Joe Biden started his second year in office with several policy moves aimed at cutting immigration court backlogs and expanding a temporary foreign worker program to help address persistent labor shortages. Here, Law360 takes a closer look at three of the most important immigration policy developments so far in 2022.

Read full article »

9th Circ. Says BIA Erred In Not Considering All Torture Risks

The Ninth Circuit on Friday granted a Salvadoran's request to have the Board of Immigration Appeals review claims that he would be tortured if sent back to the Central American country, saying the board originally failed to consider all possible risk sources.

Opinion attached | Read full article »

BIA Says Cameroonian Waited Too Long To Challenge Notice

The Board of Immigration Appeals has ruled a Cameroonian's multipart deportation notice did not warrant axing his removal proceedings, saying Friday he raised the claim too late despite making it only after a U.S. Supreme Court decision panning multipart notices to appear in immigration court.

Decision attached | Read full article »

WHITE COLLAR

Feds Urge Jury To Convict Developer Of Bribing LA Pol Huizar

Real estate developer Dae Yong Lee intended to bribe then-Los Angeles City Councilmember Jose Huizar for help overcoming challenges to a downtown project, federal prosecutors told a California jury during closing arguments Friday, while Lee's attorney maintained his client sincerely believed the $500,000 went toward a legitimate consulting fee.

Read full article »

NATIVE AMERICAN

Feds, Tribal Commission Catch Win In Alaska Fishing Dispute

A federal judge in Alaska has blocked a state order opening a stretch of the Kuskokwim River to gill net fishing, saying the federal government and an intertribal fishing group are likely to win on their claims that the order conflicts with the hunting and fishing priority given to rural subsistence dwellers on federal lands and waters in Alaska.

Order attached | Read full article »

Mining Project On Sacred Apache Land Lawful, 9th Circ. Says

U.S. Court of Appeals for the Ninth Circuit
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of the Interior
U.S. District Court for the Central District of California
U.S. District Court for the District of Alaska
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Pennsylvania
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court
World Trade Organization

Plans to tap nearly 2 trillion tons of copper ore on federal land in Arizona may proceed, after the Ninth Circuit ruled Friday that the mining project does not violate a local Apache group's religious liberty despite preventing its members from accessing a sacred site in the area.

Opinion attached | Read full article »

TELECOMMUNICATIONS

Analysis

Broadcaster Outcry Intensifies Over Rising FCC Reg Fees

Broadcasters have long complained they foot too much of the bill for the Federal Communications Commission's operations, but when the agency unveiled its plan to pay for its 2022 budget, including new fees on regulated industries, the complaints were hotter than usual.

3 documents attached | Read full article »

DOJ Approves Dish And T-Mobile's Network Shutdown Deal

The U.S. Department of Justice has signed off on an agreement between T-Mobile and Dish that updates the terms related to Dish's use of the telecommunications giant's wireless network, the companies indicated in Thursday filings with the U.S. Securities and Exchange Commission.

Read full article »

FCC Chair 'Committed' To Return Of Net Neutrality

The head of the Federal Communications Commission said Friday that she fully backs a reinstatement of net neutrality rules that passed during the Obama era but that a Republican-led commission later repealed.

Read full article »

CANNABIS

Texas Justices Say Smokable Hemp Ban Is Constitutional

The Texas Supreme Court on Friday upheld a state ban on the manufacture and processing of smokable forms of nonpsychoactive hemp, finding that the hemp purveyors who challenged the law did not have a constitutionally protected interest affected by the ban.

2 documents attached | Read full article »

EXPERT ANALYSIS

5th Circ.'s Nixing Of SEC Judges May Mean Trouble For FERC

The Fifth Circuit's recent ruling against the U.S. Securities and Exchange Commission's use of administrative law judges also calls into question the constitutionality of the Federal Energy Regulatory Commission's ALJs — with a critical question being whether the subject of an enforcement action has the option to go to federal court, say Elizabeth Cassady and Daniel Mullen at Steptoe.

Read full article »

Deploying US Discovery In Brazil Following High Court Ruling

While the U.S. Supreme Court's recent decision in ZF Automotive v. Luxshare may be seen as a limitation on the use of discovery in foreign proceedings, there are still many options for litigants deploying U.S. discovery abroad, which is particularly valuable in Brazil, say attorneys at Kobre & Kim.

Opinion attached | Read full article »

Opinion

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With law school enrollments jumping significantly ahead of a potential recession and more students graduating than the market can absorb, law schools should turn to creative solutions to teach students how to negotiate, work with clients, specialize and use technology to practice their craft more efficiently, says University of Colorado adjunct professor Jason Mendelson.

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LEGAL INDUSTRY

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3rd Judge On NYC Vax Case Refuses To Step Down

The third federal judge tapped to oversee a challenge to New York City's vaccine mandate for city workers has issued a statement saying she no longer owns stock in Pfizer after the plaintiffs pressed her on her earlier decision not to recuse herself.

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Trenton, New Jersey

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Dependency Legal

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Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

SUBJECT: Next battle over abortion in the states; $750M headed to states forgun control initiatives; How one state used its giant budget surplus
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 27/06/2022 05:02

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ROUTE FIFTY

Connecting state and local government leaders

Route Fifty Today
June 27, 2022

The Next Chapter for Battles Over Abortion in the States

DANIELA ALTIMARI | The Supreme Court's overturning of Roe v. Wade promises to bring a new wave of debate to statehouses on the issue, as conservatives move to restrict the procedure and liberals look to protect access. Meanwhile, anti-abortion activists say their work isn't finished.

$750M Headed to States For New Gun Control Initiatives

KERY MURAKAMI | But legal experts say a key part for states—red flag laws—could be in jeopardy after the conservative Supreme Court struck down New York's gun law last week.

How One State Used Its Giant Budget Surplus

BILL LUCIA | Idaho this year had extra revenue that was equal to nearly half the amount of its general fund revenues, and that was on top of federal aid. Here's what lawmakers did with the money.

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Elements of a Strong Cyber Defense Program for SLTTs

[redacted]

[redacted] Title

It's no secret that developing a robust cyber defense program can be a challenge. One critical element of your defense-in-depth strategy is effective device-level protection. Through CIS, public entities have access to CIS Endpoint Security Services. This fully-managed service offers active defense against both known and unknown malicious activity. This additional layer of security is deployed directly on devices like workstations and servers and will identify, detect, respond to, and remediate security incidents and alerts.
Learn more today

Biden Strengthens Cyber Coordination Between Feds and State, Local Government

SUSAN MILLER | GCN | The State and Local Government Cybersecurity Act improves collaboration between DHS and state and local governments by boosting the sharing of information and federal resources.

Low-cost Sensors are Helping Communities Find Gaps in Air Quality Data

DIANA KRUZMAN | GRIST | Portable air sensors are helping citizen-scientists living near fracking or industrial operations collect data on volatile organic compounds -- pollutants not tracked by EPA monitors.

Lawsuits Over Miranda Violations Blocked by Supreme Court Ruling

DANIELA ALTIMARI | The 6-3 decision does not eliminate the the rights. But legal experts say it will make it harder to hold law enforcement accountable if they don't provide the warning, which is meant to protect people taken into custody against self-incrimination.

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Elements of a Strong Cyber Defense Program for SLTTs
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Government Executive Media Group, 600 New Hampshire Avenue NW, Washington, DC 20037

SUBJECT: Re: With the Roe v. Wade ruling
FROM: "David Litvack (DHS)" <davidlitvack@utah.gov>
TO: Diane Moore DHS <dmoore@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Sarah Welliver DHS <swelliver@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 27/06/2022 06:15

Thanks Diane - in my opinion, we should absolutely ensure individuals and families are aware of Safe Haven as a resource as part of our gathering of information and resources for Rep. Peterson.

[redacted]

[redacted] Title

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jun 24, 2022 at 3:14 PM Diane Moore DHS <dmoore@utah.gov> wrote:

> Hi all,
>
> I know there are conversations happening (and was added on a spreadsheet with Paul Ray) about services to pregnant mothers to ensure we have supports in place. I also wondered if there is anything we need to promote or do differently our Safe Haven efforts of relinquishment in Utah to prevent abuse/neglect.
>
> https://www.utahsafehaven.org/
>
> It is possible that this is a resource some people who previously wouldn't have experienced pregnancy will utilize going forward, and just wonder if we need to do anything with it in the larger discussions.
>
> Best,
> Diane
>
> --
> **Diane Moore**
> Division Director
> She/Her
> C: 801.755.7302
> dmoore@utah.gov
> dcfs.utah.gov
>
> Utah Department of Health & Human Services
> Child & Family Services

SUBJECT: Morning Consult Health Presented by Better Medicare Alliance: WhiteHouse to Lean on FDA Approval of Medication Abortion in State-Level Fights
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 27/06/2022 06:19

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JUNE 27, 2022

BY GABY GALVIN
Twitter Email

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short

[redacted]

questions about your experience with Morning Consult's news and analysis: Take the survey now.

ICYMI: Some States Are Slow to Dispense COVID-19 Antivirals
Supply of COVID-19 antiviral pills is no longer a major problem in most of the country — but a Morning Consult review of federal data indicates there are challenges ahead to ensure the medicine reaches the right patients equitably and in time. States had dispensed 31% of their ordered pills by mid-June, but there's wide variation across the country. Read more here.

Top Stories

- The Biden administration is preparing to push back on potential state abortion restrictions after the fall of Roe v. Wade, indicating that it will turn to the courts to prevent states from banning medication abortion pills that have been approved by the Food and Drug Administration. (Reuters) Meanwhile, Health and Human Services Secretary Xavier Becerra said the agency is considering "every option" to preserve abortion access, including helping pregnant people with transportation services, which would be an unprecedented step for the health department. (Bloomberg Law)

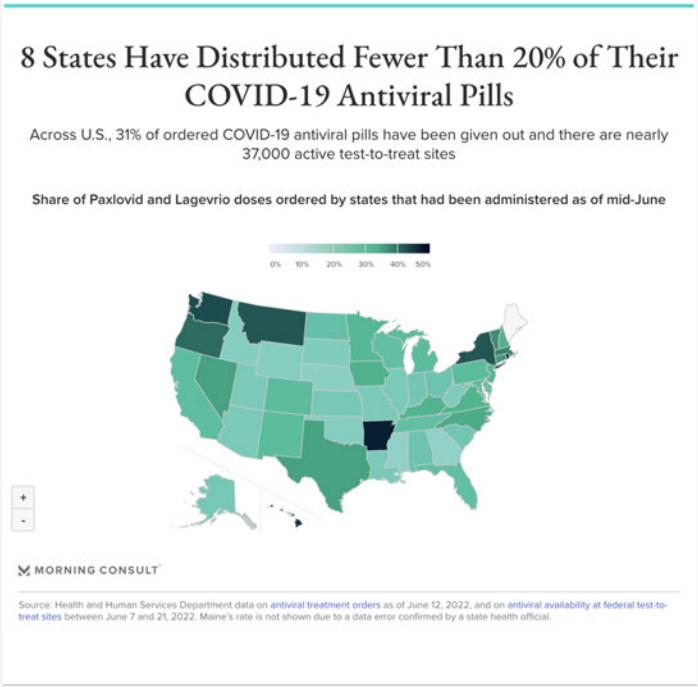
- A group of 34 Senate Democrats pushed President Joe Biden to take "immediate action" to protect abortion rights, as odds remain slim that such legislation will pass in the Senate. Sens. Patty Murray (D-Wash.) and Elizabeth Warren (D-Mass.) have urged the administration to launch a whole-of-government plan that includes using federal civil rights laws to protect people's private health and location data. (NPR News)

- Pfizer Inc. and BioNTech SE said that two versions of their updated COVID-19 booster shot to target the omicron variant prompted significant increases in omicron-fighting antibodies, days before federal regulators decide whether to offer updated shots this fall. It's not clear how long the shot's added protection would last, but Pfizer Chief Executive Albert Bourla said the company now has "two very strong omicron-adapted candidates." (The Associated Press)

Chart Review

After Slow Start, States Are Flush With COVID-19 Antiviral Pills. But Federal Data Shows Some Are Slow to Give Them Out
Morning Consult

[redacted]



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What Else You Need to Know

CORONAVIRUS

Court security funding bill heads back to Senate with COVID-19 add
Aidan Quigley, Roll Call
The House attached a pandemic-related amendment to a Senate-passed Supreme Court security emergency spending bill Friday, ensuring the legislation will not go to President Joe Biden's desk this week even as the high court handed down its expected opinion overturning the 1973 Roe v. Wade decision.

The F.D.A. may move toward updating vaccines.
Sharon LaFraniere, The New York Times
A panel of independent experts advising the Food and Drug Administration will make its recommendation on Tuesday on whether to update existing Covid-19 vaccines to target a newer version of the coronavirus in a booster shot that Americans could get in the fall.

As Army deadline nears, about 60,000 part-time soldiers unvaccinated
Alex Horton, The Washington Post
Nearly 12 percent of Army Guard and 10 percent of Army Reserve soldiers have not received any vaccine dose.

Cue Health rode Covid-19 to an NBA deal and a $3 billion valuation. Now it faces layoffs and a rocky future
Katie Palmer, Stat News
With the imprimatur of the NBA, Cue rocketed from startup obscurity to primetime fame.

Biden officials to keep private the names of hospitals where patients contracted Covid
Rachael Levy, Politico
Despite a spike in infections earlier this year, U.S. officials opted to guard the institutions' names, citing privacy.

Long covid symptoms are often overlooked in seniors
Judith Graham, The Washington Post
Bell, 70, is among millions of older adults who have grappled with long covid — a population that has received little attention even though research suggests seniors are more likely to develop the poorly understood condition than younger or middle-aged adults.

GENERAL

'It's now up to the states': Republicans move to ban abortion after Roe falls
Megan Messerly and Lisa Kashinsky, Politico
It may take months for the status of abortion rights in many states to become clear as lawmakers pass new bills, proponents and opponents of abortion rights file lawsuits and governors take executive action.

Democratic Strongholds Plot Strategy to Ensure Abortion Access
Brendan Walsh et al., Bloomberg
California, Washington and Oregon formed an alliance to ensure abortion access on the West Coast. Michigan's leader asked the state's highest court to rule quickly on her suit seeking to codify rights to the procedure. And in Illinois, the governor demanded a special legislative session.

Monkeypox cases surge as WHO stops short of declaring a global emergency
Rachel Pannett and Annabelle Timsit, The Washington Post

The World Health Organization has decided not to declare monkeypox a global emergency despite a rapid rise in cases in Europe, electing instead to describe it as an "evolving health threat."

Veterans toxic exposure bill stalls as lawmakers head home
Lindsey McPherson et al., Roll Call
A bipartisan bill to expand veterans health care and disability benefits will not make it to President Joe Biden's desk until after the July Fourth congressional recess because of a minor tax provision.

The Polluter Just Got a Million-Dollar Fine. That Won't Cure This Woman's Rare Cancer.
Lisa Song, ProPublica
Rhonda Fratzke's oncologist asked if she had ever worked with vinyl chloride, a potent carcinogen. She had not, but she lived near a Westlake Chemical plant that was just fined a million dollars for polluting the air with the dangerous chemical.

Firearm-safety law is move toward acknowledging gun violence as public health issue, physicians say
Hailey Mensik, Healthcare Dive
Medical associations representing doctors voiced their support for the legislation and have recently strengthened their messaging on gun reform following mass shootings.

PAYERS

Employers Hope FTC Probe of Pharmacy Benefits Eases Drug Prices
Sara Hansard, Bloomberg Law
Large companies that spend billions of dollars a year on prescription drugs for their employees are hoping that the Federal Trade Commission's inquiry into pharmaceutical benefit manager business practices will yield information that spurs major policy changes to reduce drug prices.

His-and-Hers Cataract Surgeries, But His Bill Was 20 Times as Much
Angela Hart, Kaiser Health News
Both patients have the same insurance coverage through Anthem Blue Cross of California; they had identical cataract surgeries; and both providers were in Anthem's coverage network.

PROVIDERS

Abortion Providers Confront New Landscape After Roe
Jennifer Calfas and Deanna Paul, The Wall Street Journal
Some clinics have stopped abortion services after Friday's Supreme Court ruling, which eliminated the constitutional right to an abortion. Others are pressing forward on borrowed time.

California enacts bill to "shield" abortion providers and patients from state bans
Oriana Gonzalez, Axios
California Gov. Gavin Newsom (D) on Friday signed into law a bill to protect abortion providers and patients from bans, lawsuits and penalties in other states.

Abortion Ruling Pits State Bans Against OB-GYN Training Rules
Christopher Brown, Bloomberg Law

The US Supreme Court's overturning of Roe v. Wade could fragment the nation's medical education system and slash the number of new obstetricians and gynecologists who are trained to perform abortions.

In states that allow abortion for rape and incest, finding a doctor may prove impossible
Megan Messerly, Politico
Clinics planning to move their operations may leave patients in their states with no providers willing to offer abortions in cases of rape and incest.

PHARMA, BIOTECH AND DEVICES

Birth control restrictions could follow abortion bans, experts say
Aria Bendix, NBC News
States trying to limit abortion from the moment of conception could also try to restrict access to Plan B and IUDs, according to legal experts.

Genetic Screening Results Just Got Harder to Handle Under New Abortion Rules
Sara Reardon, Kaiser Health News
No prenatal tests can diagnose genetic conditions before 11 weeks.

A 'colossal financial fraud': Gilead to get $33 million from a clinic for exploiting its HIV patient assistance program
Ed Silverman, Stat News
After nearly two years of courtroom squabbling, Gilead Sciences reached a $33 million settlement with a health care clinic in Florida in what the company called a "dangerous and fraudulent scheme" to exploit a patient assistance program for HIV medicines.

Bristol-Myers Must Face $6.4 Billion Suit Over Celgene CVRs
Chris Dolmetsch, Bloomberg Law
Bristol-Myers Squibb Co. failed to win dismissal of a lawsuit alleging the drugmaker deliberately delayed production of a lymphoma drug to avoid paying more than $6 billion to former shareholders of Celgene Corp., which it acquired in 2019.

Monkeypox outbreak in U.S. is bigger than the CDC reports. Testing is 'abysmal'
Michaeleen Doucleff, NPR News
On the surface, the monkeypox outbreak in the U.S. doesn't look that bad, especially compared with other countries.

Women are still underrepresented in clinical trials
Erin Blakemore, The Washington Post
For decades, researchers have tried to enroll more women in clinical trials so research into drugs and medical treatments reflects sex differences and detects possible risks of newly developed cures. But despite gains — and legal requirements — progress has stalled.

A Message From Better Medicare Alliance:

In communities across the country, more seniors are making an active choice for the quality, affordable, coordinated coverage found in Medicare Advantage. In fact, Medicare Advantage exceeds half of all Medicare enrollment in more than 120 Congressional districts

nationwide. Better Medicare Alliance's interactive Medicare Advantage Enrollment Map lets you pinpoint MA enrollment data by state, Congressional district, and even by county. Check it out for yourself here.

HEALTH TECHNOLOGY

What's next for virtual abortions post-Roe
Ben Leonard, Politico
The decision creates a new and expansive legal frontier for telemedicine.

HIPAA won't protect you if prosecutors want your reproductive health records
Eric Boodman et al., Stat News
With Roe v. Wade now overturned, patients are wondering whether federal laws will shield their reproductive health data from state law enforcement, or legal action more broadly. The answer, currently, is no.

Period-Tracker Apps Aim for Anonymity Following Roe v. Wade Decision
Cordilia James and Shara Tibken, The Wall Street Journal
Apps that help people monitor their menstruation and fertility can also be troves of personal data; deleting the app isn't always enough to clean up your digital breadcrumbs.

Cerner Health Record Contract Faces Scrutiny Over Patient Harm
Kerry Burgott and Fawn Johnson, Bloomberg Law
A problematic Cerner Corp. electronic health record system continues to receive federal contracting money from the Veterans Affairs Department even as the head of the agency acknowledges patients could have been harmed by it.

OPINIONS, EDITORIALS AND PERSPECTIVES

Republicans Could Lead on Mental Health Treatment
Bruce Chapman, The Wall Street Journal
The issue behind crime, homelessness and other top public problems.

RESEARCH REPORTS

Determinants of Health Insurance Enrollment and Health Expenditure in Ghana: An Empirical Analysis
Kwame Adjei-Mantey and Charles Yuji Horioka, National Bureau of Economic Research
The empirical findings show that risk preferences have a significant impact on health insurance enrollment, with risk averse individuals being significantly more likely than other households to enroll in health insurance.

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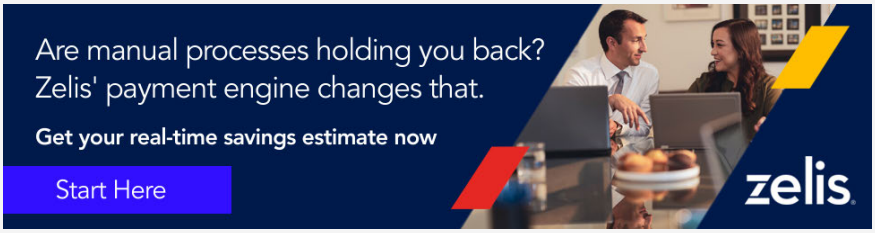

TOP STORIES

Coverage, costs would increase with lower Medicare age

Some policymakers have suggested reducing the Medicare eligibility age from 65 to 60 years to get more older Americans covered, but Urban Institute research shows the cost to do so would be high. It's estimated that 9.2 million of the 12 million Americans ages 60 to 64 who have employer-sponsored insurance would keep their current plans, but about 2.8 million would switch, mostly to enroll in Medicare Parts A, B and D, and the existing Medicaid population would become dual-eligible. **Full Story:** BenefitsPRO (free registration) (6/23)

WHO: Monkeypox isn't a global emergency, but "intense" response is needed

An expert panel convened by the World Health Organization determined the monkeypox outbreak that has reached more than 50 nations should not be deemed a global health emergency but warrants close monitoring. WHO Director-General Tedros Adhanom Ghebreyesus said the rapid spread across borders is particularly worrisome, and limiting the spread of disease will require an "intense" response, according to the statement issued by the WHO emergency committee. **Full Story:** The Associated Press (6/25)

Public Health Emergency & Health Equity

Efficiency, productivity and automation are all positive goals that we strive for, but in health care it can mean more than just a better run

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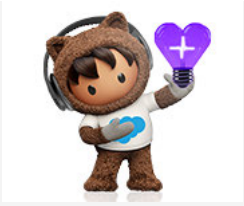

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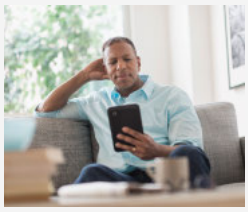
PROVIDERS & SUPPLIERS

SCOTUS sides with HHS in Medicare DSH payment dispute

The Supreme Court ruled Friday that HHS did not violate statutory language when it altered Medicare's reimbursement formula for calculating disproportionate share hospital adjustments, also known as DSH payments, that go to hospitals with a large share of low-income patients. The case, brought by Empire Health Foundation, questioned HHS' interpretation of the statute and argued that the formula introduced in 2004 resulted in excessively low payments to hospitals. **Full Story:** CNN (6/24)



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MEDICAL UPDATE

Report: Over 18M Americans have survived cancer

The number of cancer survivors living in the US surpassed 18 million as of January, but significant racial disparities remain in care and survival for patients with common cancers, according to a report from the National Cancer Institute and the American Cancer Society published in CA: A Cancer Journal for Clinicians. Prostate cancer was the most prevalent cancer type in men, accounting for over 3.5 million cases, while breast cancer was the most prevalent among women at over 4 million cases. **Full Story:** HealthDay News (6/27)

US records decline in COVID-19 cases, deaths

The US seven-day average for newly reported COVID-19 cases dropped 5.6% to 97,430 as of Thursday, while the weekly average for COVID-19 deaths declined by 10.4% to 255 from the prior week, according to the CDC. The seven-day average for COVID-19 hospitalizations rose 1% to 4,375 for the week ending Tuesday, while estimates suggest the Omicron BA.2.12.1 subvariant was involved with 56% of all US COVID-19 cases in for the week ending June 18, while BA.4 and BA.5 accounted for 35% of cases. **Full Story:** Becker's Hospital Review (6/24)

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On-the-ground lessons for improving health equity

The convergence of social justice issues, COVID-19, and the rise of digital health enabled new ways of bridging the health equity gap. Priority Health President Praveen Thadani and Wellframe Chief Medical Officer Sandhya Gardner share how their teams have pivoted to better meet members where they are, lowering barriers to care in the process. **Listen now.**

EMERGING TRENDS

How Medicare can share data with MA payers

(Pixabay)

The increasing share of Medicare beneficiaries moving to Medicare Advantage makes it crucial for traditional fee-for-service Medicare to make its health data systems interoperable, write policy expert Oliver Kim and Kirk Anderson and David Dodge of Cambia Health Solutions. By allowing Medicare to use existing application programming interfaces that would make data from Parts A and B portable, and creating a new API for Part C data, the CMS "could help ensure a seamless continuity of care." **Full Story:** Health Affairs (6/24)

How Cigna's Evernorth plans to simplify behavioral care

Cigna's Evernorth unit aims to simplify its behavioral health care services and mitigate barriers to patient care by leveraging all of its resources, including data analytics, telehealth and Express Scripts' massive pharmacy benefit manager, said Doug Nemecek, Evernorth's chief medical officer for behavioral health, during an interview at this year's AHIP conference. An example of simplifying behavioral care is utilizing claims data from its analytics arm to identify a child who will likely get diagnosed with autism, allowing the family to get the child into suitable health care services more quickly, Nemecek explains.
Full Story: FierceHealthcare (6/23)

HEALTH INSURANCE PROVIDER COMPANY NEWS

- **Mars Food, The MolinaCares Accord, and Kroger Delta Division Extend Partnership to Improve Access to Healthy Foods in Mississippi Delta**
- **Tasha Truskolaski Promoted to Assistant General Counsel at Mutual of Omaha**
- **PacificSource Health Plans' President and CEO Ken Provencher to Retire in March 2023**
- **A Statement On the Supreme Court Decision Overturning Roe v. Wade from Point32Health and its family of companies**
- **Sanford joins national conversation on value-based care**
- **Sanford Health announced Brad Schipper to lead operations for virtual care initiative**
- **UniHealth Foundation and Cedars-Sinai Make $500K Grant to SCAN's Healthcare in Action Medical Group**
- **Security Health Plan names Dave Nyman as chief operating officer**
- **Security Health Plan names Jim Fries as commercial sales manager**
- **Sentara Healthcare, Optima Health and Uuite Us Join Forces to Connect Patients and Members with Local Community Programs and Resources**
- **Sentara Healthcare Board of Directors selects Dennis Matheis to succeed Howard Kern as President and CEO**
- **Sutter Health Plus: New Collaboration with Rogers Benefit Group**

SOLUTIONS PROVIDER NEWS

- **Innovaccer Joins the CARIN Alliance to Advance Access and Interoperability in the Healthcare Ecosystem**

HOT TOPICS

AHIP 2022: Experts weigh in on addressing rising drug prices
FierceHealthcare

Insurers can lead the charge in addressing health disparities
FierceHealthcare

Report: Health care inequities cost almost $320B yearly
Healthcare Dive

Top hospitals share sensitive patient info with Facebook
The Markup

CMS urges Congress to pass bill extending ARPA subsidies
Healthcare Finance

PHARMA NEWS

FDA OKs targeted drug combo for some cancer tumors

Novartis announced the FDA has approved the use of its drug combination of Tafinlar and Mekinist in patients aged 6 years old and older who have metastatic or inoperable solid tumors with a BRAF V600 mutation and who have not responded to all other available treatment options. **Full Story:** Reuters (6/23)

BMS therapy gets FDA approval for large B cell lymphoma

The FDA has approved Bristol Myers Squibb's CAR T cell therapy Breyanzi, or lisocabtagene maraleucel, as a second-line treatment for certain patients with refractory or relapsed diffuse large B cell lymphoma. The approval was based on late-stage trial data that showed patients who received Breyanzi experienced significant improvement in event-free survival compared with patients who received standard care. **Full Story:** Cancer Network (6/25)

POLICY WATCH

Hospital group pushes for higher CMS inpatient payments

(Engin Akyurt/Unsplash)

Congress should urge the CMS to change its planned inpatient prospective payment system rule for fiscal 2023 to account for the spike in inflation, the American Hospital Association wrote in a statement to lawmakers. By increasing the market basket update and removing the productivity cut, CMS would make the payment system "more accurately reflect the cost of providing" health care, the AHA wrote. **Full Story:** Becker's Hospital Review (6/24)

AHIP NEWS

Guiding greater health: AHIP's State Issues Retreat Online

During AHIP's State Issues Retreat Online, you'll have more opportunities to engage with colleagues from across the country, including experts from health insurance provider organizations, state trades, and state leadership. The virtual setting will make it even easier for everyone on your team to attend. Learn more.

Webinar: Upcoming industry priorities - register today.

Join us on Wednesday, June 29 from 2 to 3 p.m. ET for "Results of a Year-Over-Year Study Comparing Industry Priorities" as HealthEdge explores current challenges facing health insurance provider executives, their strategic priorities for the future, and how priorities and trends have shifted over time, highlighting differences from past years.

Caring for people who are LGBTQIA+

Health insurance providers agree that everyone should have an equal opportunity to thrive and achieve their best health and are providing access to the health services and medications that are often needed by people who are LGBTQIA+, according to a recent AHIP article. Read more.

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Edna O'Brien
writer, poet, playwright

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SUBJECT: How agencies are responding to overturn of Roe v. Wade
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TO: hborski@utah.gov
DATE: 27/06/2022 08:51

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TOP STORY

Engine wins Titanium Grand Prix; Leo Burnett also honored

The Cannes Lions Titanium Grand Prix was awarded to Engine's "Long Live the Prince" campaign for EA Sports and the Kiyan Prince Foundation. Leo Burnett Chicago's "The Lost Class" for Change the Ref was the only US-focused campaign among the Titanium Lion winners. **Full Story:** Adweek (6/24), Ad Age (tiered subscription model) (6/24)

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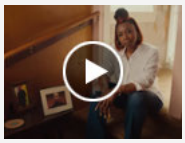
CREATIVE

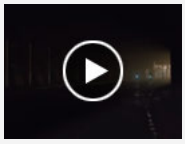
R/GA shows "Love Lives On" for Ad Council



(Ad Council/YouTube)

R/GA created a pro bono "Love Lives On" series for the Ad Council's "Love Has No Labels" campaign. An anthem short film titled "The Gentle Giant," which is directed by Smuggler's Andre Muir and will run on Hulu, stars Bridgett Floyd, who tells the story of her brother George Floyd and how she created the George Floyd Memorial Foundation to fight for racial justice. **Full Story:** ShootOnline (free content) (6/24)

Publicis, Samsung get 2M views for "Stranger Nights"



(Samsung/YouTube)

Publicis created a "Stranger Nights" spot for Samsung that touts the Galaxy S22 Ultra's Nightography feature by showing the phone pick up eerie footage as a group of friends bicycle through a neighborhood in the dark. The ad, which also promotes Netflix's "Stranger Things," has attracted more than 2 million YouTube views since its debut on June 22. **Full Story:** MediaPost Communications (free registration) (6/24)

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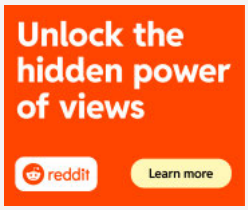
AGENCY INSIDER

How agencies are responding to overturn of Roe v. Wade

Fig, Mischief, McCann Worldgroup, The Martin Agency, VaynerX, Cactus, Mekanism and Wieden+Kennedy are among the agencies that have responded to the Supreme Court's overturning of Roe v. Wade. "[A]s advertisers and leaders, we should consider using every tool in our tool belt to oppose these changes. To protest. To protect our staff and their rights," said Mischief's Kerry McKibbin. **Full Story:** Ad Age (tiered subscription model) (6/24)

Ukrainian creative director talks Cannes win

Alexandra Doroguntsova, creative director at Banda, talks about the Ukrainian agency's Silver Lion for Design and being at Cannes Lions while her country is at war. "We will fight in the international arena for clients and we hope to gain some trust with the help of the Lions," Doroguntsova says. **Full Story:** The Drum (free registration) (6/24)



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AGENCY NEWS

WPP, Ogilvy, We Believers win at Cannes Lions

WPP won Creative Company of the Year at Cannes Lions -- an honor it also earned last year -- with Omnicom and IPG taking second and third place. Ogilvy won Network of the Year, We Believers was awarded Independent Agency of the Year, and Agency of the Year was won for the first time by an Indian agency, Dentsu Creative's Bangalore office. **Full Story:** MediaPost Communications (free registration) (6/24), Ad Age (tiered subscription model) (6/24)

MEDIA & TECHNOLOGY TRENDS

Twitter eases closed captioning, Spaces launches

Twitter is becoming more accessible with a closed caption button for all iOS and Android users that translates copy into text in more than 30 languages. The platform is also trialing tools that enable iOS users to launch a Space from the tweet composer and share tweets in a Space through the retweet tool.

Full Story: TechCrunch (tiered subscription model) (6/24)

4A'S NEWS

Submissions Now Open for 25th Annual Jay Chiat Awards!

(4A's)

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HOT TOPICS

Havas wins Outdoor Grand Prix at Cannes Lions
Adweek

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Adweek

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Adweek

McCann, Whitney Cummings "Un-apologize" for Annovera
Muse by Clio

Wunderman Thompson wins Cannes' first B2B Grand Prix
The Drum (free registration)

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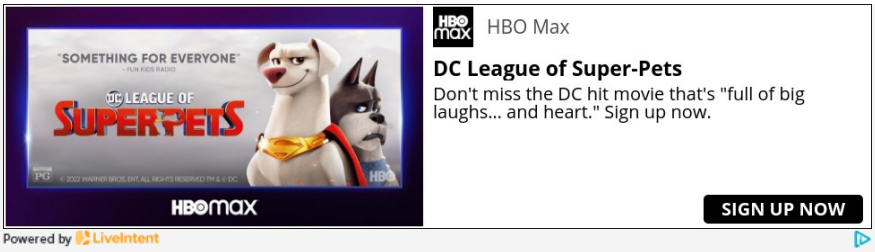
The earth so old and haunted, so hungry and replete. It talks. Things past and things yet to be.

Edna O'Brien
writer, poet, playwright



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SUBJECT: The Impact of Overturning Roe v. Wade on Health Centers
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: hborski@utah.gov
DATE: 27/06/2022 09:30

Industry Update: The Impact of Overturning *Roe v. Wade* on Health Centers

Wednesday, June 29 at 1 PM ET

Last week's Supreme Court decision in *Dobbs v. Jackson Women's Health Organization* has left many health care providers, including health centers, with questions surrounding their responsibilities to patients while also anticipating new laws and legal cases. With this uncertainty, how should health center leadership and staff move forward to continue to provide the best care to patients and stay in compliance?

In this industry update webinar this **Wednesday, June 29 at 1 PM ET**, join FTLF attorneys **Molly Evans**, **Rosie Dawn Griffin**, **Dianne Pledgie**, and **Carrie Riley** as they discuss:

- The Supreme Court case and decision
- Providing voluntary family planning to clients, including Title X grant considerations
- Impacts on malpractice and FTCA coverage concerns
- Compliance and risk management strategies

Register

This industry update webinar is complimentary for Premium Plan subscribers. Please contact us for your code.

[redacted] Title

FTLF has designed this webinar for the following audience:

- CEOs, COOs, CMOs, CFOs
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- Risk Managers/Compliance Officers
- Grants Managers
- In-house Legal Counsel
- Marketing/Communications Staff

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SUBJECT: Ariz. hospital to close | Beaumont-Spectrum revises abortion stance| HHS won't name hospitals where patients caught COVID | Hotels go in onMRIs, IV drips and bloodwork | UPMC sued over COVID test that canceledwedding | Texas system adjusts CEO roles
FROM: Becker's Hospital Review <news@beckershealthcare-news.com>
TO: hborski@utah.gov
DATE: 27/06/2022 09:45

June 27, 2022

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1. **Arizona hospital to close June 30** Full story
2. **Texas health system shakes up leadership** Full story
3. **Beaumont-Spectrum system revises stance on abortion** Full story
4. **Workplace disruptions ran rampant during the pandemic. See how 2 healthcare organizations kept employees smiling and thriving through the changes here.**
5. **States add protections for healthcare providers who perform abortions for out-of-state residents** Full story

[redacted]

6. HHS won't disclose hospitals where patients contracted COVID-19 **Full story**
7. It's hard to stay healthy in a sick economy. Treating mind & body together is the key to chronic care even in tough times. Learn how here.
8. Room service with MRIs, IV drips and bloodwork: Luxury hotels go all in on 'wellness' **Full story**
9. UPMC sued over COVID-19 test that canceled patient's wedding **Full story**
10. 31 recent hospital, health system executive moves **Full story**
11. Hospital leaders are using the wrong information to make expensive operating room decisions. Here's how one Florida hospital increased primetime utilization by more than 8%.
12. Monkeypox outbreak not a global emergency, WHO says **Full story**
13. Mayo Clinic: COVID-19 cases expected to rise through early July **Full story**
14. Ex-healthcare CFO sentenced for role in fraud scheme **Full story**
15. Stats by state:

- COVID-19 hospitalization rates
- COVID-19 test positivity rates
- Percentage of population fully vaccinated
- COVID-19 death rates
- ICU utilization
- Staffing shortages
- Booster rates
- COVID-19 vaccination rates up/down
- COVID-19 cases trend

Becker's Learning Opportunities

1. ORs need a reset to rebuild hospital margins. Learn how to work through case backlogs + develop a future strategy. Expert advice here.
2. Pandemic-related care delays have created a wave of sicker patients. Read this short report to learn how healthcare navigation reduces clinician burden + mitigates the effects for patients.
3. Few organizations are leveraging the data needed to advance population health. Read 3 takeaways from senior healthcare executives on overcoming the hurdles here.

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[redacted] Title

SUBJECT: DHHS EDO
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: "Heather Barnum (DHS)" <reply-106989973896876856555@profiles.google.com>,Michelle Hofmann <mhofmann@utah.gov>,Trudy Ellis DHS <trudyellis@utah.gov>,"David Litvack (DHS)" <davidlitvack@utah.gov>,Heather Borski <hborski@utah.gov>, Rebecca Brown <rebeccab@utah.gov>,Amanda Slater DHS <aslater@utah.gov>,"Tracy Gruber (DHS)" <tracygruber@utah.gov>,Nate Checketts <natechecketts@utah.gov>,Lori Erickson DHS <llerickson@utah.gov>,Nate Winters DHS <natewinters@utah.gov>,Tonya Hales <thales@utah.gov>, Tonya Merton <tmerton@utah.gov>
DATE: 27/06/2022 10:51

Joe Dougherty DHS, 2022-06-27 09:51:18
We have had requests from our program that works with the abortion module to put out some factual information. They've been asked for it by partners. Brook has put together a nice explanatory post we'd like to put on Instagram.

Joe Dougherty DHS, 2022-06-27 09:52:02
Here are the graphics we'd like to [redacted]

Joe Dougherty DHS, 2022-06-27 09:52:09
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:21
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:27
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:34
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:40
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:53:26
Basically a user would swipe through these images on our Instagram post. Request is coming from Lynn and Laurie

Tonya Hales, 2022-06-27 09:59:42
Hi Joe - thanks for sharing this. One thing that I think may draw additional questions is the concept of "severe brain abnormality" and just wonder if it might help to add that extra bit about it excluding such conditions as Down Syndrome... just a thought

David Litvack (DHS), 2022-06-27 10:31:04

[redacted]

Thanks Joe! I think the information looks good. I just went back and looked over our FAQ document, but just want to confirm that all of the information being provided in the proposed instagram has been confirmed and finalized.

Joe Dougherty DHS, 2022-06-27 10:48:03
Hi David, yes, all information was verified and approved.

Tonya, at this time, we would like to leave out information about Down syndrome. I think there's a time for it, but I think we would prefer to be reactive in case those questions come up.

David Litvack (DHS), 2022-06-27 10:51:17
Thank you Joe! I think it would be good to document the requests for information we are getting in case we get any questions from stakeholders on why we are putting this information out there now. I hope that makes sense.

Joe Dougherty DHS, 2022-06-27 10:53:10
Thank you! I will try to chase that down.

Michelle Hofmann, 2022-06-27 12:23:21
Joe...on the 5th graphic regarding contraception, can we anchor to the medical community and state law rather than the medical community alone? In general nothing prevents state law from diverging on recommnedations from the medical community and I think it is important to call out this alignment that currently exists.

Joe Dougherty DHS, 2022-06-27 12:27:53
Thanks, Michelle

David Litvack (DHS), 2022-06-27 12:29:15
Great suggestion Michelle!

Tonya Hales, 2022-06-27 12:31:05
Thanks Joe.

Joe Dougherty DHS, 2022-06-27 13:08:14
Hi friends!

We are gathering some $$ to send Jenny Johnson a Doordash gift card. If you did not hear, she had an emergency knee surgery, and will be at home for the next few weeks. A few have asked if you could contribute to a gift.

There is no obligation to participate, but if you would like to, you can send Brook Dorff money via Venmo to contribute. We're hoping to gather all donations for her by Wednesday [redacted]. If Venmo asks you the last 4 digits of her phone number, they are [redacted]. Please indicate it's for Jenny in the memo

Rebecca Brown, 2022-06-27 14:40:12
Judge blocks Utah's abortion trigger law temporarily for 14 days https://kutv.com/news/local/judge-blocks-utahs-abortion-trigger-law-temporarily
https://kutv.com/news/local/judge-blocks-utahs-abortion-trigger-law-temporarily

David Litvack (DHS), 2022-06-27 14:50:39
Thanks Becky

Nate Checketts, 2022-06-27 14:51:51
The stay delays the need for the infographics. However, if they are needed later, here are my thoughts:

Nate Checketts, 2022-06-27 14:53:37
Graphic 2: I would delete we are bound and obligated by law. We already said we have a defined role in statute. The second sentence makes it sound like our opinion is that we shouldn't be doing what the law is requiring us to do. Better not to sound like we are opining on the law.

Nate Checketts, 2022-06-27 14:54:42
Graphics 3 and 4: Lots of statutory references here but no references. These aren't our interpretations. I would provide the citations.

Nate Checketts, 2022-06-27 14:57:43
Graphic 5: This language is still listed as DRAFT on the FAQ. Did someone from EDO review it and approve it?

Joe Dougherty DHS, 2022-06-27 14:57:45
Thanks, Nate. Since infographics can get bogged down with code citations, we can definitely include the legal reference information in the post copy. Brook and I will continue to wordsmith based on your feedback.

[redacted] Title

Nate Checketts, 2022-06-27 14:58:46
A message was edited in Google Chat; view the updated message on (<a href=[redacted]

Joe Dougherty DHS, 2022-06-27 14:59:55
Re: Graphic 5, not yet. We were just including it planning for the text to get approval.

SUBJECT: BREAKING: Louisiana Abortion Ban Blocked, For Now
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 27/06/2022 12:09

LAW360 HEALTH

Monday, June 27, 2022

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BREAKING: Louisiana Abortion Ban Blocked, For Now

Abortion care remains legal in Louisiana on Monday after a state court granted a preliminary injunction against bans on the procedure that took effect in the state immediately after the U.S. Supreme Court reversed Roe v. Wade.

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SUBJECT: AMCHP Appoints new President of the Board: Belinda Pettiford,formerly Board President-Elect
FROM: AMCHP Communications <communications@amchp.org>
TO: hborski@utah.gov
DATE: 27/06/2022 13:01

AMCHP
ASSOCIATION OF MATERNAL & CHILD HEALTH PROGRAMS

FOR IMMEDIATE RELEASE
Contact: Chery Manon Espinal
202-843-9304, cmanonespinal@amchp.org

AMCHP Appoints new President of the Board: Belinda Pettiford, formerly Board President-Elect

June 27, 2022

Washington, D.C. – The Association of Maternal & Child Health Programs (AMCHP), a national resource, partner, and advocate for state public health leaders who work and support state maternal and child health (MCH)

[redacted]

programs, and others working to improve the health of women, children, youth, families, and communities, today announced that Belinda Pettiford has been named as President of its Board of Directors. Pettiford succeeds Dr. Manda Hall, who became Past-President after serving as President of the board for the past year.

“I feel very privileged to take on this role to continue strengthening AMCHP’s position as a leader in maternal and child health in our country,” said Pettiford. “I look forward to leveraging my background and experience in maternal and child health, my focus on addressing equity and the challenges of communities of color, and my involvement with national boards and strategic planning.”

Pettiford, who has worked for over 30 years in public health, serves as Chief of the Women, Infant, and Community Wellness Section at the North Carolina Department of Health and Human Services. In this capacity, she oversees the state’s maternal health, family planning, preconception health, teen pregnancy prevention, sickle cell, and numerous programs focused on equity in birth outcomes. Pettiford co-chairs the Perinatal Health Committees of the North Carolina Child Fatality Task Force (CFTF), serves on the Secretary’s Advisory Committee on Infant and Maternal Mortality (SACIMM), and is a board member with the National Healthy Start Association.

“Belinda’s long history of leadership for national, state, and local efforts on maternal and child health, coupled with her focus on health equity and her experience serving AMCHP’s board as well as our Workforce Development Committee, makes her an ideal person for this role. I look forward to partnering with Belinda to continue to work towards our mission of protecting and promoting the health and well-being of women, children, youth, families, and communities,” said Terrance E. Moore, Chief Executive Officer of AMCHP.

AMCHP’s Board of Directors is responsible for the association’s property, funds, affairs, and business while helping achieve its mission of protecting and promoting the optimal health of women, children, youth, families, and communities. AMCHP’s board comprises fifteen members, who all hold key positions at the highest levels of maternal and child health and public health nationwide.

View Belinda Pettiford’s online profile.

###

The Association of Maternal & Child Health Programs (AMCHP) is a national resource, partner, and advocate for state public health leaders and others working to improve the health of women, infants, children, youth, parents, families, and communities. AMCHP builds successful programs to serve its members by disseminating best practices; advocating on their behalf in Washington, DC; providing technical assistance; convening leaders to share experiences and ideas; and advising states about involving partners to reach our common goal of healthy children, healthy families, and healthy communities. For more information visit www.amchp.org and follow AMCHP on Twitter, LinkedIn, and Facebook.

VIEW ONLINE

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SUBJECT: Our Best Intel: June 27, 2022
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 27/06/2022 16:00

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OUR BEST INTEL

JUNE 27, 2022

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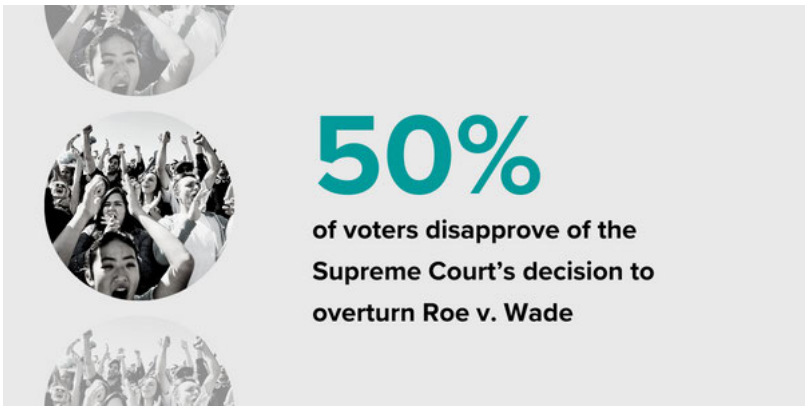

HEALTH

Half of Voters Disapprove of Supreme Court Ruling to Overturn Roe v. Wade

The Friday decision paves the way for about half of states to restrict or ban abortion, while liberal states such as California have moved to shore up abortion protections. As the news reverberated over the weekend, abortion providers scrambled to redirect patients who could no longer legally terminate their pregnancies under new state limitations, and Democratic leaders laid out their plans to protect abortion access — though legislative action to establish federal abortion rights is all but dead in the divided Senate. Read more.

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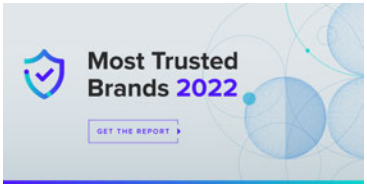

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Morning Consult's Most Trusted Brands 2022

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Nineteen percent of U.S. adults reported owning some form of cryptocurrency in mid-June as bitcoin's price dipped below $20,000. Learn more.

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In June, 36.9% of adults from low-income households said they lacked the savings to cover basic expenses for a full month. Learn more.

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FROM OUR NEWSROOM

U.S. POLITICS

Democratic voter enthusiasm for participating in the midterm elections this November has increased, according to a new Morning Consult/Politico survey, following last week's Supreme Court decision to overturn the Roe v. Wade ruling that's protected abortion rights nationwide for 49 years. Read more.

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SUBJECT: Re: (Invitation) Press Conference Tomorrow: HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, Dobbs v. Jackson Women's Health
FROM: Tonya Hales <thales@utah.gov>
TO: Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>
DATE: 27/06/2022 16:01

In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

To view this email as a web page, click here. June 27, 2022

HHS IEA
Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

LOGISTICAL INFORMATION
Details are subject to change.

WHO: HHS Secretary Xavier Becerra

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

[redacted]

[redacted] Title

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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SUBJECT: What's behind the DHHS Guidelines in HIV-1?
FROM: Managed Care News <managedcare_news@newsletter.docwirenews.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 27/06/2022 17:01

This email was funded and developed by ViiV Healthcare.

What do the DHHS guidelines mean in HIV-1 treatment?

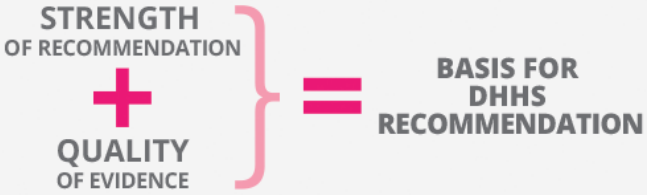
Learn more about DOVATO, a DHHS strongly recommended (AI),* oral, 2-drug STR for most people with HIV-1

Find out

DOVATO is indicated as a complete regimen to treat HIV-1 infection in adults with no antiretroviral (ARV) treatment history or to replace the current ARV regimen in those who are virologically suppressed (HIV-1 RNA <50 copies/mL) on a stable ARV regimen with no history of treatment failure and no known resistance to any component of DOVATO.
The Important Safety Information for DOVATO includes a Boxed Warning for patients co-infected with hepatitis B virus (HBV) and HIV-1. The emergence of lamivudine-resistant HBV and HBV exacerbations have been associated with lamivudine-containing antiretroviral regimens, so all patients with HIV-1 should be tested for the presence of HBV prior to or when initiating DOVATO. **The full Important Safety Information and Boxed Warning are below.**

[redacted]

"AI" is the strongest rating the DHHS uses when determining which treatments are recommended for people with HIV-1.



DOVATO is a DHHS strongly recommended (AI),* oral, 2-drug STR for most people with HIV-1

Learn more

*Strength of recommendations: A=strong; B=moderate; C=optional. Quality of evidence: I=data from randomized, controlled trials with clinical outcomes and/or validated laboratory endpoints; II=data from well-designed nonrandomized trials or observational cohort studies with long-term clinical outcomes; III=expert opinion.

IMPORTANT SAFETY INFORMATION

BOXED WARNING: PATIENTS CO-INFECTED WITH HEPATITIS B VIRUS (HBV) AND HIV-1: EMERGENCE OF LAMIVUDINE-RESISTANT HBV AND EXACERBATIONS OF HBV

All patients with HIV-1 should be tested for the presence of HBV prior to or when initiating DOVATO. Emergence of lamivudine-resistant HBV variants associated with lamivudine-containing antiretroviral regimens has been reported. If DOVATO is used in patients co-infected with HIV-1 and HBV, additional treatment should be considered for appropriate treatment of chronic HBV; otherwise, consider an alternative regimen.

Severe acute exacerbations of HBV have been reported in patients who are co-infected with HIV-1 and HBV and have discontinued lamivudine, a component of DOVATO. Closely monitor hepatic function in these patients and, if appropriate, initiate anti-HBV treatment.

Contraindications

- Do not use DOVATO in patients with previous hypersensitivity reaction to dolutegravir or lamivudine
- Do not use DOVATO in patients receiving dofetilide

Warnings and precautions

Hypersensitivity Reactions:

- Hypersensitivity reactions have been reported with dolutegravir and were characterized by rash, constitutional findings, and sometimes organ dysfunction, including liver injury
- Discontinue DOVATO immediately if signs or symptoms of severe skin or hypersensitivity reactions develop, as a delay in stopping treatment may result in a life-threatening reaction. Clinical status, including liver aminotransferases, should be monitored and appropriate therapy initiated

Hepatotoxicity:

- Hepatic adverse events have been reported, including cases of hepatic toxicity (elevated serum liver biochemistries, hepatitis, and acute liver failure), in patients receiving a dolutegravir-containing regimen without pre-existing hepatic disease or other identifiable risk factors
- Patients with underlying hepatitis B or C or marked elevations in transaminases prior to treatment may be at increased risk for worsening or development of transaminase elevations with use of DOVATO. In some cases, the elevations in transaminases were consistent with immune reconstitution syndrome or hepatitis B reactivation, particularly in the setting where anti-hepatitis therapy was withdrawn
- Monitoring for hepatotoxicity is recommended

Embryo Fetal Toxicity:

- Assess the risks and benefits of DOVATO and discuss with the patient to determine if an alternative treatment should be considered at the time of conception through the first trimester of pregnancy due to the risk of neural tube defects
- Pregnancy testing is recommended before initiation of DOVATO. Individuals of childbearing potential should be counseled on the consistent use of effective contraception

Lactic Acidosis and Severe Hepatomegaly with Steatosis:
Fatal cases have been reported with the use of nucleoside analogs, including lamivudine. Discontinue DOVATO if clinical or laboratory findings suggestive of lactic acidosis or pronounced hepatotoxicity develop, including hepatomegaly and steatosis in the absence of marked transaminase elevations.

Adverse Reactions or Loss of Virologic Response Due to Drug Interactions with concomitant use of DOVATO and other drugs may occur (see Contraindications and Drug interactions).

Immune Reconstitution Syndrome, including the occurrence of autoimmune disorders with variable time to onset, has been reported

with the use of DOVATO.

Adverse reactions

The most common adverse reactions (incidence ≥2%, all grades) with DOVATO were headache (3%), nausea (2%), diarrhea (2%), insomnia (2%), fatigue (2%), and anxiety (2%).

Drug interactions

- Consult full Prescribing Information for DOVATO for more information on potentially significant drug interactions
- DOVATO is a complete regimen. Coadministration with other antiretroviral medications for the treatment of HIV-1 infection is not recommended
- Drugs that induce or inhibit CYP3A or UGT1A1 may affect the plasma concentrations of dolutegravir
- Administer DOVATO 2 hours before or 6 hours after taking polyvalent cation-containing antacids or laxatives, sucralfate, oral supplements containing iron or calcium, or buffered medications. Alternatively, DOVATO and supplements containing calcium or iron can be taken with food

Use in specific populations

- **Pregnancy:** There are insufficient human data on the use of DOVATO during pregnancy to definitively assess a drug-associated risk for birth defects and miscarriage. An Antiretroviral Pregnancy Registry has been established. Advise individuals of childbearing potential of the potential risk of neural tube defects. Assess the risks and benefits of DOVATO and discuss with the patient to determine if an alternative treatment should be considered at the time of conception through the first trimester of pregnancy or if pregnancy is confirmed in the first trimester
- **Lactation:** Breastfeeding is not recommended due to the potential for HIV-1 transmission, developing viral resistance in HIV-positive infants, and adverse reactions in a breastfed infant
- **Females and Males of Reproductive Potential:** Pregnancy testing is recommended before initiation of DOVATO. Counsel individuals of childbearing potential taking DOVATO on the consistent use of effective contraception
- **Renal Impairment:** DOVATO is not recommended for patients with creatinine clearance <30 mL/min. Patients with a sustained creatinine clearance between 30 and 49 mL/min should be monitored for hematologic toxicities, which may require a dosage adjustment of lamivudine as an individual component
- **Hepatic Impairment:** DOVATO is not recommended in patients with severe hepatic impairment (Child-Pugh Score C)

Please see full Prescribing Information, including Boxed Warning, for DOVATO.

Dovato
dolutegravir 50 mg/
lamivudine 300 mg tablets

DHHS=Department of Health and Human Services; STR=single-tablet regimen.

Reference: DHHS Panel on Antiretroviral Guidelines for Adults and Adolescents. Guidelines for the use of antiretroviral agents in adults and adolescents with HIV. US Department of Health and Human Services. Updated January 20, 2022. Accessed March 2, 2022. https://clinicalinfo.hiv.gov/sites/default/files/guidelines/documents/guidelines-adult-adolescent-arv.pdf

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SUBJECT: Top Court Finally Overruled 'Lemon' Test Monday. Or Did It?
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 28/06/2022 01:48

LAW360 PUBLIC POLICY

Tuesday, June 28, 2022 Follow

TOP NEWS

Analysis

Top Court Finally Overruled 'Lemon' Test Monday. Or Did It?

Justice Neil Gorsuch's opinion Monday is clear: The landmark First Amendment case known as Lemon v. Kurtzman, which had long plagued religious conservatives, is no longer good law. But no one seems to agree whether the so-called Lemon test even had a pulse before Monday's U.S. Supreme Court decision in Kennedy v. Bremerton School District.

Read full article »

Utah, Louisiana Abortion Bans Blocked, For Now

Abortion remained legal in Louisiana and Utah on Monday after state court judges granted temporary restraining orders against bans on the procedure that took effect in the two states immediately after the U.S. Supreme Court overturned Roe v. Wade.

5 documents attached | Read full article »

Illinois To Become Abortion 'Oasis' In Wake Of Dobbs Ruling

Abortion providers and officials in Illinois are preparing for potential interstate conflict and litigation as they expect a flood of patients to cross the state's borders following Friday's U.S. Supreme Court decision overturning Roe v. Wade that could clear the way for every surrounding state to outlaw the procedure.

Read full article »

Biden Orders Agencies To Rein In Illegal Fishing Practices

President Joe Biden moved to crack down on fishing practices that threaten ocean health, directing federal agencies Monday to fully leverage their regulatory and diplomatic powers to curb illegal, unreported and unregulated fishing.

1 document attached | Read full article »

HUD To Label 'Troubled' Projects In New Checkup Rule

The U.S. Department of Housing and Urban Development aims to better assess problems with Section 8 housing projects and check up on owners more frequently under changes in a newly published final rule.

2 documents attached | Read full article »

No-Poach Case Nears Plea In Would-Be 1st DOJ Win

A health care staffing company and its former regional manager indicated Friday that they were nearing a Nevada federal court plea deal for allegedly scheming to suppress wages for Las Vegas school nurses, a resolution that would be the U.S. Department of Justice's first successful criminal prosecution of labor-side antitrust violations.

1 document attached | Read full article »

Trump Adviser Eastman Says Feds Seized His IPhone

Former Donald Trump legal adviser John Eastman, who is embroiled in a House select committee's investigation of the Jan. 6 attack on the U.S. Capitol, said in a Monday lawsuit that federal agents have

LAW FIRMS IN TODAY'S NEWS

Ahmad Zavitsanos
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Klasko Immigration Law Partners
Law Office of Andrei D. Popovici
McDermott Will
Morgan Lewis
Morrison Foerster
Munger Tolles

seized his iPhone 12 using what he described as an overly broad search warrant.

Complaint attached | Read full article »

BANKING & SECURITIES

Twitter Stock Pumper Avoids Prison For Microcap Fraud

A would-be Twitter-based stock sage on Monday was sentenced to six months of house arrest for what prosecutors say was a social media-based pump-and-dump scheme designed to induce his followers to drive up the share price of a worthless shell company.

Read full article »

ENERGY & ENVIRONMENTAL

Biden Admin. Beats Suit Over Paused Owl Habitat Rollback

A D.C. federal judge has tossed a lawsuit aimed at forcing the Biden administration to implement a Trump-era rule removing a large part of forestland in the Pacific Northwest from areas deemed critical to protecting the northern spotted owl.

Order attached | Read full article »

Sustainability Group Sees 'Clear' US Progress On Climate Risk

U.S. financial regulators have made big strides over the past year in moving to monitor and mitigate the risks that climate change poses to the financial system, but they're still way behind some of their peers internationally, according to a report released Monday by an influential sustainability group.

Report attached | Read full article »

Biofuel Group Fights Blending Pass For Refiners At DC Circ.

A biofuel trade association is accusing the U.S. Environmental Protection Agency of wrongfully affording small refiners a get-out-of-jail-free card by not requiring them to honor past years' biofuel mixing requirements even after the refiners' exemption requests were denied.

Petition attached | Read full article »

La. Enviro Agency Can't Join Pollution Suit, 5th Circ. Told

The Louisiana Department of Environmental Quality can't be sued for allegedly failing to inform landowners about pollution at a valve plant because the law doesn't allow tort claims against state agencies, Dresser LLC, Baker Hughes and others have told the Fifth Circuit.

1 document attached | Read full article »

HEALTH & LIFE SCIENCES

Tyson Workers Ask 5th Circ. To Revive COVID Safety Suit

A group of Tyson Foods Inc. workers has asked the Fifth Circuit to revive and send back to state court their lawsuit accusing the company of negligently exposing them to COVID-19 at the beginning of the pandemic, echoing other Tyson workers' arguments that their claims don't belong in federal court.

Brief attached | Read full article »

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American Civil Liberties Union of Illinois
American Civil Liberties Union of Utah
American Humanist Association
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Associated Press
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Boston College
Cox Media Group Inc.
DaVita Inc.
First Liberty Institute
GoDaddy Inc.
Guttmacher Institute
Immigrant Legal Resource Center
JPMorgan Chase & Co.
Johnson & Johnson
Legal Council for Health Justice
LinkedIn Corp.
Macy's Inc.
Major League Baseball Inc.
Miami Marlins
Mississippi Center for Justice
NBCUniversal Media LLC

Feds Shut Down 6 Websites In Music Piracy Sting

Prosecutors in Virginia announced Monday that they have "seized" a handful of website domain names that they say were involved in "streaming and downloading copyright-protected content," as part of a larger anti-piracy operation that the federal government is conducting in tandem with prosecutors in Brazil.

1 document attached | Read full article »

Trump Takes Twitter 'Censorship' Case Loss To 9th Circ.

Former President Donald Trump is appealing last month's dismissal of his putative censorship class action against Twitter, according to a notice filed in California federal court on Monday.

Notice attached | Read full article »

REAL ESTATE

Regal Ordered To Pay Rent Despite COVID Theater Closures

A Delaware state judge on Monday ruled that Regal Entertainment Group must pay $5.5 million in unpaid rent and other charges stemming from leases with Simon Property Group, finding that the pandemic doesn't excuse Regal from its rent payment obligations under the leases.

Read full article »

EMPLOYMENT & BENEFITS

Teachers, Kindergartner Can't Block Fla. Classroom Race Law

A Florida federal judge Monday ruled that two teachers, a soon-to-be kindergartner and a diversity training consultant, can't preliminarily block a controversial state law — enacted to regulate classroom instruction of race — saying they haven't shown they have standing for injunctive relief.

Order attached | Read full article »

DOL Seeks To Toss 'Downright Bizarre' ERISA Guidance Suit

The U.S. Department of Labor urged a Florida federal court to toss an American Securities Association suit claiming agency guidance illegally imposed new obligations under federal benefits law, arguing that the guidelines weren't required to go through formal rulemaking procedures.

Motion attached | Read full article »

Boston Schools Want Out Of Union's Remote Work Suit

Boston Public Schools asked a Massachusetts federal judge Monday to scrap a teachers union's COVID-19 lawsuit, saying the union would have to prove each of its members suffered discrimination when they were required to return to work in person despite their health conditions and concerns about the coronavirus.

Motion attached | Read full article »

NJ Atty Says County Fired Him For Crossing Sheriff

The former county counsel of Sussex County, New Jersey, hit the county with a whistleblower lawsuit

National Association for Law Placement Inc.
National Association of Home Builders
National Organization for the Reform of Marijuana Laws
Nike Inc.
Planned Parenthood Federation
Reddit Inc.
Regal Entertainment Group
Simon Property Group Inc.
Sony Music Entertainment Inc.
Standard General LP
Starbucks Corp.
Tegna Inc.
The Center for Reproductive Rights
The New York Times Co.
Twitter Inc.
Tyson Foods Inc.
U.S. Chamber of Commerce
Universal Music Group NV
Warner Music Group Corp.
YouTube Inc.

GOVERNMENT AGENCIES IN TODAY'S NEWS

Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Equal Employment Opportunity Commission
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Highway Administration
Federal Housing Finance Agency
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Illinois Department of Public Health
Leech Lake Band of Ojibwe
Louisiana Department of Environmental Quality
Louisiana Legislature
Louisiana Supreme Court
Minnesota Chippewa Tribe

alleging he was fired in retaliation for opposing a request by the county sheriff to pay his personal legal bills with county dollars and objecting to an immigration-related ballot question.

Complaint attached | Read full article »

INTERNATIONAL TRADE

Biden Issues Tariff Hike On Certain Russian Goods

The White House announced on Monday that it would raise levies to 35% on certain Russian imports not already prohibited in the U.S., in accordance with its suspension of trade relations with Russia amid the country's war on Ukraine.

Read full article »

IMMIGRATION

Analysis

Calif. Ruling Steadies Fraught EB-5 Landscape For Now

A California federal judge has ordered the federal government to allow previously licensed EB-5 regional centers to continue operating while one of the immigrant investment centers challenges an agency mandate to seek reauthorization after March legislation revamped the program.

Order attached | Read full article »

Top 3 Immigration Policies To Watch In 2022: Midyear Report

The Biden administration in coming months will look to finalize two high-profile immigration regulations, while a Texas-run border security operation tests states' ability to carry out independent immigration enforcement. Here, Law360 takes a closer look at three important immigration policy developments to watch for the rest of 2022.

Read full article »

Justices Send Immigrant Mental Health Suit Back To 10th Circ.

The U.S. Supreme Court sent an Ethiopian national's case back to the Tenth Circuit to reconsider its decision affirming that immigrants who committed serious crimes are ineligible for deportation protections despite having a history of mental health illness.

Read full article »

7th Circ. Won't Let Red States Step Into Public Charge Fight

The Seventh Circuit on Monday refused to allow a group of Republican-led states to intervene in a dispute over a Trump-era public charge rule that the Biden administration has already begun redrafting.

Opinion attached | Read full article »

WHITE COLLAR

LA Developer Convicted In City Council Bribery Scheme

A California federal jury convicted a Los Angeles real estate developer Monday of giving $500,000 in bribes to former city councilor Jose Huizar in exchange for getting a nonprofit's challenge to the development project dropped.

Municipal Securities Rulemaking Board
National Credit Union Administration
National Labor Relations Board
National Oceanic and Atmospheric Administration
Office of the Comptroller of the Currency
Texas Attorney General's Office
Three Affiliated Tribes of the Fort Berthold Reservation
U.S. Attorney's Office
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the District of Nevada
U.S. Attorney's Office for the Eastern District of Virginia
U.S. Attorney's Office for the Southern District of New York
U.S. Census Bureau
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Department of Commerce
U.S. Department of Homeland Security
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of Minnesota
U.S. District Court for the District of New Mexico
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Florida

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NATIVE AMERICAN

Leech Lake Official Seeks Election Redo In Suit Against DOI

The secretary-treasurer of the Leech Lake Band of Ojibwe of the Minnesota Chippewa Tribe urged a federal judge on Monday to undo a recent tribal election, saying the U.S. Department of the Interior and tribal officials wrongly blocked him from running to retain his office.

Motion attached | Read full article »

TELECOMMUNICATIONS

Federal Agencies Ink Deal To Tout Broadband Funding

The Federal Communications Commission has reached a deal with a federal grantmaking agency to trumpet the availability of funds to develop broadband in areas that need better coverage around the U.S.

1 document attached | Read full article »

Cable Group Wants Retransmission Conditions On Tegna Deal

A major cable TV trade group has called on the Federal Communications Commission to prevent Tegna's potential new owners from wielding too much leverage in broadcast retransmission talks if their proposed $8.6 billion takeover of the broadcasting giant succeeds.

Letter attached | Read full article »

CANNABIS

Cannabis Bill Roundup: NJ Sen. Eyes Legalizing Hallucinogen

A leading New Jersey state senator has introduced a new bill to legalize the hallucinogen psilocybin for adults 21 and over, while lawmakers pitched bills on Capitol Hill to help cannabis companies access capital and veterans use medicinal marijuana. Here are the major legislative moves in cannabis and drug reform from the past week.

Read full article »

Kansas Hemp Co. Sues State Governor Over $120K Seizure

A Kansas delta-8 cannabinoid business owner is suing the state's attorney general and governor, claiming local law enforcement cost him more than $120,000 worth of property and cash during a raid that classified his merchandise as a Schedule I drug, according to a suit filed in federal court.

Complaint attached | Read full article »

PEOPLE

Ex-Consumer Financial Protection Bureau Atty Joins Orrick

A former senior policy and strategy counsel with the Consumer Financial Protection Bureau's Office of Enforcement has moved to Orrick Herrington & Sutcliffe LLP after a brief stint with O'Melveny & Myers LLP.

Read full article »

EXPERT ANALYSIS

U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Florida
U.S. District Court for the Southern District of New York
U.S. Environmental Protection Agency
U.S. Immigration and Customs Enforcement
U.S. Securities and Exchange Commission
U.S. Supreme Court
United Nations
United States District Court for the District of Kansas
United States District Court for the District of Nevada
World Trade Organization

Opinion

NYC Pay Transparency Law May Fail To Close Wage Gap

Peter Glennon at The Glennon Law Firm argues that New York City's new pay transparency law, requiring employers to post salary information in job listings, creates a number of challenges for businesses, raising the question: Could encouraging the use of existing tools close the wage gap without the need for additional legislation?

Read full article »

DOT Standards For EV Chargers Address Key Public Concerns

The U.S. Department of Transportation's recently proposed standards for public electric vehicle charging infrastructure reflect the Biden administration's continued effort to encourage EV deployment in the U.S. markets — and speak to some of the most important concerns of EV consumers relating to charging, say Levi McAllister and Maggie Curran at Morgan Lewis.

Read full article »

5th Circ. Ruling Signals Judicial Shift On SEC Admin Process

The Fifth Circuit's decision in Jarkesy v. U.S. Securities and Exchange Commission signals a growing discomfort in the judiciary with the SEC's administrative process, and those dealing with enforcement actions should bring their constitutional challenges early and often, say Benjamin Daniels and Trevor Bradley at Robinson & Cole.

Read full article »

LEGAL INDUSTRY

Firms Look To Cover Out-Of-State Abortion Care After Dobbs

A growing number of law firms are offering to cover the costs of out-of-state reproductive care for their employees in the wake of last week's U.S. Supreme Court ruling overturning Roe v. Wade.

Read full article »

GCs Wrangling With Tangled Fallout Of Roe's Demise

The U.S. Supreme Court's decision to allow states to ban abortions — fraught with all the raw emotions attached to this issue — is also fraught with a multitude of legal risks for general counsel and their companies, ranging from possible criminal prosecution to civil suits to high-pressure proxy fights over political spending.

Read full article »

Morgan Lewis Opens 34-Person Office In Seattle

Morgan Lewis & Bockius LLP announced the opening of an office in Seattle on Monday as part of the BigLaw firm's first foray into the Pacific

Northwest, including hiring away more than a dozen attorneys from litigation boutique Calfo Eakes LLP.
Read full article »

MoFo Elects Corporate Leader As New Firm Chair

Morrison Foerster LLP said Monday that it has elected corporate partner Eric McCrath as the firm's new chair, succeeding longtime leader Larren Nashelsky as he steps down this fall.
Read full article »

Longtime Verrill Dana Partner Takes Over As Leader

Verrill Dana LLP partner Scott Anderson was named as the firm's managing partner after Keith "K.C." Jones announced he was leaving the role earlier this year, Verrill Dana said Monday.
Read full article »

Attorney Satisfaction Remains High 3 Years After Graduation

About 82% of attorneys reported that they are satisfied with their overall legal careers three years after they graduated from law school, a tick down from last year's finding of 85%, according to a report released Monday from the National Association for Law Placement.
Read full article »

Ditching Live Testimony For Declarations Is Risky, Attys Say

U.S. courts should move cautiously before embracing written statements at bench trials in lieu of live direct examination testimony, lawyers tell Law360, cautioning that their recent use in a high-stakes opioid trial doesn't mean the practice — which is standard in the U.K. — should be widely adopted at home.
Read full article »

Ex-Trump Official, Philadelphia Atty Must Face Fraud Claims

A Trump-era State Department official and a Philadelphia attorney on Monday lost bids to escape claims they fraudulently induced an investor to pour millions into Greek medical cannabis companies, with a Pennsylvania federal judge finding a revised suit backed up the allegations.
Read full article »

High Court Backs Praying Coach In Religious Rights Battle

The U.S. Supreme Court ruled Monday that a public school district violated the First Amendment by suspending a football coach who insisted on praying at midfield right after games.
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McCarter & English, LLP
Miami, Florida

Attorney - Assistant Attorney General - Opinions
Illinois Attorney General's Office
-, -

Public Interest Dependency Attorney
Los Angeles Dependency Lawyers, Inc.
Monterey Park, California

Deputy Attorney General 2
New Jersey Division of Law
Trenton, New Jersey

Public Interest Dependency Attorney - San Diego Location
Dependency Legal Services San Diego
San Diego, California

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SUBJECT: Prescriber Intent Matters In Opioid Cases, High Court Rules
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 28/06/2022 02:21

LAW360 HEALTH

Tuesday, June 28, 2022

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TOP NEWS

Prescriber Intent Matters In Opioid Cases, High Court Rules

Prosecutions under the Controlled Substances Act for the excessive prescribing of opioids and other addictive drugs must show that doctors knew they lacked a legitimate medical purpose, the U.S. Supreme Court ruled Monday in a defeat for the U.S. Department of Justice.

Opinion attached | Read full article »

Opioid Distributors Cut $250M Deal With Holdout Okla. AG

McKesson, Cardinal and AmerisourceBergen have agreed to pay $250 million to resolve Oklahoma Attorney General John O'Connor's claims the opioid distributors fueled the Sooner State's opioid crisis — months after O'Connor rejected a nationwide deal that he claimed would have short-changed

Oklahomans, according to a statement Monday from O'Connor.

Read full article »

As Opioid Trial Ends, Judge Jokes Of 'Generous' Time Limits

A San Francisco federal judge who put strict time limits on a bellwether bench trial in multidistrict opioid litigation noted Monday that both sides wrapped up their cases within their allotted 45 hours, prompting him to wonder to courtroom chuckles if he "was just too generous."

Read full article »

Utah, Louisiana Abortion Bans Blocked, For Now

Abortion remained legal in Louisiana and Utah on Monday after state court judges granted temporary restraining orders against bans on the procedure that took effect in the two states immediately after the U.S. Supreme Court overturned Roe v. Wade.

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Read full article »

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1 document attached | Read full article »

RISING STAR

Rising Star: Jones Day's Rachel Page

Rachel Page of Jones Day has advised emerging digital health systems to Fortune 500 laboratories, including guiding one of the largest cancer research centers in its acquisition of Cancer Treatment Centers of America, earning her a spot among the health care law practitioners under age 40 honored as Law360 Rising Stars.

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POLICY & REGULATION

Cannabis Bill Roundup: NJ Sen. Eyes Legalizing Hallucinogen

COMPANIES IN TODAY'S NEWS

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Adams Street Partners LLC
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Altaba Inc.
Amazon.com Inc.
American Civil Liberties Union
American Civil Liberties Union of Illinois
American Civil Liberties Union of Utah
American Federation of Government Employees
AmerisourceBergen Corp.
Anaplan Inc.
Anda Inc.
Anthem Inc.
Associated Press
Balmoral Funds LLC
Boston Celtics
Boston College
Bristol-Myers Squibb Co.
Brookdale Senior Living Inc.
ByteDance Ltd.
Cancer Treatment Centers of America Inc.
Cardinal Health Inc.
Chicago Bulls
City of Hope National Medical Center
Clayton Dubilier & Rice LLC
Consumer Watchdog
DaVita Inc.
DePuy Synthes Cos.
Deutsche Bank AG
Droplets Inc.
Express Scripts Holding Co.
First Liberty Institute
Frequency Therapeutics Inc.
Genus Lifesciences Inc.
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Homestead Hospice Inc.
Humana Inc.
Icon Ventures
Instagram Inc.
JPMorgan Chase & Co.
Johnson & Johnson
Lincare Holdings Inc.
LinkedIn Corp.
Macy's Inc.
Major League Baseball Inc.
Mallinckrodt PLC
McKesson Corp.
Medco Health Solutions Inc.
Merck & Co. Inc.
Meta Platforms Inc.

A leading New Jersey state senator has introduced a new bill to legalize the hallucinogen psilocybin for adults 21 and over, while lawmakers pitched bills on Capitol Hill to help cannabis companies access capital and veterans use medicinal marijuana. Here are the major legislative moves in cannabis and drug reform from the past week.

Read full article »

ENFORCEMENT & COMPLIANCE

LA Chiropractor Cops To NBA Health Plan Fraud Scheme

A Los Angeles-based chiropractor has pled guilty to his role in a multimillion-dollar scheme to defraud the NBA's health benefits plan, admitting he created fake invoices for players to be reimbursed for services they never received.

Read full article »

LITIGATION

Ditching Live Testimony For Declarations Is Risky, Attys Say

U.S. courts should move cautiously before embracing written statements at bench trials in lieu of live direct examination testimony, lawyers tell Law360, cautioning that their recent use in a high-stakes opioid trial doesn't mean the practice — which is standard in the U.K. — should be widely adopted at home.

Read full article »

Justices Won't Hear Anthem, Express Scripts Drug Price Fight

The U.S. Supreme Court refused Monday to take up insurance policyholders' challenge to the dismissal of their suit accusing Anthem Inc. and its pharmacy benefit manager Express Scripts Inc. of violating federal benefits laws by overcharging for prescriptions.

Order List attached | Read full article »

5th Circ. Gives Fed Worker Vax Mandate Suit Another Shot

The Fifth Circuit on Monday said it will rehear a challenge to President Joe Biden's 2021 executive order requiring federal workers to receive a COVID-19 vaccine or face termination.

Order attached | Read full article »

Trade Secret Suit Over Anesthetic's Cocaine Ingredient Settled

A drugmaker producing a cocaine-based anesthetic and the pharmaceutical company it sued for allegedly misappropriating trade secrets related to the safety of its pharmaceutical-grade cocaine hydrochloride have together asked a Pennsylvania federal judge to dismiss the case.

Motion attached | Read full article »

Humana Wants To Add Federal Antitrust Claims To Zetia Case

Humana Inc. asked a Virginia federal court for permission to add claims under federal antitrust law to its case accusing Merck and Glenmark of scheming to delay generic forms of the cholesterol drug Zetia.

Miami Marlins
Mississippi Center for Justice
Molina Healthcare Inc.
National Association for Law Placement Inc.
National Organization for the Reform of Marijuana Laws
New York University
Panmure Gordon & Co. PLC
Patriarch Partners
Planned Parenthood Federation
Polaris Partners
PrimeFlight Aviation Services Inc.
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R. L. Polk & Co.
Snap Inc.
Starbucks Corp.
TD Ameritrade Holding Corp.
The Center for Reproductive Rights
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Thoma Bravo LLC
TikTok Inc.
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2 documents attached | Read full article »

Meta Says Section 230 Bars Suit Over Girl's Death By Suicide

Meta Platforms Inc. has urged a California federal judge to toss claims that bullying and sex trafficking on its allegedly addictive platforms caused a minor's death by suicide, arguing it can't be held liable for the conduct of third parties.

3 documents attached | Read full article »

Boston Schools Want Out Of Union's Remote Work Suit

Boston Public Schools asked a Massachusetts federal judge Monday to scrap a teachers union's COVID-19 lawsuit, saying the union would have to prove each of its members suffered discrimination when they were required to return to work in person despite their health conditions and concerns about the coronavirus.

Motion attached | Read full article »

NC Health Agency Says Regulatory Actions Can't Be Torts

North Carolina's health department urged the state's Supreme Court to throw out an assisted living center's lawsuit accusing it of imposing harsh penalties following an allegedly botched investigation, arguing that regulatory actions taken by a state agency can't be considered torts.

Brief attached | Read full article »

Catching Up With Delaware's Chancery Court

The Delaware Chancery Court drew a step closer last week to filling an empty seat on the bench, a debt maven fought for control of a cosmetics company, and new cases came in involving cryptocurrency, building products, business software, and of course, private equity. Here's your weekly roundup of news from Delaware's Chancery Court.

Opinion attached | Read full article »

DEALS

CareTech To Be Taken Over By Founders In £870M Deal

British social care provider CareTech said Monday that it has agreed to being taken over for £870.3 million ($1.1 billion) by a consortium led by its co-founders, who are taking the company private.

Read full article »

Nomad Health Raises $105M To Grow Traveling Jobs Program

Nomad Health, a marketplace for temporary health care jobs, announced Monday that it plans to expand, steered by Pillsbury Winthrop Shaw Pittman LLP, to new specialties after raising $105 million with joint fundraising efforts by Adams Street Partners and Icon Ventures.

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PEOPLE

Goodwin Hires Partner For Growing ERISA Practice

Goodwin Procter LLP has hired a partner for its Employment Retirement Income Security Act and

Goodwin Procter
Hunton Andrews
Jomarron Lopez
Jones Day
K&L Gates
KJC Law Firm
Kaskela Law
Kaufman & Canoles
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Munger Tolles
O'Melveny & Myers
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GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Consumer Financial Protection Bureau
Delaware Court of Chancery
Equal Employment Opportunity Commission
Federal Bureau of Investigation
Federal Trade Commission

executive compensation practice in New York in response to expected growth in those areas.

Read full article »

EXPERT ANALYSIS

Dobbs Ruling Creates Compliance Dilemmas For Hospitals

Following the U.S. Supreme Court's decision in Dobbs v. Jackson Women's Health Organization, hospitals in states with sweeping abortion prohibitions may struggle to reconcile state and federal legal regimes, including the Emergency Medical Treatment and Labor Act, say attorneys at Dentons.

Read full article »

Opinion

Justices Should Resolve FCA Cases' Rule 9(b) Circuit Split

The U.S. Supreme Court should agree to hear three related False Claims Act cases and resolve the circuit split over the level of detail Rule 9(b) requires in qui tam complaints, or the viability of such actions will increasingly depend on where they are filed, say Kenneth Abell and Katherine Kulkarni at Abell Eskew.

Read full article »

LEGAL INDUSTRY

GCs Wrangling With Tangled Fallout Of Roe's Demise

The U.S. Supreme Court's decision to allow states to ban abortions — fraught with all the raw emotions attached to this issue — is also fraught with a multitude of legal risks for general counsel and their companies, ranging from possible criminal prosecution to civil suits to high-pressure proxy fights over political spending.

Read full article »

Trump Adviser Eastman Says Feds Seized His IPhone

Former Donald Trump legal adviser John Eastman, who is embroiled in a House select committee's investigation of the Jan. 6 attack on the U.S. Capitol, said in a Monday lawsuit that federal agents have seized his iPhone 12 using what he described as an overly broad search warrant.

Read full article »

Morgan Lewis Opens 34-Person Office In Seattle

Morgan Lewis & Bockius LLP announced the opening of an office in Seattle on Monday as part of the BigLaw firm's first foray into the Pacific Northwest, including hiring away more than a dozen attorneys from litigation boutique Calfo Eakes LLP.

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MoFo Elects Corporate Leader As New Firm Chair

Food and Drug Administration
Illinois Department of Public Health
Internal Revenue Service
Louisiana Legislature
North Carolina Department of Health and Human Services
North Carolina Department of Justice
Oklahoma Supreme Court
Pension Benefit Guaranty Corp.
U.S. Attorney's Office for the District of Nevada
U.S. Attorney's Office for the Eastern District of Texas
U.S. Attorney's Office for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. District Court for the District of Massachusetts
U.S. District Court for the District of New Mexico
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of New York
U.S. Securities and Exchange Commission
U.S. Supreme Court

Morrison Foerster LLP said Monday that it has elected corporate partner Eric McCrath as the firm's new chair, succeeding longtime leader Larren Nashelsky as he steps down this fall.

Read full article »

Longtime Verrill Dana Partner Takes Over As Leader

Verrill Dana LLP partner Scott Anderson was named as the firm's managing partner after Keith "K.C." Jones announced he was leaving the role earlier this year, Verrill Dana said Monday.

Read full article »

Attorney Satisfaction Remains High 3 Years After Graduation

About 82% of attorneys reported that they are satisfied with their overall legal careers three years after they graduated from law school, a tick down from last year's finding of 85%, according to a report released Monday from the National Association for Law Placement.

Read full article »

Ex-Trump Official, Philadelphia Atty Must Face Fraud Claims

A Trump-era State Department official and a Philadelphia attorney on Monday lost bids to escape claims they fraudulently induced an investor to pour millions into Greek medical cannabis companies, with a Pennsylvania federal judge finding a revised suit backed up the allegations.

Read full article »

High Court Backs Praying Coach In Religious Rights Battle

The U.S. Supreme Court ruled Monday that a public school district violated the First Amendment by suspending a football coach who insisted on praying at midfield right after games.

Read full article »

Ex-Consumer Financial Protection Bureau Atty Joins Orrick

A former senior policy and strategy counsel with the Consumer Financial Protection Bureau's Office of Enforcement has moved to Orrick Herrington & Sutcliffe LLP after a brief stint with O'Melveny & Myers LLP.

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SUBJECT: Supreme Court sides with coach who prayed on public school footballfield; California lawmakers move to put cash in taxpayers' pockets;Post-Roe era at the state and local level
FROM: Route Fifty Today <news@e.routefifty.com>
TO: Heather Borski <hborski@utah.gov>
DATE: 28/06/2022 05:01

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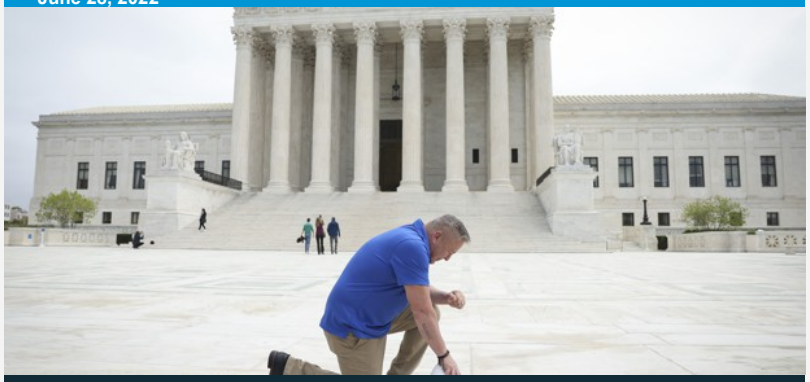
Connecting state and local government leaders

Route Fifty Today
June 28, 2022



Football Coach Had Right to Pray on School Field, Supreme Court Rules

DANIELA ALTIMARI | The legal dispute emerged at a public school in Washington state. Some experts say the court's decision could have significant implications for the role of religion in the public sphere and signify a further blurring of lines between church and state.

Instead of Relief at the Pump, California Moves to Put Cash in Pockets

DANIEL C. VOCK | State leaders are opting for direct payments up to $1,050, rather than a gas tax suspension as they look to provide residents a break from skyrocketing prices.

Roe is Gone. States and Localities Must Protect Reproductive Rights

DEBBIE COX BULTAN | COMMENTARY | The 50-year era of Roe v. Wade has ended. We need a new movement in America to elect leaders who will restore the rights that have been ripped away.

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IIJA funding to help narrow the digital divide

[redacted] Title

Cities, counties, states and schools have an unprecedented opportunity to help close the digital divide and make broadband available for underserved communities to stay connected and for students to participate equally in learning. Public-private partnerships will play a vital role in leveraging the Infrastructure Investment and Jobs Act to make internet service more affordable and expand resources for digital equity and adoption.
Read the IIJA handbook

State Courts From Oregon to Georgia Will Now Decide Who—If Anyone—Can Get an Abortion

STEFANIE LINDQUIST | THE CONVERSATION | COMMENTARY | There's likely to be a flood of litigation as people try to invalidate state laws on abortion.

$53.3 Million. 33 Jobs. No Plan. That's How Mississippi Lawmakers Are Spending BP Oil Spill Money.

ANITA LEE | SUN HERALD | Business leaders hoped the state would use money from the 2010 oil spill to transform Mississippi's coastal economy. Instead, lawmakers are using much of it to fill gaps in local government budgets and fund projects with few metrics for success.

How One State Used Its Giant Budget Surplus

BILL LUCIA | Idaho this year had extra revenue that was equal to nearly half the amount of its general fund revenues, and that was on top of federal aid. Here's what lawmakers did with the money.

Brought to you by AT&T
IIJA funding to help narrow the digital divide
Cities, counties, states and schools have an unprecedented opportunity to help close the digital divide and make broadband available for underserved communities to stay connected and for students to participate equally in learning. Public-private partnerships will play a vital role in leveraging the Infrastructure Investment and Jobs Act to make internet service more affordable and expand resources for digital equity and adoption.
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SUBJECT: Re: (Invitation) Press Conference Tomorrow: HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, Dobbs v. Jackson Women's Health
FROM: "David Litvack (DHS)" <davidlitvack@utah.gov>
TO: Tonya Hales <thales@utah.gov>
CC: Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>
DATE: 28/06/2022 05:33

Thanks Tonya!

David Litvack
Deputy Director

[redacted]

[redacted] Title

He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:

In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

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HHS IEA

Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

LOGISTICAL INFORMATION
Details are subject to change.

WHO: HHS Secretary Xavier Becerra

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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SUBJECT: Re: (Invitation) Press Conference Tomorrow: HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, Dobbs v. Jackson Women's Health
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>
CC: Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>
DATE: 28/06/2022 05:37

Thank you.

Who is planning to listen?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jun 28, 2022 at 5:33 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Thanks Tonya!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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[redacted] Title

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Assistant Deputy Director, Healthcare Administration
Executive Director's Office
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C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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FROM: Rebecca Brown <rebeccab@utah.gov>
TO: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
CC: Amanda Slater DHS <aslater@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 28/06/2022 05:46

I had my 9 am slot open so I will be planning to listen to it.

On Tue, Jun 28, 2022 at 5:37 AM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

> Thank you.
>
> Who is planning to listen?
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> Utah Department of Health & Human Services

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>
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> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services

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> Assistant Deputy Director, Healthcare Administration
> Executive Director's Office
> She/Her/Hers
> C: 801-349-5775
> thales@utah.gov
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[redacted]

[redacted] Title

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Rebecca A. Brown, LCSW
Assistant Deputy Director
She/Her/Hers
C: 385.227.9672
rebeccab@utah.gov

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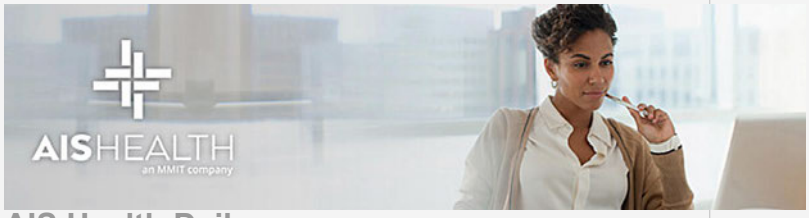
SUBJECT: Poll: Will More States Pursue Reinsurance Programs?
FROM: AIS Health Daily <aishealthdaily@aishealth.com>
TO: hborski@utah.gov
DATE: 28/06/2022 06:06



AIS Health Daily

June 28, 2022

AIS Health Poll: Tell Us What You Think

In May, the federal government approved Virginia's waiver for a state reinsurance program. Do you think other states will implement reinsurance programs this year?

Yes No

Here's what AIS Health Daily readers told us in the last poll

The latest Medicare Trustees report showed that the Hospital Insurance (Part A) trust fund will be depleted two years later than previously projected. Should Congress pursue comprehensive reforms to the Medicare program anyway?

- 93% say yes
- 7% say no

Email Health Plan Weekly Executive Editor Jill Brown Kettler to submit your own polling questions.

Today's Featured Story

At AHIP Conference, Data Rules and Social Determinants Dominate Conversation
by Peter Johnson

AHIP's annual conference — AHIP 2022, convened in Las Vegas — was the first in-person gathering of the health insurance trade group since COVID-19 arrived in the United States — so the health care professionals who gathered there had even more than usual to discuss. AHIP 2022 featured dozens of panels on a variety of subjects, but two themes stuck out: social determinants of health (SDOH) and the digital transformation wrought by interoperability and transparency mandates.

Payers take on SDOH challenges

[redacted]

- During a panel on addressing SDOH to achieve health equity for plan members, Djinge Lindsay, M.D., director of public health for CareFirst BlueCross BlueShield, said that she had started her career as a primary care clinician. But seeing the same social barriers to good health harm her patients over and over again made her want to seek a big-picture role.
- “One of the realizations for me to want to go into public health is that, in the clinical space, it’s a whack-a-mole game,” Lindsay said. “You tell somebody, ‘Go fill your prescription,’ and they tell you, ‘I don’t have enough money.’ You tell someone to try and get exercise, and try to strategize on ways they can, and they’ll say, ‘The neighborhood I live in doesn’t have any safe spaces or green spaces, and I’m hesitant to walk around by myself.’ I was very acutely aware, early in my medical training, that I can only do but so much through clinical care”
- SDOH-specific programs CareFirst has adopted, Lindsay says, include “assisting people with food access or housing. We’re looking at where our investments are being driven to address the social needs in our community.”
- She cited a community health worker initiative that pairs pregnant people with doulas, who “help you advocate for yourself, help you understand some of these things that your doctors are saying, and why it’s important for you to do certain things during your pregnancy to be healthy.”

Analytics, interoperability and transparency vendors dominate trade show

- With price transparency and interoperability deadlines coming soon, dozens of vendors set up shop at AHIP to convince health plan clients that they were the best option to help carriers implement the regulations — and reap the business opportunities embedded in the vast swath of data that the mandates will open up.
- And health plan professionals were certainly interested. Christi Skalka, a managing director at Deloitte and an expert in price transparency, addressed one of the best-attended sessions at the conference: every seat was filled and several attendees were standing in the back.
- AHIP senior vice president Jeanette Thornton moderated Skalka’s presentation. “How many of you have July 1 on your calendars?” Thornton asked the full capacity crowd. Nearly everyone present laughed or groaned.
- In her remarks, and in a later conversation with AIS Health, Skalka emphasized the importance of the software vendors filling up the exhibition hall. “These third-party disruptors — the regulations are meant to try and use this data to increase disruption, and really shine a light on what’s going on in the pricing world,” Skalka said. Consumer-facing products, in particular, have yet to see a dominant player emerge — what the software business refers to as a “killer app.”
- Skalka said that health care executives understand the importance of the race for a tool that meets consumers’ demands. Deloitte surveyed health plans about price transparency, Skalka explained, and found that “they’re starting to make investments. 76% of the health plan executives we spoke to said they’re going to make investments in technology and analytics to adjust this data and analyze it, which is the primary use case.”

From Health Plan Weekly

Subscribers may read the in-depth article online. Learn more about subscribing to AIS Health's publications.

Today's AIS Health Datapoint

Colorado last week received approval from the federal government to launch the “Colorado Option” — a new state-sponsored health plan created by a Section 1332 State Innovation Waiver. The plan will aim to cover about 10,000 people, with the goals of increasing health statewide health coverage and reducing racial and economic disparities. 5,311,686 people currently receive medical insurance benefits in Colorado. 30.2% of those lives are enrolled in Colorado Medicaid.

[redacted] Title

From AIS's Directory of Health Plans

On the Record

"I do see it as a positive step in that any investigation is better than no investigation. I don't think we know yet how broad the scope of that investigation is going to be or what they're going to do with what they find. Those are still question marks."

—Karen Van Nuys, Ph.D., executive director of the Leonard D. Schaeffer Center's Value of Life Sciences Innovation Project, spoke with AIS's Radar on Drug Benefits about her recent research, and the FTC's newly announced investigation into PBMs' business practices.

Subscribers may read the Radar on Drug Benefits in which this quote appeared online. Learn more about subscribing to AIS Health's publications.

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MORNING CONSULT

Health

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JUNE 28, 2022

BY GABY GALVIN

Twitter Email

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short

[redacted]

questions about your experience with Morning Consult's news and analysis: Take the survey now.

Voters More Likely to Disapprove of Roe Decision
A new Morning Consult/Politico survey in the wake of the Supreme Court's decision to overturn Roe v. Wade found that 50% of voters disapprove of the ruling and another 40% approve, with opinions largely drawn along partisan lines. Meanwhile, 52% of voters want Congress to pass legislation codifying federal abortion rights granted through Roe — but just 35% think lawmakers will get it done. Read more about the electorate's reaction to the ruling.

Top Stories

- Health and Human Services Secretary Xavier Becerra and Labor Secretary Marty Walsh met with 14 big health insurers and industry groups to ensure they comply with federal rules to offer contraceptives without co-pays, as the Biden administration seeks to strengthen reproductive health protections after the fall of Roe v. Wade. Advocates have accused payers of dodging the birth control coverage rules, and Becerra and Walsh said their departments "may take enforcement or other corrective actions as appropriate." (Politico)

- The Supreme Court ruled that prosecutors must prove that doctors knowingly prescribed drugs in a way that departs from professional norms in order to convict them of unlawful distribution of controlled substances, siding with two doctors accused of running opioid pill mills. The unanimous decision returns the case to an appeals court, but doesn't throw out the physicians' convictions. (Stat News)

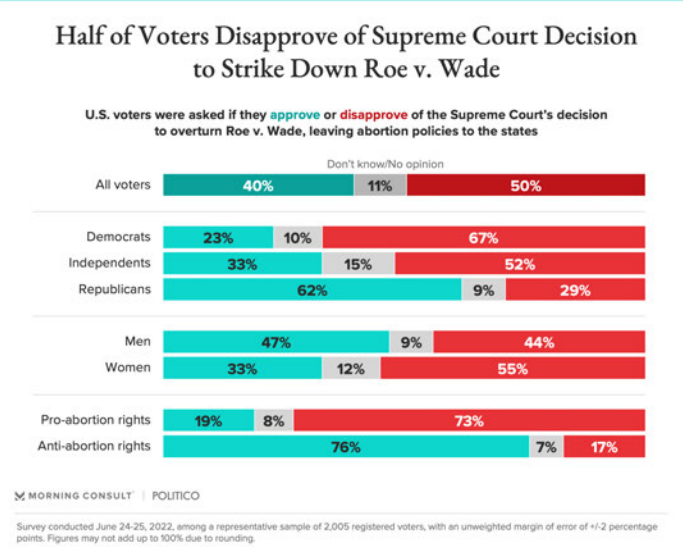
- Oklahoma reached a $250 million settlement with drug distributors AmerisourceBergen Corp., Cardinal Health Inc. and McKesson Corp. over their role in the state's opioid crisis, closing the last state lawsuit against all three companies. Oklahoma Attorney General John O'Connor said at least 85% of the money will fund efforts to address addiction in the state. (Reuters)

- The Centers for Medicare & Medicaid Services launched a new cancer care payment model that seeks to improve treatment coordination and equity, with the voluntary Enhancing Oncology Model set to begin in July 2023 and run through 2028. CMS Administrator Chiquita Brooks-LaSure said the model aims to incentivize cancer providers to offer care "that addresses patients' social needs and improves patient and caregiver support." (Fierce Healthcare)

Chart Review

Half of Voters Disapprove of Supreme Court Ruling to Overturn Roe v. Wade
Morning Consult

[redacted] Title



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What Else You Need to Know

CORONAVIRUS

[redacted] [redacted]

US grapples with whether to modify COVID vaccine for fall
Lauran Neergaard, The Associated Press
U.S. health authorities are facing a critical decision: whether to offer new COVID-19 booster shots this fall that are modified to better match recent changes of the shape-shifting coronavirus.

Pause in medication would improve Covid jab response for millions, study shows
Clive Cookson, Financial Times
Millions of people worldwide undergoing immune-suppressing treatment would respond much better to Covid-19 vaccines if they took a two-week break from medication immediately after their jab, a UK clinical trial has shown.

America Is Sliding Into the Long Pandemic Defeat
Ed Yong, The Atlantic
In the face of government inaction, the country's best chance at keeping the crisis from spiraling relies on everyone to keep caring.

GENERAL

How the Supreme Court abortion ruling changes health care
Sarah Owermohle and Krista Mahr, Politico
Court and legislative battles will soon begin or amplify. Here are just a few of the immediate and long-term implications of Roe falling.

Anti-abortion centers to grow, wield more influence post-Roe
Kimberlee Kruesi and Leah Willingham, The Associated Press
The facilities, which have been accused repeatedly of deceiving women about their true purpose, are expected to wield even more influence in states where the dwindling number of clinics are now canceling abortion appointments.

Anti-Abortion Movement Faces Divisions in Post-Roe Politics
Gregory Korte and Laurel Brubaker Calkins, Bloomberg
Abortion opponents, having secured their decades-old dream, are finding they don't all agree on what to target next.

What we know — and what we may never know — about why the FDA banned Juul
Nicholas Florko, Stat News
Even some of the nation's top tobacco experts were surprised by the Food and Drug Administration's stated rationale for pulling Juul off the market: It said it had concerns about the company's toxicology data.

Life expectancy for Black Americans continues to lag that of whites, study finds
Berkeley Lovelace Jr., NBC News
While disparities in life expectancy have narrowed over the past three decades, the Covid-19 pandemic has reversed some of that progress.

PAYERS

Will health insurers continue to cover abortion now that Roe has been overturned?
Megan Messerly, Politico
In some states, insurance may cover what is now or about to be an illegal procedure, while other states allow abortion but prohibit Medicaid from

covering it except in limited circumstances.

Legality of IRS Plan to Extend Obamacare Subsidies Questioned
Sara Hansard, Bloomberg Law
The IRS lacks the legal authority for its proposal that would expand the number of family members eligible for Obamacare subsidies, opponents of the measure told the agency Monday.

UnitedHealth's Optum looks to cut down on unnecessary lab testing
Samantha Liss, Healthcare Dive
Optum is launching a new program to help insurers cut down on "unnecessary lab testing," a move it says will save insurers $3 billion annually.

PROVIDERS

Abortion providers sue Idaho, Texas, Mississippi to stop states' trigger bans
Oriana Gonzalez, Axios
Abortion providers in Idaho, Texas and Mississippi have sued state officials to challenge "trigger" laws scheduled to take effect later in the summer that would make nearly all abortions illegal in those three states.

Abortions to Resume in Louisiana, as Trigger Ban Blocked
Mary Anne Pazanowski, Bloomberg Law
Louisiana officials are blocked from enforcing laws totally banning abortion pending a July 8 state court hearing that will delve more deeply into their legality.

End of Roe causes confusion at Michigan's largest health system
Samantha Liss, Healthcare Dive
The confusion in Michigan underscores complexities health systems and providers face as access to abortion will now be decided by each state.

Defining "life-threatening" can be tricky in abortion law exceptions
Tina Reed, Axios
While most state abortion bans include some sort of exception when the life of the mother is at risk, it will fall to doctors to prove whether a patient qualifies in an emergency, or possibly face charges.

Roe Ruling Provokes Biden Team Reminder on Emergency Care Law
Allie Reed and Tony Pugh, Bloomberg Law
Doctors are legally required to stabilize pregnant patients experiencing a miscarriage or other medical emergency—even if a state law prohibits this treatment, an official from the Centers for Medicare & Medicaid Services said Monday.

American College of Physicians calls US food insecurity a threat to public health
Sharon Udasin, The Hill
Inadequate access to nutrition has become a threat to public health in the U.S., amplifying existing food insecurity and social issues, the American College of Physicians declared on Monday.

Health services M&A slowed in Q1, but rebound anticipated
Susan Kelly, Healthcare Dive
Deal volumes in the health services sector slipped 9% in the first quarter compared to the fourth quarter of 2021, but are still trending above the

longer-term average and are expected to bounce back in the coming quarters, according to a mid-year update from PwC.

Weed users nearly 25% more likely to need emergency care and hospitalization
Sandee LaMotte, CNN
Using recreational marijuana is associated with a higher risk of emergency room care and being hospitalized for any reason, a new study has found.

PHARMA, BIOTECH AND DEVICES

CVS and Rite Aid Limit Abortion Pill Purchases as Demand Surges After Roe Ruling
Fiona Rutherford and Allison Nicole Smith, Bloomberg
CVS Health Corp. and Rite Aid Corp. pharmacies are limiting purchases of emergency contraceptive pills as demand for the medication surged following the US Supreme Court decision that struck down the constitutional right to abortion.

U.S. FDA declines to approve Spero's urinary tract infection drug
Amruta Khandekar and Bhanvi Satija, Reuters
The U.S. Food and Drug Administration declined to approve Spero Therapeutics Inc's oral antibiotic drug for the treatment of patients with complicated urinary tract infections, the company said on Monday.

Biotech Wizard Left a Trail of Fraud—Prosecutors Allege It Ended in Murder
Joseph Walker and Ben Foldy, The Wall Street Journal
Serhat Gumrukcu faces trial in a purported plot to kill an associate who could have exposed him and derailed a drug-development deal worth millions.

A Message From Better Medicare Alliance:

In communities across the country, more seniors are making an active choice for the quality, affordable, coordinated coverage found in Medicare Advantage. In fact, Medicare Advantage exceeds half of all Medicare enrollment in more than 120 Congressional districts nationwide. Better Medicare Alliance's interactive Medicare Advantage Enrollment Map lets you pinpoint MA enrollment data by state, Congressional district, and even by county. Check it out for yourself here.

HEALTH TECHNOLOGY

Anti-Abortion Centers Find Pregnant Teens Online, Then Save Their Data
Margi Murphy, Bloomberg
The crisis pregnancy nonprofits are sharpening their digital skills, investing their donations and state funding into outreach on social media, targeting teens and young adults.

Cognito Therapeutics raises $50 million for Alzheimer's treatment tech
Mario Aguilar, Stat News
Cognito Therapeutics has raised $50 million in funding as it seeks to advance treatments for an elusive target: cognitive decline.

CRISPR, 10 Years On: Learning to Rewrite the Code of Life
Carl Zimmer, The New York Times
The gene-editing technology has led to innovations in medicine, evolution and agriculture — and raised profound ethical questions about altering human DNA.

'It's not going to work': Keeping race out of machine learning isn't enough to avoid bias
Katie Palmer, Stat News
As more machine learning tools reach patients, developers are starting to get smart about the potential for bias to seep in. But a growing body of research aims to emphasize that even carefully trained models — ones built to ignore race — can breed inequity in care.

OPINIONS, EDITORIALS AND PERSPECTIVES

America May Soon Have Another Sexually Transmitted Infection
Jay K. Varma, The New York Times
Monkeypox infections are spreading rapidly in many countries, and the United States has, yet again, been caught flat-footed when confronted with another virus.

Thanks to the FDA, Biden's cancer moonshot could succeed
Leana S. Wen, The Washington Post
President Biden's cancer "moonshot" received a big boost from the Food and Drug Administration, thanks to its aggressive actions aimed at curtailing smoking.

RESEARCH REPORTS

Association Between Telemedicine Use in Nonmetropolitan Counties and Quality of Care Received by Medicare Beneficiaries With Serious Mental Illness
Bill Wang et al., JAMA Network Open
In this cohort study, greater use of telemental health visits in a nonmetropolitan county was associated with modest increases in contact with outpatient specialty mental health professionals and greater likelihood of follow-up after hospitalization.

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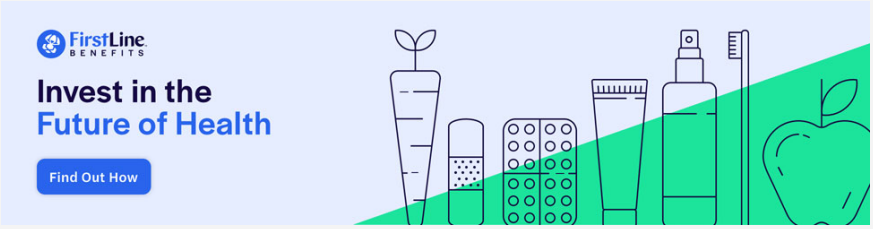

TOP STORIES

Feds reiterate ACA contraceptive coverage requirements

HHS Secretary Xavier Becerra and Labor Secretary Marty Walsh met with health insurance executives Monday to discuss Affordable Care Act provisions that require free coverage of at least one type of contraception for each FDA-approved method. In a statement, Becerra, Walsh and Treasury Secretary Janet Yellen called on plans and issuers to take immediate action to ensure compliance with the requirements. **Full Story:** The Hill (6/27)

HHS urged to release in-hospital infection data

The Biden administration has declined to publicly disclose data on in-hospital SARS-CoV-2 transmission amid concerns that the information might embarrass hospitals and prevent them from sharing data. Patient advocates are urging HHS to make the information public to allow patients, particularly those with weak immune systems and chronic conditions, to make safe choices and avoid hospitals with poor track records. **Full Story:** Politico (6/25)

[redacted]

Study: OTC Programs Could Reduce Overall Costs

A study found giving individuals access to OTC benefits can reduce the number of avoidable ER visits and hospital admissions. Ultimately these programs could save health plans millions in avoidable care costs. **Download the study for details.**

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PROVIDERS & SUPPLIERS

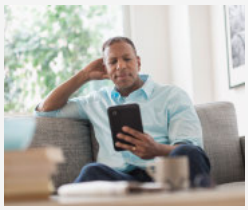
Study: Telehealth didn't cause wasteful Medicare visits

(Pixabay)

An analysis of Medicare claims data from 2019 through 2021 found that beneficiaries of fee-for-service Medicare did not use looser telehealth rules to schedule extra appointments, but rather used virtual visits to replace some of the health care that they would have received in person, according to a preprint study on medRxiv. Fears that beneficiaries would increase Medicare spending with extra visits "[have] not panned out," said Chad Ellimoottil, lead author and the head of the University of Michigan's Telehealth Research Incubator. **Full Story:** HealthLeaders Media (6/27)

CMS rolls out new value-based oncology payment model

The CMS has announced a new voluntary, value-based oncology payment model aimed at reducing cancer care costs and improving patient outcomes, and the model will be studied from July 2023 to June 2028. Practices, Medicare Advantage plans and Medicaid plans are encouraged to apply to join the Enhancing Oncology Model, which involves monthly payments for enhanced cancer care services, performance-based retrospective payments and additional payments for offering new services to dual-eligible beneficiaries. **Full Story:** Becker's Payer Issues (6/27)



Increase engagement, improve care programs

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MEDICAL UPDATE

Viral reservoirs may explain long COVID symptoms

A study published in the journal PLOS Pathogens found an association between high levels of virus-specific T cells and symptoms of long COVID, suggesting lingering symptoms after the acute phase of COVID-19 could be explained by hidden reservoirs of virus in the body. Researchers found T cell levels were associated with increased inflammation that could explain decreased lung function and persistent symptoms such as chest pain, fatigue and headache. **Full Story:** Contagion Live (6/25)

Insulin treatment for diabetes tied to fracture risk

A study presented at The Endocrine Society's ENDO 2022 found that patients with diabetes who were treated with insulin had nearly twice the risk of major osteoporotic fractures and over three times greater risk of hip fracture compared with those treated with metformin. However, the increase may be mitigated by treatment with both insulin and metformin, researcher Dr. Sung Hye Kong said. **Full Story:** Endocrinology Network (6/27)

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On-the-ground lessons for improving health equity

The convergence of social justice issues, COVID-19, and the rise of digital health enabled new ways of bridging the health equity gap. Priority Health President Praveen Thadani and Wellframe Chief Medical Officer Sandhya Gardner share how their teams have pivoted to better meet members where they are, lowering barriers to care in the process. **Listen now.**

EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

Survey tracks food insecurity in Washington, D.C., area

(Pixabay)

A report from the Capital Area Food Bank found almost one-third of people in the Washington, D.C., region were food-insecure last year. Food insecurity especially affects families with children and non-white families, and 2020 data from the nonprofit Feeding America showed Washington, D.C., had the country's highest rate of food insecurity among older adults at 13.1%. **Full Story:** The Washington Post (tiered subscription model) (6/26), The Washington Post (tiered subscription model) (6/27)

Expert: Health tech risks creating "digital back doors"

Telehealth, algorithms and interoperability are being adopted by health systems to increase access, quality and efficiency of care, but racial biases risk creating a "digital back door" for Black patients and others from historically excluded groups, worsening already unequal access to health care, writes Kim Gallon, the director of the advocacy group COVID Black. "If health tech is truly committed to accessible digital front doors to health care, it must first acknowledge the digital back doors evident in digital redlining, algorithmic bias, stigmatizing language in EHRs, and other forms of racism that are enabled through how health IT developers and clinicians use and apply digital technologies in health care," Gallon writes. **Full Story:** STAT (tiered subscription model) (6/24)

Disparities found in gastrointestinal tract cancer care

Black patients with gastrointestinal tract cancers were more likely to receive substandard care and have a lower likelihood of negative surgical margins overall compared with their white counterparts, according to a study published in JAMA Network Open. Additionally, Black patients were less like to be recommended for and undergo chemotherapy or radiotherapy, researchers wrote. **Full Story:** Healio (free registration) (6/22)

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HEALTH INSURANCE PROVIDER COMPANY NEWS

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PHARMA NEWS

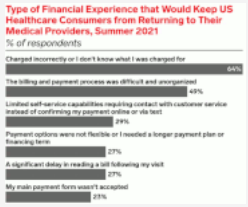
Pfizer touts safety of Omicron-targeting COVID-19 dose

Adjustments made by Pfizer and partner BioNTech to their COVID-19 vaccine were found to be safe and made the shot more effective at targeting the Omicron variant, Pfizer announced. Though the existing vaccines remain effective at protecting against severe COVID-19, they targeted the original coronavirus strain and have weakened against the very transmissible Omicron variant. **Full Story:** The Associated Press (6/25)

Who should get vaccinated against monkeypox?

(NurPhoto/Getty Images)

The CDC has 36,000 doses of a vaccine developed in 2019 to prevent monkeypox and smallpox -- and which, according to research cited by the Johns Hopkins Center for Health Security, is at minimum 85% effective at preventing monkeypox -- and has ordered 500,000 more doses of the vaccine to be delivered this year. The agency recommends the vaccine, a two-shot regimen with four weeks between doses, for health care workers who could be exposed to the virus as well as for men who have sex with men, the group with the highest risk of becoming infected. **Full Story:** USA Today (6/27)



Report: Modernizing Medical Payments

How can healthcare providers modernize their payment infrastructures to meet new consumer demands and increase revenues? The pandemic has heightened the need for medical payments innovation and providers must take a patient-centered approach to enhancing their payment infrastructures. **Get the Report >**

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POLICY WATCH

FDA panel to weigh need for updated COVID-19 vaccines

The FDA's Vaccines and Related Biological Products Advisory Committee will meet today to consider whether COVID-19 vaccine formulations should be updated to target a specific variant and which strain should be targeted. Some FDA officials have said people may benefit from annual COVID-19 boosters, similar to annual administration of influenza vaccines. **Full Story:** CNN (6/27)

AHIP NEWS

So many reasons to attend AHIP's Consumer/Digital Forum

The reasons to attend AHIP's Consumer Experience & Digital Health Forum, Sept. 12 through 14 in Nashville, keep growing. Be inspired by leaders offering strategic insight on some of the industry's most pressing issues, including market disruption and digital health innovation; interoperability, analytics, and actionable insights; digital health strategies for connected care; and reimagining the consumer experience. Be part of the discussions.

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Webinar: Virtual primary care - register today.

Join us on Thursday, June 30 from 1 to 2 p.m. ET for "The Clinical Perspective and Impact of Virtual Primary Care" as clinician leaders from Amwell discusses their perspective and real-life experience on how virtual primary care (VPC) and connected virtual mental health care drive better outcomes and higher satisfaction for members.

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Openness may not completely disarm prejudice, but it's a good place to start.

Jason Collins
professional basketball player
June is Pride Month

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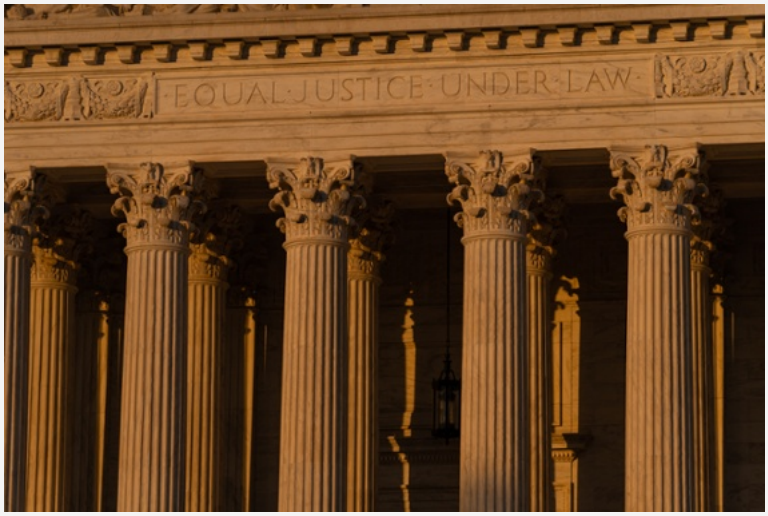
TOP STORY

Companies walk tightrope after Roe is overturned



(Bloomberg/Getty Images)

Companies are carefully approaching a response to the Supreme Court's overturn of Roe v. Wade, with some avoiding public statements and others -- such as Amazon, Citigroup and Goldman Sachs -- announcing financial support for travel and medical expenses incurred by employees. **Full Story:** The Guardian (London) (6/26), Business Insider (tiered subscription model) (6/27)

Coconut is one of the fastest-growing coffee flavor requests from customers.*

Deliver on the demand and heat up your sales with NEW Coffee mate® Coconut Créme flavored creamer. Lactose-free, cholesterol-free, Kosher dairy and available in a single-serve tub format, it's a great way to offer all your guests a little taste of paradise. **Try Now**

*Datassential Buzz Report 2021

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RECRUITING & RETENTION

Future of office work could include "vertical yacht"

Remote-work trends that have taken hold during the pandemic are likely to last a long time and might become permanent in some sectors, as office occupancy remains less than half the pre-pandemic high. A podcast explores whether remote work has improved or degraded American life and how office work will take shape, including the possibility that offices will have hotel-like amenities or become a "vertical yacht." **Full Story:** The Ringer (6/17)

Accelerate eLearning with AWS Marketplace

In this session, A Cloud Guru, Coursera, and Amazon Web Services will share industry trends, success stories, and solutions to help you make informed decisions about a comprehensive eLearning approach for your organization. **Watch the webinar.**

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LEADERSHIP & DEVELOPMENT

Pandemic boosted use of fractional chief marketing officers
The Wall Street Journal (6/27)

How to challenge employees into a flow state
Entrepreneur (6/27)

Survey: Burnout has hit the C-suite
Fortune (tiered subscription model) (6/23)

2022 SmartBrief Reader Survey

SmartBrief is running a quick five-minute survey to better understand our readers' interests to develop the next iteration of our newsletter. As a thank you for completing the survey, you will be entered to win one of five $100 Amazon gift cards. **Start the Survey Now**

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8-Step Guide: How to Overcome Laziness and Start taking Action

How Technology Can help You Get a Good Night's Sleep

Effective Leadership Primer

Quick Reference Guide – Time Management

Quick Reference Guide – Office 365 Essentials

STRATEGIES FOR SUCCESS FROM TRAININGMAG.COM

How employers can develop a "Mental Health Toolbox"

Katie Urtnowski, vice president of people and culture at CNY Group, explains how companies can use a "Mental Health Toolbox" to create a psychologically and emotionally safe workplace. "By being deliberate about how you create a sense of inclusivity, you are shaping company culture to support positive mental health," Urtnowski writes. **Full Story:** Training magazine (6/23)

BENEFITS & COMPENSATION

Communicate with employees about pay as inflation rises

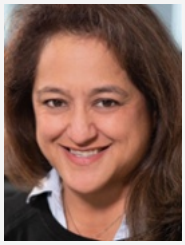
To avoid mistrust and workers leaving, be open with employees about the possibility of salary freezes as inflation rises. "Although these conversations are often difficult, employers must be sensitive to employee concerns and work toward ways to remediate inflation fears, even if they don't have the budget to raise salaries," says Tanya Jansen, co-founder of Beqom. **Full Story:** Inc. (tiered subscription model) (6/24)

THE HR LEADER

Leadership burnout is real and needs more attention

Increasingly gray areas between personal and professional life can lead to high stress and greater risk of burnout, and while focus has heightened on employees who go through excessive stress, burnout among executives still carries a stigma, Samantha Johnson writes. Leaders frequently promote employees' mental health but fail to address their own, Johnson writes. **Full Story:** The Next Web/Techleap (6/27)

ABOUT THE EDITOR


Kanoe Namahoe

Yesterday wore me out. I edited my briefs early in the morning and was on the show floor by 8 a.m. for a media briefing. The rest of the day was a blur of sessions, meetings and perusing the show floor. When I left the conference, I ran back to my hotel to freshen up and then met up with my team for a long, wonderful dinner of crawdad beignets, blackened catfish and a carrot cake at Superior Seafood and Oyster Bar. We wrapped up the night at The Spotty Cat Music Club for some jazz and a nightcap.

I was yawning when I got back to my hotel around midnight, but I felt great. The day was long but productive -- the kind that energizes me for the work I do. I spent my day talking to educators, students and solutions providers about what's happening in schools. Every conversation was different and I had to be on when I was moving from one to another. At one booth, I was talking to students about their entrepreneurship club. At the next booth, I was talking to a STEM teacher about robotics. At another one, I was talking to a vendor about assessment and data.

I loved it.

Days like that get me fired up. Daniel Todd talks about that in today's Leadership & Development story. Todd says, "Employees deeply immersed in their work achieve great things without realizing how many hours have passed." It's true. That work flow is almost intoxicating. It carries me through the day and fuels me with fresh energy -- seriously! -- for every meeting and interaction.

We need that. It's not about emotion. It's about tapping that thing deep in us that rights us -- focuses us -- and enables us to do our best work.

Are your workers deeply immersed in their work? Are they bringing enthusiasm to their activities and tasks? Let me know! And if you enjoy this brief, tell others so they can benefit also.

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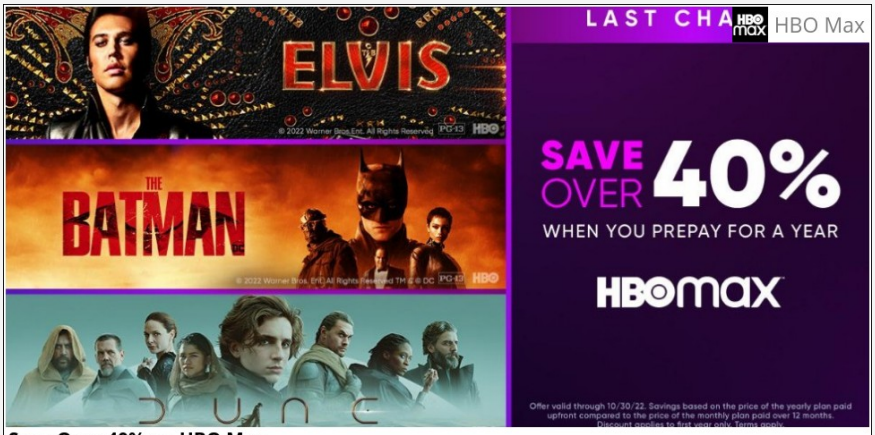
Openness may not completely disarm prejudice, but it's a good place to start.

Jason Collins
professional basketball player
June is Pride Month



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[redacted] Title

SUBJECT: Brown & Peisch (Utah Medicaid's Contract Attorneys) States Advisory22-20: Supreme Court Overturns Roe v. Wade with Possible Implications for Medicaid
FROM: Tonya Hales <thales@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>
CC: Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Tony Patterson <tonypatterson@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 28/06/2022 16:23

Hello All,
Just sharing as an FYI - Brown & Peisch (B&P) is Utah Medicaid's external consulting legal firm. One of the things B&P do as part of the contract we have with them, is to periodically send out general legal "advisories" about Medicaid-related issues.

Attached is the advisory we received from B&P today regarding the SCOTUS decision impact on state Medicaid programs.

Thanks,

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Tue, Jun 28, 2022 at 5:33 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

> Thanks Tonya!
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:

> In case you didn't see this, forwarding as an FYI.
>
> **Tonya Hales**
> Assistant Deputy Director, Healthcare Administration
> Executive Director's Office
> She/Her/Hers
> C: 801-349-5775
> thales@utah.gov
> dhhs.utah.gov
>
> Utah Department of Health & Human Services

[redacted]

[redacted] Title

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

To view this email as a web page, click here. June 27, 2022

HHS IEA

Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

LOGISTICAL INFORMATION
Details are subject to change.

WHO: HHS Secretary Xavier Becerra

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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200 Independence Avenue, S.W., Washington, DC, 20201 US

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[redacted] [redacted]

[redacted] Title

[redacted]

[redacted]

[redacted]

Republican lawmakers have once again tried to skew the districts in their favor.

3 documents attached | Read full article »

DC Circ. Backs FERC's Approval Of $468M Gas Pipeline

The D.C. Circuit on Tuesday upheld the Federal Energy Regulatory Commission's approval of a $468 million natural gas pipeline project, disagreeing with environmental advocates that developers were permitted to collect excessive returns and environmental concerns weren't given proper scrutiny.

Opinion attached | Read full article »

Contested GOP Primary For Ill. High Court Too Close To Call

Suburban Chicago voters appeared to choose Lake County Associate Judge Elizabeth Rochford on Tuesday as their Democratic candidate heading into November for a wide-open seat in the Illinois Supreme Court bench, but the district's Republican race remained too close to call early Wednesday morning.

Read full article »

Neb. Tells 8th Circ. Right To Vote Doesn't Cover Initiatives

The Nebraska Secretary of State told the Eighth Circuit on Monday that the federally protected right to vote does not extend to state citizens' efforts to put initiatives on the ballot.

Brief attached | Read full article »

BANKING & SECURITIES

CFPB Says States Can Write Stricter Credit Reporting Laws

The Consumer Financial Protection Bureau said Tuesday that states can enact tougher credit reporting restrictions than are provided for under federal law, endorsing a limited federal preemption view favored by consumer advocates.

Read full article »

Feds Ask For Vigilance On Russian Export Sanctions

Bureaus of the U.S. Treasury Department and U.S. Commerce Department urged financial institutions Tuesday to monitor for efforts of Russia and Belarus to evade export sanctions related to the invasion of Ukraine, providing some pointers that could help keep certain equipment out of the hands of Russia's military.

1 document attached | Read full article »

CFPB Urged To Scrap Anti-Bias Revamp Of Exam Manual

Major banking trade groups and the U.S. Chamber of Commerce called Tuesday for the Consumer Financial Protection Bureau to scrap new examination policies that broaden the scope of the agency's anti-discrimination policing, hinting at a potential for legal action if the agency doesn't reverse course.

2 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

Appalachian Mountain Advocates
Arnold & Porter
Baker & Hostetler
Bartlit Beck
Bienert Katzman
Bush Seyferth
Campbell Conroy
Choate Hall
Cleary Gottlieb
Cohen Seglias
DeWitt LLP
Debevoise & Plimpton
Eversheds Sutherland
Faegre Drinker
Fenwick & West
Foley Hoag
Gibson Dunn
Girardi & Keese
Greenberg Gross
Greenberg Traurig
Greene Espel
Hogan Lovells
Jenner & Block
Kirton McConkie
LT Pacific Law Group
Levy Konigsberg
Mayer Brown
Milbank LLP
Morgan Lewis
Morrison Foerster
Nelson Mullins
Norton Rose
O'Melveny & Myers
Orgain Bell
Patterson Belknap
Patterson Harkavy
Paul Weiss
Plunkett Cooney
Proskauer Rose
Quinn Emanuel
Reinhardt Savic
Robbins Alloy
Robinson Bradshaw
Rodriguez & Morgan
Ropes & Gray
Shearman & Sterling
Simpson Thacher
Skadden Arps
SulmeyerKupetz
Tavenner & Beran PLC
Varnum LLP
Venable LLP
Vinson & Elkins
Wachtell Lipton
Weil Gotshal
Winston & Strawn

COMPANIES IN TODAY'S NEWS

Air Alliance Houston

DC Judge Lets Utah Into Energy Lease Challenge

A federal judge has authorized Utah to intervene in a conservation group's bid to overturn 32 oil and gas leases approved by the U.S. Department of the Interior, after state officials said the suit aims to stop government-sanctioned drilling "or, at the very least, drastically curtail its leasing program."

Order attached | Read full article »

Flint Jury To Hear From Ex-Gov. After Court Quashes Charges

A Flint jury will hear recorded testimony from former Michigan Gov. Rick Snyder on Wednesday in a civil trial over the Flint water crisis, following the Michigan Supreme Court overturning indictments against three state officials Tuesday.

Opinion attached | Read full article »

EPA Can't Justify Lax Airline Greenhouse Gas Rule, Court Told

Blue states and environmental groups have told the D.C. Circuit that federal rules for airline greenhouse gas emissions are too lax, won't meaningfully address the climate crisis and are an abdication of clear statutory requirements of the Clean Air Act.

2 documents attached | Read full article »

Enviro Groups Say Texas Refuses To Follow Air Permit Rules

A cohort of environmental groups petitioned the U.S. Environmental Protection Agency on Tuesday to require Texas' environmental regulator to increase public participation and consider environmental justice impacts during its air permitting program.

1 document attached | Read full article »

Enviros Urge Full Speed Ahead For Minn. Mine Challenge

Five conservation groups, including the Center for Biological Diversity, told a Minnesota federal court Monday to proceed with their bid to block the state's first open-pit copper mine, claiming the project's federal approval "would forever escape judicial review" if their suit is tossed.

1 document attached | Read full article »

Energy Cos. Can't Duck Fees For $1.2B Project, 5th Circ. Told

The Texas agency in charge of a key shipping channel off the Gulf of Mexico told the Fifth Circuit it shouldn't give credence to a brazen attempt by Shell and Phillips 66 to dodge their share of fees intended to pay for a $1.2 billion waterway improvement project.

Brief attached | Read full article »

HEALTH & LIFE SCIENCES

Becerra Says 'All Options Are On The Table' After Dobbs

U.S. Health and Human Services Secretary Xavier Becerra said Tuesday that the agency will do everything it can within the confines of federal law to ensure that women continue to have access to safe abortion care after the U.S. Supreme Court erased the constitutional right to it.

Read full article »

American Bankers Association
American Civil Liberties Union
Block.one LLC
BlockFi Inc.
Boston University
Center for Biological Diversity
CoinDesk LLC
CoinMarketCap OpCo LLC
Coinbase Global Inc.
Consumer Bankers Association
Consumer Data Industry Association
Cornerstone Research Inc.
EQT Corp.
Earthjustice
Environmental Integrity Project
Equitrans Midstream Corp.
Ethereum GmbH
Gemini Trust Co. LLC
Getty Images Inc.
Guttmacher Institute
Independent Community Bankers of America
Intellectual Property Owners Association
International Business Machines Corp.
JAMS Inc.
JUUL Labs Inc.
LexisNexis Group Inc.
LinkedIn Corp.
National Association of Broadcasters
National Consumer Law Center
New York Civil Liberties Union
New York University
Phillips 66
Planned Parenthood Federation
PolyMet Mining Corp.
Princeton University
Ripple Labs Inc.
Shell PLC
Sierra Club
Sikh Coalition
Smart Approaches to Marijuana
Southern Coalition for Social Justice
T-Mobile US Inc.
Texas RioGrande Legal Aid Inc.
The Center for Reproductive Rights
The New York Times Co.
Twitter Inc.
U.S. Chamber of Commerce

6th Circ. Lifts Block On Tenn. Abortion Restriction

The Sixth Circuit gave Tennessee the green light Tuesday to enforce a law that bars abortions after six weeks, citing the U.S. Supreme Court's recent decision that overturned Roe v. Wade.

Order attached | Read full article »

Texas Judge Freezes Enforcement Of Pre-Roe Abortion Ban

A Texas judge on Tuesday temporarily blocked the state from enforcing a nearly century-old ban on abortion that was deemed unconstitutional in the now-overturned Roe v. Wade decision.

3 documents attached | Read full article »

Center For Reproductive Rights Promotes Attorney To GC

The Center for Reproductive Rights Inc. has elevated one of its attorneys to become its new general counsel as the organization deals with the reverberations of the U.S. Supreme Court's decision last week ending constitutional protection for abortion.

Read full article »

Paul Weiss, MoFo, 22 Other Firms Staff NY Abortion Hotline

Two dozen BigLaw firms, including Paul Weiss Rifkind Wharton & Garrison LLP, Akin Gump Strauss Hauer & Feld LLP and Cleary Gottlieb Steen & Hamilton LLP, have signed on to help with an abortion hotline, offering legal guidance to anyone seeking access to or seeking to provide abortions in New York.

Read full article »

IP & TECHNOLOGY

USPTO Issues Report On Patent Eligibility Comments

The U.S. Patent and Trademark Office issued a report to Congress Tuesday highlighting public comments the agency received on the state of patent subject matter eligibility law, with commenters across the spectrum agreeing that it needs to be consistent, clear and predictable.

Report attached | Read full article »

AEROSPACE & DEFENSE

Judge Skeptical Of Sikhs' Suit Over Marine Corps Beard Ban

Three Sikhs suing to block the Marine Corps from forcing them to shave their beards while in basic training faced strong skepticism on Tuesday after a D.C. federal judge repeatedly suggested the prospective recruits could join other branches of the military that have relaxed boot camp rules.

Read full article »

IMMIGRATION

2nd Circ. Reverses BIA On Dual Citizen Refugee Question

The Second Circuit held on Tuesday that a dual national asylum-seeker can qualify as a refugee by

UnitedLex Corp.
Veolia Environnement SA

GOVERNMENT AGENCIES IN TODAY'S NEWS

Agency for Toxic Substances and Disease
Bureau of Citizenship and Immigration Services
Bureau of Land Management
Centers for Medicare & Medicaid Services
Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Crow Nation
Eastern Shoshone Tribe
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Financial Crimes Enforcement Network
Fish and Wildlife Service
Food and Drug Administration
Georgia Attorney General's Office
Georgia Department of Revenue
Idaho Attorney General's Office
Michigan Department of Health and Human Services
National Park Service
Nebraska Attorney General's Office
New Jersey Attorney General's Office
New York Attorney General's Office
North Carolina Department of Justice
North Carolina General Assembly
North Carolina Utilities Commission
Northwestern Band of the Shoshone Nation
Office of Foreign Assets Control
Shoshone-Bannock Tribes
Texas Attorney General's Office
Texas Board of Nursing
Texas Commission on Environmental Quality

showing persecution in just one of their countries of nationality, reversing a lower tribunal's decision.

Opinion attached | Read full article »

9th Circ. Says Salvadoran Ineligible For 2nd Deportation Relief

The Ninth Circuit affirmed a Board of Immigration Appeals decision rejecting a Salvadoran man's second request for deportation relief, saying he was granted a cancellation of a removal order that rendered him ineligible for a second grant under another law.

Opinion attached | Read full article »

White House Reviewing Immigration Fee Changes

The White House is reviewing upcoming changes to the fees U.S. Citizenship and Immigration Services charges immigrants seeking citizenship and other immigration benefits, with an eye to releasing the proposal in September for public feedback.

Read full article »

WHITE COLLAR

Ex-GOP Rep. Fortenberry Avoids Prison For Lying To FBI

Former U.S. Rep. Jeffrey Fortenberry, R-Neb., won't face prison for lying to the FBI about illicit campaign contributions and instead will be placed on two years of probation and required to pay a $25,000 fine, a Los Angeles federal judge said Tuesday.

Read full article »

NATIVE AMERICAN

Feds Back Shoshone Tribe's Hunting Rights At 9th Circ.

The U.S. Department of the Interior on Tuesday added its voice to the Northwestern Band of the Shoshone Nation's request that the Ninth Circuit overturn an Idaho federal judge's ruling that the tribe doesn't have treaty rights to hunt and fish in its aboriginal lands.

Brief attached | Read full article »

TELECOMMUNICATIONS

Ga. Panel Revives T-Mobile's $11M Equipment Tax Refund Bid

The Georgia Court of Appeals vacated a trial court's decision Tuesday that wiped out a roughly $11 million sales tax refund for T-Mobile, saying the court applied the wrong standard of review in finding certain broadband network equipment taxable.

Opinion attached | Read full article »

House Bill Would Stop FCC From Weeding Out Cannabis Ads

House lawmakers tacked language onto a Federal Communication Commission spending bill for next year to block the FCC from trying to prevent broadcasters from running ads for cannabis products in states with legalized marijuana.

1 document attached | Read full article »

PEOPLE

Ex-Mass. AG Returns To Foley Hoag As AG Practice Co-Chair

Texas Health and Human Services Commission
Texas Legislature
Texas Medical Board
U.S. Army
U.S. Army Corps of Engineers
U.S. Attorney's Office for the Central District of California
U.S. Attorney's Office for the District of Minnesota
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the District of Minnesota
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Southern District of Florida
U.S. Environmental Protection Agency
U.S. Forest Service
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Supreme Court

Former Massachusetts Attorney General Martha Coakley has rejoined Foley Hoag LLP after a stint with embattled e-cigarette maker Juul and will be co-chairing its state attorney general practice, the firm announced Tuesday.

Read full article »

EXPERT ANALYSIS

EPA's New PFAS Listings Raise Enforcement, Litigation Risks

The U.S. Environmental Protection Agency's recent addition of five per- and polyfluoroalkyl substances to a list of risk-based values for regional screening and removal management levels increases the risks of litigation and government enforcement related to PFAS contamination — and companies should prepare for a roller coaster of further regulatory actions, say attorneys at Alston & Bird.

Read full article »

Crypto Litigation May Grow In Absence Of Regulatory Scheme

Three recent cases in the digital asset space illustrate how regulatory uncertainty has created fertile ground for litigation and enforcement to grow, leaving cryptocurrency trading platforms and users to closely monitor guidance from applicable regulatory agencies, say attorneys at Choate.

Read full article »

NY Contractor Relief Bill Is Much-Needed, But Imperfect

Once signed by the governor, New York's S.B. 10109 will correctly provide relief to construction contractors negatively affected by drastic material price escalations, though it is held back by an arbitrary time restriction, say attorneys at Cohen Seglias.

Read full article »

LEGAL INDUSTRY

Justice Alito's Former NJ Home Barraged With Hate Mail

Justice Samuel Alito's former New Jersey home is being targeted by hate mail in the wake of the U.S. Supreme Court's Dobbs v. Jackson Women's Health Organization decision, which struck down the constitutional right to abortion.

Read full article »

Hogan Lovells Names Global Managing Partner For Growth

Hogan Lovells has created a new leadership post at the law firm, global managing partner for growth, and tapped New York partner Phoebe A. Wilkinson to fill it, the firm announced on Tuesday.

Read full article »

LeClairRyan Trustee Approved For $21M UnitedLex Settlement

A Virginia bankruptcy judge approved a $21 million settlement between the Chapter 7 trustee for defunct

law firm LeClairRyan PLLC and the legal services provider she accused of bleeding the firm of millions and driving it into liquidation.

Read full article »

Erika Girardi Ordered To Turn Over Pricey Diamond Earrings

Reality television star Erika Girardi must turn over to a bankruptcy trustee a pair of diamond earrings that her estranged husband, the disbarred attorney Thomas V. Girardi, bought in 2007 for $750,000, a Los Angeles bankruptcy judge said Tuesday, finding that it was clear that stolen funds were used to buy them.

Read full article »

Fed. Circ. Wipes $11K Fee Ruling Over Confidential Emails

A Federal Circuit panel splintered Tuesday in rejecting a lower court decision to hit a California patent lawyer and his client with $11,000 in fines and legal fees over allegedly emailing confidential materials to a partner attorney in a joint defense agreement, who used them in another case.

Read full article »

Fla. Legal Services Co. Says Ex-Partner Stole Trade Secrets

Legal services company Veritas Legal Plan Inc. has accused a former business partner in a Florida federal court of illegally using its training, documents and customer list to become a competitor.

Read full article »

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Deputy General Counsel – Legal Department (LEG)
International Monetary Fund
Washington, District of Columbia

PARALEGAL/LEGAL ASSISTANT
McCarter & English, LLP
Miami, Florida

Deputy Attorney General 2
New Jersey Division of Law
Trenton, New Jersey

Attorney - Assistant Attorney General - Opinions
Illinois Attorney General's Office
-, -

Public Interest Dependency Attorney - San Diego Location
Dependency Legal Services San Diego
San Diego, California

Public Interest Dependency Attorney
Los Angeles Dependency Lawyers, Inc.
Monterey Park, California

[redacted]

Title

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SUBJECT: High Court's CSA Decree Augurs Opioid Upheaval For DOJ
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 29/06/2022 02:44

LAW360 HEALTH

Wednesday, June 29, 2022

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TOP NEWS

Analysis

High Court's CSA Decree Augurs Opioid Upheaval For DOJ

The U.S. Supreme Court's demand for a rock-solid showing of intentional impropriety when federal opioid prosecutors target pills-for-profits schemes under the Controlled Substances Act will send the U.S. Department of Justice scrambling to salvage its less sensational suits, attorneys say.

Opinion attached | Read full article »

Texas AG Investigates Walmart's Opioid Sales Practices

Texas Attorney General Ken Paxton on Tuesday said his office is investigating Walmart for potential violations of the state's Deceptive Trade Practices Act in the retail giant's sales of prescription opioids.

1 document attached | Read full article »

Becerra Says 'All Options Are On The Table' After Dobbs

U.S. Health and Human Services Secretary Xavier Becerra said Tuesday that the agency will do everything it can within the confines of federal law to ensure that women continue to have access to safe abortion care after the U.S. Supreme Court erased the constitutional right to it.

Read full article »

6th Circ. Lifts Block On Tenn. Abortion Restriction

The Sixth Circuit gave Tennessee the green light Tuesday to enforce a law that bars abortions after six weeks, citing the U.S. Supreme Court's recent decision that overturned Roe v. Wade.

Order attached | Read full article »

Texas Judge Freezes Enforcement Of Pre-Roe Abortion Ban

A Texas judge on Tuesday temporarily blocked the state from enforcing a nearly century-old ban on

COMPANIES IN TODAY'S NEWS

3M Co.
AARP Inc.
Alivecor Inc.
American Civil Liberties Union
AmerisourceBergen Corp.
Apple Inc.
Best Western International Inc.
CNA Financial Corp.
Cardinal Health Inc.
Cincinnati Financial Corp.
Endo International PLC
Executive Health Resources Inc.
Guttmacher Institute
InterContinental Hotels Group PLC
JAMS Inc.
JPMorgan Chase & Co.
Johnson & Johnson

[redacted]

abortion that was deemed unconstitutional in the now-overturned Roe v. Wade decision.

3 documents attached | Read full article »

Paul Weiss, MoFo, 22 Other Firms Staff NY Abortion Hotline

Two dozen BigLaw firms, including Paul Weiss Rifkind Wharton & Garrison LLP, Akin Gump Strauss Hauer & Feld LLP and Cleary Gottlieb Steen & Hamilton LLP, have signed on to help with an abortion hotline, offering legal guidance to anyone seeking access to or seeking to provide abortions in New York.

Read full article »

Flint Jury To Hear From Ex-Gov. After Court Quashes Charges

A Flint jury will hear recorded testimony from former Michigan Gov. Rick Snyder on Wednesday in a civil trial over the Flint water crisis, following the Michigan Supreme Court overturning indictments against three state officials Tuesday.

Opinion attached | Read full article »

RISING STAR

Rising Star: Kirkland's Jordan Cohen

Jordan Cohen of Kirkland & Ellis LLP helped Nordic Capital acquire a health care data software provider for $7.3 billion and advised KKR's majority acquisition of an electronic health record software company, earning him a spot among the health care law practitioners under age 40 honored by Law360 as Rising Stars.

Read full article »

LITIGATION

Analysis

Benefits Cases To Watch In The 2nd Half Of 2022

In the second half of the year, benefits attorneys will be keeping a close eye not only on legal battles hinging on familiar themes such as class certification and preemption, but also cases dealing with emerging issues such as cybersecurity and cryptocurrency.

Read full article »

7th Circ. Won't Revive Antitrust Suit Against Radiology Board

A Seventh Circuit panel on Tuesday affirmed the dismissal of an antitrust suit against the American Board of Radiology, saying the lead plaintiff "has fallen short" in showing the group illegally tied its initial board certification for radiologists to a continuous certification program some physicians would rather buy elsewhere.

Opinion attached | Read full article »

11th Circ. Upholds VA's Defeat Of Doctor's Age Bias Suit

The Eleventh Circuit said Tuesday it won't reopen a doctor's suit alleging that he didn't receive a position with the U.S. Department of Veterans Affairs because of his age, gender and prior employment dispute, ruling he hadn't demonstrated these factors played a part in the VA's decision.

Opinion attached | Read full article »

LinkedIn Corp.
McKesson Corp.
Mutual of Enumclaw Insurance Co.
New York Civil Liberties Union
New York University
Nordic Capital Ltd.
Oakwood Healthcare Inc.
Planned Parenthood Federation
Princeton University
Reliance Standard Life Insurance Co.
Teva Pharmaceutical Industries Ltd.
The Center for Reproductive Rights
The Charles Schwab Corp.
The ERISA Industry Committee
The New York Times Co.
Trulieve
Twitter Inc.
U.S. Chamber of Commerce
UnitedHealth Group Inc.
UnitedLex Corp.
Veolia Environnement SA
Walmart Inc.

LAW FIRMS IN TODAY'S NEWS

Akin Gump
Bailey & Glasser
Balch & Bingham
Barnes & Thornburg
Bondurant Mixson
Brach Eichler
Brinson Askew
Bush Seyferth
Campbell Conroy
Cleary Gottlieb
Cuffie Law Firm
Davis & Whitlock
Davis Wright Tremaine
DeBofsky Sherman
DeWitt LLP
Debevoise & Plimpton
Dinsmore & Shohl
Dorsey & Whitney
Faegre Drinker
Fenwick & West
Fish & Richardson
Foley Hoag
Freeman Mathis
Friedman Dazzio
Gibson Dunn
Girardi & Keese
Gordon & Rees
Gordon Tilden
Greenberg Gross
Greenberg Traurig
Hogan Lovells

8th Circ. Rejects Hotel Operator's Virus Coverage Appeal

The Eighth Circuit refused to revive a hotel and restaurant operator's COVID-19 business interruption insurance suit against Continental Casualty Co. on Tuesday, finding the company did not show any covered physical loss or damage.

Order attached | Read full article »

Neb. Tells 8th Circ. Right To Vote Doesn't Cover Initiatives

The Nebraska Secretary of State told the Eighth Circuit on Monday that the federally protected right to vote does not extend to state citizens' efforts to put initiatives on the ballot.

Brief attached | Read full article »

Daikin Can't Take Bid To End PFAS Claims To Ga. Justices

A Georgia federal judge has rejected Daikin America Inc.'s bid to ask the state's Supreme Court or the Eleventh Circuit to weigh in on whether it and other manufacturers of per- and polyfluoroalkyl substances could be held liable for water pollution in Georgia.

Order attached | Read full article »

ITC Judge Says Apple Infringed Rival's ECG Wristband

A U.S. International Trade Commission judge has determined that Apple has infringed two patents covering medical device maker AliveCor's wristband device for measuring irregular heartbeats.

2 documents attached | Read full article »

Ambulance Co. Must Face Death Claim Over Paraplegic's Fall

An ambulance company can't evade claims it caused the death of a paraplegic man after he fell from one of its stretchers, a Georgia appeals court panel has ruled, saying the wrongful death claims aren't time-barred because they piggyback on negligence claims already filed.

Opinion attached | Read full article »

Policyholder Hopes Tested In Virus Case At Wash. High Court

Washington's top court seemed skeptical Tuesday that a pediatric dental practice's slowdown of operations during the COVID-19 pandemic is tantamount to a loss caused by fire or rain requiring closure for repairs, in the court's first in-person oral arguments held in over two years since the pandemic's start.

Read full article »

Pot Retailer Hit With Overtime Suit

A marijuana retailer violated the Fair Labor Standards Act by failing to pay an employee overtime for tasks like responding to work inquiries after hours, the worker said in a lawsuit filed in Florida federal court.

Complaint attached | Read full article »

EXPERT ANALYSIS

What's At Stake In Justices' FCA Qui Tam Dismissal Review

Hunton Andrews
Jaszczuk PC
Jones Day
Jones Walker
Kazmarek Mowrey
Keller Rohrback
Kirkland & Ellis
LT Pacific Law Group
Levy Konigsberg
Lightfoot Franklin
Mayer Brown
Milbank LLP
Morgan Lewis
Morris & Dean
Morrison Foerster
Mozley Finlayson
O'Melveny & Myers
Patterson Belknap
Paul Weiss
Pilgrim Christakis
Plunkett Cooney
Proskauer Rose
Quinn Emanuel
Reinhardt Savic
Reynolds Frizzell
Riker Danzig
Robinson Curley
Ropes & Gray
Sanford Heisler
Shearman & Sterling
Simpson Thacher
Skadden Arps
Smith Gambrell
SulmeyerKupetz
Tavenner & Beran PLC
Taylor English
Troutman Pepper
Varnum LLP
Wachtell Lipton
Waller Lansden
Weil Gotshal
Winston & Strawn

GOVERNMENT AGENCIES IN TODAY'S NEWS

Centers for Medicare & Medicaid Services
Employee Benefits Security Administration
Food and Drug Administration
Georgia Supreme Court
International Trade Commission
Michigan Department of Health and Human Services
Nebraska Attorney General's Office
New York Attorney General's Office
Texas Attorney General's Office
Texas Board of Nursing

The Supreme Court's decision next term in U.S. v. Executive Health Resources could hold that the government cannot dismiss a qui tam action in which it initially declined intervention, which would mean the government must expend more resources vetting False Claims Act cases and give relators free rein as prosecutors of their cases, say attorneys at Ropes & Gray.

Read full article »

2nd Circ. Ruling Highlights ERISA Determination Deadlines

As seen in the Second Circuit's recent McQuillin v. Hartford decision, the deadlines for deciding Employee Retirement Income Security Act claims and appeals have teeth, and there are consequences when a plan administrator fails to comply, says Mark DeBofsky at DeBofsky Sherman.

Opinion attached | Read full article »

LEGAL INDUSTRY

Trump Was Bent On Joining Capitol Mob, Meadows Aide Says

Despite warnings about people carrying weapons near the White House on Jan. 6, 2021, former President Donald Trump was so furious over what he saw as too few people in a secured area at his "Stop the Steal" rally that he urged the Secret Service to remove magnetic screening machines.

Read full article »

Justice Alito's Former NJ Home Barraged With Hate Mail

Justice Samuel Alito's former New Jersey home is being targeted by hate mail in the wake of the U.S. Supreme Court's Dobbs v. Jackson Women's Health Organization decision, which struck down the constitutional right to abortion.

Read full article »

Center For Reproductive Rights Promotes Attorney To GC

The Center for Reproductive Rights Inc. has elevated one of its attorneys to become its new general counsel as the organization deals with the reverberations of the U.S. Supreme Court's decision last week ending constitutional protection for abortion.

Read full article »

Hogan Lovells Names Global Managing Partner For Growth

Hogan Lovells has created a new leadership post at the law firm, global managing partner for growth, and tapped New York partner Phoebe A. Wilkinson to fill it, the firm announced on Tuesday.

Read full article »

LeClairRyan Trustee Approved For $21M UnitedLex Settlement

Texas Health and Human Services Commission
Texas Legislature
Texas Medical Board
U.S. Attorney's Office for the Middle District of Florida
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the First Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Veterans Affairs
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of Florida
U.S. District Court for the Northern District of Georgia
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. Supreme Court

A Virginia bankruptcy judge approved a $21 million settlement between the Chapter 7 trustee for defunct law firm LeClairRyan PLLC and the legal services provider she accused of bleeding the firm of millions and driving it into liquidation.

Read full article »

Erika Girardi Ordered To Turn Over Pricey Diamond Earrings

Reality television star Erika Girardi must turn over to a bankruptcy trustee a pair of diamond earrings that her estranged husband, the disbarred attorney Thomas V. Girardi, bought in 2007 for $750,000, a Los Angeles bankruptcy judge said Tuesday, finding that it was clear that stolen funds were used to buy them.

Read full article »

Fed. Circ. Wipes $11K Fee Ruling Over Confidential Emails

A Federal Circuit panel splintered Tuesday in rejecting a lower court decision to hit a California patent lawyer and his client with $11,000 in fines and legal fees over allegedly emailing confidential materials to a partner attorney in a joint defense agreement, who used them in another case.

Read full article »

Fla. Legal Services Co. Says Ex-Partner Stole Trade Secrets

Legal services company Veritas Legal Plan Inc. has accused a former business partner in a Florida federal court of illegally using its training, documents and customer list to become a competitor.

Read full article »

JOBS

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Moore & Van Allen, PLLC
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[redacted] Title

SUBJECT: Re: Brown & Peisch (Utah Medicaid's Contract Attorneys) StatesAdvisory 22-20: Supreme Court Overturns Roe v. Wade with PossibleImplications for Medicaid
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Tonya Hales <thales@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Tony Patterson <tonypatterson@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 29/06/2022 05:14

Thanks Tonya.

This is interesting. It doesn't address our exact legal issue with Medicaid but we will continue to evaluate it. I also did not see AG Garland's letter on medication so that link is also helpful.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jun 28, 2022 at 4:24 PM Tonya Hales <thales@utah.gov> wrote:

> Hello All,
> Just sharing as an FYI - Brown & Peisch (B&P) is Utah Medicaid's external consulting legal firm. One of the things B&P do as part of the contract we have with them, is to periodically send out general legal "advisories" about Medicaid-related issues.
>
> Attached is the advisory we received from B&P today regarding the SCOTUS decision impact on state Medicaid programs.
>
> Thanks,
>
> **Tonya Hales**
> Assistant Deputy Director, Healthcare Administration
> Executive Director's Office
> She/Her/Hers
> C: 801-349-5775
> thales@utah.gov
> dhhs.utah.gov
>
> Utah Department of Health & Human Services

On Tue, Jun 28, 2022 at 5:33 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

> Thanks Tonya!
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services

[redacted]

[redacted] Title

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:

In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

To view this email as a web page, click here. June 27, 2022

HHS IEA
Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

LOGISTICAL INFORMATION
Details are subject to change.

WHO: HHS Secretary Xavier Becerra

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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200 Independence Avenue, S.W., Washington, DC, 20201 US

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SUBJECT: Morning Consult Health Presented by Better Medicare Alliance:Becerra Says There's 'No Magic Bullet' to Preserve Abortion Access
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 29/06/2022 06:33

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JUNE 29, 2022

BY GABY GALVIN
Twitter Email

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short questions about your experience with Morning Consult's news and analysis: Take the survey now.

Voters Mostly Back FDA Bans on Tobacco-Flavored Vapes
Juul Labs Inc. launched into a legal battle with the Food and Drug Administration after regulators ordered the vaping giant's tobacco-flavored products off the U.S. market last week, but a new Morning Consult/Politico survey shows Juul is unlikely to find much sympathy with the electorate. About 2 in 3 voters — including half of voters who vape — are on board with FDA bans on tobacco-flavored vaping products. Read more here.

Top Stories

- Health and Human Services Secretary Xavier Becerra cautioned that there is "no magic bullet" to preserve abortion access after the fall of

Roe v. Wade, and said federal officials are still considering their options amid a complex legal landscape and as Democrats call on the Biden administration to do more. For now, Becerra said HHS will ensure federal health insurance programs cover medication abortion in certain cases, and that officials will work with the Justice Department to ensure that women have access to abortion pills in states that look to restrict them. (The New York Times)

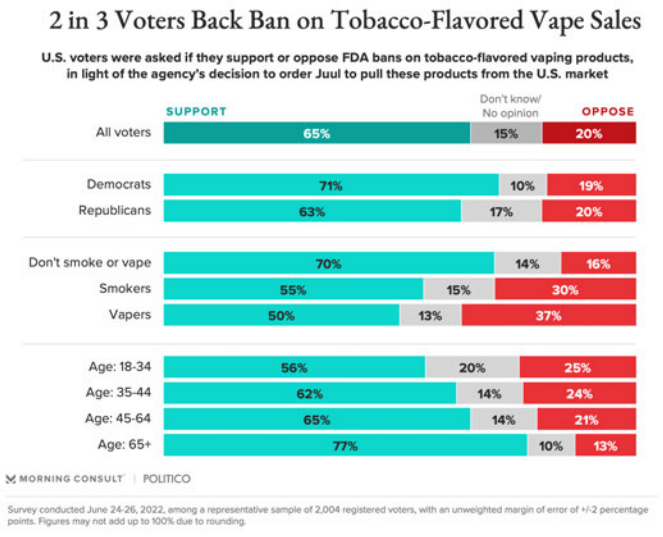
- The Biden administration released its plan to combat the monkeypox outbreak, saying it will make 296,000 doses of a monkeypox vaccine available to eligible Americans and prioritize those in the LGBTQ community and people who have been exposed to the virus in states with high infection rates. In the coming months, a combined 1.6 million additional doses will be made available, and Centers for Disease Control and Prevention Director Dr. Rochelle Walensky said the agency plans to offer the shots to a broader group. (Bloomberg)

- The Food and Drug Administration's vaccine advisory group voted 19-2 to recommend that drugmakers update COVID-19 vaccines to target the omicron variant, suggesting the FDA will clear the way for Pfizer Inc.-BioNTech SE and Moderna Inc. to move ahead with their plans to release modified booster shots. The government aims to launch a booster campaign in October. (The Wall Street Journal)

- Government watchdogs told a House panel that Congress should crack down on the Medicare Advantage program, saying the private health plans for seniors sometimes deny access to needed medical care and inflate charges by billions of dollars. The watchdogs said lawmakers should limit home-based health assessments and that the Centers for Medicare and Medicaid Services should prioritize audits to recoup government overpayments. (Kaiser Health News)

Chart Review

About 2 in 3 Voters Back FDA Bans on Tobacco-Flavored Vapes
Morning Consult



Events Calendar (All Times Local)

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More Seniors Are Choosing Medicare Advantage - See Enrollment Data in Your Community

With average annual savings of nearly $2,000 for consumers, lower per-beneficiary government spending, and a 94% beneficiary satisfaction rate, Medicare Advantage is now the leading choice of Medicare coverage for seniors in more than 120 Congressional districts nationwide. What's more, 31 states have MA enrollment rates of more than 40%. Medicare Advantage is working for more than 28 million Americans. Let's protect this bipartisan healthcare success story.

What Else You Need to Know

CORONAVIRUS

BA.4, BA.5 Subvariants Dominate New Covid-19 Cases
Jon Kamp, The Wall Street Journal
The easily spread Omicron BA.4 and BA.5 subvariants represent more than half of all U.S. Covid-19 cases, federal estimates showed, ramping up pressure as a spring surge stretches into summer.

Pfizer, Moderna to be ready with BA.1-specific COVID boosters
Leroy Leo, Reuters
Pfizer Inc and Moderna Inc said on Tuesday they will be ready with COVID-19 vaccines designed to combat the BA.1 Omicron variant that was dominant last winter earlier than those designed to target currently dominant subvariants.

U.S. Supply of Effective Covid Antibody Drug Dwindling
Stephanie Armour and Liz Essley Whyte, The Wall Street Journal
The federal government's stores of a key Covid-19 antibody drug, a crucial weapon for keeping the infected out of the hospital, are expected to be used up in late August because pandemic funding is running out.

As Republicans push back on aid for vaccines, congressional Democrats point fingers over the next steps.
Sheryl Gay Stolberg, The New York Times
President Biden's request for $22.5 million in emergency coronavirus aid to bolster the nation's supply of coronavirus tests, vaccines and treatments, which stalled for months amid objections from both parties, is now the subject of Democratic infighting and finger-pointing on Capitol Hill.

Elmo Gets Covid-19 Shot in CDC's Vaccine Push For Kids
Carrington York, Bloomberg
Sesame Street's iconic, perpetually three-year-old Muppet got his Covid-19 shot in a public service announcement released by the Centers for Disease Control and Prevention on Tuesday.

GENERAL

Democrats Aim to Protect Abortion Seekers Crossing State Lines
Jack Fitzpatrick, Bloomberg Law
A House panel adopted a measure Tuesday to block Justice Department funds from being used to prosecute women who cross state lines to obtain an abortion, as Democrats aim to counter the effects of the US Supreme Court striking down Roe v. Wade.

State Judges Are in Spotlight After Supreme Court Overrules Roe v. Wade
Laura Kusisto et al., The Wall Street Journal
Days after the Supreme Court overruled Roe v. Wade, the legal spotlight is shifting to state courts, where judges are on the front lines in determining the future of abortion.

State lawmakers are shaping the future of abortion. Watch these names.
Megan Messerly, Politico
Legislators were long unable to impose major regulations on abortion. Now, the power to decide when — and whether — abortion should be legal is squarely in their hands.

Juul Says FDA Caved to Political Pressure With E-Cigarette Ban
Sabrina Willmer, Bloomberg
Juul Labs Inc. said the US Food and Drug Administration bowed to political pressure by ordering the electronic-cigarette maker last week to remove its products from store shelves, and the company asked a federal appeals court to block the move while it fights the ban in court.

Overdose Deaths Behind Bars Rise as Drug Crisis Swells
LJ Dawson, Kaiser Health News
Even if Alabama's prisons and jails are especially overrun by drugs, death, and violence, their problems are not unique in the U.S.

Gas Piped Into Homes Contains Benzene and Other Risky Chemicals, Study Finds
Elena Shao, The New York Times
While the concentrations are low, the chemicals are potentially dangerous and some are linked to cancer risk, the researchers found.

Foreign Influence in NIH Research Gets Lawmakers' Attention
Jeannie Baumann, Bloomberg Law
Foreign interference in NIH-funded research remains a pervasive challenge, but some higher education advocates are cautioning that the

latest legislative proposals could cause more headaches and compliance pitfalls for research institutions if the disclosure requirements are inconsistent across the government.

PAYERS

Providers, insurers poised for 'bloody' negotiations amid inflation
Alex Kacik and Nona Tepper, Modern Healthcare
Surging inflation has set the table for heated negotiations between providers and insurers.

PROVIDERS

Alabama cites Roe decision in urging court to let state ban trans health care
Oriana Gonzalez, Axios
Alabama Attorney General Steve Marshall (R) on Tuesday urged a federal court to drop its block on the state's ban on gender-affirming care for trans youth arguing such care is not protected by the Constitution.

Texas Abortion Ban Is Halted for Procedures Up to 6 Weeks
Laurel Brubaker Calkins, Bloomberg
A Texas judge temporarily sided with abortion rights advocates that challenged a state law from the 1920s banning the procedure, in the wake of the US Supreme Court's decision last week to overturn Roe v. Wade.

In a doctor's suspicion after a miscarriage, a glimpse of expanding medical mistrust
Eric Boodman, Stat News
There are plenty for whom the doctor's office has long been contested terrain, where you need to watch what you say and keep your guard up, where Black people in pain are dismissed as drug-seeking, where women are told their symptoms are all in their head, where seeking help might get you into more trouble.

Abortion doctors' post-Roe dilemma: Move, stay or straddle state lines
Alice Miranda Ollstein, Politico
Health experts warn that this potential migration could be devastating for patients, leaving them without access to birth control, prenatal care and other reproductive health services.

Physicians face confusion and fear in post-Roe world
Ariana Eunjung Cha, The Washington Post
Some worry gray areas in new abortion bans force a choice between breaking their oath and breaking the law.

Placebo response reveals unconscious bias among white patients toward female, Black physicians
Katherine Gilyard, Stat News
The doctor-patient relationship is an important part of helping and healing. But it can be hijacked by racial or other biases that either party holds.

PHARMA, BIOTECH AND DEVICES

100 lawmakers ask HHS to use controversial federal laws to combat high

drug prices
Ed Silverman, Stat News
A group of 100 federal lawmakers is urging the Biden administration to use controversial provisions of federal law to lower prescription drug prices, and also asked the Department of Health and Human Services Secretary Xavier Becerra for a meeting to discuss the issue.

When Brazil Banned Abortion Pills, Women Turned to Drug Traffickers
Stephanie Nolen, The New York Times
With Roe v. Wade overturned, states banning abortion are looking to prevent the distribution of abortion medication. Brazil shows the possible consequences.

Instagram and Facebook remove posts offering abortion pills
Amanda Seitz, The Associated Press
Facebook and Instagram have begun promptly removing posts that offer abortion pills to women who may not be able to access them following a Supreme Court decision that stripped away constitutional protections for the procedure.

Emergency contraception pills are safe and effective, but not always available
Maria Godoy, NPR News
This type of contraception is effective, safe and legal throughout the United States. And yet researchers are finding it's not always available when people need it.

Walgreens Abandons Boots Sale as Debt-Market Chaos Spooks Buyers
Dinesh Nair and Katie Linsell, Bloomberg
Walgreens Boots Alliance Inc. abandoned the sale of its Boots drugstore chain that was expected to bring more than $6 billion after failing to secure the desired valuation for the UK business amid a turbulent credit market.

Texas attorney general opens investigation into Walmart's opioid sales
Dietrich Knauth, Reuters
Texas Attorney General Ken Paxton said on Tuesday he was investigating whether Walmart improperly filled prescriptions and failed to report suspicious orders when selling opioid drugs.

Novartis Will Cut as Many as 8,000 Jobs Under Plan to Save $1 Billion by 2024
Eric Pfanner, Bloomberg
Novartis AG will cut as many as 8,000 jobs under a plan to save at least $1 billion by 2024 and boost the pharmaceutical giant's performance.

Diversity Push for Clinical Trials Prompts House Panel Look
Jeannie Baumann, Bloomberg Law
Clinical trial diversity is garnering more attention from lawmakers as they seek to resolve a longstanding deficiency amid a larger national focus on health equity.

A Message From Better Medicare Alliance:

In communities across the country, more seniors are making an active choice for the quality, affordable, coordinated coverage found in Medicare Advantage. In fact, Medicare Advantage exceeds half of all Medicare enrollment in more than 120 Congressional districts

nationwide. Better Medicare Alliance's interactive Medicare Advantage Enrollment Map lets you pinpoint MA enrollment data by state, Congressional district, and even by county. Check it out for yourself here.

HEALTH TECHNOLOGY

2,000 leaked documents and employees say Silicon Valley healthcare startup Cerebral harmed hundreds of patients and prescribed serious medication with abandon
Shelby Livingston and Blake Dodge, Insider
From the outside, Cerebral appeared to be a Silicon Valley success story.

OPINIONS, EDITORIALS AND PERSPECTIVES

The pro-life movement's work is just beginning
O. Carter Snead and Mary Ann Glendon, The Washington Post
The Supreme Court's decision to return abortion regulation to our legislative branches is welcome and long overdue. For the culture of life movement, it is also just the beginning.

RESEARCH REPORTS

National Hospital Flash Report: June 2022
Erik Swanson, Kaufman Hall
Operating margins rose from April but remained significantly lower than pre-pandemic levels and May 2021. Volumes were up slightly from the previous month, with rising ED visits close to numbers last seen in 2019 and earlier.

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SUBJECT: How the Overturning of Roe v. Wade Impacts Health Centers
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: hborski@utah.gov
DATE: 29/06/2022 07:31

[redacted] Title

Industry Update:
The Impact of Overturning *Roe v. Wade* on Health Centers

Wednesday, June 29 at 1 PM ET

Last week's Supreme Court decision in *Dobbs v. Jackson Women's Health Organization* has left many health care providers, including health centers, with questions surrounding their responsibilities to patients while also anticipating new laws and legal cases. With this uncertainty, how should health center leadership and staff move forward to continue to provide the best care to patients and stay in compliance?

In this industry update webinar **today at 1 PM ET**, join FTLF attorneys **Molly Evans**, **Rosie Dawn Griffin**, **Dianne Pledgie**, and **Carrie Riley** as they discuss:

- The Supreme Court case and decision
- Providing voluntary family planning to clients, including Title X grant considerations
- Impacts on malpractice and FTCA coverage concerns
- Compliance and risk management strategies

Register

This industry update webinar is complimentary for Premium Plan subscribers.
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FTLF has designed this webinar for the following audience:

- CEOs, COOs, CMOs, CFOs
- Medical Directors and Clinical Staff
- Risk Managers/Compliance Officers
- Grants Managers
- In-house Legal Counsel
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October 26 - 28, 2022
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SUBJECT: Havas, NYC Pride call out anti-LGBTQIA+ bills
FROM: "4A's SmartBrief" <aaaa@smartbrief.com>
TO: hborski@utah.gov
DATE: 29/06/2022 08:42

Created for **hborski@utah.gov** | Web Version

June 29, 2022

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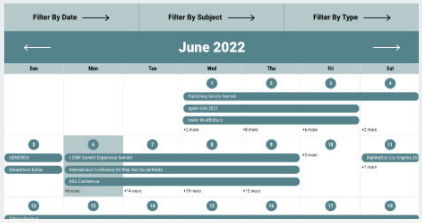

TOP STORY

Havas, NYC Pride call out anti-LGBTQIA+ bills

(CNW Group/Havas New York)

Havas New York created a "#BurytheBills" campaign for NYC Pride that calls out anti-LGBTQIA+ legislation and the lawmakers behind it. Out-of-home billboards display QR codes that, when scanned, automatically fax stories of queer love in literature from Penguin Random House to those lawmakers and, in the campaign's first day, 570,000 pages were faxed. **Full Story:** MediaPost Communications (free registration) (6/28), Ad Age (tiered subscription model) (6/28)

Key eCommerce trends 2022-2025

Brands who want to survive in today's competitive environment need to get across the right message, at the right time, via the right channels. We asked 14 digital agency leaders their take on where eCommerce is headed and how it will impact the way we engage with audiences online. **Download now**.

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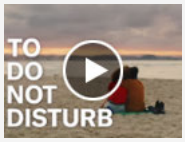
CREATIVE

Droga5, Rainn Wilson create a small pet show for Kaytee

(Kaytee/YouTube)

Droga5 created a mockumentary for small pet brand Kaytee, which stars Rainn Wilson as the owner of Kenneth the guinea pig, who he is trying to train to enter the Westminster Kennel Club Dog Show. The humorous video shows Kenneth eventually turned down from the prestigious show but that only prompts Wilson to create his own event, #SmallinShow, which small pet owners are invited to take part in for the chance to win prizes from the brand. **Full Story:** Ad Age (tiered subscription model) (6/28)

Iris, Samsonite say "Take What's Yours"



One of the campaign videos, produced by Famous After Death (Samsonite/YouTube)

Iris Worldwide created a "Take What's Yours" campaign for Samsonite that urges people to take their paid time off this summer. The push is running across connected TV, streaming, digital out of home, YouTube, paid social, audio via Spotify and Pandora, and includes TikTok influencer collaborations. **Full Story:** MediaPost Communications (free registration) (6/28)

A Taste Of Home Study

We surveyed 3,000 home cooks to find out how their mindset and behaviors shifted over the last two years. **Download here.**

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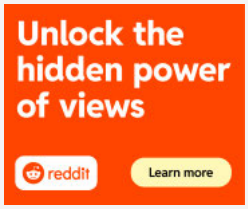
AGENCY INSIDER

What agency employees want in response to Roe v. Wade

Agency staff responded to an Adweek survey about what they'd like to see from their employers in response to the overturn of Roe v. Wade. A TBWA employee said stop "supporting Republicans and right-wing clients," while a McCann NY employee said, "I would like to see [the agency] donate money towards abortion funds and to disclose if they have donated to any lawmakers that are publicly 'pro life.' " **Full Story:** Adweek (6/28)

Reach Agency's Gabe Gordon on its new clubhouse

Gabe Gordon, co-founder and managing partner of Reach Agency, writes about how the pandemic led to the shop to swap its office for a clubhouse on Venice Beach in Los Angeles. "We wanted to provide a work-at-home environment that gave our team the option to finally not work at home," Gordon writes.
Full Story: Muse by Clio (6/28)



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AGENCY NEWS

Phenomenon changes name to Human Standard

(Human Standard/LinkedIn)

Phenomenon has rebranded as Human Standard, led by Tara Mellett, chief brand officer, who has been elevated to president. The new name reflects the agency's "purpose ... to help big brands transform and new brands to form in a hotly competitive and changing business landscape that has agencies and clients evolving in real time," Mellett said. **Full Story:** Adweek (6/28)

MEDIA & TECHNOLOGY TRENDS

Marketers are slow to transition to Google's new analytics

(Google Analytics/Twitter)

Confusion is one of the main factors slowing the switch from Google's session-based Universal Analytics to its new event-based Google Analytics 4 replacement, which becomes the default in July 2023. While tech vendors are capitalizing on the resistance and planning competitive tool launches, experts suggest marketers begin working through the GA4 learning curve.

Full Story: AdExchanger (tiered subscription model) (6/28)

4A'S NEWS

Submissions Now Open for 25th Annual Jay Chiat Awards!

(4A's)

The industry is celebrating 25 years of the Jay Chiat Awards! Recognizing and celebrating the best strategic thinking in marketing, media and advertising around the world. Don't miss your chance to enter!

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It is sweet, sometimes, to hear cliches after long days of trying to say something new.

Patricia Lockwood
poet, writer

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SUBJECT: Minutes for Social Services Appropriations Subcommittee onThursday, Feb. 3, 2022 8:00 AM
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO:
DATE: 29/06/2022 09:15

Link to document: https://le.utah.gov/interim/2022/html/00002020.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=APPSOC

MINUTES
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE

Thursday , February 3, 2022|8:00 a.m.|30 House Building

Members Present:
Sen. Jacob L. Anderegg, Senate Chair
Rep. Raymond P. Ward, House Chair
Rep. Ken Ivory, House Vice Chair
Sen. Luz Escamilla

Sen. John D. Johnson
Sen. Michael S. Kennedy
Sen. Daniel W. Thatcher
Sen. Todd D. Weiler
Rep. Jennifer Dailey-Provost
Rep. Sandra Hollins
Rep. Marsha Judkins
Rep. Michael L. Kohler
Rep. Michael J. Petersen
Rep. Karen M. Peterson
Rep. Candice B. Pierucci
Rep. Norman K. Thurston

Members Absent:
President J. Stuart Adams

Staff Present:
Sean C. Faherty, Finance Officer
Russell T. Frandsen, Finance Officer
Kimberly D. Madsen, Financial Analyst
An Bradshaw, Committee Secretary
Jordan Gage, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.
1 . 8:00 Call to Order

Chair Anderegg called the meeting to order at 8:11 a.m.

2 . 8:00 Public Input on Topics on Today's Agenda

Anita Bennett, LCPD, spoke in favor of funding increase for HCBS service providers.

Margaret Rose, Executive Director, YCC Family Crisis Center, spoke in favor of appropriations for domestic violence shelter support.

Timothy Scott, Captain, Ogden City Police Department, spoke in favor of appropriations for domestic violence shelter support.

Kendra Wyckoff, Executive Director, Peace House, spoke in favor of appropriations for domestic violence shelter support.

Kristen Floyd, Executive Director, Safe Harbor Crisis Center, spoke in favor of appropriations for domestic violence shelter support.

Chad Jensen, Utah Sheriff's Association, commented on domestic violence shelter support.

Gabriella Archuleta, Public Policy Director, YWCA Utah, spoke in favor of appropriations for domestic violence shelter support.

Allen Swanson, Chief of Police, Layton City Police Department, spoke in favor of appropriations for domestic violence shelter support.

Denette Stanger, Victim Services Director, YCC Family Crisis Center Utah, spoke in favor of appropriations for domestic violence shelter support.

Ashlee Taylor, Executive Director, The Refuge Utah, spoke in favor of appropriations for domestic violence shelter support.

Jill Anderson, Executive Director, CAPSA, spoke in favor of appropriations for domestic violence shelter support.

Matthew Wappett, Executive Director, Institute for Disability Research, commented on HCBS compensation and school to work program for people with disabilities.

Gina Worthen, Council Member, Cache County Council, spoke against funding for the Cache Recourse Center.

3 . 8:00 Approval of Minutes

MOTION:
Rep. Ward moved to approve the minutes of January 19 and 20, 2022.The motion passed with a vote of 13-0-4.

Yeas- 13
Nays- 0
Absent- 4

Sen. J. Anderegg
Rep. J. Dailey-Provost
Rep. S. Hollins
Rep. K. Ivory
Sen. J. Johnson
Rep. M. Judkins
Sen. M. Kennedy
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Rep. K. Peterson
Rep. C. Pierucci
Sen. D. Thatcher
Rep. N. Thurston
Rep. R. Ward

Sen. J. Adams
Sen. L. Escamilla
Rep. M. Kohler
Sen. T. Weiler

4 . 8:00 Unfinished Items from the Previous Agenda

Rep. Lesser presented the appropriations request for Pregnancy and Postpartum Medicaid Coverage Amendments H.B. 220, with the assistance of Liban Mohammad, American Heart Association, and Gabby Saunders, American College of Obstetricians and Gynecologists.

Rep. Ward assumed the chair.

Rep. Thurston asked about funding through the Affordable Care Act and to whom this program would apply and Rep. Lesser and Gabby Saunders responded.

Sen. Tha...

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SUBJECT: GE Appliances taps refugee community for workforce
FROM: "SmartBrief on Workforce" <workforce@smartbrief.com>
TO: hborski@utah.gov
DATE: 29/06/2022 11:36

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TOP STORY

Employers funding abortion travel may face legal risk

(SOPA Images/Getty Images)

Some major companies are saying they'll pay the travel expenses of employees who go to another state for an abortion after the reversal of Roe v. Wade, although experts say employers could face legal risk if they run afoul of varying state abortion laws. A potential defense for such companies is the Employee Retirement Income Security Act of 1974's prohibition against state-imposed requirements for employer-sponsored health plans. **Full Story:** The Hill (6/28), Reuters (6/27)

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RECRUITING & RETENTION

Will remote work come with a pay cut?

Remote work and hybrid work are popular among employees, with a McKinsey survey showing 87% of people choose remote work when presented with the option. However, McKinsey's research suggests employees are more likely to encounter obstacles to getting things done when they aren't in the office, and a survey by the Chartered Institute of Personnel and Development of employers in the UK shows some companies are considering lower pay for remote workers. **Full Story:** ZDNet (6/26)

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LEADERSHIP & DEVELOPMENT

Burnout trend may spur employers to reevaluate culture
BenefitsPRO (free registration) (6/24)

Big banks to hit brakes on hiring
CNBC (6/27)

Appeals court pauses federal employee vaccine mandate
Reuters (6/27)

2022 SmartBrief Reader Survey
SmartBrief is running a quick five-minute survey to better understand our readers' interests to develop the next iteration of our newsletter. As a thank you for completing the survey, you will be entered to win one of five $100 Amazon gift cards. **Start the Survey Now**

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BENEFITS & COMPENSATION

What's the connection between equity and benefits?

Attracting and retaining a diverse talent set will call for employers to improve the quality of support to all members of their workforce. More paid sick leave, mental health support and open discussions can encourage workers to access their health benefits, while technological tools provide insight into the needs of specific employee communities. **Full Story:** Employee Benefit News (free registration) (6/28)

PATH TO WORKFORCE

GE Appliances taps refugee community for workforce

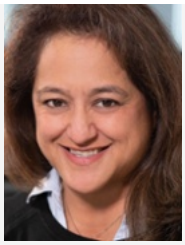
GE Appliances is reaching out to the refugee community in the company's Louisville, Ky., hometown for hiring. The company works with Catholic Charities and KY Refugee Ministries to give refugees "a job so that they can provide for their families and they can build a new life in Louisville," says Gabriela Salazar, a talent recruiter who leads the program. **Full Story:** IndustryWeek (6/27)

THE HR LEADER

Strategies for mentoring an experienced staffer

When mentoring a more experienced employee, help them understand how they can bring their wisdom and self-awareness together to leave a lasting legacy on the organization as well as benefit their own career, writes Alaina Love. "Mentoring an experienced employee means helping them move beyond the pursuit of title and power," Love writes. **Full Story:** SmartBrief/Leadership (6/28)

ABOUT THE EDITOR


Kanoe Namahoe

Mike has been riding for almost two years. In that time, he's owned three different bikes. He just traded in his older bike for an Electra Glide. It's beautiful.

Here's the problem: Despite his experience, Mike rides too slow. When he rides with his club, he routinely falls behind, especially on stretches of road that include turns. It slows everyone down (they ride together for safety). His club brothers know he's struggling with lack of confidence and have tried to help. "You need to ride every day. You need to practice," I heard some of them say. Several have offered to ride with him and give him pointers. Nothing has worked. He continues to ride too slow. It's caused a lot of frustration among the members.

Mentoring someone who has experience in a field can be tough on both sides as we see in today's HR Leader story. What do you teach someone who's been doing that work for an extended length of time? Alaina Love suggests focusing more on gaining insights about them -- self-awareness, professional learning ambitions -- than discussing how-tos with them. That makes so much sense. It meets the mentee where he or she is and helps them truly grow toward bigger roles and successes.

How are you mentoring the experienced workers in your organization? What are you doing to help them advance? Let me know! And if you enjoy this brief, tell others so they can benefit also.

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It is sweet, sometimes, to hear cliches after long days of trying to say something new.

Patricia Lockwood
poet, writer

55 Weird Gadgets That Help People Over 55 Years Old
Here's The List

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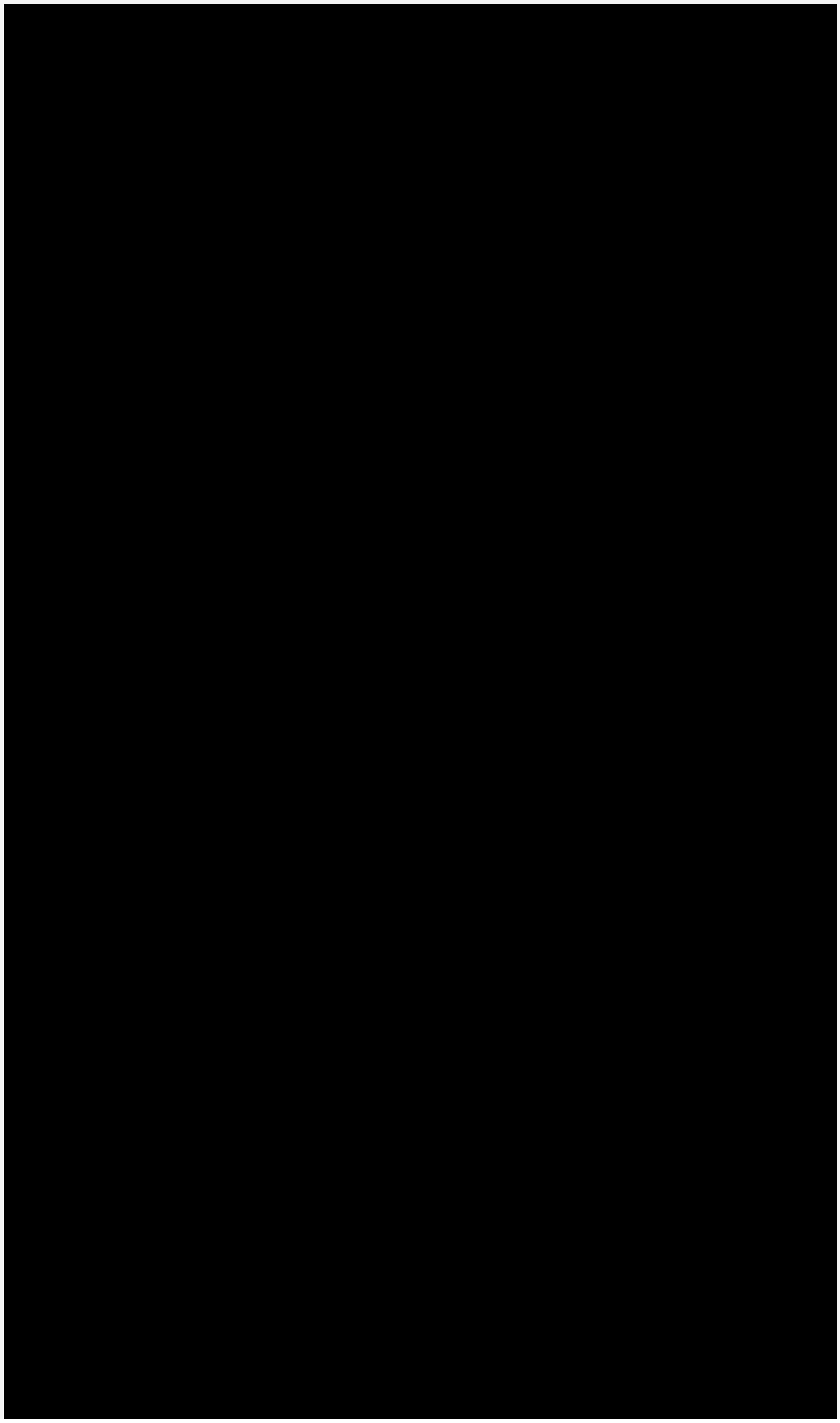

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[redacted] Title

SUBJECT: The State Of Abortion Legal Challenges Around The US
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 30/06/2022 01:55

LAW360 HEALTH

Thursday, June 30, 2022 Follow

TOP NEWS

The State Of Abortion Legal Challenges Around The US

Since the U.S. Supreme Court reversed Roe v. Wade last week with its landmark decision in Dobbs v. Jackson Women's Health Organization, restrictive state abortion bans have seen a wave of legal challenges. Here's what's happened in courthouses across the U.S. post-Dobbs.

Read full article »

Ohio Abortion Clinics Turn To State High Court After Dobbs

Abortion clinics on Wednesday asked Ohio's highest court to declare that a law in effect that bans most abortions violates the state's constitution, a legal strategy they see as a new path forward following the U.S. Supreme Court's decision to overturn Roe v. Wade.

3 documents attached | Read full article »

NJ Lawmakers Pass Post-Dobbs Abortion Rights Measures

The New Jersey Legislature on Wednesday sent Gov. Phil Murphy a pair of bills aimed at shielding the disclosure of patient information related to abortions and prohibiting extradition for purportedly related crimes in other states in the wake of the U.S. Supreme Court's decision erasing the constitutional right to abortion.

Read full article »

Analysis

Dobbs Ruling Lays Bare Data Privacy Protection Gaps

The U.S. Supreme Court's decision to overturn abortion rights has exacerbated long-standing concerns over law enforcement's ability to access the troves of sensitive location and health information tech companies gather, ramping up pressure on businesses and lawmakers to put guardrails on the retention and disclosure of such data.

Read full article »

Analysis

Dobbs To Heap Painful Choices On Military Women, Families

For nearly 30 years, U.S. Air Force veteran Rachel VanLandingham kept secret the unusual order given to her by her commander at the remote Kunsan Air Base in South Korea. The lieutenant was to drive a

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female colleague to Seoul, several hours away by dangerous roads, and see her through an illegal abortion procedure.

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HHS Watchdog Sees Kickback Concern In Eye Care Programs

A U.S. Department of Health and Human Services watchdog warned an ophthalmology practice that three out of four ways to potentially fund education programs it wants to offer could end up incurring sanctions because of anti-kickback law.

1 document attached | Read full article »

Juul Says Politics Drove FDA Ban, Seeks To Extend Stay

Vape maker Juul Labs on Tuesday told the D.C. Circuit that the U.S. Food and Drug Administration had bowed to political pressure when it moved to take the company's products off of shelves.

Brief attached | Read full article »

RISING STAR

Rising Star: Morgan Lewis' Jacob Harper

Jacob Harper of Morgan Lewis & Bockius LLP represented genetic testing company 23andMe as it bought telehealth business Lemonaid Health Inc. in a $400 million cash-and-stock deal, earning him a spot among the health care practitioners under age 40 honored by Law360 as Rising Stars.

Read full article »

ENFORCEMENT & COMPLIANCE

PE Firm Inks FTC Vet Clinic Merger Deal #2 For $1.7B

For the second time this month, the Federal Trade Commission on Wednesday announced a merger clearance settlement permitting a business of private equity firm JAB Consumer Partners to buy a series of veterinary clinics, clearing the $1.65 billion transaction with divestitures and prior notice and approval requirements — and with far less internal agency strife than last time.

Read full article »

Fla. Physical Therapy Clinic Workers Sentenced For Fraud

Five individuals purportedly involved in an $8 million health care fraud scheme at a Florida physical therapy clinic have received varying prison sentences and were ordered to pay millions of dollars in restitution, the U.S. Department of Justice said Wednesday.

Read full article »

LITIGATION

6th Circ. Eyes Revival Of TriHealth 401(k) Suit

The Sixth Circuit on Wednesday appeared to lean toward reviving a proposed class action brought by ex-TriHealth Inc. workers claiming that the company and its retirement plan committee mismanaged their 401(k) plan by offering retirees otherwise identical investment funds that they alleged differed only by their fees.

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GOVERNMENT AGENCIES IN TODAY'S NEWS

Delaware Court of Chancery
Executive Office of the President
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Federal Energy Regulatory Commission
Federal Trade Commission
Florida Supreme Court
Food and Drug Administration
New Jersey Legislature
New Jersey Supreme Court

Private Hospital Deal Challenge Best Left To Feds, Judge Says

An Illinois federal judge has suggested that government antitrust enforcers would be better suited to challenging a hospital merger, tossing a rival hospital's private lawsuit, at least for now, for lack of current rather than future injury.

Order attached | Read full article »

NJ Hospital Must Face Claims Nurse Violated Patient Privacy

A New Jersey state appeals court has revived a lawsuit against a hospital over claims a nurse violated the privacy of a patient, a tenant, who was receiving treatment after suffering a drug overdose at the nurse's residence, saying a trial judge improperly tossed the action before discovery was finished.

Opinion attached | Read full article »

Del. Judge Voids City's 'Cremate-Or-Inter' Abortion Ordinance

Days after the U.S. Supreme Court overturned Roe v. Wade, a Delaware judge on Wednesday voided the city of Seaford's ordinance requiring fetal remains resulting from an abortion or miscarriage to be cremated or interred at the patient's expense, finding that the ordinance is preempted by state law.

Opinion attached | Read full article »

Ex-Mich. Gov. Claims No Memory On Aspects Of Flint Crisis

A Michigan jury watched recorded testimony from former Gov. Rick Snyder on Wednesday in which he repeatedly said he does "not recall" whether he was told various pieces of information surrounding the Flint water crisis, and also said he "feels terrible" the crisis happened.

Read full article »

DEALS

Evolent Health To Pay Up To $462M For Surgical Tools Biz IPG

Evolent Health announced Wednesday that it will acquire Ropes & Gray LLP-led technology and services company IPG, which provides surgical management tools for musculoskeletal conditions, in a deal worth up to $462 million.

Read full article »

BANKRUPTCY

Week In Bankruptcy

The Week In Bankruptcy: Sears Lease Fight Hits High Court

The U.S. Supreme Court took up a lease fight between Sears Holdings and the Mall of America, Gulf Coast Health Care got its Chapter 11 plan confirmed, and contractors owed money by the owner of the Carolina Panthers want a bankruptcy venue transfer. This is the week in bankruptcy.

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EXPERT ANALYSIS

High Court's Medicaid Ruling Brings Questions, Not Answers

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Ohio Supreme Court
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U.S. Attorney's Office for the Southern District of Florida
U.S. Bankruptcy Court for the District of Delaware
U.S. Bankruptcy Court for the District of New Jersey
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Bankruptcy Court for the Southern District of New York
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Fourth Circuit
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U.S. Department of Justice
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of Illinois
U.S. District Court for the Southern District of New York
U.S. House of Representatives
U.S. Marine Corps
U.S. Supreme Court

Due to ambiguity in the U.S. Supreme Court's ruling in Gallardo v. Marstiller and an outright mistake in the parties' briefs incorporated into the dissent, it remains unclear whether Medicaid and Medicare can recover past and future medical expenses from settlements, judgments and awards, say David Farber and Arlene Hennessey at King & Spalding.

Opinion attached | Read full article »

High Court's Opioid Ruling Shows Limits Of CSA's Reach

The U.S. Supreme Court's decision in Ruan v. U.S., demanding rock-solid proof of intentional impropriety to convict a prescriber under the Controlled Substances Act, provides reassurance to opioid prescribers, but the U.S. Department of Justice is unlikely to back down on CSA prosecutions, say Janelle Pelli and Michelle Peirce at Hinckley Allen.

Opinion attached | Read full article »

LEGAL INDUSTRY

Jan. 6 Panel Says 'No Choice' But To Subpoena Cipollone

The House select committee investigating the Jan. 6 insurrection on Wednesday subpoenaed former White House counsel Pat Cipollone, saying the attorney's refusal to testify on the record has left lawmakers with "no choice."

Read full article »

Analysis

Spotlight Grows On Cipollone's Absence From Jan. 6 Hearings

A firsthand account of intense anxiety among White House lawyers about criminal charges stemming from former President Donald Trump's "Stop the Steal" rally has put the spotlight on who isn't testifying before the House committee investigating the attack on the U.S. Capitol.

Read full article »

Breyer To Officially Step Down Thursday At Noon

Justice Stephen Breyer, a key member of the U.S. Supreme Court's liberal bloc since he joined in 1994, will officially retire from the high court at noon Thursday as Justice-designate Ketanji Brown Jackson takes the oaths to become the 116th member of the institution.

Read full article »

Biden Taps Del. High Court Trailblazer For 3rd Circ.

President Joe Biden nominated Delaware Supreme Court Justice Tamika Renee Montgomery-Reeves to a seat on the Third Circuit on Wednesday.

Read full article »

IT Pro Was 'Stupid' To Obey Jones Day Atty's 'Burn' Order

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Read full article »

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Eastman Drops Suit To Keep Cell Records From Jan. 6 Panel

Embattled former Trump attorney John Eastman has dropped his lawsuit seeking to block the House committee investigating the Jan. 6 Capitol insurrection from obtaining his cellphone records.

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Retiring Judge Retains Sears Ch. 11 Litigation Funding Issue

A New York bankruptcy judge will continue to preside over a litigation funding issue in the Chapter 11 case of Sears Holding Corp. after being recalled to the bench on the eve of his retirement.

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SUBJECT: High Court Says States Can Handle Some Reservation Crimes
FROM: Public Policy Law360 <news-q@law360.com>

[redacted]

[redacted] Title

TO: hborski@utah.gov
DATE: 30/06/2022 02:12

LAW360 PUBLIC POLICY

Thursday, June 30, 2022 Follow

TOP NEWS

High Court Says States Can Handle Some Reservation Crimes

A divided U.S. Supreme Court ruled Wednesday that Oklahoma and other states aren't barred by federal law from prosecuting non-Indians for crimes against Indians on reservations, handing Oklahoma a win in its bid to exert more authority on tribal land following the high court's landmark 2020 McGirt decision.

Opinion attached | Read full article »

Justices Say Texas Not Immune To Military Discrimination Suit

The U.S. Supreme Court ruled Wednesday that state employers do not have sovereign immunity to a military anti-discrimination law, reviving a former Texas state trooper's allegations that he was unlawfully forced out of his job due to injuries from his Army service.

Opinion attached | Read full article »

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Motion attached | Read full article »

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Bradley Arant
Braun Kendrick
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Burnham & Gorokhov
Bush Seyferth
Campbell Conroy
Cole Huber
Cooley LLP
DiCello Levitt
Edinger Leonard
Eimer Stahl
Ellis George
Ervin Cohen
Faegre Drinker
Foot Anstey
Frankfurt Kurnit
Gibson Dunn
Girardi & Keese
Gunderson Palmer
Habba Madaio
Hinckley Allen
Hunton Andrews
Jenner & Block

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Jan. 6 Panel Says 'No Choice' But To Subpoena Cipollone

The House select committee investigating the Jan. 6 insurrection on Wednesday subpoenaed former White House counsel Pat Cipollone, saying the attorney's refusal to testify on the record has left lawmakers with "no choice."

Letter attached | Read full article »

3rd Circ. Preview: NJ Election Law Takes Center Stage In July

The intricacies of New Jersey election law are set to be examined in July by the Third Circuit, which will hear argument on the kinds of slogans candidates can include on ballots and whether banks can contribute to campaigns.

Read full article »

POST-ROE FALLOUT

Analysis

Dobbs To Heap Painful Choices On Military Women, Families

For nearly 30 years, U.S. Air Force veteran Rachel VanLandingham kept secret the unusual order given to her by her commander at the remote Kunsan Air Base in South Korea. The lieutenant was to drive a female colleague to Seoul, several hours away by dangerous roads, and see her through an illegal abortion procedure.

Read full article »

The State Of Abortion Legal Challenges Around The US

Since the U.S. Supreme Court reversed Roe v. Wade last week with its landmark decision in Dobbs v. Jackson Women's Health Organization, restrictive state abortion bans have seen a wave of legal challenges. Here's what's happened in courthouses across the U.S. post-Dobbs.

Read full article »

Analysis

Dobbs Ruling Lays Bare Data Privacy Protection Gaps

The U.S. Supreme Court's decision to overturn abortion rights has exacerbated long-standing concerns over law enforcement's ability to access the troves of sensitive location and health information tech companies gather, ramping up pressure on businesses and lawmakers to put guardrails on the retention and disclosure of such data.

Read full article »

NJ Lawmakers Pass Post-Dobbs Abortion Rights Measures

The New Jersey Legislature on Wednesday sent Gov. Phil Murphy a pair of bills aimed at shielding the disclosure of patient information related to abortions and prohibiting extradition for purportedly related crimes in other states in the wake of the U.S. Supreme Court's decision erasing the constitutional right to abortion.

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Jones Day
Kellogg Hansen
King & Spalding
Latham & Watkins
Law Office of Bryan L. Sells
Law Offices of Joseph A. Bondy
Levy Konigsberg
Lewis Brisbois
Lynch & Pine
Manatt Phelps
Mayer Brown
McDermott Will
McGuireWoods
McIntyre Tate
Miller & James
Mishcon de Reya
Munger Tolles
Nixon Peabody
Olenn & Penza
One Essex Court
Orrick Herrington
Paul Weiss
Pierce Atwood
Plunkett Cooney
Shearman & Sterling
Sher Edling
Sklar Kirsh
Susman Godfrey
Tousley Brain
Troutman Pepper
Venable LLP
Walfish & Fissell
Weil Gotshal
Whelan Corrente
Whiteford Taylor
WilmerHale
Wilson Sonsini
Winegarden Haley

COMPANIES IN TODAY'S NEWS

Abu Dhabi Global Market
Alphabet Inc.
Amazon.com Inc.
American Civil Liberties Union
American Civil Liberties Union of Ohio
American Hotel & Lodging Association
Apple Inc.
BP PLC
BuzzFeed Inc.
ByteDance Ltd.
Cannabis Science Inc.
Carolina Panthers
Center for Democracy & Technology
Chevron Corp.
Colonial Pipeline Co.
Communications Workers of America

Ohio Abortion Clinics Turn To State High Court After Dobbs

Abortion clinics on Wednesday asked Ohio's highest court to declare that a law in effect that bans most abortions violates the state's constitution, a legal strategy they see as a new path forward following the U.S. Supreme Court's decision to overturn Roe v. Wade.

3 documents attached | Read full article »

Del. Judge Voids City's 'Cremate-Or-Inter' Abortion Ordinance

Days after the U.S. Supreme Court overturned Roe v. Wade, a Delaware judge on Wednesday voided the city of Seaford's ordinance requiring fetal remains resulting from an abortion or miscarriage to be cremated or interred at the patient's expense, finding that the ordinance is preempted by state law.

Opinion attached | Read full article »

BANKING & SECURITIES

CFPB Warns Debt Collectors About 'Pay-To-Pay' Fees

The Consumer Financial Protection Bureau on Wednesday moved to curb the use of so-called convenience fees in the debt collection industry, issuing an advisory opinion that says debt collectors are generally prohibited from charging extra fees for payments made online or over the phone.

1 document attached | Read full article »

UBS Strikes $25M Deal With SEC Over Alleged Trading Fraud

The U.S. Securities and Exchange Commission and UBS Financial Services Inc. agreed to a $25 million settlement Wednesday on claims that the firm sold roughly $2 billion of a complex investment strategy without properly explaining the risks to its advisers and clients.

Order attached | Read full article »

Amazon Accused Of Duping Investors In Class Action

A pair of union funds have filed a proposed class action in Washington federal court accusing Amazon.com Inc. of deceiving investors by the anti-competitive misuse of confidential third-party seller data to benefit Amazon's private-label business.

Complaint attached | Read full article »

Senators Say KC Fed Still Stonewalling On Master Accounts

A group of U.S. senators has criticized the Federal Reserve Bank of Kansas City for its latest pushback against requests to turn over information related to a master account connected to fintech company Reserve Trust that it recently revoked.

Letter attached | Read full article »

ENERGY & ENVIRONMENTAL

Ex-Mich. Gov. Claims No Memory On Aspects Of Flint Crisis

A Michigan jury watched recorded testimony from former Gov. Rick Snyder on Wednesday in which he repeatedly said he does "not recall" whether he was told various pieces of information surrounding the

ConocoPhillips Co.
Electronic Frontier Foundation
Enterprise Holdings Inc.
Exxon Mobil Corp.
George Washington University
Getty Images Inc.
Google LLC
Imerys SA
Integral Consulting Inc.
International Swaps & Derivatives Association Inc.
JBS SA
KKR Financial Holdings LLC
Lex Machina Inc.
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Los Angeles Department of Water and Power
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Sears Holdings Corp.
Shell PLC
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TikTok Inc.
Toys R Us Inc.
Trump Organization Inc.
Turo Inc.
Twitter Inc.
Veolia Environnement SA
Vermont Law School
Vornado Realty Trust

GOVERNMENT AGENCIES IN TODAY'S NEWS

Blue Lake Rancheria
Central Intelligence Agency
Chemehuevi Indian Tribe
Cherokee Nation
Consumer Financial Protection Bureau
Delaware Court of Chancery
Eastern Band of Cherokee Indians
European Union
Executive Office of the President
Federal Bureau of Investigation

Flint water crisis, and also said he "feels terrible" the crisis happened.

Read full article »

DOE Downplays Climate Impacts Of $45B Alaska LNG Project

An expanded U.S. Department of Energy environmental review of a proposed $45 billion liquefied natural gas export facility in Alaska says the project wouldn't significantly increase global greenhouse gas emissions.

1 document attached | Read full article »

16 States Ask 1st Circ. To Redo Rhode Island Climate Case

Sixteen Republican-led states are backing oil companies in their bid to convince the First Circuit to reconsider a jurisdictional dispute in Rhode Island's suit over climate change impacts, arguing the underlying crisis is global and shouldn't be litigated in state court.

Motion attached | Read full article »

COMPETITION

PE Firm Inks FTC Vet Clinic Merger Deal #2 For $1.7B

For the second time this month, the Federal Trade Commission on Wednesday announced a merger clearance settlement permitting a business of private equity firm JAB Consumer Partners to buy a series of veterinary clinics, clearing the $1.65 billion transaction with divestitures and prior notice and approval requirements — and with far less internal agency strife than last time.

Read full article »

CYBERSECURITY & PRIVACY

FCC Republican Calls On Smartphone Giants To Dump TikTok

A Republican on the Federal Communications Commission called on Apple and Google to pull the TikTok app from smartphones after a deluge of reports laying out the Chinese-owned app's data-snooping risks to Americans.

Read full article »

CONSUMER PROTECTION

Turo Gets Calif. Appellate Win In SFO Car Rental Dispute

A California state appeals court has ruled that car-sharing app Turo Inc. is not a rental car company, and therefore it's not subject to permitting rules and fees assessed to traditional rental car businesses operating at San Francisco International Airport.

Decision attached | Read full article »

PRODUCT LIABILITY

Del. Poised To Repeal Gun Industry Liability Shield Law

Delaware lawmakers have voted to repeal a state law that provides a liability shield for gun industry companies even when they negligently sell a firearm to a so-called straw purchaser, advancing a bill that would also make it easier for plaintiffs to circumvent a federal liability shield.

Federal Communications Commission
Federal Election Commission
Federal Energy Regulatory Commission
Federal Reserve Bank of Kansas City
Federal Trade Commission
Financial Conduct Authority
Financial Stability Board
Florida Supreme Court
Food and Drug Administration
Government Accountability Office
Hopland Band of Pomo Indians
Judicial Conference of the United States
Los Angeles World Airports
Massachusetts Port Authority
New Jersey Legislature
New York Attorney General's Office
Office of Foreign Assets Control
Ohio Attorney General's Office
Ohio Supreme Court
San Francisco International Airport
Small Business Administration
Suquamish Tribe
Texas Attorney General's Office
Texas Department of Public Safety
Texas Supreme Court
U.S. Air Force
U.S. Attorney's Office for the Southern District of Florida
U.S. Attorney's Office for the Southern District of New York
U.S. Bankruptcy Court for the District of Delaware
U.S. Bankruptcy Court for the District of New Jersey
U.S. Bankruptcy Court for the Eastern District of Virginia
U.S. Bankruptcy Court for the Southern District of New York
U.S. Coast Guard
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the First Circuit

Bill attached | Read full article »

GOVERNMENT CONTRACTS

Contractor Says Rival, Feds Broke US-Made Equipment Rules

Diamond Services Corp. on Tuesday said Curtin Maritime Corp., the U.S. Coast Guard and the Port of Houston Authority ignored laws that require American-made dredging equipment be used on a contract site, allowing its rival to outbid the competition for dredging a ship channel by using cheaper, less safe equipment.

Complaint attached | Read full article »

AEROSPACE & DEFENSE

Acting DOD Watchdog Currently Serving Illegally, GAO Finds

The acting inspector general for the Pentagon has been illegally serving as its top watchdog since November, the Government Accountability Office reported, concluding that federal vacancies law requires President Joe Biden to fill the position permanently, or let it lie vacant.

Report attached | Read full article »

WHITE COLLAR

Trump No Longer In Contempt In NY AG's Fraud Probe

A New York court officially cleared Donald Trump of civil contempt on Wednesday after the former president paid a $110,000 fine and he and Trump Organization employees provided a flurry of sworn statements about documents sought by the state attorney general in a fraud investigation.

Order attached | Read full article »

Giuliani Pal Gets 20 Months For Election Crimes, Fraud

Former Rudy Giuliani associate Lev Parnas on Wednesday was sentenced to one year and eight months in prison following his conviction at trial of campaign finance violations and his admission to conspiring to defraud investors in his anti-fraud startup Fraud Guarantee.

Read full article »

Virus Not A 'Get Out Of Jail Free Card' For CIA Trial Jury

A Manhattan federal judge excused a second juror Wednesday in the trial of a former CIA coder accused of feeding secrets to WikiLeaks, telling the remaining jurors they will have to stick it out even if more positive COVID-19 tests necessitate a pause.

Read full article »

Fla. Physical Therapy Clinic Workers Sentenced For Fraud

Five individuals purportedly involved in an $8 million health care fraud scheme at a Florida physical therapy clinic have received varying prison sentences and were ordered to pay millions of dollars in restitution, the U.S. Department of Justice said Wednesday.

Read full article »

NATIVE AMERICAN

U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Third Circuit
U.S. Department of Commerce
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. District Court for the Central District of California
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of California
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Texas
U.S. District Court for the Western District of Washington
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Marine Corps
U.S. Merit Systems Protection Board
U.S. Securities and Exchange Commission
U.S. Supreme Court
United Nations
United States District Court for the District of South Dakota
White Mountain Apache Tribe

Calif. To Extend Gaming Compacts With Dozens Of Tribes

California will extend gambling agreements with more than two dozen Native American tribes in the state, according to a U.S. Department of the Interior notice set to publish in the Federal Register on Friday, including five tribes that have accused the Golden State of bad faith gaming negotiations.

Notice attached | Read full article »

Tribe-Backed Districts Must Wait Until 2024, SD County Says

County officials in South Dakota pushed back Tuesday on the Lower Brule Sioux Tribe's bid to force into effect newly mapped political districts ahead of local elections in November, saying the current cycle is already underway and must be allowed to transpire without interruption.

Memorandum attached | Read full article »

TELECOMMUNICATIONS

FCC May Extend Next-Gen TV Simulcast Mandate

Amid the rollout of a next-generation television standard, the Federal Communications Commission is examining whether to extend the life of a rule requiring TV stations to simulcast primary video programming streams that are "substantially similar" for signals broadcast under both the current and new technical standards.

Order attached | Read full article »

CANNABIS

Tribal Hemp Co. Loses Final Claim In $77M Seizure Suit

A federal judge in California has thrown out the entirety of a Native American hemp company's $77 million lawsuit against its local sheriff's office, reversing her previous decision to leave intact a single claim that Free Spirit Organics brought over the 2017 seizure of its crop.

Order attached | Read full article »

PEOPLE

Brownstein Adds Ex-Senate Aide To Lobbying Practice In DC

Brownstein Hyatt Farber Schreck LLP has added a former Capitol Hill staffer to its lobbying practice in Washington, the firm announced this week.

Read full article »

Faegre Drinker Takes On Veteran Enviro Attorney In NY

Faegre Drinker Biddle & Reath LLP has hired an environmental attorney with three decades of experience from Manatt Phelps & Phillips LLP, adding to a team with a national and international scope of coverage on pressing issues.

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Wilson Sonsini Grows LA Office With Addition Of Ex-US Atty

Wilson Sonsini Goodrich & Rosati PC continues expanding its litigation team in California by adding a

former assistant U.S. attorney as a partner in its Los Angeles office.

Read full article »

Venable In LA Recruits 3 Land Use Attys From Ervin Cohen

Venable LLP said Wednesday it has hired three former Ervin Cohen & Jessup LLP attorneys to join the firm's land use and zoning practice group in Los Angeles.

Read full article »

EXPERT ANALYSIS

Cybersecurity Basics Are Key to Combating Ransomware

Recent prohibitions on ransom payments and other public policy measures vastly underestimate the breadth and complexity of the ransomware problem and will only work if organizations adopt basic cyber defenses, says Kate Margolis at Bradley.

Read full article »

Gov't Agencies Face Diverse Fallout From 5th Circ. SEC Case

The recent Fifth Circuit decision in Jarkesy v. U.S. Securities and Exchange Commission will likely have a limited effect on the SEC's enforcement program, but could portend a very significant impact for other agencies, especially those relying on administrative machinery to impose money penalties, say Daniel Walfish and Rachel Penski Fissell at Walfish & Fissell.

Opinion attached | Read full article »

Change Could Be Coming To Patent Suit Volume In Texas

A third of all patent cases filed in the U.S. over the last year were in two Texas federal courts, but that dominance may be ending soon, as judicial assignment reform has high-profile support from Congress and U.S. Chief Justice John Roberts, says Dabney Carr at Troutman Pepper.

Read full article »

Trust, But Verify: Building A Global Carbon Credit Market

A number of public and private carbon offset credit schemes are in the works, but creating a global market on which credits can be traded will require verifying that offsets are genuine and have not been double-counted, and establishing common qualifications, rules and procedures for valuing credits, say attorneys at Shearman.

Read full article »

What Maine's Recent PFAS Crackdown Means For Companies

Maine has been a nationwide trendsetter in regulation of per- and polyfluoroalkyl substances, and given the state's recent sweeping legislative actions against PFAS, companies operating in Maine must consider their compliance strategies carefully, say Patrick Gwinn at Integral Consulting, and Lisa Gilbreath and Sara Murphy at Pierce Atwood.

Read full article »

High Court's Medicaid Ruling Brings Questions, Not Answers

Due to ambiguity in the U.S. Supreme Court's ruling in Gallardo v. Marstiller and an outright mistake in the parties' briefs incorporated into the dissent, it remains unclear whether Medicaid and Medicare can recover past and future medical expenses from settlements, judgments and awards, say David Farber and Arlene Hennessey at King & Spalding.

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Read full article »

Week In Bankruptcy

The Week In Bankruptcy: Sears Lease Fight Hits High Court

The U.S. Supreme Court took up a lease fight between Sears Holdings and the Mall of America, Gulf Coast Health Care got its Chapter 11 plan confirmed, and contractors owed money by the owner of the Carolina Panthers want a bankruptcy venue transfer. This is the week in bankruptcy.

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Miami, Florida

Deputy Attorney General 2
New Jersey Division of Law
Trenton, New Jersey

Attorney - Assistant Attorney General - Opinions
Illinois Attorney General's

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SUBJECT: Morning Consult Health Presented by Better Medicare Alliance: Aheadof Fall Booster Push, Biden Administration Buys 105 Million Pfizer-BioNTechVaccine Doses
FROM: Morning Consult <reply@em.morningconsult.com>
TO: hborski@utah.gov
DATE: 30/06/2022 06:39

MORNING CONSULT

Health

Essential health care industry news & intel to start your day.

JUNE 30, 2022

BY GABY GALVIN
Twitter Email

As a valued Morning Consult subscriber, your feedback is critical to Morning Consult's product development. We'd like to ask five short questions about your experience with Morning Consult's news and analysis: Take the survey now.

Morning Consult Health will be off tomorrow and Monday for the July 4 holiday. Publication of weekday newsletters will resume Tuesday.

Top Stories

- The Biden administration will buy another 105 million doses of Pfizer Inc.-BioNTech SE's COVID-19 vaccine ahead of an expected booster campaign this fall, with funding for the $3.2 billion deal coming from earlier pandemic relief packages amid congressional gridlock over

[redacted]

more aid. Federal officials said the agreement gives them the option to buy a total of 300 million shots, including doses for both adults and children. (The Associated Press)

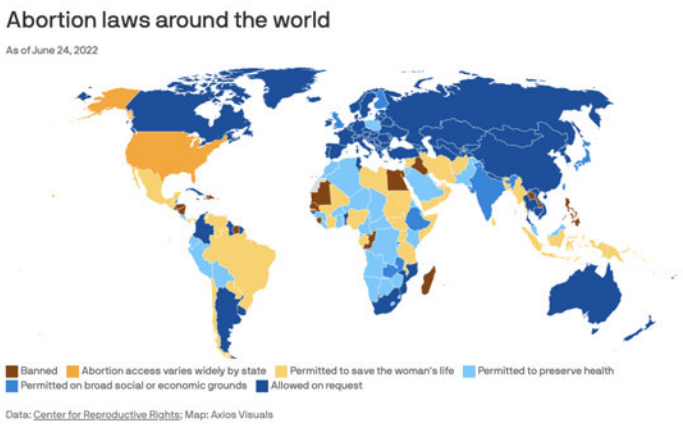
- Democratic leaders have agreed on a plan to lower prescription drug prices for seniors after weeks of private talks between Senate Majority Leader Chuck Schumer (D-N.Y.) and Sen. Joe Manchin (D-W.Va.), people familiar with the matter said, paving the way for Democrats to resurrect their social spending package this summer. The revised proposal would allow the U.S. government to negotiate some drug prices through Medicare beginning in 2023, cap seniors' yearly drug costs at $2,000, expand support for low-income seniors and take steps to prevent the rules from changing if Republicans take control of Congress. (The Washington Post)

- The Department of Health and Human Services released new medical privacy guidelines that aim to protect abortion patients from law enforcement investigations in restrictive states, as the Biden administration scrambles to manage patchwork state abortion laws after the fall of Roe v. Wade. The guidance says that a hospital employee who believes someone had an abortion in a state where it is illegal cannot report that to law enforcement, unless the state specifically requires it. (The Wall Street Journal)

- The Centers for Medicare and Medicaid Services moved to require state nursing home inspectors to use these facilities' self-reported staffing data to help identify nursing homes that don't meet federal rules that say registered nurses must be available around the clock. The rule, which goes into effect Oct. 24, will also require nursing homes to have an on-site infection preventionist at least part-time. (Bloomberg Law)

Chart Review

U.S. joins only 3 other countries that have rolled back abortion rights since 1994
Axios



Events Calendar (All Times Local)

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More Seniors Are Choosing Medicare Advantage - See Enrollment Data in Your Community

With average annual savings of nearly $2,000 for consumers, lower per-beneficiary government spending, and a 94% beneficiary satisfaction rate, Medicare Advantage is now the leading choice of Medicare coverage for seniors in more than 120 Congressional districts nationwide. What's more, 31 states have MA enrollment rates of more than 40%. Medicare Advantage is working for more than 28 million Americans. Let's protect this bipartisan healthcare success story.

What Else You Need to Know

CORONAVIRUS

Pfizer Seeks FDA's Full Approval for Paxlovid Covid-19 Pill
Jared S. Hopkins, The Wall Street Journal
Pfizer Inc. has asked the Food and Drug Administration to grant full approval of its Covid-19 antiviral pill, a step toward allowing the drugmaker to sell the drug commercially.

BioNTech, Pfizer to start testing universal vaccine for coronaviruses
Ludwig Burger, Reuters
Germany's BioNTech, Pfizer's partner in COVID-19 vaccines, said the two companies would start tests on humans of next-generation shots that protect against a wide variety of coronaviruses in the second half of the year.

Covid Shots for Youngest Kids Demand Clear Messaging by Doctors
Jeannie Baumann, Bloomberg Law
Pediatricians and their health-care systems are preparing to head off confusion about how many Covid-19 vaccine doses infants and toddlers need as they aim to ramp up inoculations for the youngest Americans.

Florida surgeon general tells lawmakers blocking orders to childhood vaccines could have led to delays
David Kihara, Politico

[redacted]

His comments are the latest development in the ongoing fight between Florida and the White House over Covid-19 vaccines for young children.

In California, vaccines closed gap in Covid-related deaths for Latinos
Zachary Schermele, NBC News
A new data analysis from the Public Policy Institute of California shows that the major racial and ethnic disparities in Covid-related deaths experienced by Latinos in California at the height of the pandemic have significantly narrowed.

Fauci Suffers Covid Symptom Rebound After Course of Pfizer's Paxlovid
Riley Griffin, Bloomberg
Anthony Fauci, the chief medical adviser to President Joe Biden, suffered a rebound of Covid-19 symptoms after taking Pfizer Inc.'s antiviral Paxlovid.

GENERAL

WHO chief: U.S. abortion ruling 'a setback,' will cost lives
The Associated Press
The head of the World Health Organization on Wednesday criticized the U.S. Supreme Court ruling overturning Roe v. Wade, saying the decision to no longer recognize a constitutional right to abortion was "a setback" that would ultimately cost lives.

Maternal deaths jump during pandemic
Arielle Dreher, Axios
Maternal mortality rates rose in the U.S. after COVID-19 took root, according to a new analysis, with deaths disproportionately impacting Hispanic and Black women.

TikTok Is Flooded With Health Myths. These Creators Are Pushing Back.
Rina Raphael, The New York Times
Meet the medical experts fighting bogus science, one "stitch" at a time.

California May Require Labels on Pot Products to Warn of Mental Health Risks
April Dembosky, KQED/Kaiser Health News
Many scientific studies have linked marijuana use to an increased risk of developing psychiatric disorders, including schizophrenia.

PAYERS

Threat of criminal charges changes health plans' abortion considerations
Arielle Dreher et al., Axios
Major brands like Starbucks, Tesla, and Amazon have doubled down on promises to continue abortion coverage in the wake of the U.S. Supreme Court overturning Roe v. Wade, including covering travel for employees in states with bans.

Democrat governors urge Congress to prevent 'disastrous' coverage loss by preserving ACA subsidies
Rebecca Pifer, Healthcare Dive
A group of Democratic governors sent a letter to congressional leadership on Tuesday urging them to preserve more generous subsidies for Affordable Care Act plans set to expire at the end of the current plan year, preventing a "disastrous erosion" in healthcare coverage.

Banner Health teams with Hue Health, Flume Health for new direct primary care plan
Paige Minemyer, Fierce Healthcare
Banner Health has signed on with Hue Health and Flume Health to launch a new health plan built around direct primary care.

Hospitals have to post their prices. Now, health insurers and employers have to publish what they pay
Bob Herman, Stat News
The federal government's latest push for more health care price transparency starts July 1, and it is focused on those who are writing the checks: Health insurance companies and employers that directly pay for their workers' medical care will have to start posting data on what they pay hospitals, doctors, and other providers.

PROVIDERS

New Abortion Lawsuits Continue in States Cutting Access
Laura Kusisto and Jennifer Calfas, The Wall Street Journal
Providers bring legal claims in Ohio and West Virginia, while a judge weighs a ban in Kentucky.

States say abortion bans don't affect IVF. Providers and lawyers are worried anyway.
Aria Bendix, NBC News
New abortion bans have created confusion and legal questions about the practice of discarding embryos as part of the IVF process.

Major health system stops, then resumes Plan B amid Missouri's abortion ban ambiguity
Savannah Hawley, NPR News
The health system said Tuesday it would no longer provide Plan B at its Missouri locations as a result of the state's law banning nearly all abortions.

Men rush to get vasectomies after Roe ruling
Meena Venkataramanan, The Washington Post
Urologists told The Washington Post that they have seen a spike in requests for the procedure in response to the Supreme Court's decision in Dobbs v. Jackson Women's Health Organization.

A rich Republican businessman is an unlikely champion for lower hospital prices — but he's winning the fight
Rachel Cohrs, Stat News
Al Hubbard isn't the typical crusader for lowering health care costs.

PHARMA, BIOTECH AND DEVICES

Abortion pill maker plans multistate legal action to preserve drug access
Lauren Gardner, Politico
The company is currently challenging a Mississippi law that effectively banned telehealth abortions by making patients see doctors in person.

Sanofi caps out-of-pocket insulin cost at $35 for uninsured U.S. patients
Mrinalika Roy, Reuters
French drugmaker Sanofi said on Wednesday uninsured diabetes patients in the United States will pay no more than $35 for 30-day supply

of insulin, in the wake of heightened public scrutiny over soaring prices of the life-saving drug.

Behind the Scenes, McKinsey Guided Companies at the Center of the Opioid Crisis
Chris Hamby and Michael Forsythe, The New York Times
The consulting firm offered clients "in-depth experience in narcotics," from poppy fields to pills more powerful than Purdue's OxyContin.

Covid Vaccine Maker BioNTech Plans to Target Superbugs Next
Naomi Kresge, Bloomberg
Covid-19 vaccine maker BioNTech SE plans to develop targeted antibiotics that could be used against superbugs, bacteria that are resistant to more conventional antibiotics.

Drugmaker Endo Faces Bond Decision as Creditors Mull Bankruptcy
Steven Church et al., Bloomberg
Endo International Plc, the latest drugmaker impaired by opioid lawsuits, must decide whether to skip more than $90 million in interest payments as it contemplates a potential bankruptcy filing.

This clinical trial wanted to end breast cancer disparities. But first it needed to enroll Black women
Angus Chen, Stat News
Esserman's calling is to collect stories of thousands of patients through her clinic and the cancer research and clinical trials she runs — which, in turn, might change the practice of medicine.

Takeda Is 'Now In a Good Phase' for Growth, CEO Weber Says
Kanoko Matsuyama and Grace Huang, Bloomberg
Takeda Pharmaceutical Co.'s shares might be trading at about half of their level before the $62 billion acquisition of Shire in 2018, but the drug pipeline and cash management are helping to change the market's perception of the company's long-term value, Chief Executive Officer Christophe Weber said.

A Message From Better Medicare Alliance:

In communities across the country, more seniors are making an active choice for the quality, affordable, coordinated coverage found in Medicare Advantage. In fact, Medicare Advantage exceeds half of all Medicare enrollment in more than 120 Congressional districts nationwide. Better Medicare Alliance's interactive Medicare Advantage Enrollment Map lets you pinpoint MA enrollment data by state, Congressional district, and even by county. Check it out for yourself here.

HEALTH TECHNOLOGY

Online Healthcare Companies Increase Advertising for Morning-After Pill
Katie Deighton, The Wall Street Journal
Direct-to-consumer, female-focused healthcare brands shift marketing plans to place emergency contraception offerings front-and-center.

Socially Determined raises $26M to further scale platform tracking social risks to health
Anastassia Gliadkovskaya, Fierce Healthcare
Socially Determined, a company that analyzes social determinants of health data, has clinched $26 million in a series B funding round.

OPINIONS, EDITORIALS AND PERSPECTIVES

Fentanyl Use Is Empowering?
Kevin Sabet, The Wall Street Journal
New York City's Health Department delivers a deadly message.

RESEARCH REPORTS

Outsourcing health-care services to the private sector and treatable mortality rates in England, 2013-20: an observational study of NHS privatisation
Benjamin Goodair and Aaron Reeves, The Lancet Public Health
The privatization of the NHS in England, through the outsourcing of services to for-profit companies, consistently increased in 2013-20. Private sector outsourcing corresponded with significantly increased rates of treatable mortality, potentially as a result of a decline in the quality of health-care services.

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TO: hborski@utah.gov
DATE: 30/06/2022 06:55

[redacted] Title

Dear Heather,

Last Friday, the U.S. Supreme Court overturned Roe v. Wade, ending 50 years of federal abortion rights. We are saddened and angered by this catastrophic judicial failure. The ruling will jeopardize the health and lives of countless Americans and will have a major impact on a range of other reproductive and health services. **THIS IS UNACCEPTABLE**.

As we fight back, we need your support. **We've been on the front lines of the fight for abortion and reproductive care for almost 60 years**. We've worked with key partners to shape policies and practices that protect reproductive health for all individuals and families. We've met again and again with members of Congress and federal policymakers to make sure that public health's voice is heard. We've led calls to action and spoken out against injustice. And in September, we used a friend-of-the-court brief to call on the Supreme Court to reject state-level restrictions on abortions, outlining their danger to health. APHA is and will continue to be a force for change on reproductive health. **WE WILL NOT BACK DOWN**.

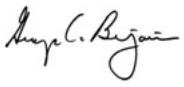
We ask you to support us by providing a monthly or one-time gift to strengthen our critical work in support of reproductive health and reproductive justice. We must stand together today to protect women's health, and tomorrow to protect so many fundamental rights that are on the line.

Donate Now!

APHA has been unequivocal in advocating for an individual's right to control decisions about their reproductive health and we will continue to stand in support of the personal freedom and privacy that comprehensive reproductive health care ***should*** provide all Americans, not just those living in certain states.

Please keep an eye out over the coming weeks for follow-up emails on resources, social media shareables and other ways you can get involved and make a difference.

Sincerely,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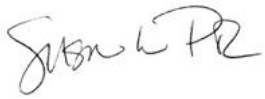
Executive Director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Changes in life expectancy and disease burden in Norway, 1990–2019: an analysis of the Global Burden of Disease Study 2019
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Effects of gender-transformative relationships and sexuality education to reduce adolescent pregnancy (the JACK trial): a cluster-randomised trial
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EDITORIAL

Promoting health beyond prison walls

COMMENT

Impact of prison security level on mortality

For-profit health care might be damaging population health

The role of low-income and middle-income country prisons in eliminating hepatitis C

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Probation reform: a suicide prevention opportunity?

Re-evaluating low-carbohydrate diets and mortality

CORRECTIONS

Correction to *Lancet Public Health* 2022; 7: e492–93

ARTICLES

The association of prison security level with mortality after release from prison: a retrospective national cohort study (2000–16)

[redacted]

[redacted] Title

Changes in life expectancy and disease burden in Norway, 1990–2019: an analysis of the Global Burden of Disease Study 2019

Immunisation status of UK-bound refugees between January, 2018, and October, 2019: a retrospective, population-based cross-sectional study

Effect of comprehensive smoke-free legislation on neonatal mortality and infant mortality across 106 middle-income countries: a synthetic control study

Effects of gender-transformative relationships and sexuality education to reduce adolescent pregnancy (the JACK trial): a cluster-randomised trial

Outsourcing health-care services to the private sector and treatable mortality rates in England, 2013–20: an observational study of NHS privatisation

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TOP STORIES

Governors: Enhanced ACA tax credits should be permanent

A group of 14 Democratic governors sent a letter to Congressional leaders urging them to permanently extend the enhanced Affordable Care Act subsidies created under the American Rescue Plan Act to avert a dramatic hike in premiums and "prevent a disastrous erosion of health insurance coverage." Around 3.4 million Americans could lose health coverage if the enhancements expire this year, according to administration estimates, while the Kaiser Family Foundation expects premiums to jump 53% on average for around 13 million Americans if the enhancements lapse. **Full Story:** The Hill (6/29), Healthcare Dive (6/29)

Medicaid redetermination, expiring ACA enhancements could affect 2023 premiums

The return of Medicaid eligibility redeterminations and the expiration of enhanced Affordable Care Act premium assistance are expected to drive premium changes for small group and individual health insurance plans for the 2023 plan year, according to a report from the American Academy of Actuaries. People who lose Medicaid coverage as a result of the redeterminations may shift to the individual and group markets, which could reduce premiums and enhance the risk pools, but these changes would not offset the impact of expiring tax credit enhancements. **Full Story:** Health Payer Intelligence (6/28)

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PROVIDERS & SUPPLIERS

Bipartisan measure would extend financial help for rural hospitals

Sens. Chuck Grassley, R-Iowa, and Bob Casey, D-Pa., are proposing the Rural Hospital Support Act, which would extend the reach of federal financial aid that has been helping rural hospitals stay operational in recent months. "In some cases, the closing of a rural hospital can mean the difference between life and death for people in the surrounding communities," the bill says. **Full Story:** HealthLeaders Media (6/28)

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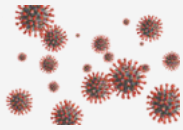
MEDICAL UPDATE

Study links COVID-19 to neurological risks

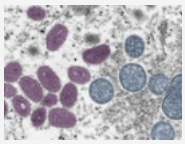

(Pixabay)

A study presented at the 8th European Academy of Neurology Congress found patients who had COVID-19 had a 3.5 times increased risk for Alzheimer's disease and 2.6 times higher risk for Parkinson's disease, compared with those who did not have the virus. Researchers also found that patients with COVID-19 had a 2.7 times higher risk for ischemic stroke and a 4.8 times higher risk for intracerebral hemorrhage. **Full Story:** Diagnostic Imaging (6/25)

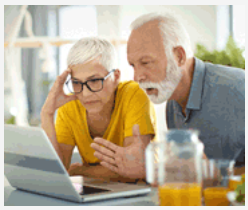
Study: No link between coffee drinking, pregnancy risks

A large genetic study of data from the Coffee and Caffeine Genetics Consortium and other sources, published in the International Journal of Epidemiology, suggests that drinking coffee during pregnancy is not associated with an increased risk of adverse health outcomes. Earlier research had suggested that coffee consumption might raise the risk of stillbirth, preterm birth or miscarriage. **Full Story:** Healio (free registration) (6/29)

Monkeypox vaccine expansion reaches too few, critics say


(Smith Collection/Gado/Getty Images)

HHS expanded eligibility for the monkeypox vaccine to anyone who believes they have been exposed to the virus, not just those with confirmed cases, but infectious disease experts like Celine Gounder said the virus will continue to spread if the vaccines aren't also made available to people at high risk for infection, such as men who have sex with men. "If we don't start vaccinating more quickly and broadly, we're going to have a very difficult time containing this," Gounder said. **Full Story:** The New York Times (6/28)



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The proliferation of digital tools such as member and provider portals, coupled with increasing consumerism in healthcare, means that there are exponentially more entry points for attackers to exploit. Join webinar panelists from LexisNexis Risk Solutions, ForgeRock and Arkansas Blue Cross and Blue Shield to learn how health plans can ensure provider and member portal security and prevent attacks. **Register here.**

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On-the-ground lessons for improving health equity

The convergence of social justice issues, COVID-19, and the rise of digital health enabled new ways of bridging the health equity gap. Priority Health President Praveen Thadani and Wellframe Chief Medical Officer Sandhya Gardner share how their teams have pivoted to better meet members where they are, lowering barriers to care in the process. **Listen now.**

EMERGING TRENDS: SOCIAL DETERMINANTS OF HEALTH

Digital tech can help assess community needs

Nonprofit health systems can use technology to complete community health needs assessments, which the CMS requires every three years as part of efforts to expand care access, improve patient outcomes and reach underserved communities. Vice President Marcos Pesquera of Texas-based Christus Health said his organization is using a cloud-based data analysis platform to incorporate information on both patient and employee needs, identify community requirements, and make care more equitable. **Full Story:** HealthLeaders Media (6/29)

Study finds increases in anemia during pregnancy

Research published in the CDC's Morbidity and Mortality Weekly Report showed the prevalence of anemia among pregnant women enrolled in the Special Supplemental Nutrition Program for Women, Infants and Children increased from 10.1% in 2008 to 11.4% in 2018. Data showed higher rates of anemia were found among non-Hispanic Black and African American women. **Full Story:** HealthDay News (6/24)

HEALTH INSURANCE PROVIDER COMPANY NEWS

- **AHIP Mental Health Access Survey June 2022**
- **Florida Blue Collaborates with HOPCo to Address Health Care Affordability**
- **Health Care Service Corporation Names Raquel Daniels as Chief Diversity Officer**
- **Molina Healthcare of Ohio and Pacify Health Offer Scholarships to Increase Diversity of Lactation Consultants**
- **+Oscar Builds on Innovative Member Engagement Tool to Further Drive Positive Outcomes for Members and Clients**

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- **Kyruus Announces Paul Merrild as Company's First President**
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PHARMA NEWS

Sanofi lowers price of insulin for uninsured

Sanofi announced that it is lowering the price for a 30-day supply of insulin from $99 to no more than $35 for uninsured Americans with diabetes. The price cut, which takes effect Friday, follows increased scrutiny over the steep rise in insulin prices. **Full Story:** Reuters (6/29)

US purchases 105M COVID-19 vaccine doses for fall

The Biden administration agreed to buy an additional 105 million doses of the Pfizer/BioNTech COVID-19 vaccine in preparation for a booster campaign in fall. The $3.2 billion deal includes an option to buy 300 million doses in total for a mix of age groups. **Full Story:** The Associated Press (6/29)

POLICY WATCH

Legislation seeks to address health disparities

The proposed Health Equity and Accountability Act aims to address health inequities and disparities by expanding workforce diversity in health care and helping provide culturally and linguistically appropriate care. The bill also includes provisions intended to address systemic barriers to care and enhance data collection to better understand disparities and improve care, among other measures. **Full Story:** WSLS-TV (Roanoke, Va.) (6/28)

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If this is the best of possible worlds, what then are the others?

Voltaire
writer, public activist, philosopher

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TOP STORY

Women as a "Force of Nature"

(Planned Parenthood/YouTube)

Virtue created a 60-second "Force of Nature" spot for Planned Parenthood, which shows a storm gathering, interspersed by news excerpts about the overturning of Roe v. Wade before women come together to march into the storm. "Together we're a force of nature. Join us," says a voice-over in the ad, which is running in English and Spanish versions across social, TV, streaming platforms including Roku, news-related websites, Spotify and YouTube. **Full Story:** Adweek (6/29), Ad Age (tiered subscription model) (6/29)

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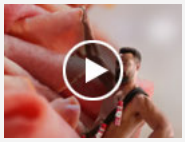
W+K, Fallon unite Old Spice, Arby's in "Ultimeat Dreams"



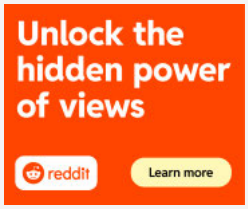
(Old Spice/YouTube)

Wieden+Kennedy Portland and Fallon created a 30-second "Ultimeat Dreams" spot for Old Spice and Arby's that introduces the co-branded, limited-edition Meat Sweat Defense Kit. The ad, voiced by Arby's spokesman Ving Rhames, shows a tiny Isaiah Mustafa scaling a roast beef sandwich while touting Old Spice Meat Sweat Defense, and the campaign is running across TikTok, Instagram, Facebook and YouTube. **Full Story:** Muse by Clio (6/29), Marketing Dive (6/29), MediaPost Communications (free registration) (6/29)

Via touts Save A Lot's private labels

(Save A Lot/YouTube)

The Via Agency created an "A Lot Alike" campaign for Save A Lot that touts the savings delivered by the brand's private label selection, with 15-second ads that say, "Tastes Alike. Saves A Lot." The push is running across social, digital, streaming, print and in stores. **Full Story:** Grocery Dive (6/29)



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AGENCY INSIDER

Cactus' Brian Watson talks favorite work

Brian Watson, executive creative director at Cactus, talks about creative inspirations and favorite work. Watson explains why he loved working on campaigns for Colorado Crisis Services, why he's proud of working with the Colorado Department of Agriculture and why David Madrid's "Confusing Times" for Burger King is "some of the best radio work I've heard in a long time." **Full Story:** Muse by Clio (6/29)

Johannes Leonardo's founders on agency's evolution

Jan Jacobs and Leo Premutico, founders of Johannes Leonardo, talk about how the agency's "consumer is the medium" ethos has led to its success and their work with brands such as Volkswagen, Kraft Heinz and Facebook. "[T]o know that there's a good human being by your side that has the same objective and loves it the same way that I love it, then you can get through anything," Jacobs says about his partnership with Premutico. **Full Story:** Adweek (6/29)

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AGENCY NEWS

How agencies are progressing with Black leadership

Los Angeles creative collective Three's A Crowd released a report detailing progress in Black representation made by the 23 agencies in its In for 13 program, which include Huge, Deutsch L.A., Zambezi, 72andSunny and AKQA. The number of Black leaders has nearly doubled since 2020 to comprise 6.1% of total leadership, but 2022's numbers are down slightly from 2021, and 33% of the agencies are "satisfied or somewhat satisfied" with their diversity progress.
Full Story: Ad Age (tiered subscription model) (6/29)

MEDIA & TECHNOLOGY TRENDS

Digital marketers adjust strategies amid Roe v. Wade ruling

The US Supreme Court's decision to pass abortion rights legislation to states has driven some digital marketers to evaluate paid and organic social content and adjust keyword blocklists, while others have temporarily suspended online efforts, say advertising and agency executives. Mediassociates' Tim Lathrop says client caution and sensitivity have become ingrained following events such as the Russian invasion of Ukraine. **Full Story:** Digiday (tiered subscription model) (6/30)

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If this is the best of possible worlds, what then are the others?

Voltaire
writer, public activist, philosopher

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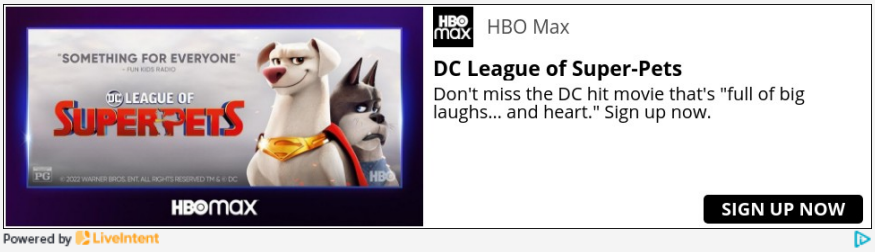

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SUBJECT: BREAKING: Fla. Judge Says 15-Week Abortion Ban Is Unconstitutional
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 30/06/2022 11:14

LAW360 HEALTH

Thursday, June 30, 2022

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BREAKING: Fla. Judge Says 15-Week Abortion Ban Is Unconstitutional

A Florida judge on Thursday issued a temporary injunction blocking the implementation of a new ban on abortion after 15 weeks of pregnancy, ruling that the new law violates the right to privacy in the Florida constitution.

COMPANIES
American Civil Liberties Union
Planned Parenthood Federation
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LAW FIRMS
Jenner & Block
GOVERNMENT AGENCIES
Florida Supreme Court
U.S. Supreme Court

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Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

SUBJECT: Support and Pride: Resources for Improving Healthcare for LGBTQI+Children and Families | Updated AAP Safe Sleep and Human Milk FeedingRecommendations | Equity Table on Fatherhood
FROM: NICHQ Communications <communications@nichq.org>
TO: hborski@utah.gov
DATE: 30/06/2022 12:17

ABOUT INSIGHTS RESOURCES NEWS

In this month's edition of NICHQ News, join NICHQ in honoring Pride Month with a roundup of helpful resources for health professionals, read updated guidelines from the American Academy of Pediatrics on infant safe sleep and human milk feeding, and hear from NICHQ Executive Project Director and

Engagement Lead Kenn Harris about his goals for the Supporting Healthy Start Performance Project and NICHQ's equity and engagement strategy.
Scroll for your monthly dose of inspiration!

FEATURED STORIES AND RESOURCES

Support and Pride in 2022

Each year, Pride is a time of combined learning, celebration, and working toward a future where lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) youth and adults achieve their optimal health. Public health professionals play a key role in raising awareness of this group of kids with special healthcare needs, as well as in the advocacy for continued access to healthcare.

To honor Pride Month, we're offering a roundup of useful resources for public health professionals, such as links to standards of care from the American Academy of Pediatrics and resources to share with families.

Resources to Support LGBTQI+ Families

NICHQ EMPLOYEE PROFILE

Kenn Harris
Executive Project Director and Engagement Lead

NICHQ Executive Project Director and Engagement Lead Kenn Harris shares his goals for NICHQ's Supporting Healthy Start Performance Project and vision to ensure all children and families – including fathers, from historically marginalized communities, are supported with the necessary resources to thrive during pregnancy and beyond.

"A goal for NICHQ is to continue focusing on alignment of all our initiatives to ensure that each initiative has an equity lens and is strengthened to do the deeper work associated with addressing inequities. This will ultimately create an equity practice that helps to demonstrate measurable impact. Having a national initiative as large as Healthy Start has given us the opportunity to demonstrate impact as a result of implementing an equity strategy." – Kenn Harris

Kenn Harris, NICHQ Executive Project Director and Engagement Lead

Read More

WHAT'S NEW FROM NICHQ AND PARTNERS

Equity Table: Fatherhood in the Age of Mass Incarceration

Watch a recording of The Equity Table, featuring a conversation about Fatherhood in the Age of Mass Incarceration, including members of NICHQ's Healthy Start Technical Assistance and Support Center (TASC) team, Healthy Start's Kevin Sherman, and experts Dr. Art James and The Sentencing Project's Marc Mauer. The Equity Table is a series of roundtable conversations exploring the racism and inequities communities of color face in the U.S., today and historically. Specifically, this series focuses on the persistent disparities seen among Black and Indigenous communities, both in maternal and child health outcomes and beyond.

Watch Equity Table Recording

AAP Updates Infant Safe Sleep Guidelines

The American Academy of Pediatrics (AAP) has updated its safe sleep guidelines with new evidence-based safe sleep recommendations and other strategies for preventing sudden infant death syndrome (SIDS). NICHQ is dedicated to making infant safe sleep the national norm. Browse NICHQ's safe sleep resources for health professionals, parents and families, childcare providers, and other caregivers.

- **VIDEO QUIZ | How Safe Sleep Savvy are You?**
- **Safe Sleep Resources for Childcare Providers**
- **Safe Sleep Myths and Facts**

Read the AAP's Policy Statement

New AAP Policy Recommendation on Human Milk Feeding

The American Academy of Pediatrics (AAP) has released a new policy recommendation on human milk feeding with important health equity implications. The statement acknowledges that supporting parents who choose human milk feeding requires social and systemic change, and addressing inequities is critical in safe infant sleep and human milk feeding support efforts. **Learn how health professionals and improvement initiatives can better apply an equity lens to safe sleep and human milk feeding initiatives** from three National Action Partnership to Promote Safe Sleep Improvement and Innovation Network (NAPPSS-IIN) faculty experts.

Read the AAP's Policy Statement

HAVE YOU HEARD? New & Noteworthy in Children's Health

LGBTQI+ Youth – Like All Americans, They Deserve Evidence-Based Care [SAMHSA]

Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use at the Substance Abuse and Mental Heals Services Administration (SAMHSA) details the importance of providing timely, appropriate, and evidence-based treatment to improve outcomes and help save young people from suicide ideation and attempts. It shares strategies for engaging Lesbian, Gay, Bisexual, Transgender, Queer/Questioning and Intersex (LGBTQI+) youth, who are disproportionately impacted by mental health challenges.

Placebo Response Reveals Unconscious Bias Among White Patients Toward Female, Black Physicians [STAT]

A recent **study** published using the placebo response as a measure of bias shows how patients' unconscious reactions to their doctor's gender or race may have lingering physiological effects and even steer health outcomes. The study of 187 white women and men demonstrated that white patients who were treated by Black and female healthcare providers had more significant reactions to the skin test than those treated by white and male doctors.

Doctors React to SCOTUS Decision [LINKEDIN NEWS]

NICHQ CEO and President Scott Berns, MD, MPH, FAAP, was included in a roundup of physicians who responded on LinkedIn to the recent SCOTUS final majority opinion in Dobbs v. Jackson Women's Health Organization, that effectively overturned Roe v. Wade.

Public's Understanding of Juneteenth Has Grown Since 2021 [GALLUP]

[redacted]

Title

Americans are more familiar with the **Juneteenth** holiday today than they were a year ago, when President Joe Biden signed a bill making it a federal holiday. About six in 10 U.S. adults say they know "a lot" (17%) or "some" (42%) about the Juneteenth holiday -- the combined 59% is up from **just 37% in May 2021**. Juneteenth is the oldest nationally celebrated commemoration of ending slavery in the United States. This holiday is considered the longest-running African-American holiday and has been called America's second Independence Day.

SOCIAL POST TO SHARE

Spread the Word about Minority Mental Health Month!

Share this post on social media:

July is #MinorityMentalHealth Month! As public health professionals and care providers, it's important to support Black, Indigenous, and people of color (BIPOC) in achieving their optimal mental health by ensuring equal access to quality mental health services and amplifying the voices of people from historically excluded communities. Share these helpful tools and resources from #NICHQ to support children in achieving their optimal health – physically, mentally, and emotionally.

#MinorityHealth #HealthEquity #MentalHealthStigma

Learn more about NICHQ's current initiatives, capabilities and how we partner with mission-aligned organizations to drive change to improve children's health.

Was this email forwarded to you?
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Title

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SUBJECT: New COVID-19 tool and analysis | RWJF statement on Supreme Court ruling
FROM: "RWJF Advances" <publications@rwjfmail.org>
TO: <hborski@utah.gov>
DATE: 30/06/2022 18:17

Advances
Building a Culture of Health by Working Together
Robert Wood Johnson Foundation

Map and visualize the numbers behind the pandemic

The US COVID Atlas, led by University of Chicago

[redacted]

with support from RWJF, is a near real-time visualization tool that helps you access current, validated county-level data and spatial analysis to better understand the spread in communities and to bolster planning efforts.

- Identify hotspots in real-time
- Track vaccination rates by region or county
- Locate areas that will soon be affected by the virus
- Connect social, economic, and health indicators for meaningful community context

Explore your county's data >>

Three policy lessons from the ever-evolving pandemic

Even well-intentioned policies can do harm. Rapid research can inform our actions and safeguard health equity. When the pandemic hit, officials reacted quickly with public health guidelines and policies created with the best evidence we had and with the best intentions in mind. But did they work? While the science was clear on how to fight the

virus, there were fewer guidelines in place for how to do it fairly. What we learned is that communities of color suffered greater hardships. We turned to researchers working in the three RWJF signature research programs to find evidence-based answers within policies, practices, and data to help people who have been left behind by many pandemic-era policy decisions.

Three lessons on how policy can best support health equity >>

Pande
mic

tracking and the future of data

A new episode of the popular architecture and design podcast *99% Invisible* looks at the system of tracking public health data, reporting on how both states and the federal government need to work together to standardize this system, and what it will take to build an equitable future of evidence. It tells the story of the COVID Tracking Project to shed light on the barriers to public health data collection

and what it will take to build an equitable future of evidence. **Listen to the podcast >>**

IN CASE YOU MISSED IT

RWJF statement on reproductive rights

Last week's Supreme Court decision strips women and other pregnant people of their fundamental right to access critical reproductive healthcare. It allows states to assert government control over a person's healthcare decisions. It will solidify and exacerbate persistent health inequities by race,

income, and geography. And it represents a monumental setback in efforts to make the United States a healthier and more equitable nation. As a Foundation focused on building a Culture of Health where every person has a fair and just opportunity for health and wellbeing, we believe unequivocally that individuals seeking abortions and other components of reproductive healthcare deserve to be seen, heard, represented, cared for, and supported. **Read the full**

[redacted] Title

statement >>

LATEST FUNDING OPPORTUNITIES

Co-creation, Leadership, Management, and Implementation of the New Jersey Health Initiatives Program
Deadline: Wed, 13 Jul 2022
Evidence for Action: Innovative Research to Advance Racial Equity
Deadline: Open
Pioneering Ideas: Exploring the Future to Build a Culture of Health
Deadline: Open

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SUBJECT: We're Not All Textualists Now, Kagan Warns In Climate Dissent
FROM: Health Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 01/07/2022 02:42

LAW360 HEALTH

Friday, July 1, 2022 Follow

TOP NEWS

[redacted]

Analysis

We're Not All Textualists Now, Kagan Warns In Climate Dissent

U.S. Supreme Court conservatives pulverized climate rules and their own credibility by conveniently abandoning "textualist" principles and deploying a new doctrine that threatens myriad regulations, Justice Elena Kagan warned Thursday.

Opinion attached | Read full article »

Thomas Dissents On Denial Of NY Health Worker Vax Case

Even though the U.S. Supreme Court shot down New York health care workers' challenge to a COVID-19 vaccine requirement, three justices disagreed, with Justice Clarence Thomas saying there was "considerable confusion" over mandates like the Empire State's.

Decision attached | Read full article »

Analysis

Justices Stoke Care Woes For Tribes, Native Women Post-Roe

The U.S. Supreme Court overturning the constitutional right to abortion is likely to further constrain Native American women's already limited access to abortion and other health care, and another court decision this term backing states' criminal jurisdiction on reservations compounds the complexity tribes face negotiating the post-Roe v. Wade landscape.

Read full article »

Fla. Judge Says 15-Week Abortion Ban Is Unconstitutional

A Florida judge on Thursday issued a temporary injunction blocking the implementation of a new ban on abortion after 15 weeks of pregnancy, ruling that the law violates the right to privacy in the Florida Constitution.

Read full article »

Ohio AG Says 6-Week Abortion Ban Should Remain In Place

Ohio Attorney General Dave Yost on Thursday urged the state's high court to not block a law that essentially bans abortions after six weeks of pregnancy, saying nothing about Ohio's legislative history suggests that state lawmakers ever intended to grant that right.

Response attached | Read full article »

2nd Circ. Axes 13-Year Sentence In $25M Medicare Fraud Case

The Second Circuit vacated on Thursday a health clinic manager's 13-year sentence for money laundering and conspiracy to obstruct the IRS over what the government calls a $25 million Medicare scheme, finding the case's complexity didn't justify delaying his trial.

Opinion attached | Read full article »

Analysis

Opioid Distributors Headed To 2nd W.Va. Nuisance Trial

The "Big Three" drug distributors are set for another West Virginia trial starting Tuesday over claims

COMPANIES IN TODAY'S NEWS

Advocate Aurora Health
Aetna Inc.
Allergan PLC
Allianz SE Reinsurance
Alphabet Inc.
America's Essential Hospitals
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Ohio
Americans for Prosperity Foundation
AmerisourceBergen Corp.
Anda Inc.
Anthem Inc.
Apple Inc.
AstraZeneca PLC
Audi AG
Blue Diamond Growers
BlueCross BlueShield of Kansas City
CNA Financial Corp.
Cardinal Health Inc.
Chevron Corp.
Children's National Hospital
CommonSpirit Health
Conagra Brands Inc.
Dollar General Corp.
Eisenhower Medical Center
Endo International PLC
Express Scripts Holding Co.
Georgetown University
Getty Images Inc.
Google LLC
ICBC Standard Bank PLC
Impax Laboratories, Inc.
Johnson & Johnson
Kaiser Permanente
LexisNexis Group Inc.
LinkedIn Corp.
Marks & Spencer

they poured opioids into a state hard hit by the addiction crisis, setting up another high-stakes test of the "public nuisance" theory at the heart of similar cases nationwide. Here, Law360 looks at what to expect.

Read full article »

RISING STAR

Rising Star: Quinn Emanuel's Jonathan Cooper

Quinn Emanuel Urquhart & Sullivan LLP partner Jonathan Cooper played a lead role in defending pharmacy benefit manager Express Scripts in a breach of contract case and obtaining the dismissal of a $14.8 billion claim, earning him a spot among the health care attorneys under age 40 honored by Law360 as Rising Stars.

Read full article »

POLICY & REGULATION

HHS Issues Guidance On Abortion Patient Privacy After Dobbs

The U.S. Department of Health and Human Services has released guidance on patient privacy after HHS Secretary Xavier Becerra said earlier this week the agency is working to ensure continued access to safe abortion care after the U.S. Supreme Court wiped out the constitutional right to the procedure.

Read full article »

Health Care Giants Commit to Biden Admin Carbon Pledge

The Biden administration on Thursday signed a pledge with 61 hospitals and health industry companies to cut greenhouse gas emissions in half by 2030 in an initial step to address health care's effects on climate change.

Read full article »

LITIGATION

NM Eye Health Center Loses COVID-19 Coverage Suit

A New Mexico federal judge tossed an Albuquerque-based eye care provider's COVID-19 business interruption suit against a CNA Financial Corp. unit, relying in part on cases before the Tenth and Eleventh circuits to reach her conclusion that COVID-19 does not cause "direct physical loss or damage."

Order attached | Read full article »

Prior Settlement Doesn't Nix Wage Claims, Calif. Justices Say

A nurse can still sue a hospital for wage and hour violations after settling similar labor claims against the staffing agency that hired her, the California Supreme Court ruled Thursday, saying the two entities are not directly connected.

Opinion attached | Read full article »

SF Says Pharmaceutical Cos. Created City's Opioid Crisis

A lawyer for San Francisco has told a California federal judge overseeing a bellwether bench trial in multidistrict opioid litigation that Anda, Allergan, Teva and Walgreens promoted and distributed the

Meta Platforms Inc.
National Academy of Medicine
Natural Resources Defense Council
North American Coal Corp.
Ocado Ltd.
Pfizer Inc.
Planned Parenthood Federation
Premera Blue Cross
Public Citizen Inc.
Purdue Pharma LP
RELX PLC
Spotify Technology SA
Takata Corp.
The Center for Reproductive Rights
Trader Joe's Co.
U.S. Chamber of Commerce
UCLA School of Law
Unilever PLC
University of California Irvine
Veolia Environnement SA
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Walgreens Co.

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Andrus Anderson LLP
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Husch Blackwell
Jackson Kelly PLLC
Jenner & Block

powerful painkillers in ways that created a public nuisance that endangered the health and safety of the city's residents.

Read full article »

Endo 'Made Out Like A Bandit' With Opana Deal, Buyers Say

Opana ER buyers told an Illinois federal jury Thursday that Endo Pharmaceuticals raked in profits by striking an unlawful settlement to delay a generic competitor for its opioid, saying the deal forced them to pay higher prices longer than they should have.

Read full article »

Ex-Mich. Gov. Pleads 5th In Flint Trial Appearance

Former Michigan Gov. Rick Snyder appeared in court Thursday in a civil trial over the Flint water crisis, pleading the Fifth Amendment as he declined to answer questions about his time in office.

Read full article »

Pa. Co. Says Distributor Lied To Land $5.5M COVID Test Deal

A Florida company misrepresented itself as an authorized wholesaler of at-home COVID-19 tests to secure a $5.5 million order from a Pennsylvania health and safety supplier, according to a lawsuit filed in federal court Thursday.

Complaint attached | Read full article »

COVID Tester Hits BCBS Unit With Competition Counterclaims

COVID-19 testing provider GS Labs LLC has filed competition counterclaims against Blue Cross Blue Shield's Minnesota unit, hitting back against allegations of "laboratory profiteering" by submitting inflated reimbursement claims.

1 document attached | Read full article »

No Stick In Dollar General's Pain Relief Patches, Suit Says

Dollar General was hit with a proposed class action lawsuit in Illinois federal court over selling a brand of pain relief patches that are supposedly similar to patches found to be ineffective by a peer-reviewed study last year, in that they allegedly fall off in less than the advertised 12 hours.

Complaint attached | Read full article »

PEOPLE

EXPERT ANALYSIS

In COVID, Can PREP Act Protection Extend To Patent Suits?

The Copan v. Puritan Medical patent decision on swabs used for COVID-19 tests has made the District of Maine the first court to face the question of whether immunity under the Public Readiness and Emergency Preparedness Act extends to claims of patent infringement, but it's unlikely to be the last, say Matt Rizzolo and Keyna Chow at Ropes & Gray.

Read full article »

Opinion

Dobbs Ruling Means It's Time To Rethink Data Collection

Jones Day
Kenny Nachwalter
Kirkland & Ellis
Kramer Levin
Levin Papantonio
Levinger PC
Levy Konigsberg
Lieff Cabraser
MThirtySix
Marino Tortorella
Mayer Brown
McDermott Will
Mishcon de Reya
Morgan Lewis
Motley Rice
One Essex Court
Paul Weiss
Peifer Hanson
Plunkett Cooney
Powell & Majestro
Quinn Emanuel
Reed Smith
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Winston & Strawn
Winthrop & Weinstine

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Air Resources Board
California Supreme Court
Centers for Disease Control and Prevention
Cherokee Nation
Eastern Band of Cherokee Indians
Executive Office of the President
Florida Supreme Court
Food and Drug Administration
Indian Health Service
Internal Revenue Service
Kanawha County, West Virginia

Following the U.S. Supreme Court's recent Dobbs decision, companies need to be prepared for the possibility that the coming linkage between reproductive rights and data privacy will mean that consumers may no longer look the other way on how their data is collected, say Amy Keller and David Straite at DiCello Levitt.

Opinion attached | Read full article »

PRACTICAL GUIDANCE

Ethics Considerations For Attorneys Joining Nonprofit Boards

Many charitable organizations offer attorneys board positions to benefit from their specialized legal knowledge, but there are ethical considerations and liability dangers that demand lawyers set boundaries about their roles and responsibilities, says Patrick Sturm at LexisNexis.

Read full article »

LEGAL INDUSTRY

Justice Jackson Sworn In As 1st Black Woman On High Court

Judge Ketanji Brown Jackson on Thursday became the U.S. Supreme Court's newest justice, a historic move that makes her the first Black woman to serve on the high court in its 232-year history.

Read full article »

DOJ, House Jan. 6 Probes Put The Squeeze On Trump Attys

Federal investigators probing the Jan. 6 insurrection at the U.S. Capitol have turned up the heat on former lawyers and legal advisers to former President Donald Trump, with bold investigative steps and explosive congressional testimony revealing the extent of their legal exposure.

Read full article »

What GCs Want To Know About State Anti-Abortion Laws

With the status of some states' abortion laws in flux, companies and their general counsel are grappling with how to respond, especially as some lawmakers push the idea of retaliating against companies that aid abortions.

Read full article »

High Court Pares Down EPA's Clean Air Act Power

The U.S. Supreme Court on Thursday restricted the U.S. Environmental Protection Agency's power to regulate greenhouse gas emissions from power plants, finding that the Obama administration exceeded its authority under the Clean Air Act when it allowed states to issue regulations aimed at increasing the use of cleaner sources of electricity generation.

Read full article »

New York Attorney General's Office
North Carolina Department of Justice
North Carolina General Assembly
Office of National Drug Control Policy
Oglala Sioux Tribe
Ohio Attorney General's Office
Ohio Supreme Court
Pawnee Nation of Oklahoma
San Manuel Band of Mission Indians
Texas Attorney General's Office
Texas Supreme Court
U.S. Air Force
U.S. Attorney's Office
U.S. Attorney's Office for the District of New Jersey
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Second Circuit
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maine
U.S. District Court for the District of Minnesota
U.S. District Court for the District of New Jersey
U.S. District Court for the District of New Mexico
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Southern District of Florida
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. House of Representatives

Justices To Hear NC Bid To Curb Court Review Of Elections

The U.S. Supreme Court on Thursday agreed to entertain oral arguments by a top North Carolina Republican lawmaker seeking to curtail state judicial oversight of federal elections, a move that would give the state's GOP-led legislature significant control over election procedures, including what North Carolina's congressional map will look like.

Read full article »

2 Litigators Tapped For SDNY Bankruptcy Bench

Two new bankruptcy judges have been appointed in the Southern District of New York, one a Weil partner and the other a Kramer Levin partner.

Read full article »

Ex-Jones Day Atty Cops To Giving 'Burn' Order In Ocado Suit

A former senior Jones Day lawyer testified at trial Thursday that he gave an order to "burn" a messaging application to protect his politician wife from being dragged into litigation brought by online grocer Ocado without considering the need to preserve communications.

Read full article »

Ex-Apple Legal Bigwig Cops To Insider Trading

The former director of corporate law at Apple admitted Thursday to an insider-trading scheme that netted him hundreds of thousands of dollars, New Jersey federal prosecutors said.

Read full article »

Insurer Must Defend 'Lottery Lawyer' In Criminal Case

Fireman's Fund Insurance Co. will have to provide a defense for "Lottery Lawyer" Jason Kurland, a New York federal judge found Wednesday.

Read full article »

Ex-Baker Botts IP Team Joins McDermott's New Austin Office

McDermott Will & Emery LLP has launched an office in Austin, Texas, the firm's 22nd location in total, with a group of eight intellectual property partners from Baker Botts LLP, the firm announced Thursday.

Read full article »

VW, Audi Say Texas Can't Pick Judges To Mull Emissions Case

Volkswagen and Audi told the Texas Supreme Court that the state shouldn't be allowed to pick other judges to consider petitions accusing the German automakers of violating state anti-tampering and environmental laws after two justices recused themselves last week, saying such an unprecedented move smacks of unfairness.

Read full article »

Steve Bannon Seeks Delay Of July Trial, Cites Jan. 6 Hearings

Former Trump White House aide Steve Bannon has asked a D.C. federal judge to push back his July contempt trial for refusing to cooperate with the Jan. 6 House select committee, claiming the committee's recent hearings have generated an "unprecedented level of prejudicial pretrial publicity."

U.S. Securities and Exchange Commission
U.S. Sentencing Commission
U.S. Supreme Court
United Nations
United States District Court for the Northern District of Ohio
White Mountain Apache Tribe

Read full article »

Podcast

The Term: A Stinging Blow To The EPA's Power On Climate

Thursday's swearing in of Justice Ketanji Brown Jackson as the first African American woman on the U.S. Supreme Court made history, but it was arguably the court's decision, just hours before, to curb the Environmental Protection Agency's authority to impose sweeping climate regulations that grabbed the most attention. Law360's The Term breaks down the final day before summer recess.

Read full article »

Podcast

Pro Say: The Thorny Landscape Of Post-Roe Abortion Rights

The U.S. Supreme Court's landmark decision to overturn Roe v. Wade is just days old but has already sent shockwaves through a nation scrambling to adjust to a deluge of new state-level restrictions on abortion.

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SUBJECT: Court's Ruling Leaves Narrow Path For EPA's Climate Rules
FROM: Public Policy Law360 <news-q@law360.com>
TO: hborski@utah.gov
DATE: 01/07/2022 03:10

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Friday, July 1, 2022

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Analysis

Court's Ruling Leaves Narrow Path For EPA's Climate Rules

The U.S. Supreme Court's interpretation of the Clean Air Act on Thursday left the U.S. Environmental Protection Agency with avenues to regulate greenhouse gas emissions, but any novel legal approaches the agency takes to tackle climate change will face headwinds given the court's skepticism of broad agency power.

Read full article »

High Court Pares Down EPA's Clean Air Act Power

The U.S. Supreme Court on Thursday restricted the U.S. Environmental Protection Agency's power to regulate greenhouse gas emissions from power plants, finding that the Obama administration exceeded its authority under the Clean Air Act when it allowed states to issue regulations aimed at increasing the use of cleaner sources of electricity generation.

Opinion attached | Read full article »

Analysis

Justices' Patent Eligibility Denial Won't End Fight For Clarity

The U.S. Supreme Court on Thursday rejected a highly controversial case on patent eligibility, ignoring impassioned pleas from the U.S. Patent and Trademark Office and Federal Circuit that they need help interpreting the law consistently, and leaving attorneys to hope Congress will pick up the baton.

Read full article »

Analysis

Justices Tell Courts To Review Gun Control Laws In 4 States

The U.S. Supreme Court on Thursday vacated three lower federal appellate courts' four decisions affirming gun control laws in California, Hawaii, Maryland and New Jersey, and told the courts to reexamine the cases in light of the high court's recent landmark expansion of gun ownership rights.

Read full article »

Analysis

We're Not All Textualists Now, Kagan Warns In Climate Dissent

U.S. Supreme Court conservatives pulverized climate rules and their own credibility by conveniently abandoning "textualist" principles and deploying a new doctrine that threatens myriad regulations, Justice Elena Kagan warned Thursday.

Opinion attached | Read full article »

High Court Rules Biden Can End 'Remain In Mexico'

The U.S. Supreme Court on Thursday ruled that President Joe Biden can end the so-called Remain in Mexico program, which requires asylum-seekers

LAW FIRMS IN TODAY'S NEWS

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Davidoff Hutcher
Davis Wright Tremaine
DiCello Levitt
Eversheds Sutherland
Faegre Drinker
Foley & Lardner
Foot Anstey
GRB Law
Gibson Dunn
Greenberg Traurig
Hogan Lovells
Holland & Knight
Hopkins & Carley
Jenner & Block
Jones Day
King & Spalding
Kirkland & Ellis
Kramer Levin
Levin Papantonio

[redacted]

to wait in Mexico while their claims for protection are being processed.

Opinion attached | Read full article »

Justice Jackson Sworn In As 1st Black Woman On High Court

Judge Ketanji Brown Jackson on Thursday became the U.S. Supreme Court's newest justice, a historic move that makes her the first Black woman to serve on the high court in its 232-year history.

Read full article »

DOJ, House Jan. 6 Probes Put The Squeeze On Trump Attys

Federal investigators probing the Jan. 6 insurrection at the U.S. Capitol have turned up the heat on former lawyers and legal advisers to former President Donald Trump, with bold investigative steps and explosive congressional testimony revealing the extent of their legal exposure.

Read full article »

Justices To Hear NC Bid To Curb Court Review Of Elections

The U.S. Supreme Court on Thursday agreed to entertain oral arguments by a top North Carolina Republican lawmaker seeking to curtail state judicial oversight of federal elections, a move that would give the state's GOP-led legislature significant control over election procedures, including what North Carolina's congressional map will look like.

Read full article »

BANKING & SECURITIES

CFPB Scraps Earned-Wage Access Co.'s 'Sandbox' Approval

The Consumer Financial Protection Bureau on Thursday rescinded a Trump-era regulatory waiver approval for earned-wage access provider PayActiv Inc., granting what the agency said was a company request for termination amid changes to its fee structure and a brush with enforcement officials.

Order attached | Read full article »

Grayscale Sues SEC After It Rejects Another Bitcoin ETF

Grayscale Investments has asked the D.C. Circuit to review the U.S. Securities and Exchange Commission's decision to turn down yet another effort to launch an exchange-traded fund that holds bitcoin.

2 documents attached | Read full article »

ENERGY & ENVIRONMENTAL

DC Circ. Keeps GOP's Calif. Vehicle Authority Appeal Paused

The D.C. Circuit extended a pause in an appeal argued by Republican-led states over whether California has the authority to craft its own vehicle greenhouse gas emissions standards, deciding Wednesday to wait until related litigation gets decided.

Order attached | Read full article »

Ex-Mich. Gov. Pleads 5th In Flint Trial Appearance

Levinger PC
Levy Konigsberg
Lieff Cabraser
MThirtySix
Marino Tortorella
Mayer Brown
McDermott Will
McKool Smith
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Mintz Levin
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Morgan Lewis
Munger Tolles
O'Brien Belland
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One Essex Court
Paul Hastings
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Ropes & Gray
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Simmons Hanly
Smith Butz
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Steptoe & Johnson LLP
Sterne Kessler
Sullivan & Cromwell
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Weil Gotshal
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WilmerHale
Winston & Strawn

COMPANIES IN TODAY'S NEWS

AIDS Healthcare Foundation
Advocate Aurora Health
Air Transport Association of America
Allergan PLC
Allianz SE Reinsurance
Alphabet Inc.
America's Essential Hospitals
American Airlines Group Inc.
American Axle & Manufacturing Holdings Inc.
American Bar Association
American Civil Liberties Union
American Civil Liberties Union of Ohio
Anda Inc.
Apple Inc.
AstraZeneca PLC
Audi AG
CME Group Inc.
California Resources Corp.
California Trucking Association

Former Michigan Gov. Rick Snyder appeared in court Thursday in a civil trial over the Flint water crisis, pleading the Fifth Amendment as he declined to answer questions about his time in office.

Read full article »

EPA Urged To Reject Central Calif. Carbon Capture Projects

Dozens of environmental justice and conservation groups urged the U.S. Environmental Protection Agency to reject applications for carbon capture, use and storage projects in central California, saying the projects are "incompatible with environmental and climate justice."

Letter attached | Read full article »

Health Care Giants Commit to Biden Admin Carbon Pledge

The Biden administration on Thursday signed a pledge with 61 hospitals and health industry companies to cut greenhouse gas emissions in half by 2030 in an initial step to address health care's effects on climate change.

Read full article »

HEALTH & LIFE SCIENCES

SF Says Pharmaceutical Cos. Created City's Opioid Crisis

A lawyer for San Francisco has told a California federal judge overseeing a bellwether bench trial in multidistrict opioid litigation that Anda, Allergan, Teva and Walgreens promoted and distributed the powerful painkillers in ways that created a public nuisance that endangered the health and safety of the city's residents.

Read full article »

Thomas Dissents On Denial Of NY Health Worker Vax Case

Even though the U.S. Supreme Court shot down New York health care workers' challenge to a COVID-19 vaccine requirement, three justices disagreed, with Justice Clarence Thomas saying there was "considerable confusion" over mandates like the Empire State's.

Decision attached | Read full article »

POST-ROE FALLOUT

HHS Issues Guidance On Abortion Patient Privacy After Dobbs

The U.S. Department of Health and Human Services has released guidance on patient privacy after HHS Secretary Xavier Becerra said earlier this week the agency is working to ensure continued access to safe abortion care after the U.S. Supreme Court wiped out the constitutional right to the procedure.

Read full article »

Fla. Judge Says 15-Week Abortion Ban Is Unconstitutional

A Florida judge on Thursday issued a temporary injunction blocking the implementation of a new ban on abortion after 15 weeks of pregnancy, ruling that the law violates the right to privacy in the Florida Constitution.

Read full article »

Center for Biological Diversity
Chevron Corp.
Children's National Hospital
CommonSpirit Health
Computer & Communications Industry Association
Conagra Brands Inc.
Federal National Mortgage Association
Food & Water Watch
Fordham University
Getty Images Inc.
Google LLC
Grayscale Investments LLC
ICBC Standard Bank PLC
Johnson & Johnson
Kaiser Permanente
LexisNexis Group Inc.
LinkedIn Corp.
LoanDepot LLC
Marks & Spencer
Meta Platforms Inc.
Miami Marlins
Miami-Dade County Public Schools
Myriad Genetics Inc.
National Academy of Medicine
Natural Resources Defense Council
North American Coal Corp.
Ocado Ltd.
PayActiv Inc.
Pfizer Inc.
Planned Parenthood Federation
Public Citizen Inc.
Purdue Pharma LP
RD Legal Funding LLC
RELX PLC
Rural Wireless Association
Southern Poverty Law Center
Spireon Inc.
Spotify Technology SA
Starbucks Corp.
Takata Corp.
Temple University
The Center for Reproductive Rights
Turner Broadcasting System Inc.
Twitter Inc.
UCLA School of Law
Union of Concerned Scientists
United Airlines Holdings Inc.
University of California Irvine
Veolia Environnement SA
Virgin America Inc.
Volkswagen AG
Walgreens Co.

Ohio AG Says 6-Week Abortion Ban Should Remain In Place

Ohio Attorney General Dave Yost on Thursday urged the state's high court to not block a law that essentially bans abortions after six weeks of pregnancy, saying nothing about Ohio's legislative history suggests that state lawmakers ever intended to grant that right.

Response attached | Read full article »

TRANSPORTATION & INFRASTRUCTURE

Appellate Court Undoes Pa. Bridge Tolling, Replacement Plan

The Commonwealth Court of Pennsylvania struck down Thursday a state program to fund bridge replacements with tolls and public-private partnerships, ruling in favor of three municipalities that claimed they had not been consulted before tolls were proposed for a nearby bridge carrying Interstate 79.

Opinion attached | Read full article »

American Airlines Gets Cuban Airport Lawsuit Tossed

A judge on Thursday dismissed a federal lawsuit filed by a Miami man who accused American Airlines Inc. of illegally benefiting from use of an airport he said the Cuban government stole from his family in 1959.

Order attached | Read full article »

REAL ESTATE

Miami-Dade Hails $100M, New Efforts To Tackle Housing Crisis

A couple of days after the country's top housing official tagged Miami as the "epicenter" of the national housing crisis, area leaders unveiled new initiatives and outside funding of up to $100 million from a nonprofit during an event Thursday that highlighted its multipronged efforts to address the situation.

Read full article »

CFPB, NY Drop NFL Player Claims From Legal Funder Suit

More than five years into a suit against litigation funder RD Legal, the Consumer Financial Protection Bureau and New York's attorney general have dropped allegations that the company ripped off a group of injured pro football players.

Motion attached | Read full article »

EMPLOYMENT & BENEFITS

Justices Reject Airline Group's Wash. Sick Leave Law Fight

The U.S. Supreme Court on Thursday declined to hear the U.S. airline industry's challenge to a Ninth Circuit ruling that cleared the way for Washington state to enforce its paid sick leave law against airlines.

Read full article »

NJ Allowed To Cancel Atlantic City Arbitration Award

GOVERNMENT AGENCIES IN TODAY'S NEWS

California Air Resources Board
Centers for Disease Control and Prevention
Cherokee Nation
Consumer Financial Protection Bureau
Eastern Band of Cherokee Indians
Executive Office of the President
Federal Bureau of Investigation
Federal Communications Commission
Federal Energy Regulatory Commission
Florida Attorney General's Office
Florida Supreme Court
Food and Drug Administration
Indian Health Service
Miami International Airport
National Highway Traffic Safety Administration
New York Attorney General's Office
North Carolina Department of Justice
North Carolina General Assembly
Office of Foreign Assets Control
Oglala Sioux Tribe
Ohio Attorney General's Office
Ohio Supreme Court
Pawnee Nation of Oklahoma
Pennsylvania Department of Transportation
San Manuel Band of Mission Indians
Small Business Administration
Texas Attorney General's Office
Texas Supreme Court
U.S. Air Force
U.S. Attorney's Office
U.S. Attorney's Office for the District of New Jersey
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Ninth Circuit

A New Jersey law giving the state oversight of localities in financial distress also gives the Garden State the power to vacate an arbitration award in a dispute between Atlantic City and law enforcement, a state appellate court ruled Thursday.

Opinion attached | Read full article »

GOVERNMENT CONTRACTS

Texas Man Convicted Of $240M Gov't Contract Fraud Scheme

A Texas federal jury has convicted the owner of several construction companies on charges related to defrauding the U.S. Small Business Administration out of more than $240 million over 20 years by posing as a disabled veteran-owned business to secure government contracts.

Verdict attached | Read full article »

INTERNATIONAL TRADE

Treasury's OFAC Blocks $1B In Russian Oligarch's Trust

In a bid to punish the Kremlin for its invasion of Ukraine, the U.S. Department of the Treasury's Office of Foreign Assets Control has blocked a Delaware-based trust containing assets worth more than $1 billion, in which a sanctioned Russian oligarch holds property, the agency said Thursday.

Read full article »

IMMIGRATION

SPLC Objections To ICE Facility Report Found 'Unconvincing'

A D.C. federal judge on Thursday denied the Southern Poverty Law Center's bid to reject a court-appointed monitor report on U.S. Immigration and Customs Enforcement's compliance with an order to improve detainee attorney access, saying the monitor's findings were sufficient.

Order attached | Read full article »

WHITE COLLAR

Justices To Mull Limits Of Fraud In NY 'Buffalo Billion' Cases

The U.S. Supreme Court on Thursday agreed to consider whether private citizens who influence government decision-making can be convicted of honest-services fraud, taking up a case involving alleged bid-rigging by an aide to former New York Gov. Andrew Cuomo in the state-funded "Buffalo Billion" projects.

Petition attached | Read full article »

Steve Bannon Seeks Delay Of July Trial, Cites Jan. 6 Hearings

Former Trump White House aide Steve Bannon has asked a D.C. federal judge to push back his July contempt trial for refusing to cooperate with the Jan. 6 House select committee, claiming the committee's recent hearings have generated an "unprecedented level of prejudicial pretrial publicity."

1 document attached | Read full article »

NATIVE AMERICAN

Analysis

U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Transportation
U.S. Department of the Treasury
U.S. District Court for the District of Columbia
U.S. District Court for the District of Maine
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern District of New York
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Northern District of California
U.S. District Court for the Southern District of Florida
U.S. District Court for the Southern District of New York
U.S. District Court for the Western District of Texas
U.S. District Court for the Western District of Washington
U.S. Drug Enforcement Administration
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Securities and Exchange Commission
U.S. Senate
U.S. Sentencing Commission
U.S. Supreme Court
United Nations
United States District Court for the Northern District of Ohio
Washington Attorney General's Office
Washington Legislature
Washington State Department of Labor and Industries
White Mountain Apache Tribe

Justices Stoke Care Woes For Tribes, Native Women Post-Roe

The U.S. Supreme Court overturning the constitutional right to abortion is likely to further constrain Native American women's already limited access to abortion and other health care, and another court decision this term backing states' criminal jurisdiction on reservations compounds the complexity tribes face negotiating the post-Roe v. Wade landscape.

Read full article »

High Court Remands 11 Criminal Cases To Oklahoma Court

The U.S. Supreme Court moved Thursday to reinstate the violent-crime convictions of 11 people in Oklahoma, including five for murder, just a day after ruling that states may prosecute non-Indians for offenses committed against Indians on tribal reservations.

Order List attached | Read full article »

TELECOMMUNICATIONS

Analysis

Big Tech Common Carrier Fight Teed Up With Justices In Sight

The stage may be set for a landmark First Amendment ruling tailored for the digital age after the Eleventh Circuit paused its recent order partially blocking a Florida law that prohibits social media companies from blocking political candidates.

Read full article »

FCC Commissioner Floats Wireless Software Security Updates

The Federal Communications Commission needs to encourage more software updates that will boost security of wireless devices as threats to private data continue unabated, an FCC member said.

Read full article »

PEOPLE

Shumaker Advisors Lands Ex-UAE Embassy Director In DC

Shumaker Advisors announced Thursday the hiring of a former legislative, political and military section director with the Embassy of the United Arab Emirates as its new senior vice president of federal affairs.

Read full article »

Holland & Knight Adds Attorney With LNG Background In DC

Holland & Knight LLP has added an attorney with over 30 years of experience in the liquefied natural gas space to its Washington office, the firm recently announced.

Read full article »

EXPERT ANALYSIS

What The Subchapter V Debt Limit Raise Means For Small Biz

A recently signed bill raising the debt limit back to $7.5 million for those electing treatment under the Small Business Reorganization Act provides a sigh

of relief for small companies, but debtors should consider whether filing a Subchapter V case by the end of this year is advantageous, say attorneys at Michael Best.

Bill attached | Read full article »

In COVID, Can PREP Act Protection Extend To Patent Suits?

The Copan v. Puritan Medical patent decision on swabs used for COVID-19 tests has made the District of Maine the first court to face the question of whether immunity under the Public Readiness and Emergency Preparedness Act extends to claims of patent infringement, but it's unlikely to be the last, say Matt Rizzolo and Keyna Chow at Ropes & Gray.

Read full article »

Opinion

What High Court Got Wrong In Wash. Nuclear Workers Ruling

The U.S. Supreme Court's unanimous decision in the Hanford nuclear cleanup site case invalidated a Washington state workers' compensation statute by addressing three issues — mootness, discrimination against the federal government, and congressional waiver of immunity — but made errors on all three, says Henry Drummonds at Lewis and Clark Law School.

Opinion attached | Read full article »

Opinion

Dobbs Ruling Means It's Time To Rethink Data Collection

Following the U.S. Supreme Court's recent Dobbs decision, companies need to be prepared for the possibility that the coming linkage between reproductive rights and data privacy will mean that consumers may no longer look the other way on how their data is collected, say Amy Keller and David Straite at DiCello Levitt.

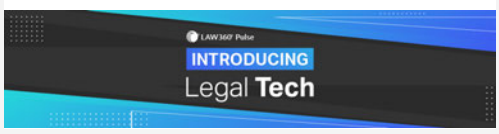
Opinion attached | Read full article »

PRACTICAL GUIDANCE

Ethics Considerations For Attorneys Joining Nonprofit Boards

Many charitable organizations offer attorneys board positions to benefit from their specialized legal knowledge, but there are ethical considerations and liability dangers that demand lawyers set boundaries about their roles and responsibilities, says Patrick Sturm at LexisNexis.

Read full article »



LEGAL INDUSTRY

What GCs Want To Know About State Anti-Abortion Laws

With the status of some states' abortion laws in flux, companies and their general counsel are grappling with how to respond, especially as some lawmakers

push the idea of retaliating against companies that aid abortions.

Read full article »

2 Litigators Tapped For SDNY Bankruptcy Bench

Two new bankruptcy judges have been appointed in the Southern District of New York, one a Weil partner and the other a Kramer Levin partner.

Read full article »

Ex-Jones Day Atty Cops To Giving 'Burn' Order In Ocado Suit

A former senior Jones Day lawyer testified at trial Thursday that he gave an order to "burn" a messaging application to protect his politician wife from being dragged into litigation brought by online grocer Ocado without considering the need to preserve communications.

Read full article »

Ex-Apple Legal Bigwig Cops To Insider Trading

The former director of corporate law at Apple admitted Thursday to an insider-trading scheme that netted him hundreds of thousands of dollars, New Jersey federal prosecutors said.

Read full article »

Insurer Must Defend 'Lottery Lawyer' In Criminal Case

Fireman's Fund Insurance Co. will have to provide a defense for "Lottery Lawyer" Jason Kurland, a New York federal judge found Wednesday.

Read full article »

Ex-Baker Botts IP Team Joins McDermott's New Austin Office

McDermott Will & Emery LLP has launched an office in Austin, Texas, the firm's 22nd location in total, with a group of eight intellectual property partners from Baker Botts LLP, the firm announced Thursday.

Read full article »

VW, Audi Say Texas Can't Pick Judges To Mull Emissions Case

Volkswagen and Audi told the Texas Supreme Court that the state shouldn't be allowed to pick other judges to consider petitions accusing the German automakers of violating state anti-tampering and environmental laws after two justices recused themselves last week, saying such an unprecedented move smacks of unfairness.

Read full article »

Podcast

The Term: A Stinging Blow To The EPA's Power On Climate

Thursday's swearing in of Justice Ketanji Brown Jackson as the first African American woman on the U.S. Supreme Court made history, but it was arguably the court's decision, just hours before, to curb the Environmental Protection Agency's authority to impose sweeping climate regulations that grabbed the most attention. Law360's The Term breaks down the final day before summer recess.

Read full article »

Podcast

Pro Say: The Thorny Landscape Of Post-Roe Abortion Rights

The U.S. Supreme Court's landmark decision to overturn Roe v. Wade is just days old but has already sent shockwaves through a nation scrambling to adjust to a deluge of new state-level restrictions on abortion.

Read full article »

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[redacted]

SUBJECT: Fwd: Resources for Mothers and Families
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>, Paul Ray DHS <pray@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>
DATE: 24/06/2022 06:25

Good morning.

Please see Rep. Peterson's email, on behalf of the women in the Legislature.

I think in order to get this information to them as quickly as possible, I think we just create a simple spreadsheet that has the name of the program, ages served and a **brief** summary of the program. I think you can indicate whether it is federal, state or both, in terms of funding. You can see in my email, I told them we would provide the most basic information so we can turn the request around quickly. We can always come back with number of people served and budget, which I suspect will be the next question.

I would like Marc or Paul to take lead on getting this started. I believe Marc is still out this week. I think if we can have this turned around as quickly as possible that would be great. It should not take a ton of work if this gets pushed down to the appropriate staff who know their programs best. We all know why timing is important for them.

Thanks!
Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Tracy Gruber (DHS)** <tracygruber@utah.gov>
Date: Fri, Jun 24, 2022 at 5:18 AM
Subject: Re: Resources for Mothers and Families
To: Karen Peterson <kpeterson@le.utah.gov>
Cc: Karianne Lisonbee <karilisonbee@le.utah.gov>, Ann Millner <amillner@le.utah.gov>, Cheryl K. Acton <cacton@le.utah.gov>, Melissa Ballard <mballard@le.utah.gov>, stephaniegricius@gmail.com <stephaniegricius@gmail.com>, Kera Birkeland <kbirkeland@le.utah.gov>, Christine Watkins <christinewatkins@le.utah.gov>, Marsha Judkins <mjudkins@le.utah.gov>, Judy Rohner <jrohner@le.utah.gov>, Candice Pierucci <cpierucci@le.utah.gov>, Susan Pulsipher <susanpulsipher@le.utah.gov>

Representative Peterson,

Thank you for reaching out to us. Our department does provide programs and resources to women who fit into these categories. We have programs from prenatal through early childhood, as well as programs for families who have children with disabilities.

We are happy to provide this information. For speed, we will simply provide the name of the program and a brief summary. That will allow us to get you the information quickly and then we can provide any additional information that may be helpful. Please let us know when you would like to receive the information. We will have our team begin working on it today.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Jun 23, 2022 at 9:29 PM Karen Peterson <kpeterson@le.utah.gov> wrote:

> Tracy,
>
> The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also have observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.
>
> Thank you, we appreciate your help.

[redacted]

[redacted]

Warm Regards,

Karen M. Peterson
District 13
Utah House of Representatives

SUBJECT: A very late team update for (6.24.2022) Supreme Court ruling, meetMartha, learn about Recovery Services, plus some great awards and resourcesfor your mental health
FROM: "Utah Dept of Health and Human Services (DHHS)" <dhhs@utah.gov>
TO: undisclosed-recipients:;
BCC: hl-statewide@utah.gov
DATE: 24/06/2022 19:34

Utah Department of Health & Human Services

Team update

Dear Team:

Today, the Supreme Court of the United States released a 213-page opinion overturning the 1973 Roe v. Wade decision. With its opinion today, the Supreme Court says that there is no longer a fundamental right to abortion. Decisions about what is and isn't allowed is now up to the states.

Quoting from the intro to the opinion: *Abortion presents a profound moral issue on which Americans hold sharply conflicting views. Some believe fervently that a human person comes into being at conception and that abortion ends an innocent life. Others feel just as strongly that any regulation of abortion invades a woman's right to control her own body and prevents women from achieving full equality. Still others in a third group think that abortion should be allowed under some but not all circumstances, and those within this group hold a variety of views about the particular restrictions that should be imposed.*

Abortion is by no means a simple issue. Please remember that your co-workers have a range of feelings and personal opinions about this. We need to be extra cautious in the workplace about expressing our personal opinions because there are differing beliefs. As a reminder, you may not use official state resources to express personal views on this decision.
Please be extra sensitive to the thoughts of others, including co-workers. We will continue to monitor employee and building safety.

In official capacities, if you are contacted about the law by partners or the public, please direct inquiries to DHHS@utah.gov. Until we can provide further clarification, please do not engage with the general public about how the law is going to be interpreted.

We are continuing to analyze the potential impacts from the Supreme Court's decision.

Here are the facts we know right now as they pertain to Utah and the Utah Department of Health and Human Services:

- In the 2020 General Session, the Utah Legislature passed SB 174, which we were notified this evening, is now in effect, following a report from legislative general counsel to the Legislative Management Committee.
  - The bill lists some specific responsibilities of DHHS.

And now... the rest of this fabulous, and very late, email!

- Thank you to the 530+ of you who tuned in live to our **All Hands Q&A on Thursday**. If you missed it, you can watch the replay here.

- This week, we'd also like to make your acquaintance with the Office of Recovery Services, led by the trusty Liesa Stockdale. You might know them as the "child support office," but that's not all they do: https://youtu.be/Q2imWsc7btk

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- **Martha is on the move!**

  We are so excited to host a traveling exhibit on Dr. Martha Hughes Cannon at our MASOB and Cannon Health buildings over the next 2 weeks. The exhibit starts this Friday, June 24, through June 30. Then, the exhibit will be moved to the Cannon Health building on July 1, **which also happens to be the 165th anniversary of Dr. Cannon's birth AND our new agency's birthday**!

  The exhibit will be at the Cannon building until July 8. We will also be holding a media event honoring the life of Dr. Cannon and celebrating the birth of our new agency on July 1 at the Utah Capitol. We are thrilled to begin this new journey with each of you and honor those who have come before us.

[redacted]

- **Nate Checketts... thank you!**

  With the upcoming merger, comes a handful of leadership changes, including a new role for Utah Department of Health Executive Director Nate Checketts. Under DHHS, Nate will become a department deputy director over our Health Administration section. Recently, Gov. Cox and Lt. Gov. Henderson, recognized Nate for his work to lead the pandemic response while maintaining effective leadership to oversee the management of the Department of Health's responsibilities. They said he is a model public servant reflecting the values of humility, selflessness and steady leadership. Nate is pictured here with his wife, Ginger.

- Congratulations are also in order to Caitlyn Jasumback and Rachelle Boulton! Both were recognized at the Council of State and Territorial Epidemiologists conference. **Caitlyn was a finalist** for the Robert Wood Johnson Foundation Award for Outstanding Epidemiology Practice in Addressing Racial and Ethnic Disparities for her work "Does Discrimination Influence Prevention Healthcare Among Under Served Population?" Rachelle was awarded **CSTE's Distinguished Leader Award**. This is a huge honor for both of them!! People from around the nation are envious of our data systems and informatics

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- **Mental and physical health**
  During our all-hands call and during Gov. Cox's employee town hall this week, we received questions about the leave hours that are available for taking care of our mental health. Please take advantage of these benefits.
  - As of Jan. 1, 2022, Gov. Cox granted 4 hours of admin leave to address mental health issues, to be used during the calendar year.
  - Starting July 1, our department will make 4 hours available for the next fiscal year, ending June 30, 2023.
  - We have also worked with Blomquist Hale to hire an individual who can be available to be a mental health resource.
  - Keep in mind that you may also use 4 hours of leave for wellness and health checkups. Please talk to your supervisor before using this leave.
  - Tracy also reminded us that we can use any accumulated sick leave for mental or physical health time off.

[redacted]

- **ECO Passes**
  We're conscious of the cost of fuel. We make UTA ECO Passes available for free to all employees. If you apply, you need to use them at least 15 times per quarter. Please contact your finance officer to sign up. Please see our FAQ document to get started:ECO Pass FAQs

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P.S.
Tracy's Open Door hours are most Fridays, for all staff from 1 p.m. to 3 p.m. Please reach out to Trudy Ellis (trudyellis@utah.gov) to request time on Tracy's schedule.

SUBJECT: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: Nate Checketts <natecheckets@utah.gov>
TO: Brittany Huff <brittanyhuff@utah.gov>, "Brook Dorff (DHS)" <bdorff@utah.gov>, Carmen Richins <carmenrichins@utah.gov>, Charla Haley <chaley@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>, Jenny Johnson <jennyjohnson@utah.gov>, Katie England DHS <katieengland@utah.gov>, Kristi Grimes <kristigrimes@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Linda Wininger <lindaw@utah.gov>, Lynne Nilson <lpnilson@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Paul Ray DHS <pray@utah.gov>, Simon Bolivar <sbolivar@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Tony Patterson <tonypatterson@utah.gov>
DATE: 24/06/2022 20:11

On Fri, Jun 24, 2022 at 6:19 PM Joe Dougherty DHS <joedougherty@utah.gov> wrote:

---------- Forwarded message ---------
From: **Aundrea Peterson** <aundreapeterson@le.utah.gov>
Date: Fri, Jun 24, 2022 at 6:13 PM
Subject: S.B. 174 Abortion Prohibition Amendments Now in Effect
To: Aundrea Peterson <aundreapeterson@le.utah.gov>
CC: Alexa Roberts <aroberts@le.utah.gov>

UTAH STATE LEGISLATURE
STATE CAPITOL • SALT LAKE CITY, UTAH 84114
WWW.LE.UTAH.GOV

For Immediate Release
June 24, 2022

Contacts
Aundrea Peterson
Utah Senate
801-791-3365 | aundreapeterson@le.utah.gov

Alexa Roberts
Utah House of Representatives
801-865-5882 | aroberts@le.utah.gov

S.B. 174 Abortion Prohibition Amendments Now in Effect

[redacted]

[redacted]

SALT LAKE CITY – In accordance with state statute, the Legislative Branch's general counsel determined S.B. 174 *Abortion Prohibition Amendments* meets the legal requirements to take effect, following the U.S. Supreme Court's ruling regarding abortion.

In 2020, the Utah Legislature passed S.B. 174, prohibiting all elective abortions in Utah, except in rare circumstances involving rape, incest or medical emergency, contingent on the U.S. Supreme Court ruling.

On June 24, 2022, the U.S. Supreme Court issued a ruling that overturned Roe v. Wade, giving states the right to choose their abortion regulations. The U.S. Supreme Court's official opinion was sent to the Legislature's general counsel to determine if Utah's statute may take effect.

Members of the Legislative Management Committee (LMC) have been notified and the bill is now in effect. Utah code is updated to reflect the changes.

Attached is the official communication from the legislative general counsel informing LMC that the bill is in effect. The letter also addresses H.B. 166 (2019) *Down Syndrome Nondiscrimination Abortion Act*.

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[redacted]

[redacted]

[redacted]

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[redacted]

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[redacted]

SUBJECT: Fwd: Some pro-life ideas to improve pregnancy related services.
FROM: Tracy Gruber DHHS <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
DATE: 05/07/2022 16:01

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

[redacted]

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Raymond Ward** <rayward@le.utah.gov>
Date: Wed, Jun 29, 2022 at 7:45 PM
Subject: Some pro-life ideas to improve pregnancy related services.
To: Tracy Gruber (DHS) <tracygruber@utah.gov>, nate checketts <natechecketts@utah.gov>

Hi Tracy and Nate -

I hear from Neil Abercrombe that the Governor is interested in doing some things to provide better pregnancy related services to women in light of the trigger law.

It makes sense to me that from a pro-life viewpoint, we as a state ought to be interested in more than just eliminating abortion, but also in making sure that a pregnancy turns out well for her and her child.

If you guys in are sorting through possible policy recommendations, I wanted to put some of my top ones in your hopper for consideration. (And I will, of course, be bringing this up as best I can with my legislative colleages as well)

Here are some things that I think would make things better for women and show actual action on the part of the state to being pro-life for women as they plan for and go through pregnancy and childbirth.

1. Raise the Income eligibility to be covered for pregnancy Medicaid to 200% of the poverty level. Currently women between 138 and 200 may really struggle to get coverage and pre-natal health care.
2. Provide 12 months of post partum coverage. The first year of the baby's life can be very chaotic. Getting health care for herself (including if desired to get back on highly effective birth control) can be impossible if we cut folks off of coverage 60 days after the birth of the child.
3. Cover family planning services up to 250% of the poverty level. This is similar to what was discussed a couple of years back in the legislature for the lower threshold of 100% of the poverty level. The stakes are much higher for a women if abortion is not an option for her, and she is not in a position to care for another child if she does get pregnant, so making it easier for lower income individuals to access birth control would be a good help to them.
4. Provide 12 months of continuous eligibility to children on Medicaid. We have discussed this several times in the legislature, but haven't every quite found the funding. Maybe now is the right time.
5. Apply for the CHIP "unborn child" option. This is for women who are not here legally, but their child when it is born, will be here legally, and entitled to Medicaid services. This allows for coverage during the pregnancy, so the baby has a better chance to be born health.
6. Set a minimum set of services that we want to have available across the state to women who have a substance use disorder. This could include peer support, or home visitation, or coverage of inpatient rehab. Currently the services of this nature that are available are very spotty across the state, mostly just available in Salt Lake County. This item - it we plan correctly - could be funded from the opioid settlement, and so wouldn't have to come from general fund.

I have attached a brief prepared by Dr. Jessica Sanders who is with the family planninc division at the University of Utah. (And I think she has presented at MCAC, so you might already have this.) In it you will see many of these same ideas, as well as some others.

I am not sure how this will play out, but I would love to be involved if we are discussing ways to make our healthcare services better for women surrounding pregnancy and childbirth related issues.

Thanks,

RW

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SUBJECT: DHHS-identified Utah Resources for Mothers and Families
FROM: Marc Watterson <mwatterson@utah.gov>
TO: Mark Thomas <mthomas@le.utah.gov>, Abby Osborne <aosborne@le.utah.gov>, Kennedie Starr <kstarr@le.utah.gov>, Nick Frederick <nfrederick@le.utah.gov>
CC: Tracy Gruber DHHS <tracygruber@utah.gov>, Paul Ray DHS <pray@utah.gov>, Neil Abercrombie <nabercrombie@utah.gov>
BCC: Nelson Abbott <nabbott@le.utah.gov>, "Cheryl K. Acton" <cacton@le.utah.gov>, Carl Albrecht <carlalbrecht@le.utah.gov>, Melissa Ballard <mballard@le.utah.gov>, Stewart Barlow <sbarlow@le.utah.gov>, Gaylynn Bennion <glbennion@le.utah.gov>, Kera Birkeland <kbirkeland@le.utah.gov>, Brady Brammer <bbrammer@le.utah.gov>, Joel Briscoe <jbriscoe@le.utah.gov>, Walt Brooks <wbrooks@le.utah.gov>, Jefferson Burton <jburton@le.utah.gov>, Scott Chew <scottchew@le.utah.gov>, kivory@le.utah.gov, kchristofferson@le.utah.gov, Clare Collard <ccollard@le.utah.gov>, Jen Dailey-Provost <jdprovost@le.utah.gov>, Jim Dunnigan <jdunnigan@le.utah.gov>, Steve Eliason <seliason@le.utah.gov>, jferry@le.utah.gov, swhyte@le.utah.gov, Matt Gwynn <mgwynn@le.utah.gov>, jrohner@le.utah.gov, Steve Handy <stevehandy@le.utah.gov>, Suzanne Harrison <sharrison@le.utah.gov>, Timothy Hawkes <thawkes@le.utah.gov>, jhawkins@le.utah.gov, Sandra Hollins <shollins@le.utah.gov>, Dan Johnson <dnjohnson@le.utah.gov>, Marsha Judkins <mjudkins@le.utah.gov>, Brian King <briansking@le.utah.gov>, mkohler@le.utah.gov, Karen Kwan <kkwan@le.utah.gov>, Brad Last <blast@le.utah.gov>, Rosemary Lesser <rlesser@le.utah.gov>, Karianne Lisonbee <karilisonbee@le.utah.gov>, Steven Lund <slund@le.utah.gov>, plyman@le.utah.gov, Cory Maloy <corymaloy@le.utah.gov>, Ashlee Matthews <amatthews@le.utah.gov>, Kelly Miles <kmiles@le.utah.gov>, Carol Moss <csmoss@le.utah.gov>, Jefferson Moss <jeffersonmoss@le.utah.gov>, Calvin Musselman <cmusselman@le.utah.gov>, Merrill Nelson <mnelson@le.utah.gov>, Doug Owens <dougowens@le.utah.gov>, mpetersen@le.utah.gov, Val Peterson <vpeterson@le.utah.gov>, Candice Pierucci <cpierucci@le.utah.gov>, Stephanie Pitcher <spitcher@le.utah.gov>, Susan Pulsipher <susanpulsipher@le.utah.gov>, Karen Peterson

[redacted]

[redacted]

<kpeterson@le.utah.gov>, Adam Robertson <adamrobertson@le.utah.gov>, Angela Romero <angelaromero@le.utah.gov>, Doug Sagers <dougsagers@le.utah.gov>, Mike Schultz <mikeschultz@le.utah.gov>, cjack@le.utah.gov, rshipp@le.utah.gov, Casey Snider <csnider@le.utah.gov>, Lowry Snow <vlsnow@le.utah.gov>, Robert Spendlove <rspendlove@le.utah.gov>, "Jeffrey D. Stenquist" <jstenquist@le.utah.gov>, astoddard@le.utah.gov, kstratton@le.utah.gov, mstrong@le.utah.gov, jteuscher@le.utah.gov, normthurston@le.utah.gov, swaldrip@le.utah.gov, rayward@le.utah.gov, christinewatkins@le.utah.gov, elizabethweight@le.utah.gov, dwelton@le.utah.gov, markwheatley@le.utah.gov, ryanwilcox@le.utah.gov, bradwilson@le.utah.gov, mikewinder@le.utah.gov, Stuart Adams <jsadams@le.utah.gov>, Jacob Anderegg <janderegg@le.utah.gov>, Curt Bramble <curt@cbramble.com>, David Buxton <gbuxton@le.utah.gov>, Kirk Cullimore <kcullimore@le.utah.gov>, Gene Davis <gdavis@le.utah.gov>, Luz Escamilla <lescamilla@le.utah.gov>, Lincoln Fillmore <lfillmore@le.utah.gov>, Keith Grover <keithgrover@le.utah.gov>, Wayne Harper <wharper@le.utah.gov>, David Hinkins <dhinkins@le.utah.gov>, Don Ipson <dipson@le.utah.gov>, Jani Iwamoto <jiwamoto@le.utah.gov>, "John D. Johnson" <jjohnson@le.utah.gov>, Mike Kennedy <mkennedy@le.utah.gov>, dkitchen@le.utah.gov, kmayne@le.utah.gov, dmccay@le.utah.gov, mmckell@le.utah.gov, amillner@le.utah.gov, derrinowens@le.utah.gov, kriebe@le.utah.gov, ssandall@le.utah.gov, jwstevenson@le.utah.gov, dthatcher@le.utah.gov, evickers@le.utah.gov, tweiler@le.utah.gov, cwilson@le.utah.gov, rwinterton@le.utah.gov
DATE: 06/07/2022 10:41

Legislators -

DHHS received several requests this past week to provide information on programs and services in the state that support women prior to a pregnancy, through a pregnancy, and after they give birth.

Please see the attached document we compiled that captures the information requested. The document contains hyperlinks for easy access to program websites. Feel free to share this with your constituents or community stakeholders that would find this information useful.

As always, please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Re: [EXT] - DHHS-identified Utah Resources for Mothers and Families
FROM: Chris Wilson <cwilson@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>, Mark Thomas<mthomas@le.utah.gov>, Abby Osborne <aosborne@le.utah.gov>, Kennedie Starr<kstarr@le.utah.gov>, Nick Frederick <nfrederick@le.utah.gov>
CC: Tracy Gruber DHHS <tracygruber@utah.gov>, Paul Ray DHS <pray@utah.gov>,Neil Abercrombie <nabercrombie@utah.gov>
DATE: 06/07/2022 13:15

Thanks Marc,

Great info!

Sen. Chris H. Wilson
Senate District 25
E: cwilson@le.utah.gov
C: 435-770-2861

From: Marc Watterson <mwatterson@utah.gov>
Sent: Wednesday, July 6, 2022 10:41 AM
To: Mark Thomas <mthomas@le.utah.gov>; Abby Osborne <aosborne@le.utah.gov>; Kennedie Starr <kstarr@le.utah.gov>; Nick Frederick <nfrederick@le.utah.gov>
Cc: Tracy Gruber DHHS <tracygruber@utah.gov>; Paul Ray DHS <pray@utah.gov>; Neil Abercrombie <nabercrombie@utah.gov>
Subject: [EXT] - DHHS-identified Utah Resources for Mothers and Families

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B. Watterson
Director
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C: 385.321.6473
mwatterson@utah.gov

[redacted]

[redacted]

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Re: [EXT] - DHHS-identified Utah Resources for Mothers and Families
FROM: "Cheryl K. Acton" <cacton@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>
DATE: 06/07/2022 14:04

Thank you, Marc!

Cheryl

[redacted]

Representative Cheryl Acton
Utah House District 43
5143 W Wheatcrest Circle
West Jordan UT 84081-3953
Tel. (801) 809-3571
cacton@le.utah.gov
www.cherylacton.com

From: Marc Watterson <mwatterson@utah.gov>
Sent: Wednesday, July 6, 2022 10:41 AM
To: Mark Thomas <mthomas@le.utah.gov>; Abby Osborne <aosborne@le.utah.gov>; Kennedie Starr <kstarr@le.utah.gov>; Nick Frederick <nfrederick@le.utah.gov>
Cc: Tracy Gruber DHHS <tracygruber@utah.gov>; Paul Ray DHS <pray@utah.gov>; Neil Abercrombie <nabercrombie@utah.gov>
Subject: [EXT] - DHHS-identified Utah Resources for Mothers and Families

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[redacted]

[redacted]

[redacted]

SUBJECT: RE: Question: Access to Contraception in Other States
FROM: Maggie Davis <mdavis@astho.org>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: Ellen Pliska <epliska@astho.org>, Brittany Lee <blee@astho.org>, ShannonVance <svance@astho.org>
DATE: 04/08/2022 07:47

[redacted]

[redacted]

Hi Marc,

There are at least 18 states that permit pharmacist-prescribed contraceptives (this report from the Guttmacher Institute describes 17 and South Carolina passed a new law this sessio
I'm happy to connect you with the other legislative liaisons from the states who worked on the issue, Scott Jaillette (jaillejs@dhec.sc.gov) is the liaison from South Carolina and may h
insight on their new law.

Additionally, I'm adding in some members of ASTHO's Family and Child Health team who have been working on the issue and could have insight on which states are successfully oper
contraceptive access.

Thanks!

Maggie Davis, JD, MA
Director, State Health Policy
Gender Pronouns: She/Her/Hers
Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 855 Emory Point Drive NE, ASTHO, Suite C-100, Atlanta, GA 30329
Tel: (571) 318-5434 | astho.org
Twitter | Facebook | Blog

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Wednesday, August 3, 2022 6:00 PM
To: Maggie Davis <mdavis@astho.org>
Subject: Question: Access to Contraception in Other States

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this email may be unsafe, please send it as an attachment to helpdesk@astho.org.]

Maggie -

Utah currently has a law in place that allows for women 18+ to access contraception but it is a bit of an administrative nightmare.

Do you know of any states that are operating this successfully? Have they run into issues with pharmacies being willing to participate? Liability for those
sell or prescribe?

Any help you and my counterparts could offer would be appreciated!

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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Legislative Affairs

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SUBJECT: Re: Question: Access to Contraception in Other States
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Maggie Davis <mdavis@astho.org>
CC: Ellen Pliska <epliska@astho.org>, Brittany Lee <blee@astho.org>, Shannon Vance <svance@astho.org>
DATE: 04/08/2022 08:04

Thank you Maggie and others. Utah's laws have been on the books for a few years but pharmacists have seen participation as so burdensome that hardly any are willing to participate. Hoping to find examples in other states where the barriers to participation (for both pharmacists and women) is limited (or even non-existent).

- Utah Standing Order (with statute listed)
- Guidance from Division of Professional Licensing
- Utah Hormonal Contraceptive Self-Screening Questionnaire (Self Assessment Tool)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Thu, Aug 4, 2022 at 7:47 AM Maggie Davis <mdavis@astho.org> wrote:

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Additionally, I'm adding in some members of ASTHO's Family and Child Health team who have been working on the issue and could have insight on which states are successfully operating contraceptive access.

Thanks!

Maggie Davis, JD, MA
Director, State Health Policy
Gender Pronouns: She/Her/Hers
Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 855 Emory Point Drive NE, ASTHO, Suite C-100, Atlanta, GA 30329
Tel: (571) 318-5434 | astho.org
Twitter | Facebook | Blog

astho™

[redacted]

[redacted]

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Wednesday, August 3, 2022 6:00 PM
To: Maggie Davis <mdavis@astho.org>
Subject: Question: Access to Contraception in Other States

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[redacted]

[redacted]

[redacted]

SUBJECT: RE: Question: Access to Contraception in Other States
FROM: Ellen Pliska <epliska@astho.org>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Maggie Davis<mdavis@astho.org>
CC: Brittany Lee <blee@astho.org>, Shannon Vance <svance@astho.org>
DATE: 04/08/2022 08:59

[redacted]

[redacted]

Hi Marc,

Thanks for reaching out to ASTHO on this. I am the Family and Child Health Senior Director, and ASTHO's lead on contraception work with my colleagues (CCed). We are currently wor on this issue with one state, and, several years ago, we worked with several states on implementing their pharmacist prescribing policies.

Implementation has been hard for all states doing this. You are not alone. This may warrant a conversation, but I don't see in the below information is reimbursement, training/credentialing, enrollment processes, pharmacies' policies, and any connection to the public health agency. For example:

- General Questions: What was the rollout process? Did Utah do a pilot in a few sites to work out kinks before rolling out?
- Billing and coding: Payment must work for the program to be successful. Is billing overly burdensome to pharmacists? Have pharmacists successfully been paid or is the payme enough to justify the time?
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There are other considerations as well, but these are some good starting ones. Our team is happy to speak with you or connect you with other states that have done this.

~Ellen

Ellen (Schleicher) Pliska, MHS, CPH
Gender Pronouns: She/Her/Hers
Family and Child Health Senior Director, Community Health and Prevention
(571) 527-3187 | Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 600 Peachtree Street NE, Suite 1000, Atlanta, GA 30308
Twitter | Facebook | LinkedIn | Newsletters | Blog | Podcast | Daily Newscast

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 10:04 AM
To: Maggie Davis <mdavis@astho.org>
Cc: Ellen Pliska <epliska@astho.org>; Brittany Lee <blee@astho.org>; Shannon Vance <svance@astho.org>
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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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> There are at least 18 states that permit pharmacist-prescribed contraceptives (this report from the Guttmacher Institute describes 17 and South Carolina passed a new law this session). I'm happy to connect you with the other legislative liaisons from the states who worked on the issue, Scott Jaillette (jaillejs@dhec.sc.gov) is the liaison from South Carolin and may have insight on their new law.
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>
> Thanks!

[redacted]

Maggie Davis, JD, MA
Director, State Health Policy
Gender Pronouns: She/Her/Hers
Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 855 Emory Point Drive NE, ASTHO, Suite C-100, Atlanta, GA 30329
Tel: (571) 318-5434 | astho.org
Twitter | Facebook | Blog

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[redacted]

W210 State Capitol Complex
Salt Lake City, UT 84114

SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>, "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 04/08/2022 13:26

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
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mwatterson@utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> Sean, Russell, and Kimberly -
>
> Please see the attached reports from DHHS due to SSA by August 1, 2022:
>
> - Antipsychotic Use in Serious Mental Illness
> - Concurrent Prescriptions for Opioid and Benzodiazepines
> - Urine Drug Testing Report
>
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SUBJECT: Fwd: Question: Access to Contraception in Other States
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 04/08/2022 16:27

[redacted]

[redacted]

Here's what I have heard back from ASTHO so far on this

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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From: **Ellen Pliska** <epliska@astho.org>
Date: Thu, Aug 4, 2022 at 8:59 AM
Subject: RE: Question: Access to Contraception in Other States
To: Marc Watterson (DHHS) <mwatterson@utah.gov>, Maggie Davis <mdavis@astho.org>
Cc: Brittany Lee <blee@astho.org>, Shannon Vance <svance@astho.org>

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Marc B. Watterson
Director

[redacted]

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SUBJECT: Re: Question: Access to Contraception in Other States
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 05/08/2022 07:13

Good info! I'm going to try and find out who is our department would have the most knowledge/background/involvement with the standing order of pharmacist dispensing, maybe Laurie? I just don't know who was involved in this and where we could find the answers quickly.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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SUBJECT: Re: Question: Access to Contraception in Other States
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 05/08/2022 09:29

My guess is Laurie and Lynne Nilson would be the first people to contact.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human
Services

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[redacted]

[redacted]

---------- Forwarded message ---------
From: **Ellen Pliska** <epliska@astho.org>
Date: Thu, Aug 4, 2022 at 8:59 AM
Subject: RE: Question: Access to Contraception in Other States
To: Marc Watterson (DHHS) <mwatterson@utah.gov>, Maggie Davis <mdavis@astho.org>
Cc: Brittany Lee <blee@astho.org>, Shannon Vance <svance@astho.org>

Hi Marc,

Thanks for reaching out to ASTHO on this. I am the Family and Child Health Senior Director, and ASTHO's lead on contraception work with my colleagues (CCed). We are currently working on this issue with one state, and, several years ago, we worked with several states on implementing their pharmacist prescribing policies.

Implementation has been hard for all states doing this. You are not alone. This may warrant a conversation, but I don't see in the below information is reimbursement, training/credentialing, enrollment processes, pharmacies' policies, and any connection to the public health agency. For example:

- General Questions: What was the rollout process? Did Utah do a pilot in a few sites to work out kinks before rolling out?
- Billing and coding: Payment must work for the program to be successful. Is billing overly burdensome to pharmacists? Have pharmacists successfully been paid or is the payment enough to justify the time?
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  The Utah Pharmacy Association annual meeting is at the end of the month. It looks like April 29 has a 1-hour refresh session on pharmacist prescribing. Is the health department in contact with the Pharmacy Association? This may be a ripe space for engaging folks who are early adopters and can bring on others. It would be helpful to see how the session is attended and the questions people are asking.
- What is the health agency's role in pharmacy prescribing?

There are other considerations as well, but these are some good starting ones. Our team is happy to speak with you or connect you with other states that have done this.

~Ellen

Ellen (Schleicher) Pliska, MHS, CPH
Gender Pronouns: She/Her/Hers
Family and Child Health Senior Director, Community Health and Prevention
(571) 527-3187 | Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 600 Peachtree Street NE, Suite 1000, Atlanta, GA 30308
Twitter | Facebook | LinkedIn | Newsletters | Blog | Podcast | Daily Newscast

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 10:04 AM
To: Maggie Davis <mdavis@astho.org>
Cc: Ellen Pliska <epliska@astho.org>; Brittany Lee <blee@astho.org>; Shannon Vance <svance@astho.org>
Subject: Re: Question: Access to Contraception in Other States

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Thank you Maggie and others. Utah's laws have been on the books for a few years but pharmacists have seen participation as so burdensome that hardly any are willing to participate. Hoping to find examples in other states where the barriers to participation (for both pharmacists and women) is limited (or even non-existent).

- Utah Standing Order (with statute listed)
- Guidance from Division of Professional Licensing
- Utah Hormonal Contraceptive Self-Screening Questionnaire (Self Assessment Tool)

Marc B. Watterson
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On Thu, Aug 4, 2022 at 7:47 AM Maggie Davis <mdavis@astho.org> wrote:

> Hi Marc,

[redacted]

There are at least 18 states that permit pharmacist-prescribed contraceptives (this report from the Guttmacher Institute describes 17 and South Carolina passed a new law this session). I'm happy to connect you with the other legislative liaisons from the states who worked on the issue, Scott Jaillette (jaillejs@dhec.sc.gov) is the liaison from South Carolina and may have insight on their new law.

Additionally, I'm adding in some members of ASTHO's Family and Child Health team who have been working on the issue and could have insight on which states are successfully operating contraceptive access.

Thanks!

Maggie Davis, JD, MA
Director, State Health Policy
Gender Pronouns: She/Her/Hers
Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 855 Emory Point Drive NE, ASTHO, Suite C-100, Atlanta, GA 30329
Tel: (571) 318-5434 | astho.org
Twitter | Facebook | Blog

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Wednesday, August 3, 2022 6:00 PM
To: Maggie Davis <mdavis@astho.org>
Subject: Question: Access to Contraception in Other States

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Maggie -

Utah currently has a law in place that allows for women 18+ to access contraception but it is a bit of an administrative nightmare.

Do you know of any states that are operating this successfully? Have they run into issues with pharmacies being willing to participate? Liability for those that sell or prescribe?

Any help you and my counterparts could offer would be appreciated!

Marc B. Watterson
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SUBJECT: Re: Question: Access to Contraception in Other States
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 05/08/2022 09:37

I've already reached out to Laurie this morning, I've given her the background and sent her the questions that ASTHO posed. She's going to take a look at the documents and the questions and get back to me. I thought it might be good to have her look at everything we're proposing and get her thoughts but I told her that in particular we need some background on the standing order. Thanks! kb

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Fri, Aug 5, 2022 at 9:29 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
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[redacted]

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Utah Department of Health & Human Services

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>
> **From:** Marc Watterson (DHHS) <mwatterson@utah.gov>
> **Sent:** Wednesday, August 3, 2022 6:00 PM
> **To:** Maggie Davis <mdavis@astho.org>
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>
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> dhhs.utah.gov

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SUBJECT: Hold: ASTHO Peer Networks Meeting with National Family Planning &Reproductive Health Association
FROM: Maggie Davis <mdavis@astho.org>
TO: "jeff.lane@dhw.idaho.gov" <jeff.lane@dhw.idaho.gov>, "pray@utah.gov"<pray@utah.gov>, "olivia.spears@tn.gov" <olivia.spears@tn.gov>,"elizabeth.foy@tn.gov" <elizabeth.foy@tn.gov>,"hilary.waukau@dhs.wisconsin.gov" <hilary.waukau@dhs.wisconsin.gov>,"jaillejs@dhec.sc.gov" <jaillejs@dhec.sc.gov>,"Rachael.Hendrickson@dshs.texas.gov" <Rachael.Hendrickson@dshs.texas.gov>,"Haley.Ortiz@arkansas.gov" <Haley.Ortiz@arkansas.gov>,"carolyn.bern@adph.state.al.us" <carolyn.bern@adph.state.al.us>,"Spitzleyj2@michigan.gov" <Spitzleyj2@michigan.gov>, Susan Sporrer<susan.sporrer@state.sd.us>, "WrzkowskiM@Michigan.gov"<WrzkowskiM@Michigan.gov>, "mwatterson@utah.gov" <mwatterson@utah.gov>, ToddHarwell <tharwell@mt.gov>, "Lisa.Griffin@odh.ohio.gov"<Lisa.Griffin@odh.ohio.gov>, "franz.fuchs@wyo.gov" <franz.fuchs@wyo.gov>,"maddie.wilcox@idph.iowa.gov" <maddie.wilcox@idph.iowa.gov>,"megan.andrews@dph.ga.gov" <megan.andrews@dph.ga.gov>, Daryn Eikner<deikner@nfprha.org>, Connie White <connie.white@ky.gov>, Michele Jones<Michele.Jones@adph.state.al.us>, "melissa.mendoza@LA.gov"<melissa.mendoza@LA.gov>, Kirby Kruger <kkruger@nd.gov>,"Michael.Dillon@msdh.ms.gov" <Michael.Dillon@msdh.ms.gov>,"baylee.williams@health.ok.gov" <baylee.williams@health.ok.gov>,"katharine.smith@dph.ga.gov" <katharine.smith@dph.ga.gov>,"galvanr@michigan.gov" <galvanr@michigan.gov>,"Andrea.Gugel@dhs.wisconsin.gov" <Andrea.Gugel@dhs.wisconsin.gov>, EllenPliska <epliska@astho.org>, "michael.policar@ucsf.edu"<michael.policar@ucsf.edu>
CC: Carolyn Mullen <cmullen@astho.org>, Andy Baker-White<abaker-white@astho.org>, Lillian Colasurdo <lcolasurdo@astho.org>, ChristinaSeverin <cseverin@astho.org>, Brittany Lee <blee@astho.org>
DATE: 05/08/2022 10:51

[redacted]

[redacted]

Good afternoon everyone,

ASTHO is working with leaders from the National Family Planning & Reproductive Health Association to provide legislative liaisons and public health attorneys from jurisdictions with *Roe* abortion restrictions and trigger laws information to help protect access to contraceptives and other forms of reproductive healthcare. During this meeting, representatives from NFPRHA will provide insights from a leading family planning physician and one of NFPHRA's policy experts.

An agenda and call coordinates will be sent once the meeting time is confirmed.

Thanks!

Maggie Davis, JD, MA
Director, State Health Policy
Gender Pronouns: She/Her/Hers
Association of State and Territorial Health Officials
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Maggie

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[redacted]

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[redacted]

SUBJECT: RE: Legislative Required Reports for SSA - August 1, 2022
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>, "Sean C. Faherty"<sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Winters (DHHS)"<natewinters@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, "JenniferStrohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 08/08/2022 08:23

[redacted]

[redacted]

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
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Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

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Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> Sean, Russell, and Kimberly -
>
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[redacted]

SUBJECT: Fwd: Legislative Required Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>
DATE: 08/08/2022 08:35

Janae and Anna -

Could you help come up with a response for Russell's question (see thread below)?

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022, 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
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> **Marc B. Watterson**
> Director
> Office of Legislative Affairs

[redacted]

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DATE: 08/08/2022 09:31

[redacted]

[redacted]

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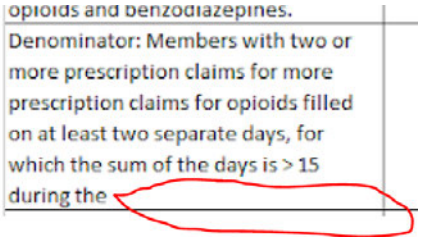
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FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>, "Sean C. Faherty"<sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Winters (DHHS)"<natewinters@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, "JenniferStrohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 08/08/2022 10:17

[redacted]

[redacted]

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>
DATE: 08/08/2022 10:29

Hi Marc,
I will get working on these responses.
Thanks,
jen

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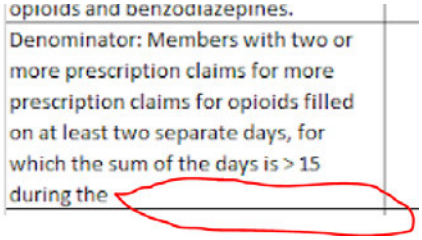
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DATE: 08/08/2022 16:59

Russell -

Jennifer Strohecker is working on a response to your questions on the Medicaid-related reports.

You mentioned August 10th in both of your emails, referencing one to Wednesday and another to Thursday. Could you clarify when you are hoping to have a response?

Marc B. Watterson
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Utah Department of
Health & Human Services
Legislative Affairs

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 17:30

Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps this is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges, but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

With that understanding, because the SCI / BI Rehabilitation Fund in Utah is a payor of last resort, we view the State as already participating in a cost-sharing program. Participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements (unsure what we are referring to here) weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, we will study the issue more. We have built in more measures to look at this over time, so a few years of collecting data would be helpful.

To make sure we are on the same page, could you share with us what the legislature considers to be Cost Sharing? It will be helpful for us all to work from the same definition and understanding of what would or would not constitute cost-sharing under this specific circumstance (SCI / BI Rehabilitation Fund). Is the legislature suggesting that the account be changed to start allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? What effect would this have on those who are least able to pay into the system? Would this not preclude many of them from receiving services as more funds are used to help those with some ability to pay (i.e "cost sharing")?

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mwatterson@utah.gov

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Utah Department of
Health & Human Services
Legislative Affairs

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Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

[redacted]

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Anna Fondario (DHHS)" <afondario@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 20:28

Thanks Marc, I like the response. In regards to the highlighted section referring to data elements - it is the additional data (measures) that the providers are now collecting from applicants. Let me know if more clarification is needed. Thanks all.

On Mon, Aug 8, 2022 at 5:31 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps this is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

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[redacted]

[redacted]
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Utah Department of
Health & Human Services
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Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

Utah Department of Health & Human Services
Population Health

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SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 05:33

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"[redacted]

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Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>
DATE: 09/08/2022 07:28

Hi Russell-
Happy to discuss if you'd like to give me a call.
385-280-3659.
Thanks, Jen

Sent from my iPhone

On Aug 8, 2022, at 10:29 AM, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov> wrote:

Hi Marc,
I will get working on these responses.
Thanks,
jen

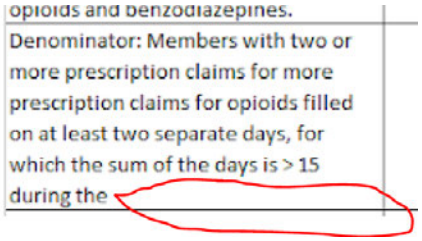
On Mon, Aug 8, 2022 at 9:31 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc – Please help with the follow up questions on the attached concurrent prescription report below by the end of Wednesday, August 10th. Thanks for your work on the report.

1. 2022 had 1,609 Medicaid clients taking both opioids and benzodiazepines. Statistically speaking how many of these clients will have adverse effects (hospital visits and death)?
2. Does the Department feel like there is nothing more that should be done to reduce the concurrent prescribing rate of opioids and benzodiazepines?
3. Some of the text in the table on page four is cut off as shown in the picture below. Could you please update and resubmit?

[redacted]

[redacted]


opioids and benzodiazepines.
Denominator: Members with two or more prescription claims for more prescription claims for opioids filled on at least two separate days, for which the sum of the days is > 15 during the

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Sent: Monday, August 1, 2022 11:10 PM
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DATE: 09/08/2022 08:08

Thank you, Marc, Anna, and team. I support David's edits, and otherwise don't have others to add.

HB

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Marc -

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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[redacted]

[redacted]

SUBJECT: RE: Legislative Required Reports for SSA - August 1, 2022
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>
CC: "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen<kmadsen@le.utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "NateWinters (DHHS)" <natewinters@utah.gov>, "Tonya Hales (DHHS)"<thales@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 09/08/2022 08:45

[redacted]

[redacted]

Sorry, please use the days of the week mentioned for the deadlines (Wednesday and Thursday).

Russell Frandsen
Finance Officer
Office of the Legislative Fiscal Analyst
State of Utah
Phone 801-538-1034
Fax 801-538-1692
rfrandsen@le.utah.gov
http://budget.utah.gov/

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Monday, August 8, 2022 5:00 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>
Cc: Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>; Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.go
Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Russell -

Jennifer Strohecker is working on a response to your questions on the Medicaid-related reports.

You mentioned August 10th in both of your emails, referencing one to Wednesday and another to Thursday. Could you clarify when you are hoping to ha
response?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
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On Mon, Aug 8, 2022 at 10:18 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

I would be happy to chat with someone rather than have a written response to the questions below if that is easier. Please provide a response by noon on Thursday, Au
10th.

1. Where in the report do you analyze Medicaid claim data for two or more concurrent antipsychotic medications?
    a. I only see an analysis of diagnosis codes accompanying antipsychotic medications and a general discussion of prescribing guidelines.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Monday, August 1, 2022 11:10 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS)
<jstrohecker@utah.gov>
Subject: Legislative Required Reports for SSA - August 1, 2022

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SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Amanda Slater (DHHS)" <aslater@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 09:26

Thanks Marc. With David's edit this looks good to me.

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Thank you, Marc, Anna, and team. I support David's edits, and otherwise don't have others to add.

HB

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I do have a couple of minor edits & thoughts on the last paragraph for your thoughts:

[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges, but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

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On Mon, Aug 8, 2022 at 8:23 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
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She/Her/Hers
C: 385.262.1800
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Utah Department of Health & Human Services

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DATE: 09/08/2022 10:53

Thank you for your much more eloquent phrasing David!

I will make those changes and send the response back to Russell.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
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Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

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DATE: 09/08/2022 10:59

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Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

[redacted]

[redacted]

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DATE: 09/08/2022 13:31

[redacted]

[redacted]

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BCC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
DATE: 09/08/2022 13:51

Thanks Russell. Hindsight being 20/20, we should have coordinated with the LFA before this to make sure we had a shared understanding of legislative intent on this report (and in particular what was meant by "cost-sharing"). Something that we will do moving forward.

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TO: Russell Frandsen <rfrandsen@le.utah.gov>
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DATE: 09/08/2022 21:19

Hello Russell,
the Medicaid report on Antipsychotic Medications was written in response to a report published by the Office of Health Care Statistics on October 31, 2021, presented May 18, 2022 to the Health and Human Services Interim Committee and at the direction of the Legislature. (See: https://health.utah.gov/wp-content/uploads/UDOH-OHCS-Waste-Calculator-Report-FINAL-10.31.21.pdf)
In response to your question: I did update the Antipsychotic Medications report to include a hyperlink to this original report published by the Office of Health Care Statistics. In this report, the Office of Health Care Statistics reports their outcomes of using the health waste calculator to identify potentially wasteful healthcare expenditures, specifically noting their findings around 2 or more antipsychotic medications. The Department did not do any additional analysis on the claims data on use of 2 or more antipsychotic medications. I hope this answers your question.

See updated report attached.

Please let me know if you have any questions.
Thanks,
jen

On Mon, Aug 8, 2022 at 10:18 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

I would be happy to chat with someone rather than have a written response to the questions below if that is easier. Please provide a response by noon on Thursday, August 10th.

1. Where in the report do you analyze Medicaid claim data for two or more concurrent antipsychotic medications?
    a. I only see an analysis of diagnosis codes accompanying antipsychotic medications and a general discussion of prescribing guidelines.

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DATE: 09/08/2022 22:51

Hi Marc,
I realized I responded to Russell directly on the AP email but thought I'd share my responses with you and others on this one so you could weigh in on my response, if desired.

1. 2022 had 1,609 Medicaid clients taking both opioids and benzodiazepines. Statistically speaking how many of these clients will have adverse effects (hospital visits and death)?

Response:
Below are two citations which address rates of harm/death from concurrent opioid and benzodiazepine use.
This data is presented in addition to the statistic presented in the report that showed the death rate from combined opioid and benzodiazepine use was 10 times higher than that with opioids alone. (See: https://academic.oup.com/painmedicine/article/17/1/85/1752837

-The CDC published a report on opioid/benzo hospitalizations and death. From this, **"Benzodiazepines were involved in 6,982 (16.8%) of 41,496 overdose deaths during January 2019 - June 2020 reported by 23 states, with opioids involved in 6,384 (91.4%) benzodiazepine deaths."**
See: https://www.cdc.gov/mmwr/volumes/70/wr/mm7034a2.htm#:~:text=Benzodiazepines%20were%20involved%20in%206%2C982,6%2C384%20%2891.4%25%29%20benzodiazepine%20deaths

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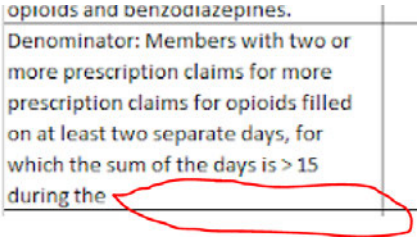

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Sean, Russell, and Kimberly -

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Marc B. Watterson
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SUBJECT:
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>,"Heather Borski (DHHS)" <hborski@utah.gov>,"Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 10/08/2022 10:42

David Litvack (DHHS) Nate Checketts (DHHS) Heather Borski (DHHS) have joined the conversation, 2022-08-10 09:42:59

Marc Watterson (DHHS), 2022-08-10 09:45:21

All comments have been resolved in the E-Cig Tax Report. We have one other report that is due by COB today (SAMH Pregnant Women/Opioid Settlement). Without objection, I would like to turn the E-cig Tax and SAMH reports in at the same time. Please let me know by 4:30 pm today if you do not want me to share the E-Cig Report with the LFA yet. At the very least, it needs to be turned in by this Friday.

Marc Watterson (DHHS), 2022-08-10 09:48:07

[redacted]

[redacted]

Link to E-Cig Report:

Marc Watterson (DHHS), 2022-08-10 09:48:10

[redacted]

SUBJECT:
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tonya Hales (DHHS)" <thales@utah.gov>,"Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 10/08/2022 10:49

Tonya Hales (DHHS) Nate Checketts (DHHS) have joined the conversation, 2022-08-10 09:49:01

Marc Watterson (DHHS), 2022-08-10 09:51:15

The SAMH Pregnant Women/Opioid Settlement report is due today. It appears all comments have been resolved (they added an Executive Summary). Without objection I plan to send the report in by COB today (approx. 5:00 pm).

Marc Watterson (DHHS), 2022-08-10 09:51:18

Here is the link to the Report: [redacted]

Tonya Hales (DHHS), 2022-08-10 09:58:59

I've reviewed already, but will wait for Nate to confirm. Also - I would recommend we add page numbers to the report.

Marc Watterson (DHHS), 2022-08-10 10:25:46

Thanks Tonya. I've gone ahead and added the page numbers

Nate Checketts (DHHS), 2022-08-10 11:32:53

Thanks. I have reviewed. I had one question for Tracy but don't know if she has had a chance to look at my question. I will let you know if I hear from her. If not, please plan to send at COB today.

Marc Watterson (DHHS), 2022-08-10 11:46:50

Thanks Nate

Nate Checketts (DHHS), 2022-08-10 11:49:15

Tracy has reviewed and OK'd the area where I had a question. The report is good to go.

Marc Watterson (DHHS), 2022-08-10 11:50:23

Thanks Nate. I think we are just awaiting final approval on the ecig report now.

SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 10/08/2022 13:28

Thanks for responding back to him directly Jen and sharing your responses with us.

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Utah Department of
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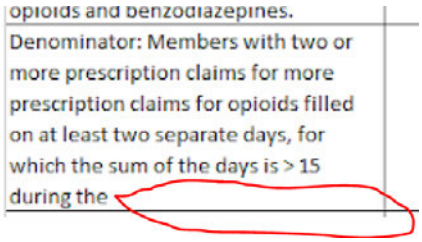
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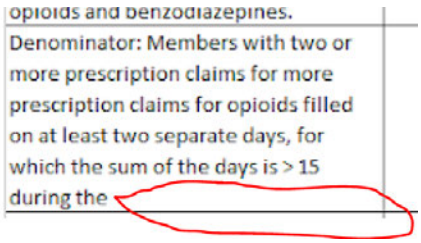
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2. Does the Department feel like there is nothing more that should be done to reduce the concurrent prescribing rate of opioids and benzodiazepines?

Response: The Department does believe that state mandated prescriber requirements when co-prescribing opioids and benzodiazepines would have a great impact, statewide, on reducing rates of opioid and benzodiazepine related harm. These provider requirements may include: checking the controlled substance database, documentation of counseling for risks of respiratory depression, prescribing of naloxone, coordinating with other prescribers, and documented attempts at deescalation / deprescribing of either the opioid or benzodiazepine. These are not Medicaid driven recommendations, but must be implemented statewide to change the provider responsibility when prescribing and managing individuals who receive both opioids and benzodiazepines.

3. Some of the text in the table on page four is cut off as shown in the picture below. Could you please update and resubmit? See the updated attached report.

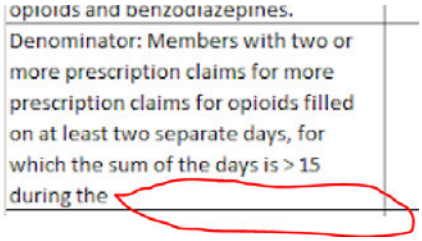
---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022 at 9:31 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc – Please help with the follow up questions on the attached concurrent prescription report below by the end of Wednesday, August 10th. Thanks for your work on the report.

1. 2022 had 1,609 Medicaid clients taking both opioids and benzodiazepines. Statistically speaking how many of these clients will have adverse effects (hospital visits and death)?
2. Does the Department feel like there is nothing more that should be done to reduce the concurrent prescribing rate of opioids and benzodiazepines?
3. Some of the text in the table on page four is cut off as shown in the picture below. Could you please update and resubmit?

[redacted]

[redacted]


opioids and benzodiazepines.
Denominator: Members with two or more prescription claims for more prescription claims for opioids filled on at least two separate days, for which the sum of the days is > 15 during the

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Monday, August 1, 2022 11:10 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>
CC: "mwatterson@utah.gov" <mwatterson@utah.gov>, "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>
DATE: 10/08/2022 13:42

Hello Russell,

[redacted]

[redacted]

I hope you are well.
Please see below for responses to your questions on concurrent opioids and benzodiazepines. Additionally, see the updated report (attached). Please let me know if you have any additional questions.

1. 2022 had 1,609 Medicaid clients taking both opioids and benzodiazepines. Statistically speaking how many of these clients will have adverse effects (hospital visits and death)?

Response:
Below are two citations which address rates of harm/death from concurrent opioid and benzodiazepine use.
This data is presented in addition to the statistic presented in the report that showed the death rate from combined opioid and benzodiazepine use was 10 times higher than that with opioids alone. (See: https://academic.oup.com/painmedicine/article/17/1/85/1752837

-The CDC published a report on opioid/benzo hospitalizations and death. From this, **"Benzodiazepines were involved in 6,982 (16.8%) of 41,496 overdose deaths during January 2019 - June 2020 reported by 23 states, with opioids involved in 6,384 (91.4%) benzodiazepine deaths."**
See: https://www.cdc.gov/mmwr/volumes/70/wr/mm7034a2.htm#:~:text=Benzodiazepines%20were%20involved%20in%206%2C982,6%2C384%20%2891.4%25%29%20benzodiazepine%20deaths

-A study published in the British Medical Journal found the following among 315,428 privately insured people aged 18-64 who filled at least one prescription for an opioid. Findings: Compared with opioid users who did not use benzodiazepines, concurrent use of both drugs was associated w/ an increased risk of ER visit or inpatient admission for opioid overdose...elimination of concurrent opioid and benzodiazepine use would reduce ER visits and inpatient admissions for opioid overdose by 15%. (see: https://www.bmj.com/content/356/bmj.j760)

2. Does the Department feel like there is nothing more that should be done to reduce the concurrent prescribing rate of opioids and benzodiazepines?

Response: In addition to the recommendations outlined in the report, the Department does believe that state mandated prescriber requirements when co-prescribing opioids and benzodiazepines would have a great impact, statewide, on reducing rates of opioid and benzodiazepine related harm. These provider requirements may include: checking the controlled substance database, documentation of counseling for risks of respiratory depression, prescribing of naloxone, coordinating with other prescribers, and documented attempts at deescalation / deprescribing of either the opioid or benzodiazepine. These are not Medicaid driven recommendations, but must be implemented statewide to change the provider responsibility when prescribing and managing individuals who receive both opioids and benzodiazepines. The Department would be happy to meet with Legislators to discuss this and other ideas to promote clinically appropriate and safe prescribing of these medications.

3. Some of the text in the table on page four is cut off as shown in the picture below. Could you please update and resubmit? See the updated attached report.

On Mon, Aug 8, 2022 at 9:31 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

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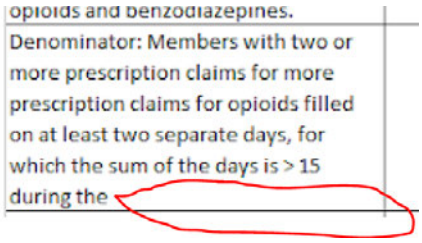
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From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Monday, August 1, 2022 11:10 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

[redacted]

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[redacted]

SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>, "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 10/08/2022 17:39

Sean, Russell, and Kimberly -

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

[redacted]

Utah Department of
Health & Human Services
Legislative Affairs

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On Thu, Aug 4, 2022 at 1:26 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

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Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: IPV data - older
FROM: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
TO: "Andrea Porras (DHHS)" <acporras@utah.gov>, brooke@timplegal.org, "Brooke St John (DHHS)" <bstjohn@utah.gov>, "Charri Brummer (DHHS)" <cbrummer@utah.gov>, "Crystal Vail (DHHS)" <cvail@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Diane Moore (DHHS)" <dmoore@utah.gov>, Dorothy Hall <dthall@utah.gov>, Erin Jemison <ejemison@udvc.org>, Gary Scheller <garys@utah.gov>, jcampbell@udvc.org, Julie Valentine <julievalentine@utah.gov>, kmadsen@le.utah.gov, Liliana Olvera-Arbon <liliana@ucasa.org>, Melanie Scarlet <mscarlet@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Nubia Pena <npena@utah.gov>, Ned Searle <nsearle@utah.gov>, Susan Madsen <susan.madsen@usu.edu>, Tyler Kotter <tkotter@utah.gov>, Tonia Jones <toniajones@utah.gov>, Tracey Tabet <ttabet@agutah.gov>, Tallie VIteri <tviteri@utah.gov>, Yolanda Francisco-Nez <yolanda@restoringawcoalition.org>
DATE: 11/08/2022 13:59

[redacted]

[redacted]

Teresa Brechlin-Betzer
Program Manager
Violence and Injury Prevention Program
She/Her/Hers
Mobile. 385.214.5933
https://vipp.health.utah.gov/
Telework Schedule. M-F 8:30 am - 4:30 pm
Utah Department of Health & Human Services
Population Health

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

I do not see anything specific to the Hospital
Unless directed I won't plan to attend in person.

Sent from my iPhone

Begin forwarded message:

From: Jeannie Edens <JEdens@slco.org>
Date: August 12, 2022 at 4:21:35 PM MDT
To: Amanda Alkema <aalkema@utah.gov>, Beth Smith <beths@brmh.com>, Brent Kelsey <BKELSEY@utah.gov>, "Dallas Earnshaw;" <dearnshaw@utah.gov>, efklc@utah.gov, Eric Tadehara <erictadehara@utah.gov>, Juergan Korbanka <korbanka@wasatch.org>, Katherine Rhodes <katherine@uacnet.org>, Kevin Eastman <kevine@weberhs.org>, Mike Deal <mdeal@sbhcutah.org>, Travis Wood <travis@csclobby.com>
Cc: Tim Whalen <TWhalen@slco.org>, Brian Currie <BCurrie@slco.org>, Zac Case <ZCase@slco.org>
Subject: Social Services Appropriations Agendas for Next Week

[redacted]

[redacted]

Hi all,

The SSA agenda's were just sent out.

Some of the items closest to us are:

- Justifications for 60 Annual Drug Test Maximum for Medicaid Clients
- Opioid Settlement Fund Recommendations from Social Services
- Explore the Validity of Drug Tests in Medicaid
- Services for Pregnant Women With Substance Abuse Disorder
- Affordable Housing Funding
- Mental Health and Youth in Rural Utah, What Programs and Funding Exist for them? Ages 3-21
- Improve Sharing of Information With the Utah Office of Inspector General
- Concurrent Prescribing of Two or More Antipsychotic Medications in Medicaid
- Recommendations to Reduce Concurrent Prescription Rate in Medicaid for Opioids and Benzodiazepines

Morning agenda here.
Afternoon agenda here.

Have a great weekend,

SALT LAKE COUNTY BEHAVIORAL HEALTH SERVICES

Jeannie Edens
Associate Director
BEHAVIORAL HEALTH SERVICES
Phone: 801-703-8080
Fax: 385-468-4740

If this e-mail contains confidential information as defined under 42 CFR part 2, the following applies: This information has been disclosed to you from records protected by federal confidentiality rules (42 CFR part 2). The federal rules prohibit you from making any further disclosure of information in this record that identifies a patient as having or having had a substance use disorder either directly, by reference to publicly available information, or through verification of such identification by another person unless further disclosure is expressly permitted by the written consent of the individual whose information is being disclosed or as otherwise permitted by 42 CFR part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose (see § 2.31). The federal rules restrict any use of the information to investigate or prosecute with regard to a crime any patient with a substance use disorder, except as provided at §§ 2.12(c)(5) and 2.65.

[redacted]

[redacted]

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SUBJECT: Re: Social Services Appropriations Agendas for Next Week
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Dallas Earnshaw (DHHS)" <dearnshaw@utah.gov>
CC: Brent Kelsey <BKELSEY@utah.gov>, Jeremy Christensen <jeremy@utah.gov>, Nathan Checketts <natechecketts@utah.gov>
DATE: 12/08/2022 17:02

That is correct Dallas, you all are off the hook for this month!

I spent so much time coordinating with those that were on the agenda I forgot to let people know if they were not on the agenda. Thanks for checking in.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Fri, Aug 12, 2022 at 4:57 PM Dallas Earnshaw (DHHS) <dearnshaw@utah.gov> wrote:
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Unless directed I won't plan to attend in person.

Sent from my iPhone

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From: Jeannie Edens <JEdens@slco.org>
Date: August 12, 2022 at 4:21:35 PM MDT
To: Amanda Alkema <aalkema@utah.gov>, Beth Smith <beths@brmh.com>, Brent Kelsey <BKELSEY@utah.gov>, "Dallas Earnshaw;" <dearnshaw@utah.gov>, efklc@utah.gov, Eric Tadehara <erictadehara@utah.gov>, Juergan Korbanka <korbanka@wasatch.org>, Katherine Rhodes <katherine@uacnet.org>, Kevin Eastman <kevine@weberhs.org>, Mike Deal <mdeal@sbhcutah.org>, Travis Wood <travis@csclobby.com>
Cc: Tim Whalen <TWhalen@slco.org>, Brian Currie <BCurrie@slco.org>, Zac Case <ZCase@slco.org>
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[redacted]

[redacted]

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[redacted]

- 26-21-2 (13)
- [redacted]

[redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT:
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tonya Hales (DHHS)" <thales@utah.gov>,"Nate Checketts (DHHS)" <natechecketts@utah.gov>,Brent Kelsey DHS <bkelsey@utah.gov>,"Eric Tadehara (DHHS)" <erictadehara@utah.gov>
DATE: 15/08/2022 10:50

Eric Tadehara (DHHS) Brent Kelsey DHS Tonya Hales (DHHS) Nate Checketts (DHHS) have joined the conversation, `2022-08-15 09:50:37`

Marc Watterson (DHHS), `2022-08-15 09:51:18`

Brent and Eric - unless I missed them somewhere I cannot find slides to send to SSA for the follwoing items:

Marc Watterson (DHHS), `2022-08-15 09:51:34`

*Opioid Settlement Fund Recommendations from Social Services

Marc Watterson (DHHS), `2022-08-15 09:51:49`

*Mental Health and Youth in Rural Utah, What Programs and Funding Exist for Them? Ages 3-21

Marc Watterson (DHHS), `2022-08-15 09:52:32`

My notes indicate that you had hoped to prepare 3-4 slides each to help with the discussion for the two items

Eric Tadehara (DHHS), `2022-08-15 09:56:20`

ooops, i will share

Eric Tadehara (DHHS), `2022-08-15 09:56:22`

i thought i didd

Marc Watterson (DHHS), `2022-08-15 10:08:09`

Please send over ASAP. LFA is waiting for us to send over all materials. Thanks!

Marc Watterson (DHHS), `2022-08-15 10:08:38`

I have the one for "Pregnant Women with SUD", just not the other two.

Nate Checketts (DHHS), `2022-08-15 10:20:29`

Eric, can you reshare those slides with me? I have not looked at them yet.

Eric Tadehara (DHHS), `2022-08-15 11:01:29`

[redacted]

[redacted]

i've been trying to share them and it's not working. let me know if this work: [redacted]

Eric Tadehara (DHHS), 2022-08-15 11:02:25

i had to makee a new copy, i hope this one works, i was getting a corrupted file error before

Marc Watterson (DHHS), 2022-08-15 11:03:30

Yes, I am able to access the Rural Mental Health slides you just shared

Eric Tadehara (DHHS), 2022-08-15 11:04:58

thanks, brett peterson asked me to put the slides 4/5 for JJYS

Marc Watterson (DHHS), 2022-08-15 11:07:25

Eric, any update on the slides for:
*Opioid Settlement Fund Recommendations from Social Services

Brent Kelsey DHS, 2022-08-15 11:09:54

Because we are not actually presenting, i am not sure where this discussion will go. We have our previous slide decks that contain our previous recommendations. Not sure sending slides in response to questions we don’t know is the best strategy

Marc Watterson (DHHS), 2022-08-15 11:15:14

This is what is the notes for this agenda item from LFA:

Marc Watterson (DHHS), 2022-08-15 11:15:16

Need specific recommendations with funding amounts. What is the process to propose funding requests from this funding source?

Brent Kelsey DHS, 2022-08-15 11:16:17

I thought we were told at the legislative prep meeting that this agenda item had changed and that Russell was now presenting?

Marc Watterson (DHHS), 2022-08-15 11:16:43

You are correct

Brent Kelsey DHS, 2022-08-15 11:17:01

Do we know what he is presenting?

Marc Watterson (DHHS), 2022-08-15 11:40:06

I have messaged him and asked.

Marc Watterson (DHHS), 2022-08-15 11:40:09

We'll just need Nate to review the Rural Mental Health

Brent Kelsey DHS, 2022-08-15 11:40:44

Thanks.

Marc Watterson (DHHS), 2022-08-15 12:09:12

No need for slides for Opioid Settlement

Marc Watterson (DHHS), 2022-08-15 12:10:33

"DHHS just should be available for questions. I will prepare a summary of the task force recommendations provided in June (posted online as 4a under afternoon meeting"

Marc Watterson (DHHS), 2022-08-15 12:16:49

*morning

Marc Watterson (DHHS), 2022-08-15 12:16:57

Here is the link: https://le.utah.gov/interim/2022/pdf/00003101.pdf

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Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: ASTHO Peer Networks Meeting with National Family Planning &Reproductive Health Association
FROM: Maggie Davis <mdavis@astho.org>
TO: "jeff.lane@dhw.idaho.gov" <jeff.lane@dhw.idaho.gov>, "pray@utah.gov"<pray@utah.gov>, "olivia.spears@tn.gov" <olivia.spears@tn.gov>,"elizabeth.foy@tn.gov" <elizabeth.foy@tn.gov>,"hilary.waukau@dhs.wisconsin.gov" <hilary.waukau@dhs.wisconsin.gov>,"jaillejs@dhec.sc.gov" <jaillejs@dhec.sc.gov>,"Rachael.Hendrickson@dshs.texas.gov" <Rachael.Hendrickson@dshs.texas.gov>,"Haley.Ortiz@arkansas.gov" <Haley.Ortiz@arkansas.gov>,"carolyn.bern@adph.state.al.us" <carolyn.bern@adph.state.al.us>,"Spitzleyj2@michigan.gov" <Spitzleyj2@michigan.gov>, Susan Sporrer<susan.sporrer@state.sd.us>, "WrzkowskiM@Michigan.gov"<WrzkowskiM@Michigan.gov>, "mwatterson@utah.gov" <mwatterson@utah.gov>, ToddHarwell <tharwell@mt.gov>, "Lisa.Griffin@odh.ohio.gov"<Lisa.Griffin@odh.ohio.gov>, "franz.fuchs@wyo.gov" <franz.fuchs@wyo.gov>,"maddie.wilcox@idph.iowa.gov" <maddie.wilcox@idph.iowa.gov>,"megan.andrews@dph.ga.gov" <megan.andrews@dph.ga.gov>, Daryn Eikner<deikner@nfprha.org>, Connie White <connie.white@ky.gov>, Michele Jones<Michele.Jones@adph.state.al.us>, "melissa.mendoza@LA.gov"<melissa.mendoza@LA.gov>, Kirby Kruger <kkruger@nd.gov>,"Michael.Dillon@msdh.ms.gov" <Michael.Dillon@msdh.ms.gov>,"baylee.williams@health.ok.gov" <baylee.williams@health.ok.gov>,"katharine.smith@dph.ga.gov" <katharine.smith@dph.ga.gov>,"galvanr@michigan.gov" <galvanr@michigan.gov>,"Andrea.Gugel@dhs.wisconsin.gov" <Andrea.Gugel@dhs.wisconsin.gov>, EllenPliska <epliska@astho.org>, "michael.policar@ucsf.edu"<michael.policar@ucsf.edu>, "rsummers@nfprha.org" <rsummers@nfprha.org>,"Sancha.Howard@adph.state.al.us" <Sancha.Howard@adph.state.al.us>,"Virginia.M.Payne@wv.gov" <Virginia.M.Payne@wv.gov>,"convertinov@michigan.gov" <convertinov@michigan.gov>,"barbara.klein@dshs.texas.gov" <barbara.klein@dshs.texas.gov>,"Cynthia.Hernandez3@hhs.texas.gov" <Cynthia.Hernandez3@hhs.texas.gov>,"Rashandra.Hayes@dshs.state.tx.us" <Rashandra.Hayes@dshs.state.tx.us>,"BrittWD@dhec.sc.gov" <BrittWD@dhec.sc.gov>, "kristin.miller@dph.ga.gov"<kristin.miller@dph.ga.gov>, "Farhan.Khan@hhsc.state.tx.us"<Farhan.Khan@hhsc.state.tx.us>, "brian.hale@adph.state.al.us"<brian.hale@adph.state.al.us>, "Nycia.Deal@hhsc.state.tx.us"<Nycia.Deal@hhsc.state.tx.us>, "Neal.Elliott@LA.GOV" <Neal.Elliott@LA.GOV>,"tbbrandner@nd.gov" <tbbrandner@nd.gov>, "Rachel.Appelt@tn.gov"<Rachel.Appelt@tn.gov>, "jackson.engels@wyo.gov" <jackson.engels@wyo.gov>,"Sarah.Raybin@tn.gov" <Sarah.Raybin@tn.gov>, "LaTeshya.Martin@msdh.ms.gov"<LaTeshya.Martin@msdh.ms.gov>, "HendricksE@michigan.gov"<HendricksE@michigan.gov>, "sandram.rowe@dhs.wisconsin.gov"<sandram.rowe@dhs.wisconsin.gov>, "maynardw@dhec.sc.gov"<maynardw@dhec.sc.gov>, "taylorwm@dhec.sc.gov" <taylorwm@dhec.sc.gov>,"laura.shue@arkansas.gov" <laura.shue@arkansas.gov>,"reginald.rogers@arkansas.gov" <reginald.rogers@arkansas.gov>,"Richard.moore@health.mo.gov" <Richard.moore@health.mo.gov>,"Stephaniesaperstein@utah.gov" <Stephaniesaperstein@utah.gov>,"Kimberly.humbles@la.gov" <Kimberly.humbles@la.gov>, "David.McCay@la.gov"<David.McCay@la.gov>, "m.claire.winterholler@wv.gov"<m.claire.winterholler@wv.gov>, "Paige.v.edwards@tn.gov"<Paige.v.edwards@tn.gov>, "brittanyhuff@utah.gov" <brittanyhuff@utah.gov>,"Socrates.Tuch@odh.ohio.gov" <Socrates.Tuch@odh.ohio.gov>,"MonicaD.Allen@msdh.ms.gov" <MonicaD.Allen@msdh.ms.gov>, Tom Martinec<tom.martinec@state.sd.us>, "Cassandra.Walter@msdh.ms.gov"<Cassandra.Walter@msdh.ms.gov>, "misha.westby@wyo.gov"<misha.westby@wyo.gov>, "CampbellB8@michigan.gov" <CampbellB8@michigan.gov>,"mykel.frye@health.ok.gov" <mykel.frye@health.ok.gov>,"andrew.figueroa@dhw.idaho.gov" <andrew.figueroa@dhw.idaho.gov>
CC: Carolyn Mullen <cmullen@astho.org>, Andy Baker-White<abaker-white@astho.org>, Lillian Colasurdo <lcolasurdo@astho.org>, ChristinaSeverin <cseverin@astho.org>, Brittany Lee <blee@astho.org>, JoAnne McClure<jmcclure@astho.org>, Parker Beene <pbeene@astho.org>, Lana McKinney<lmckinney@astho.org>, Beth Giambrone <bgiambrone@astho.org>
DATE: 16/08/2022 12:35

[redacted]

[redacted]

Good afternoon everyone,

Attached is the agenda for our upcoming meeting between members of the ASTHO Legislative Liaison and Public Health Attorneys Peer networks and leaders from the National Famil
Planning & Reproductive Health Association. The goal of this call is to provide attendees evidence-based information on contraception and family planning medicine, an opportunity
peer-to-peer conversations, and to identify any additional resources or technical assistance to states to support access to contraception and other forms of reproductive healthcare.

Call coordinates are below:

Topic: ASTHO Peer Networks Meeting with National Family Planning & Reproductive Health Association
Time: Aug 22, 2022 04:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
[redacted]

Meeting ID: [redacted]
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[redacted] US

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US (Chicago)
US (New York)
US
US
US (San Jose)
US
US (Tacoma)
US (Houston)
US
US (San Jose)
US
Meeting ID: [redacted]
Find your local number: [redacted]

Thanks!

Maggie Davis, JD, MA
Director, State Health Policy
Gender Pronouns: She/Her/Hers
Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 855 Emory Point Drive NE, ASTHO, Suite C-100, Atlanta, GA 30329
Tel: (571) 318-5434 | astho.org
Twitter | Facebook | Blog

Maggie

[redacted]

[redacted]

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SUBJECT: Tentatively Accepted: ASTHO Peer Networks Meeting with NationalFamily Planning... @ Mon Aug 22, 2022 2pm - 3:15pm (MDT) (Maggie Davis)
FROM: mwatterson@utah.gov
TO: Maggie Davis <mdavis@astho.org>
DATE: 16/08/2022 17:48

mwatterson@utah.gov has replied "Maybe" to this invitation.

Attachments

image001.png

ASTHOStat - Pre Roe

Good afternoon everyone,

Attached is the agenda for our upcoming meeting between members of the ASTHO Legislative Liaison and Public Health Attorneys Peer networks and leaders from the National Family Planning & Reproductive Health Association. The goal of this call is to provide attendees evidence-based information on contraception and family planning medicine, an opportunity for peer-to-peer conversations, and to identify any additional resources or technical assistance to states to support access to contraception and other forms of reproductive healthcare.

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Time: Aug 22, 2022 04:00 PM Eastern Time (US and Canada)

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Thanks!

Maggie Davis, JD, MA
Director, State Health Policy
Gender Pronouns: She/Her/Hers
Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 855 Emory Point Drive NE, ASTHO, Suite C-100, Atlanta, GA 30329
Tel: (571) 318-5434 | astho.org
Twitter | Facebook | Blog
[cid:image001.png@01D8A8CA.1D807E50]

Maggie

[redacted]

[redacted]

When
Monday Aug 22, 2022 · 2pm – 3:15pm (Mountain Time - Denver)

Organizer
Maggie Davis
mdavis@astho.org

Guests
mwatterson@utah.gov - creator
baylee.williams@health.ok.gov
carolyn.bern@adph.state.al.us
Connie White
Ellen Pliska
Franz Fuchs
haley.ortiz@arkansas.gov
jeff.lane@dhw.idaho.gov
Kirby Kruger
maddie.wilcox@idph.iowa.gov
megan.andrews@dph.ga.gov
michael.policar@ucsf.edu
pray@utah.gov
brian.hale@adph.state.al.us
brittanyhuff@utah.gov
brittwd@dhec.sc.gov
campbellb8@michigan.gov
Jackson Engels
kimberly.humbles@la.gov
m.claire.winterholler@wv.gov
Misha Westby
paige.v.edwards@tn.gov
richard.moore@health.mo.gov
socrates.tuch@odh.ohio.gov
stephaniesaperstein@utah.gov
virginia.m.payne@wv.gov
andrea.gugel@dhs.wisconsin.gov
Daryn Eikner
elizabeth.foy@tn.gov
galvanr@michigan.gov
hilary.waukau@dhs.wisconsin.gov
jaillejs@dhec.sc.gov
katharine.smith@dph.ga.gov
lisa.griffin@odh.ohio.gov
melissa.mendoza@la.gov
michael.dillon@msdh.ms.gov
Michele Jones
olivia.spears@tn.gov
rachael.hendrickson@dshs.texas.gov
spitzleyj2@michigan.gov
Susan Sporrer
Todd Harwell
wrzkowskim@michigan.gov
andrew.figueroa@dhw.idaho.gov
barbara.klein@dshs.texas.gov
cassandra.walter@msdh.ms.gov
convertinov@michigan.gov
cynthia.hernandez3@hhs.texas.gov
david.mccay@la.gov
farhan.khan@hhsc.state.tx.us
hendrickse@michigan.gov
kristin.miller@dph.ga.gov
lateshya.martin@msdh.ms.gov
laura.shue@arkansas.gov
maynardw@dhec.sc.gov
monicad.allen@msdh.ms.gov
mykel.frye@health.ok.gov
neal.elliott@la.gov
nycia.deal@hhsc.state.tx.us
rachel.appelt@tn.gov
rashandra.hayes@dshs.state.tx.us
reginald.rogers@arkansas.gov

[redacted]

[redacted]
rsummers@nrprna.org
sancha.howard@adph.state.al.us
sandram.rowe@dhs.wisconsin.gov
sarah.raybin@tn.gov
taylorwm@dhec.sc.gov
tbbrandner@nd.gov
Tom Martinec
Andy Baker-White - optional
Carolyn Mullen - optional
Brittany Lee - optional
Christina Severin - optional
Lillian Colasurdo - optional
Beth Giambrone - optional
JoAnne McClure - optional
[redacted] McKinney - optional
Parker Beene - optional

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[redacted]

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[redacted]

Best,

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: Draft Sep/Oct HHS Interim Committee outlines
FROM: Mark Andrews <markandrews@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>, "Ray, Paul" <pray@utah.gov>
CC: Daniel Cheung <dcheung@le.utah.gov>, Victoria Ashby <vashby@le.utah.gov>,Christopher Williams <cwilliams@le.utah.gov>, Seth Anderson<sanderson@le.utah.gov>
DATE: 07/09/2022 11:00

[redacted]

[redacted]

Marc and Paul,

The following agendas and outlines for September and October are based on direction from the committee chairs but are still subject to final approval. However, we don't expect an significant modifications.

We've listed DHHS as a presenter in several cases, with the hope the department will be available. As usual, where the department is not listed as a presenter, it would still be much appreciated if individuals with relevant expertise were on hand to address questions that may come up (e.g., with respect to Rep. Lesser's two Medicaid coverage bills — Item 7 in September).

The October will likely have other items added to the end of the agenda, perhaps addressing healthcare reform.

Seth will get with you to discuss in more detail what the chairs are hoping to accomplish with Agenda Item 2, *Site Visit to Tooele Human Services – Follow-Up*. He or I will also get with about Item 8, *Medicaid – Mental Healthcare for Adults*.

SEPTEMBER

Health and Human Services Interim Committee

Wednesday, September 21, 2022
1:15 p.m. – 3:45 p.m.
Room 30 House Building, State Capitol Complex, Salt Lake City, Utah
(Outline version: 09/06/22)

AGENDA OVERVIEW
(Click items below to jump to details)

1. Committee Business
2. Site Visit to Tooele Human Services – Follow-Up
3. Behavioral Health Crisis Response Commission
4. Sunset Review – Behavioral Health Receiving Center Grant Program
5. Sunset Review – Forensic Mental Health Coordinating Council
6. Healthcare Reform – Prescription Drugs
7. Medicaid – Pregnancy and Postpartum Coverage
8. Medicaid – Mental Healthcare for Adults
9. Adjourn

Approximate Time Frame

1:15 **1. Committee Business** (5 minutes)
In addition to other business, the committee will consider requests to open bill files.

Background

- Draft minutes of the June 15, 2022, and August 17, 2022, meetings
- Consolidation of the Department of Health and the Department of Human Services: latest information available here

Presenters

- Chair Michael Kennedy

Potential Action

- Approve minutes
- Request the opening of committee bill files

1:20 **2. Site Visit to Tooele Human Services – Follow-Up** (20 minutes)
As follow-up to last month's site visit, the committee will be briefed on the establishment of current and future receiving centers used to improve care for persons in n of mental healthcare.

Background

- Forthcoming: Receiving centers report

Potential Issues

- Capacity, funding, and efficacy of receiving centers

Presenters

- Division of Integrated Healthcare, Utah Department of Health and Human Services

[redacted]

- Request additional information or committee legislation

1:40 **3. Behavioral Health Crisis Response Commission** (10 minutes)

Absent further action by the Legislature, Utah Code Title 63C, Chapter 18, Behavioral Health Crisis Response Commission*, and related subsections will be repealed Jul 2023. The committee will conduct a sunset review to determine whether the chapter and related subsections should be reauthorized for up to 10 years, with or withou amendment, or allowed to sunset as scheduled.*

Background

- Utah Code Title 63C, Chapter 18, Behavioral Health Crisis Response Commission
- List of related subsections subject to sunset (Source: Office of Legislative Research and General Counsel; see page 2)

Presenters

- Behavioral Health Crisis Response Commission
- Public comment

Potential Action

- Recommend draft legislation, with or without amendments

1:50 **4. Sunset Review – Behavioral Health Receiving Center Grant Program** (10 minutes)

Absent further action by the Legislature, Utah Code Section 62A-15-118, Behavioral Health Receiving Center Grant Program*, will be repealed July 1, 2023. The commi will conduct a sunset review to determine whether the section should be reauthorized for up to 10 years, with or without amendment, or allowed to sunset as schedul*

Background

- Utah Code Section 62A-15-118, Behavioral Health Receiving Center Grant Program
- Forthcoming: Grants report

Presenters

- Division of Integrated Healthcare, Utah Department of Health and Human Services
- Public comment

Potential Action

- Recommend draft legislation, with or without amendments

2:00 **5. Sunset Review – Forensic Mental Health Coordinating Council** (5 minutes)

As follow-up to its June meeting, the committee will consider draft legislation requested by the committee.

Background

- DRAFT COMMITTEE LEGISLATION: *Forensic Mental Health Amendments* (Source: Office of Legislative Research and General Counsel)

Presenters

- Representative Steve Eliason
- Public comment

Potential Action

- Recommend draft legislation, with or without amendments.

2:05 **6. Healthcare Reform – Prescription Drugs** (15 minutes)

As follow-up to its May meeting, the committee will consider draft legislation requested by the committee.

Background

Office of Legislative Research and General Counsel)

Presenters

- Representative Raymond P. Ward
- Public comment

Potential Action

- Recommend draft legislation, with or without amendments

2:20 **7. Medicaid – Pregnancy and Postpartum Coverage** (20 minutes)

The committee will consider draft legislation that increases the Medicaid income eligibility threshold for pregnant and postpartum women and extends Medicaid's 60-d eligibility for postpartum women to 12 months.

Background

- DRAFT LEGISLATION: *Postpartum Medicaid Coverage Amendments* (Source: Representative Rosemary T. Lesser)
- DRAFT LEGISLATION: *Pregnancy Medicaid Coverage Amendments* (Source: Representative T. Lesser)

Presenters

- Representative Rosemary Lesser
- Public comment

Potential Action

- Recommend draft legislation, with or without amendments.

2:40 **8. Medicaid – Mental Healthcare for Adults** (15 minutes)

The committee will be briefed on the implementation of a Medicaid waiver requested and approved as the result of 2020 H.B. 219, Mental Health Amendments*. The w authorizes Medicaid coverage for mental health services provided to an adult in an institution for mental disease (IMD) with more than 16 beds for up to 30 days, on average. The committee will also consider whether coverage period could be lengthened.*

Background

- Letter approving extension Utah's Medicaid Reform 1115 Demonstration project through June 30, 2027 (Source: Centers for Medicare and Medicaid Services; see Section 12, Serious Mental Illness Program And Benefits, at pages 31-42)

Potential Issues

- Capacity, funding, and efficacy of receiving centers

Presenters

- Division of Integrated Healthcare, Utah Department of Health and Human Services
- Public comment

Potential Action

- Request additional information or committee legislation

3:25 **9. Adjourn**

Wednesday, October 19, 2022
1:15 p.m. – 3:45 p.m.
Room 30 House Building, State Capitol Complex, Salt Lake City, Utah
(Outline version: 09/07/22)

AGENDA OVERVIEW
(Click items below to jump to details)

1. Committee Business
2. Local Health Department Funding
3. Consolidation of the Department of Health and the Department of Human Services
4. Sunset Review – Assisted Living Facility Transfers
5. Sunset Review – Utah Marriage Commission Dedicated Credits

Approximate Time Frame

1:15 **1. Committee Business** (5 minutes)

Background

- Draft minutes of the September 21, 2022, meetings
- Consolidation of the Department of Health and the Department of Human Services: latest information available here

Potential Action

- Approve minutes

1:20 **2. Local Health Department Funding** (20 minutes)
As follow-up to its June meeting, the committee will consider draft legislation requested by the committee.

Background

- DRAFT COMMITTEE LEGISLATION: *Local Health Department Revisions* (Source: Office of Legislative Research and General Counsel)

Presenters

- Committee member
- Public comment

Potential Action

- Recommend draft legislation, with or without amendments.

1:40 **3. Consolidation of the Department of Health and the Department of Human Services** (10 minutes)
The committee will consider draft legislation to complete the merger of the Utah Department of Health and the Utah Department of Human Services into a single state agency, the Utah Department of Health and Human Services.

Background

- DRAFT LEGISLATION: Department of Health and Human Services Amendments (Senator Anderegg)

Presenters

- Senator Jacob L. Anderegg
- Public comment

Potential Action

- Recommend legislation, with or without amendment

1:50 **4. Sunset Review – Assisted Living Facility Transfers** (15 minutes)
Absent further action by the Legislature, Utah Code Section 62A-3-209, Assisted Living Facility Transfers, will be repealed July 1, 2023. The committee will conduct a s review to determine whether the section should be reauthorized for up to 10 years, with or without amendment, or allowed to sunset as scheduled.

Background

- Utah Code Section 62A-3-209, *Assisted Living Facility Transfers*

[redacted]

Potential Issues

- See Utah Code 63I-1-103, *Guidelines for conduct of review*

Presenters

- Utah Department of Health and Human Services
- Public comment

Potential Action

- No action
- Request legislation to reauthorize section, with or without amendment

2:05 **5. Sunset Review – Utah Marriage Commission Dedicated Credits**

(15 minutes)

Absent further action by the Legislature, Utah Code Subsection 63J-1-602.2(6) will be repealed July 1, 2023. The committee will conduct a sunset review to determine whether the subsection should be reauthorized for up to 10 years, with or without amendment, or allowed to sunset as scheduled.

Background

- Utah Code Section 63J-1-602.2, *List of nonlapsing appropriations to programs*

Potential Issues

- See Utah Code 63I-1-103, *Guidelines for conduct of review*

Presenters

- Utah Marriage Commission
- Public comment

Potential Action

- No action
- Request legislation to reauthorize section, with or without amendment

--mark--

LEGISLATIVE RESEARCH & GENERAL COUNSEL

Mark D. Andrews

Policy Analyst | Utah State Legislature

Mobile 801-647-8115

MarkAndrews@Le.Utah.Gov

W210 State Capitol Complex
Salt Lake City, UT 84114

[redacted]

[redacted]

SUBJECT: Re: Draft Sep/Oct HHS Interim Committee outlines
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Mark Andrews <markandrews@le.utah.gov>
CC: "Ray, Paul" <pray@utah.gov>, Daniel Cheung <dcheung@le.utah.gov>, Victoria Ashby <vashby@le.utah.gov>, Christopher Williams <cwilliams@le.utah.gov>, Seth Anderson <sanderson@le.utah.gov>
DATE: 07/09/2022 11:02

Thank you very much Mark!

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Wed, Sep 7, 2022 at 11:00 AM Mark Andrews <markandrews@le.utah.gov> wrote:

Marc and Paul,

The following agendas and outlines for September and October are based on direction from the committee chairs but are still subject to final approval. However, we don't expect any significant modifications.

We've listed DHHS as a presenter in several cases, with the hope the department will be available. As usual, where the department is not listed as a presenter, it would still be much appreciated if individuals with relevant expertise were on hand to address questions that may come up (e.g., with respect to Rep. Lesser's two Medicaid coverage bills — Item 7 in September).

The October will likely have other items added to the end of the agenda, perhaps addressing healthcare reform.

Seth will get with you to discuss in more detail what the chairs are hoping to accomplish with Agenda Item 2, *Site Visit to Tooele Human Services – Follow-Up*. He or I will also get with you about Item 8, *Medicaid – Mental Healthcare for Adults*.

SEPTEMBER

Health and Human Services Interim Committee

Wednesday, September 21, 2022
1:15 p.m. – 3:45 p.m.
Room 30 House Building, State Capitol Complex, Salt Lake City, Utah
(Outline version: 09/06/22)

AGENDA OVERVIEW
(Click items below to jump to details)

1. Committee Business
2. Site Visit to Tooele Human Services – Follow-Up
3. Behavioral Health Crisis Response Commission
4. Sunset Review – Behavioral Health Receiving Center Grant Program
5. Sunset Review – Forensic Mental Health Coordinating Council
6. Healthcare Reform – Prescription Drugs
7. Medicaid – Pregnancy and Postpartum Coverage
8. Medicaid – Mental Healthcare for Adults
9. Adjourn

Approximate Time Frame

1:15 **1. Committee Business** (5 minutes)
In addition to other business, the committee will consider requests to open bill files.

- Draft minutes of the June 15, 2022, and August 17, 2022, meetings
- Consolidation of the Department of Health and the Department of Human Services: latest information available here

- Chair Michael Kennedy

[redacted]

- Approve minutes
- Request the opening of committee bill files

1:20 **2. Site Visit to Tooele Human Services – Follow-Up** (20 minutes)

As follow-up to last month's site visit, the committee will be briefed on the establishment of current and future receiving centers used to improve care for persons in need of mental healthcare.

- Forthcoming: Receiving centers report
    - Capacity, funding, and efficacy of receiving centers
- Division of Integrated Healthcare, Utah Department of Health and Human Services
- Request additional information or committee legislation

1:40 **3. Behavioral Health Crisis Response Commission** (10 minutes)

Absent further action by the Legislature, Utah Code Title 63C, Chapter 18, Behavioral Health Crisis Response Commission*, and related subsections will be repealed July 1, 2023. The committee will conduct a sunset review to determine whether the chapter and related subsections should be reauthorized for up to 10 years, with or without amendment, or allowed to sunset as scheduled.*

- Utah Code Title 63C, Chapter 18, Behavioral Health Crisis Response Commission
- List of related subsections subject to sunset (Source: Office of Legislative Research and General Counsel; see page 2)
- Behavioral Health Crisis Response Commission
- Public comment
- Recommend draft legislation, with or without amendments

1:50 **4. Sunset Review – Behavioral Health Receiving Center Grant Program** (10 minutes)

Absent further action by the Legislature, Utah Code Section 62A-15-118, Behavioral Health Receiving Center Grant Program*, will be repealed July 1, 2023. The committee will conduct a sunset review to determine whether the section should be reauthorized for up to 10 years, with or without amendment, or allowed to sunset as scheduled.*

- Utah Code Section 62A-15-118, Behavioral Health Receiving Center Grant Program
- Forthcoming: Grants report
- Division of Integrated Healthcare, Utah Department of Health and Human Services
- Public comment
- Recommend draft legislation, with or without amendments

2:00 **5. Sunset Review – Forensic Mental Health Coordinating Council** (5 minutes)

As follow-up to its June meeting, the committee will consider draft legislation requested by the committee.

- DRAFT COMMITTEE LEGISLATION: *Forensic Mental Health Amendments* (Source: Office of Legislative Research and General Counsel)

- Representative Steve Eliason
- Public comment

- Recommend draft legislation, with or without amendments.

2:05 **6. Healthcare Reform – Prescription Drugs** (15 minutes)

As follow-up to its May meeting, the committee will consider draft legislation requested by the committee.

- DRAFT COMMITTEE LEGISLATION: *Prescription Discount Program Amendments* (Source: Office of Legislative Research and General Counsel)

- Representative Raymond P. Ward
- Public comment

- Recommend draft legislation, with or without amendments

2:20 **7. Medicaid – Pregnancy and Postpartum Coverage** (20 minutes)

The committee will consider draft legislation that increases the Medicaid income eligibility threshold for pregnant and postpartum women and extends Medicaid's 60-day eligibility for postpartum women to 12 months.

- DRAFT LEGISLATION: *Postpartum Medicaid Coverage Amendments* (Source: Representative Rosemary T. Lesser)
- DRAFT LEGISLATION: *Pregnancy Medicaid Coverage Amendments* (Source: Representative T. Lesser)

- Representative Rosemary Lesser
- Public comment

- Recommend draft legislation, with or without amendments.

2:40 **8. Medicaid – Mental Healthcare for Adults** (15 minutes)

The committee will be briefed on the implementation of a Medicaid waiver requested and approved as the result of 2020 H.B. 219, Mental Health Amendments*. The waiver authorizes Medicaid coverage for mental health services provided to an adult in an institution for mental disease (IMD) with more than 16 beds for up to 30 days, on average. The committee will also consider whether coverage period could be lengthened.*

- Letter approving extension Utah's Medicaid Reform 1115 Demonstration project through June 30, 2027 (Source: Centers for Medicare and Medicaid Services; see Section 12, Serious Mental Illness Program And Benefits, at pages 31-42)

- Capacity, funding, and efficacy of receiving centers

- Division of Integrated Healthcare, Utah Department of Health and Human Services
- Public comment

- Request additional information or committee legislation

3:25 **9. Adjourn**

OCTOBER

Health and Human Services Interim Committee

Wednesday, October 19, 2022
1:15 p.m. – 3:45 p.m.
Room 30 House Building, State Capitol Complex, Salt Lake City, Utah
(Outline version: 09/07/22)

AGENDA OVERVIEW
(Click items below to jump to details)

1. Committee Business
2. Local Health Department Funding
3. Consolidation of the Department of Health and the Department of Human Services
4. Sunset Review – Assisted Living Facility Transfers
5. Sunset Review – Utah Marriage Commission Dedicated Credits

Approximate Time Frame

1:15 **1. Committee Business** (5 minutes)

- Draft minutes of the September 21, 2022, meetings
- Consolidation of the Department of Health and the Department of Human Services: latest information available here

- Approve minutes

1:20 **2. Local Health Department Funding** (20 minutes)
As follow-up to its June meeting, the committee will consider draft legislation requested by the committee.

- DRAFT COMMITTEE LEGISLATION: *Local Health Department Revisions* (Source: Office of Legislative Research and General Counsel)

- Committee member
- Public comment

- Recommend draft legislation, with or without amendments.

1:40 **3. Consolidation of the Department of Health and the Department of Human Services** (10 minutes)
The committee will consider draft legislation to complete the merger of the Utah Department of Health and the Utah Department of Human Services into a single state agency, the Utah Department of Health and Human Services.

- DRAFT LEGISLATION: Department of Health and Human Services Amendments
  (Senator Anderegg)

- Senator Jacob L. Anderegg
- Public comment

- Recommend legislation, with or without amendment

1:50 **4. Sunset Review – Assisted Living Facility Transfers** (15 minutes)

Absent further action by the Legislature, Utah Code Section 62A-3-209, Assisted Living Facility Transfers, will be repealed July 1, 2023. The committee will conduct a sunset review to determine whether the section should be reauthorized for up to 10 years, with or without amendment, or allowed to sunset as scheduled.

- Utah Code Section 62A-3-209, *Assisted Living Facility Transfers*

  - See Utah Code 63I-1-103, *Guidelines for conduct of review*

- Utah Department of Health and Human Services
- Public comment

- No action
- Request legislation to reauthorize section, with or without amendment

2:05 **5. Sunset Review – Utah Marriage Commission Dedicated Credits**
(15 minutes)

Absent further action by the Legislature, Utah Code Subsection 63J-1-602.2(6) will be repealed July 1, 2023. The committee will conduct a sunset review to determine whether the subsection should be reauthorized for up to 10 years, with or without amendment, or allowed to sunset as scheduled.

- Utah Code Section 63J-1-602.2, *List of nonlapsing appropriations to programs*

  - See Utah Code 63I-1-103, *Guidelines for conduct of review*

- Utah Marriage Commission
- Public comment

- No action
- Request legislation to reauthorize section, with or without amendment

--mark--

Mark D. Andrews
Policy Analyst | Utah State Legislature

[redacted]

LEGISLATIVE
RESEARCH &
GENERAL COUNSEL

Mobile 801-647-8115

MarkAndrews@Le.Utah.Gov

W210 State Capitol Complex
Salt Lake City, UT 84114

[redacted]

[redacted]

SUBJECT:
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>,"Paul Ray (DHHS)" <pray@utah.gov>
DATE: 13/09/2022 11:29

Marc Watterson (DHHS) Paul Ray (DHHS) have joined the conversation, 2022-09-13 10:29:30

Jennifer Strohecker (DHHS), 2022-09-13 10:29:37

hi Marc and Paul- hello!

Jennifer Strohecker (DHHS), 2022-09-13 10:30:07

i am reviewing the interim meeting agenda for next Wed and have some questions on the Prescription Drugs and also Pregnancy Postpartum Coverage.

Jennifer Strohecker (DHHS), 2022-09-13 10:30:25

Can you share what we have with Healthcare Reform - Prescription Drugs and if that is something I need to present on?

Jennifer Strohecker (DHHS), 2022-09-13 10:30:48

Also..what are you looking for on the pregnancy postpartum coverage?

Marc Watterson (DHHS), 2022-09-13 11:01:51

On the pregnancy piece, a lawmaker is simply presenting their bill. We should have someone there to help answer questions if they are directed to the Department. But no need for us to prepare a presentation.

Marc Watterson (DHHS), 2022-09-13 11:02:47

The prescription drugs piece is similar. A lawmaker will be bringing up and discussing the issue. We just need a staff member present who can help answer questions.

Jennifer Strohecker (DHHS), 2022-09-13 11:06:06

ok good

Jennifer Strohecker (DHHS), 2022-09-13 11:06:07

thank you

Jennifer Strohecker (DHHS), 2022-09-13 11:06:19

can i be present virtually? I am out of town at a conference

Marc Watterson (DHHS), 2022-09-13 11:06:26

If you go online you'll actually see that they have draft legislation prepared for those two topics. If SME staff can read through those and either summarize feedback or be ready to discuss that would be perfect.

Marc Watterson (DHHS), 2022-09-13 11:06:28

[redacted]

[redacted]

Marc Watterson (DHHS), 2022-09-13 11:06:38

Yes, virtual will be just fine

Jennifer Strohecker (DHHS), 2022-09-13 11:06:50

great,,,,,That is good thank you

Paul Ray (DHHS), 2022-09-13 11:06:54

The pregnancy bill is from Rep. Lesser wanting a Medicaid waiver to extend Medicaid benefits to 200% FPL for new mothers for postpartum coverage. (2022 HB220)

Marc Watterson (DHHS), 2022-09-13 11:07:47

I've already communicated to Eric and Brent but you might want to follow up with them on the Receiving Centers piece. They need to have a presentation prepared for that.

Marc Watterson (DHHS), 2022-09-13 11:08:28

Her [redacted]

Jennifer Strohecker (DHHS), 2022-09-13 11:50:06

yes thank yoU!

Paul Ray (DHHS), 2022-09-13 13:52:01

The prescription bill is Rep. Wards. It's the PEHP discount program for insulin and EpiPens.

Jennifer Strohecker (DHHS), 2022-09-13 13:54:06

Ok so do I need to be present for that?

Paul Ray (DHHS), 2022-09-13 13:55:10

I wouldn't think so.

Jennifer Strohecker (DHHS), 2022-09-13 13:56:00

Not necessarily present- but it’s not Medicaid.
Thank you

Paul Ray (DHHS), 2022-09-13 13:56:56

Definitely not Medicaid!!

Jennifer Strohecker (DHHS), 2022-09-13 14:05:28

thank you.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Link to document: https://le.utah.gov/Interim/2022/html/00003428.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

1. Committee Business
* Call to order
* Approval of the minutes of the June 15, 2022, and August 17, 2022, meetings.
* Requests for committee bill files

2. Behavioral Health Receiving Centers **(Brent Kelsey, Amanda Alkema)**

3. Sunset Review - Behavioral Health Receiving Center Grant Program **(Brent Kelsey, Amanda Alkema)**

4. Sunset Review - Behavioral Health Crisis Response Commission**(Brent Kelsey, Amanda Alkema)**

5. Sunset Review - Forensic Mental Health Coordinating Council **(Eliason presenting; Brent Kelsey, Amanda Alkema available for questions)**

6. Healthcare Reform - Prescription Drugs **(Rep. Ward)**

7. Medicaid - Pregnancy Postpartum Coverage **(Rep. Lesser)**

8. Sunset Review - Assisted Living Facility Transfers **(Alianne Sipes/Donovan Bergstrom/Greg Bateman/Nels)**

9. Adjourn

When
Wednesday Sep 21, 2022 · 1:15pm – 3:45pm (Mountain Time - Denver)

Location
Room 30 House Building
View map

Guests
bkelsey@utah.gov
aalkema@utah.gov
asipes@utah.gov
dbergst@utah.gov
Greg Bateman (DHHS)
nholmgren@utah.gov
natechecketts@utah.gov
thales@utah.gov
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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: nholmgren@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, "Greg Bateman (DHHS)" <gbateman@utah.gov>, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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TO: thales@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, "Greg Bateman (DHHS)" <gbateman@utah.gov>, nholmgren@utah.gov, natechecketts@utah.gov, jstrohecker@utah.gov
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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: jstrohecker@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, "Greg Bateman (DHHS)" <gbateman@utah.gov>, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov
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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: dbergst@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, "Greg Bateman (DHHS)" <gbateman@utah.gov>, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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TO: bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, "Greg Bateman (DHHS)" <gbateman@utah.gov>, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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SUBJECT: Invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm - 3:45pm(MDT) (natechecketts@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: natechecketts@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, "Greg Bateman (DHHS)" <gbateman@utah.gov>, nholmgren@utah.gov, thales@utah.gov, jstrohecker@utah.gov
DATE: 15/09/2022 11:38

[redacted]

[redacted]

Link to document: https://le.utah.gov/Interim/2022/html/00003428.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

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7. Medicaid - Pregnancy Postpartum Coverage **(Rep. Lesser)**

8. Sunset Review - Assisted Living Facility Transfers **(Alianne Sipes/Donovan Bergstrom/Greg Bateman/Nels)**

9. Adjourn

When
Wednesday Sep 21, 2022 · 1:15pm – 3:45pm (Mountain Time - Denver)

Location
Room 30 House Building
View map

Guests
bkelsey@utah.gov
aalkema@utah.gov
asipes@utah.gov
dbergst@utah.gov
Greg Bateman (DHHS)
nholmgren@utah.gov
natechecketts@utah.gov
thales@utah.gov
jstrohecker@utah.gov
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Reply for natechecketts@utah.gov

Yes No Maybe More options

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SUBJECT: Invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm - 3:45pm(MDT) (aalkema@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: aalkema@utah.gov, bkelsey@utah.gov, asipes@utah.gov, dbergst@utah.gov, "Greg Bateman (DHHS)" <gbateman@utah.gov>, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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SUBJECT: Updated invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm -3:45pm (MDT) (thales@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: thales@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, jstrohecker@utah.gov, kristigrimes@utah.gov
DATE: 15/09/2022 12:35

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Changed: description

[redacted]

[redacted]

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SUBJECT: Updated invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm -3:45pm (MDT) (jstrohecker@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: jstrohecker@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, kristigrimes@utah.gov
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Reply for jstrohecker@utah.gov

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov, kristigrimes@utah.gov
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kristigrimes@utah.gov
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Reply for bkelsey@utah.gov

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SUBJECT: Updated invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm -3:45pm (MDT) (dbergst@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: dbergst@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov, kristigrimes@utah.gov
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Reply for dbergst@utah.gov

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SUBJECT: Invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm - 3:45pm(MDT) (kristigrimes@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: kristigrimes@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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SUBJECT: Updated invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm -3:45pm (MDT) (nholmgren@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: nholmgren@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov, kristigrimes@utah.gov
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Yes No Maybe More options

Invitation from Google Calendar

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SUBJECT: Updated invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm -3:45pm (MDT) (aalkema@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: aalkema@utah.gov, bkelsey@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov, kristigrimes@utah.gov
DATE: 15/09/2022 12:35

This event has been updated
Changed: description

[redacted]

[redacted]

Description CHANGED

Link to document: https://le.utah.gov/Interim/2022/html/00003428.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

1. Committee Business
* Call to order
* Approval of the minutes of the June 15, 2022, and August 17, 2022, meetings.
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6. Healthcare Reform - Prescription Drugs **(Rep. Ward)**

7. Medicaid - Pregnancy Postpartum Coverage **(Rep. Lesser)**

8. Sunset Review - Assisted Living Facility Transfers **(Alianne Sipes/Donovan Bergstrom/Kristi Grimes/Nels)**

9. Adjourn

When
Wednesday Sep 21, 2022 · 1:15pm – 3:45pm (Mountain Time - Denver)

Location
Room 30 House Building
View map

Guests
bkelsey@utah.gov
aalkema@utah.gov
asipes@utah.gov
dbergst@utah.gov
nholmgren@utah.gov
natechecketts@utah.gov
thales@utah.gov
jstrohecker@utah.gov
kristigrimes@utah.gov
View all guest info

Reply for aalkema@utah.gov

Yes No Maybe More options

Invitation from Google Calendar

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SUBJECT: Updated invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm -3:45pm (MDT) (natechecketts@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: natechecketts@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, thales@utah.gov, jstrohecker@utah.gov, kristigrimes@utah.gov
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kristigrimes@utah.gov
View all guest info

Reply for natechecketts@utah.gov

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[redacted]

[redacted]

--
[redacted]

[redacted]

[redacted]

SUBJECT: Updated invitation with note: HHS Interim Committee @ Wed Sep 21,2022 1:15pm - 3:45pm (MDT) (asipes@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: asipes@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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Reply for asipes@utah.gov

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: jstrohecker@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov
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Yes No Maybe More options

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov,

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thales@utah.gov
jstrohecker@utah.gov
kristigrimes@utah.gov
View all guest info

Reply for bkelsey@utah.gov

Yes No Maybe More options

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[redacted]

[redacted]

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: nholmgren@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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Location
Room 30 House Building
View map

Guests
bkelsey@utah.gov
aalkema@utah.gov
asipes@utah.gov
dbergst@utah.gov
nholmgren@utah.gov
natechecketts@utah.gov
thales@utah.gov
jstrohecker@utah.gov
kristigrimes@utah.gov
View all guest info

Reply for nholmgren@utah.gov

Yes No Maybe More options

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: aalkema@utah.gov, bkelsey@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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kristigrimes@utah.gov
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SUBJECT: Updated invitation with note: HHS Interim Committee @ Wed Sep 21,2022 1:15pm - 3:45pm (MDT) (thales@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: thales@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, jstrohecker@utah.gov
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SUBJECT: Updated invitation with note: HHS Interim Committee @ Wed Sep 21,2022 1:15pm - 3:45pm (MDT) (natechecketts@utah.gov)
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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: kristigrimes@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov, jstrohecker@utah.gov
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Changed: description

Description CHANGED

Link to Detailed Agenda: https://le.utah.gov/interim/2022/pdf/00003491.pdf

Link to document: https://le.utah.gov/Interim/2022/html/00003428.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

1. Committee Business
* Call to order
* Approval of the minutes of the June 15, 2022, and August 17, 2022, meetings.
* Requests for committee bill files

2. Behavioral Health Receiving Centers **(Brent Kelsey, Amanda Alkema)**

3. Sunset Review - Behavioral Health Receiving Center Grant Program **(Brent Kelsey, Amanda Alkema)**

4. Sunset Review - Behavioral Health Crisis Response Commission**(Brent Kelsey, Amanda Alkema)**

5. Sunset Review - Forensic Mental Health Coordinating Council **(Eliason presenting; Brent Kelsey, Amanda Alkema available for questions)**

6. Healthcare Reform - Prescription Drugs **(Rep. Ward)**

7. Medicaid - Pregnancy Postpartum Coverage **(Rep. Lesser)**

8. Sunset Review - Assisted Living Facility Transfers **(Alianne Sipes/Donovan Bergstrom/Kristi Grimes/Nels)**

9. Adjourn

When
Wednesday Sep 21, 2022 · 1:15pm – 3:45pm (Mountain Time - Denver)

Location
Room 30 House Building
View map

Guests
bkelsey@utah.gov
aalkema@utah.gov
asipes@utah.gov
dbergst@utah.gov
nholmgren@utah.gov
natechecketts@utah.gov
thales@utah.gov
jstrohecker@utah.gov
kristigrimes@utah.gov
View all guest info

Reply for kristigrimes@utah.gov

Yes No Maybe More options

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SUBJECT: Updated invitation with note: HHS Interim Committee @ Wed Sep 21,2022 1:15pm - 3:45pm (MDT) (dbergst@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: dbergst@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, nholmgren@utah.gov, natechecketts@utah.gov, thales@utah.gov,

[redacted]

[redacted]
jstrohecker@utah.gov
DATE: 19/09/2022 10:25

This event has been updated with a note:
"A link for the Detailed Agenda has been added to the meeting description. "

Changed: description

Description CHANGED

Link to Detailed Agenda: https://le.utah.gov/interim/2022/pdf/00003491.pdf

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thales@utah.gov
jstrohecker@utah.gov
kristigrimes@utah.gov
View all guest info

Reply for dbergst@utah.gov

Yes No Maybe More options

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[redacted]

[redacted]

Jonah Shaw
Administrative Rules Coordinator
C: 385 310-2389
jshaw@utah.gov
https://rules.utah.gov/

Utah Department of Health & Human Services

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Notes: please remember that comments made on rule text by OAR staff are suggestions for potential changes rather than requirements. It is ultimately up to the agency to make changes that best suit the needs of their rule.

Please remember that a review by OAR does not replace an agency reviewing their rule. Review your rule carefully to ensure the rule adheres to the manual and that there are no other changes that need to be made.

Utah Department of Government Operations
Office of Administrative Rules
801-957-7110
https://adminrules.utah.gov/

--
Jeremiah Sniffin
Policy Coordinator
C: 307-760-2897
jsniffin@utah.gov
medicalcannabis.utah.gov

Utah Department of Health & Human Services
Center for Medical Cannabis

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--
Sunnie Burningham (she/her)
Utah Department of Government Operations
Office of Administrative Rules
Publications/Code Editor
801-957-7101

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Utah Department of Government Operations
Office of Administrative Rules
801-957-7110
https://adminrules.utah.gov/

SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Al Romeo (DHHS)" <alromeo@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 13:28

[redacted]

[redacted]

Marc,

Our report for the Drinking While Pregnant Prevention Media and Education Campaign can be found at [redacted] and a copy is attached.

Please let me know if you have questions.
Thanks.
Al

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.
- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link	Approved?
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	**Aug-22**
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%	

[redacted]

Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).		Braden Ainsworth (for 3)		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?		
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee	HB 341	Linda Wininger		

[redacted]

providing several options on how the office can eliminate or significantly reduce birth certificate fees."				
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?		
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo		
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie		
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)		

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: RE: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "John Curless (DHHS)" <jcurless@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 23/09/2022 17:49

[redacted]

[redacted]

Marc:

Leadership must still be reviewing the GME report. I submitted it to them on the 13th. Hopefully it is coming to you soon.

Thanks,

John Curless
Director
Office of Financial Services
O: 801-538-6145 C: 801-598-1244
jcurless@utah.gov
medicaid.utah.gov

Utah Department of
Health & Human Services
Integrated Healthcare

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Friday, September 23, 2022 5:42 PM
To: DHHS_EDO <dhhsedo@utah.gov>
Cc: Paul Ray (DHHS) <pray@utah.gov>; Teresa Brechlin (DHHS) <tbrechlin@utah.gov>; John Curless (DHHS) <jcurless@utah.gov>; Janae Duncan (DHHS) <janaeduncan@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
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HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]
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Psychotropic medication oversight	80-2-503.5	Tonya Myrup	[redacted]
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]

[redacted]r

[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "John Curless (DHHS)" <jcurless@utah.gov>
DATE: 23/09/2022 18:23

Thanks John

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Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	[redacted]	
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)	Guy Dansie	[redacted]	(Guy re issues w

[redacted]

[redacted]

	(a)(i)			getting volunta data fro provide
Psychotropic medication oversight	80-2-503.5	Tonya Myrup	[redacted]	
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]	
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]	

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 23/09/2022 23:50

SUID Legislative Report

[redacted]

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention
The legislative report under 26-7-14 is required every other year starting in 2021. The last report was for 2021 so the next report is not due until 2023. Additionally, there is no new information to provide from the last report. I have attached the report that was submitted last year, below.

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

EDO -

Below is a table of the latest batch of Legislative Required Reports. Please conclude your review by COB next Friday (September 30th) so I can turn them into the legislature on time.

We are still waiting for the links to three reports. I have Cc'd those staff and their immediate supervisors so they can reply to this thread with those links once they are ready for EDO review. The three reports are:

- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.
- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.
- Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention

Here are the reports ready for your review:

Report	**Code**	**Who is Writing**	**Current Status**	**Approv**
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local	HB 7	Braden Ainsworth	[redacted]	**8/1/20 (Heard August**

[redacted]

[redacted]

health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.			
Suicide technical assistance program--technical assistance to health care organizations in the preceding year	62A-15-121(5)	Brent Kelsey (Carol Ruddell)	[redacted]
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The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin	
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	[redacted]
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The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Winters/Kendall Woffinden	[redacted]
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker	[redacted]

[redacted]

[redacted]

Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Bree Barbeau	[redacted]	
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Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]	
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[redacted]

[redacted]

SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "John Curless (DHHS)" <jcurless@utah.gov>
DATE: 28/09/2022 12:53

On Fri, Sep 23, 2022, 5:49 PM John Curless (DHHS) <jcurless@utah.gov> wrote:

Marc:

Leadership must still be reviewing the GME report. I submitted it to them on the 13th. Hopefully it is coming to you soon.

Thanks,

John Curless
Director
Office of Financial Services
O: 801-538-6145 C: 801-598-1244
jcurless@utah.gov
medicaid.utah.gov

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Friday, September 23, 2022 5:42 PM
To: DHHS_EDO <dhhsedo@utah.gov>
Cc: Paul Ray (DHHS) <pray@utah.gov>; Teresa Brechlin (DHHS) <tbrechlin@utah.gov>; John Curless (DHHS) <jcurless@utah.gov>; Janae Duncan (DHHS) <janaeduncan@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)

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Violent incidents and fatalities involving substance abuse; drug overdose deaths; and	26-7-14(2)	Teresa Brechlin

[redacted]

recommendations for prevention				
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Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]	
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SUBJECT: FN: Input on Fiscal Note for 2023FL0324
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO: Paul Kim <PKim@le.utah.gov>, "fiscalnotes@agutah.gov"<fiscalnotes@agutah.gov>, "fiscalnotes@agutah.gov" <fiscalnotes@agutah.gov>,"ambermbrown@utah.gov" <ambermbrown@utah.gov>, "brianjensen@utah.gov"<brianjensen@utah.gov>, "benelson@utah.gov" <benelson@utah.gov>,"ccochran@utah.gov" <ccochran@utah.gov>, "cliffbutter@utah.gov"<cliffbutter@utah.gov>, "croberts@cvtdbus.org" <croberts@cvtdbus.org>,"cjensen@cachesheriff.org" <cjensen@cachesheriff.org>, Daniel Burton<danburton@agutah.gov>, "ddwilliams@utah.gov" <ddwilliams@utah.gov>,"davidlitvack@utah.gov" <davidlitvack@utah.gov>, "davidlund@agutah.gov"<davidlund@agutah.gov>, "dwilliams@utah.gov" <dwilliams@utah.gov>,"dlyberger@utah.gov" <dlyberger@utah.gov>, "devans@utah.gov"<devans@utah.gov>, "devans@utah.gov" <devans@utah.gov>, "ecropper@utah.gov"<ecropper@utah.gov>, Evan Curtis <ecurtis@utah.gov>, Evan Curtis<ecurtis@utah.gov>, "zeke@uacnet.org" <zeke@uacnet.org>, "ggopez@agutah.gov"<ggopez@agutah.gov>, "ggopez@agutah.gov" <ggopez@agutah.gov>,"writeheather@gmail.com" <writeheather@gmail.com>, "hreilly@utah.gov"<hreilly@utah.gov>, "John L. Valentine" <jvalentine@utah.gov>,"jelarsen@utah.gov" <jelarsen@utah.gov>, "jakehennessy@utah.gov"<jakehennessy@utah.gov>, "jakehennessy@utah.gov" <jakehennessy@utah.gov>,"jakehennessy@utah.gov" <jakehennessy@utah.gov>, "jasonallen@utah.gov"<jasonallen@utah.gov>, "jasongardner@utah.gov" <jasongardner@utah.gov>,"jmarden@utah.gov" <jmarden@utah.gov>, "jenevans@utah.gov"<jenevans@utah.gov>, "jpriskos@utah.gov" <jpriskos@utah.gov>,"jbrown@utah.gov" <jbrown@utah.gov>, "jbennett@utah.gov" <jbennett@utah.gov>,"jshaw@utah.gov" <jshaw@utah.gov>, "jchristenson@utah.gov"<jchristenson@utah.gov>, "jlee@ulct.org" <jlee@ulct.org>, "kdalton@utah.gov"<kdalton@utah.gov>, "keilers@ulct.org" <keilers@ulct.org>,"kwpehrson@utah.gov" <kwpehrson@utah.gov>, Kim Gibb <kgibb@utah.gov>,"kharvey@utah.gov" <kharvey@utah.gov>, "kaedwards@utah.gov"<kaedwards@utah.gov>, "legrand@uasd.org" <legrand@uasd.org>,"lkatayama@utah.gov" <lkatayama@utah.gov>, Lincoln Shurtz<lincoln@uacnet.org>, "mwatterson@utah.gov" <mwatterson@utah.gov>,"yeschick@utah.gov" <yeschick@utah.gov>, "meganshaw@utah.gov"<meganshaw@utah.gov>, "mhenderson@utah.gov" <mhenderson@utah.gov>,"mcragun@utah.gov" <mcragun@utah.gov>, Michael Drechsel<michaelcd@utcourts.gov>, Michelle Larsen <mlarsen@rideuta.com>,"mikehaddon@utah.gov" <mikehaddon@utah.gov>, "mwheeler@ulct.org"<mwheeler@ulct.org>, "natechecketts@utah.gov" <natechecketts@utah.gov>,"natetalley@utah.gov" <natetalley@utah.gov>, "natewinters@utah.gov"<natewinters@utah.gov>, "pray@utah.gov" <pray@utah.gov>,"randy.hillier@slcgov.com" <randy.hillier@slcgov.com>, "rrockwell@utah.gov"<rrockwell@utah.gov>, "rcantrell@agutah.gov" <rcantrell@agutah.gov>, RichieWilcox <rwilcox@utah.gov>, "robbipoulson@utah.gov" <robbipoulson@utah.gov>,"ryancowley@utah.gov" <ryancowley@utah.gov>, "sandee.moore@slcgov.com"<sandee.moore@slcgov.com>, "burnslaw7@gmail.com" <burnslaw7@gmail.com>,"soveson@utah.gov" <soveson@utah.gov>, "shellyjackson@utah.gov"<shellyjackson@utah.gov>, "swang@utah.gov" <swang@utah.gov>,"sbishop@rideuta.com" <sbishop@rideuta.com>, "sasbury@utah.gov"<sasbury@utah.gov>, Todd Beutler

[redacted]

[redacted]
<tbeutler@cvtdbus.org>,"tracygruber@utah.gov" <tracygruber@utah.gov>, "xthomas@utah.gov"<xthomas@utah.gov>
CC: Maddy Oritt <moritt@le.utah.gov>, "Sean C. Faherty"<sfaherty@le.utah.gov>, Gary Syphus <gsyphus@le.utah.gov>
DATE: 28/09/2022 13:33

2023FL0324, Local District Amendments by has been assigned to the following analyst(s) for a Fiscal Note:

Paul Kim - Lead Analyst
Maddy Oritt - Secondary Analyst
Sean C. Faherty - Secondary Analyst
Gary R. Syphus - Secondary Analyst

The attorney assigned to this bill is Thomas R. Vaughn

Please help us to determine any fiscal impact by logging on to https://secure.utah.gov/ufn/ and completing a response.

SUBJECT: DHHS Recommendations on Acton Visitation Bill
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Carmen Richins (DHHS)" <carmenrichins@utah.gov>, Christopher Williams <cwilliams@le.utah.gov>, "Greg Bateman (DHHS)" <gbateman@utah.gov>, "Kelly Criddle (DHHS)" <kcriddle@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Simon Bolivar (DHHS)" <sbolivar@utah.gov>
DATE: 30/09/2022 12:14

Please see attached. Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
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SUBJECT: FN: Input on Fiscal Note for 2023FL0171
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>, "fiscalnotes@agutah.gov"<fiscalnotes@agutah.gov>, "brianjensen@utah.gov" <brianjensen@utah.gov>,"benelson@utah.gov" <benelson@utah.gov>, "chet.loftis@pehp.org"<chet.loftis@pehp.org>, "Dan.Andersen@urs.org" <Dan.Andersen@urs.org>,"dschuring@utah.gov" <dschuring@utah.gov>, "Dave.Hansen@pehp.org"<Dave.Hansen@pehp.org>, "davidlitvack@utah.gov" <davidlitvack@utah.gov>,"davidlund@agutah.gov" <davidlund@agutah.gov>, "dee.larsen@urs.org"<dee.larsen@urs.org>, "gcottrell@utah.gov" <gcottrell@utah.gov>,"ggopez@agutah.gov" <ggopez@agutah.gov>, "Jfhart@utah.gov" <Jfhart@utah.gov>,"jakehennessy@utah.gov" <jakehennessy@utah.gov>, "jenevans@utah.gov"<jenevans@utah.gov>, Jill Parker <jparker@ualhd.org>, "jshaw@utah.gov"<jshaw@utah.gov>, "kburt@utah.gov" <kburt@utah.gov>, "kimbeck2@utah.gov"<kimbeck2@utah.gov>, "kharvey@utah.gov" <kharvey@utah.gov>,"kharvey@utah.gov" <kharvey@utah.gov>, "mwatterson@utah.gov"<mwatterson@utah.gov>, "mwatterson@utah.gov" <mwatterson@utah.gov>,"natechecketts@utah.gov" <natechecketts@utah.gov>, "nmjohansen@utah.gov"<nmjohansen@utah.gov>, "natetalley@utah.gov" <natetalley@utah.gov>,"natewinters@utah.gov" <natewinters@utah.gov>, "nharrison@utah.gov"<nharrison@utah.gov>, "pwlee@utah.gov" <pwlee@utah.gov>,"Paul.Anderton@pehp.org" <Paul.Anderton@pehp.org>, "pray@utah.gov"<pray@utah.gov>, "pray@utah.gov" <pray@utah.gov>, "panjewierden@utah.gov"<panjewierden@utah.gov>, "rmstringham@utah.gov" <rmstringham@utah.gov>,"ryancowley@utah.gov" <ryancowley@utah.gov>, "swatkins@utah.gov"<swatkins@utah.gov>, "shellyjackson@utah.gov" <shellyjackson@utah.gov>,"swang@utah.gov" <swang@utah.gov>, "swang@utah.gov" <swang@utah.gov>,"tnorthrup@utah.gov" <tnorthrup@utah.gov>, "tjfornelius@utah.gov"<tjfornelius@utah.gov>, "tbudd@utah.gov" <tbudd@utah.gov>,"tracygruber@utah.gov" <tracygruber@utah.gov>, "xthomas@utah.gov"<xthomas@utah.gov>, "xthomas@utah.gov" <xthomas@utah.gov>
DATE: 30/09/2022 15:15

2023FL0171, Postpartum Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://secure.utah.gov/ufn/ and completing a response.

SUBJECT: FN: Input on Fiscal Note for 2023FL0177
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>, "fiscalnotes@agutah.gov"<fiscalnotes@agutah.gov>, "brianjensen@utah.gov" <brianjensen@utah.gov>,"benelson@utah.gov" <benelson@utah.gov>, "chet.loftis@pehp.org"<chet.loftis@pehp.org>, "Dan.Andersen@urs.org" <Dan.Andersen@urs.org>,"dschuring@utah.gov" <dschuring@utah.gov>, "Dave.Hansen@pehp.org"<Dave.Hansen@pehp.org>, "davidlitvack@utah.gov" <davidlitvack@utah.gov>,"davidlund@agutah.gov" <davidlund@agutah.gov>, "dee.larsen@urs.org"<dee.larsen@urs.org>, "gcottrell@utah.gov" <gcottrell@utah.gov>,"ggopez@agutah.gov" <ggopez@agutah.gov>, "Jfhart@utah.gov" <Jfhart@utah.gov>,"jakehennessy@utah.gov" <jakehennessy@utah.gov>, "jenevans@utah.gov"<jenevans@utah.gov>, Jill Parker <jparker@ualhd.org>, "jshaw@utah.gov"<jshaw@utah.gov>, "kburt@utah.gov" <kburt@utah.gov>, "kimbeck2@utah.gov"<kimbeck2@utah.gov>, "kharvey@utah.gov" <kharvey@utah.gov>,"kharvey@utah.gov" <kharvey@utah.gov>, "mwatterson@utah.gov"<mwatterson@utah.gov>, "mwatterson@utah.gov" <mwatterson@utah.gov>,"natechecketts@utah.gov" <natechecketts@utah.gov>, "nmjohansen@utah.gov"<nmjohansen@utah.gov>, "natetalley@utah.gov" <natetalley@utah.gov>,"natewinters@utah.gov" <natewinters@utah.gov>, "nharrison@utah.gov"<nharrison@utah.gov>, "pwlee@utah.gov" <pwlee@utah.gov>,"Paul.Anderton@pehp.org"

[redacted]

[redacted]

<Paul.Anderton@pehp.org>, "pray@utah.gov"<pray@utah.gov>, "pray@utah.gov" <pray@utah.gov>, "panjewierden@utah.gov"<panjewierden@utah.gov>, "rmstringham@utah.gov" <rmstringham@utah.gov>,"ryancowley@utah.gov" <ryancowley@utah.gov>, "swatkins@utah.gov"<swatkins@utah.gov>, "shellyjackson@utah.gov" <shellyjackson@utah.gov>,"swang@utah.gov" <swang@utah.gov>, "swang@utah.gov" <swang@utah.gov>,"tnorthrup@utah.gov" <tnorthrup@utah.gov>, "tjfornelius@utah.gov"<tjfornelius@utah.gov>, "tbudd@utah.gov" <tbudd@utah.gov>,"tracygruber@utah.gov" <tracygruber@utah.gov>, "xthomas@utah.gov"<xthomas@utah.gov>, "xthomas@utah.gov" <xthomas@utah.gov>
DATE: 30/09/2022 15:16

2023FL0177, Pregnancy Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://secure.utah.gov/ufn/ and completing a response.

SUBJECT: FW: FN: Input on Fiscal Note for 2023FL0171
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "GOMB_LFA_Requests@utah.gov" <GOMB_LFA_Requests@utah.gov>, "Amanda Slater(DHS)" <aslater@utah.gov>, Austin Preston <austinpreston@utah.gov>, "Borski,Heather" <HBORSKI@utah.gov>, David Litvack <davidlitvack@utah.gov>, "Hales,Tonya" <THALES@utah.gov>, Marc Watterson <mwatterson@utah.gov>, MichelleHofmann <mhofmann@utah.gov>, "Moss, Don" <donmoss@utah.gov>, Nate Winters<natewinters@utah.gov>, Nathan Checketts <natechecketts@utah.gov>, "Ray,Paul" <pray@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Shari Watkins<SWATKINS@utah.gov>, Taylor Kauffman <tckauffman@utah.gov>, Tracy Gruber<tracygruber@utah.gov>
DATE: 30/09/2022 16:05

Hi Taylor - Please provide your input in the fiscal note system for the attached bill by the end of Friday, October 7th. The final fiscal note must be completed ahead of October interim. Also explain in detail differences in cost estimates for similar parts in this bill compared to https://le.utah.gov/~2022/bills/static/HB0220.html.

-----Original Message-----
From: Legislative Automated Email System <boyd@le.utah.gov>
Sent: Friday, September 30, 2022 3:15 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; fiscalnotes@agutah.gov; brianjensen@utah.gov; benelson@utah.gov; chet.loftis@pehp.org; Dan.Andersen@urs.org; dschuring@utah.gov; Dave.Hansen@pehp.org; davidlitvack@utah.gov; davidlund@agutah.gov; dee.larsen@urs.org; gcottrell@utah.gov; ggopez@agutah.gov; Jfhart@utah.gov; jakehennessy@utah.gov; jenevans@utah.gov; Jill Parker <jparker@ualhd.org>; jshaw@utah.gov; kburt@utah.gov; kimbeck2@utah.gov; kharvey@utah.gov; kharvey@utah.gov; mwatterson@utah.gov; mwatterson@utah.gov; natechecketts@utah.gov; nmjohansen@utah.gov; natetalley@utah.gov; natewinters@utah.gov; nharrison@utah.gov; pwlee@utah.gov; Paul.Anderton@pehp.org; pray@utah.gov; pray@utah.gov; panjewierden@utah.gov; rmstringham@utah.gov; ryancowley@utah.gov; swatkins@utah.gov; shellyjackson@utah.gov; swang@utah.gov; swang@utah.gov; tnorthrup@utah.gov; tjfornelius@utah.gov; tbudd@utah.gov; tracygruber@utah.gov; xthomas@utah.gov; xthomas@utah.gov
Subject: FN: Input on Fiscal Note for 2023FL0171

2023FL0171, Postpartum Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsecure.utah.gov%2Fufn%2F&data=05%7C01%7Crfrandsen%40le.utah.gov%7Cfab732930d0540dcd8e908daa328d66e%7Caa13953832ab4071953f2070ac88bcfe%7C0%7C0%7C638001693416451823%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=cnlLwZG50SSoUEv0viif3C6NCfVnSYeM0nZsQ%2FcKPkA%3D&reserved=0 and completing a response.

SUBJECT: (yes two bills) FW: FN: Input on Fiscal Note for 2023FL0177
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "Amanda Slater (DHS)" <aslater@utah.gov>, Austin Preston<austinpreston@utah.gov>, "Borski, Heather" <HBORSKI@utah.gov>, David Litvack<davidlitvack@utah.gov>, "Hales, Tonya" <THALES@utah.gov>, Marc Watterson<mwatterson@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, "Moss, Don"<donmoss@utah.gov>, Nate Winters <natewinters@utah.gov>, Nathan Checketts<natechecketts@utah.gov>, "Ray, Paul" <pray@utah.gov>, Rebecca Brown<rebeccab@utah.gov>, Shari Watkins <SWATKINS@utah.gov>, Taylor Kauffman<tckauffman@utah.gov>, Tracy Gruber <tracygruber@utah.gov>
CC: "GOMB_LFA_Requests@utah.gov" <GOMB_LFA_Requests@utah.gov>
DATE: 30/09/2022 16:05

Hi Taylor - Please provide your input in the fiscal note system for the attached bill by the end of Friday, October 7th. The final fiscal note must be completed ahead of October interim. Also explain in detail differences in cost estimates for similar parts in this bill compared to https://le.utah.gov/~2022/bills/static/HB0220.html.

-----Original Message-----
From: Legislative Automated Email System <boyd@le.utah.gov>
Sent: Friday, September 30, 2022 3:16 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; fiscalnotes@agutah.gov; brianjensen@utah.gov; benelson@utah.gov; chet.loftis@pehp.org; Dan.Andersen@urs.org; dschuring@utah.gov; Dave.Hansen@pehp.org; davidlitvack@utah.gov; davidlund@agutah.gov; dee.larsen@urs.org; gcottrell@utah.gov; ggopez@agutah.gov; Jfhart@utah.gov; jakehennessy@utah.gov; jenevans@utah.gov; Jill Parker <jparker@ualhd.org>; jshaw@utah.gov; kburt@utah.gov; kimbeck2@utah.gov; kharvey@utah.gov; kharvey@utah.gov; mwatterson@utah.gov; mwatterson@utah.gov; natechecketts@utah.gov; nmjohansen@utah.gov; natetalley@utah.gov; natewinters@utah.gov; nharrison@utah.gov; pwlee@utah.gov; Paul.Anderton@pehp.org; pray@utah.gov; pray@utah.gov; panjewierden@utah.gov; rmstringham@utah.gov; ryancowley@utah.gov; swatkins@utah.gov; shellyjackson@utah.gov; swang@utah.gov; swang@utah.gov; tnorthrup@utah.gov; tjfornelius@utah.gov; tbudd@utah.gov; tracygruber@utah.gov; xthomas@utah.gov; xthomas@utah.gov
Subject: FN: Input on Fiscal Note for 2023FL0177

[redacted]

[redacted]

2023FL0177, Pregnancy Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsecure.utah.gov%2Fufn%2F&data=05%7C01%7Crfrandsen%40le.utah.gov%7C1c104866f710408176ce08daa328fd00%7Caa13953832ab4071953f2070ac88bcfe%7C0%7C0%7C638001694072285746%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=tuZVi17ElZmnJ07evCvPuxL9hccMhs8WyKxhrIxnmaQ%3D&reserved=0 and completing a response.

SUBJECT: DHHS Legislatively Required Reports
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Seth Anderson <sanderson@le.utah.gov>, Mark Andrews <markandrews@le.utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "Al Romeo (DHHS)" <alromeo@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>, "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Carol Ruddell (DHHS)" <cgruddell@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Linda Wininger (DHHS)" <lindaw@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, Jill Parker <jparker@ualhd.org>
DATE: 30/09/2022 18:11

HHS Staff -

Attached are the following DHHS legislatively required reports due by October 1st, 2022:

- DHHS | LHD Recommendations on Birth Certificate Fees (HB 341, 2022)
- Suicide Prevention Technical Assistance Report
- Health Coverage Improvement Program Report
- Adult Autism Treatment Program Advisory Committee
- Hepatitis C Outreach Pilot Program
- Drinking While Pregnant Prevention Media and Education Campaign
- Air Ambulance Rates Report

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Fwd: FN: Input on Fiscal Note for 2023FL0177
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 01/10/2022 10:47

Marc,

Is Neil aware of this draft?

Tracy

Tracy S. Gruber
Executive Director
O: 801-538-4001
tracygruber@utah.gov

Utah Department of
Health & Human
Services

---------- Forwarded message ---------
From: **Legislative Automated Email System** <boyd@le.utah.gov>
Date: Fri, Sep 30, 2022 at 3:16 PM

[redacted]

Subject: FN: Input on Fiscal Note for 2023FL0177
To: Russell Frandsen <rfrandsen@le.utah.gov>, fiscalnotes@agutah.gov <fiscalnotes@agutah.gov>, brianjensen@utah.gov <brianjensen@utah.gov>, benelson@utah.gov <benelson@utah.gov>, chet.loftis@pehp.org <chet.loftis@pehp.org>, Dan.Andersen@urs.org <Dan.Andersen@urs.org>, dschuring@utah.gov <dschuring@utah.gov>, Dave.Hansen@pehp.org <Dave.Hansen@pehp.org>, davidlitvack@utah.gov <davidlitvack@utah.gov>, davidlund@agutah.gov <davidlund@agutah.gov>, dee.larsen@urs.org <dee.larsen@urs.org>, gcottrell@utah.gov <gcottrell@utah.gov>, ggopez@agutah.gov <ggopez@agutah.gov>, Jfhart@utah.gov <Jfhart@utah.gov>, jakehennessy@utah.gov <jakehennessy@utah.gov>, jenevans@utah.gov <jenevans@utah.gov>, Jill Parker <jparker@ualhd.org>, jshaw@utah.gov <jshaw@utah.gov>, kburt@utah.gov <kburt@utah.gov>, kimbeck2@utah.gov <kimbeck2@utah.gov>, kharvey@utah.gov <kharvey@utah.gov>, mwatterson@utah.gov <mwatterson@utah.gov>, natechecketts@utah.gov <natechecketts@utah.gov>, nmjohansen@utah.gov <nmjohansen@utah.gov>, natetalley@utah.gov <natetalley@utah.gov>, natewinters@utah.gov <natewinters@utah.gov>, nharrison@utah.gov <nharrison@utah.gov>, pwlee@utah.gov <pwlee@utah.gov>, Paul.Anderton@pehp.org <Paul.Anderton@pehp.org>, pray@utah.gov <pray@utah.gov>, panjewierden@utah.gov <panjewierden@utah.gov>, rmstringham@utah.gov <rmstringham@utah.gov>, ryancowley@utah.gov <ryancowley@utah.gov>, swatkins@utah.gov <swatkins@utah.gov>, shellyjackson@utah.gov <shellyjackson@utah.gov>, swang@utah.gov <swang@utah.gov>, tnorthrup@utah.gov <tnorthrup@utah.gov>, tjfornelius@utah.gov <tjfornelius@utah.gov>, tbudd@utah.gov <tbudd@utah.gov>, tracygruber@utah.gov <tracygruber@utah.gov>, xthomas@utah.gov <xthomas@utah.gov>

2023FL0177, Pregnancy Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

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SUBJECT: Fwd: FN: Input on Fiscal Note for 2023FL0171
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 01/10/2022 10:49

This one too with respect to notifying Neil.

Thanks.
Tracy
Tracy S. Gruber
Executive Director
O: 801-538-4001
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Legislative Automated Email System** <boyd@le.utah.gov>
Date: Fri, Sep 30, 2022 at 3:15 PM
Subject: FN: Input on Fiscal Note for 2023FL0171
To: Russell Frandsen <rfrandsen@le.utah.gov>, fiscalnotes@agutah.gov <fiscalnotes@agutah.gov>, brianjensen@utah.gov <brianjensen@utah.gov>, benelson@utah.gov <benelson@utah.gov>, chet.loftis@pehp.org <chet.loftis@pehp.org>, Dan.Andersen@urs.org <Dan.Andersen@urs.org>, dschuring@utah.gov <dschuring@utah.gov>, Dave.Hansen@pehp.org <Dave.Hansen@pehp.org>, davidlitvack@utah.gov <davidlitvack@utah.gov>, davidlund@agutah.gov <davidlund@agutah.gov>, dee.larsen@urs.org <dee.larsen@urs.org>, gcottrell@utah.gov <gcottrell@utah.gov>, ggopez@agutah.gov <ggopez@agutah.gov>, Jfhart@utah.gov <Jfhart@utah.gov>, jakehennessy@utah.gov <jakehennessy@utah.gov>, jenevans@utah.gov <jenevans@utah.gov>, Jill Parker <jparker@ualhd.org>, jshaw@utah.gov <jshaw@utah.gov>, kburt@utah.gov <kburt@utah.gov>, kimbeck2@utah.gov <kimbeck2@utah.gov>, kharvey@utah.gov <kharvey@utah.gov>, mwatterson@utah.gov <mwatterson@utah.gov>, natechecketts@utah.gov <natechecketts@utah.gov>, nmjohansen@utah.gov <nmjohansen@utah.gov>, natetalley@utah.gov <natetalley@utah.gov>, natewinters@utah.gov <natewinters@utah.gov>, nharrison@utah.gov <nharrison@utah.gov>, pwlee@utah.gov <pwlee@utah.gov>, Paul.Anderton@pehp.org <Paul.Anderton@pehp.org>, pray@utah.gov <pray@utah.gov>, panjewierden@utah.gov <panjewierden@utah.gov>, rmstringham@utah.gov <rmstringham@utah.gov>, ryancowley@utah.gov <ryancowley@utah.gov>, swatkins@utah.gov <swatkins@utah.gov>, shellyjackson@utah.gov <shellyjackson@utah.gov>, swang@utah.gov <swang@utah.gov>, tnorthrup@utah.gov <tnorthrup@utah.gov>, tjfornelius@utah.gov <tjfornelius@utah.gov>, tbudd@utah.gov <tbudd@utah.gov>, tracygruber@utah.gov <tracygruber@utah.gov>, xthomas@utah.gov <xthomas@utah.gov>

2023FL0171, Postpartum Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

[redacted]

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SUBJECT: DHHS Legislatively Required Reports
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>, "Sean C. Faherty" <sfaherty@le.utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>, "Braden Ainsworth (DHHS)" <bainsworth@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "Andreas Rohrwasser (DHHS)" <arohrwasser@utah.gov>, Christopher Otto <cotto@utah.gov>, "Kendall Woffinden (DHHS)" <kendallwoffinden@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 01/10/2022 13:31

SSA Staff -

Attached are the following legislatively required reports due by October 1st, 2022:

- Electronic Cigarette Substance and Nicotine Product Tax Restricted Account (previously submitted/heard in SSA in August)
- Tobacco Product Retail Non-Compliance Rate Report
- Medicaid Match and Tobacco Cessation Report
- Sudden Unexplained Infant Death (SUID) Prevention
- DEQ and UPHL Comprehensive Plan for Services
- Medicaid Graduate Medical Education Expansion Report (near finalization)
- Implementation of Recommendations from Culture and Grant Management Audit
- Adult Autism Treatment Program Advisory Committee
- Hepatitis C Outreach Pilot Program

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: FN: Input on Fiscal Note for 2023FL0139 (Protected)
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO: Ivan Djambov <idjambov@le.utah.gov>, "fiscalnotes@agutah.gov"<fiscalnotes@agutah.gov>, "brianjensen@utah.gov" <brianjensen@utah.gov>,"benelson@utah.gov" <benelson@utah.gov>, "ccochran@utah.gov"<ccochran@utah.gov>, "cliffbutter@utah.gov" <cliffbutter@utah.gov>,"ddwilliams@utah.gov" <ddwilliams@utah.gov>, "davidlitvack@utah.gov"<davidlitvack@utah.gov>, "davidlund@agutah.gov" <davidlund@agutah.gov>,"devans@utah.gov" <devans@utah.gov>, "devans@utah.gov" <devans@utah.gov>,"ecropper@utah.gov" <ecropper@utah.gov>, Evan Curtis <ecurtis@utah.gov>,"ggopez@agutah.gov" <ggopez@agutah.gov>, "hreilly@utah.gov"<hreilly@utah.gov>, "John L. Valentine" <jvalentine@utah.gov>,"jelarsen@utah.gov" <jelarsen@utah.gov>, "jakehennessy@utah.gov"<jakehennessy@utah.gov>, "jakehennessy@utah.gov" <jakehennessy@utah.gov>,"jasongardner@utah.gov" <jasongardner@utah.gov>, "jeanmills@utah.gov"<jeanmills@utah.gov>, "jenevans@utah.gov" <jenevans@utah.gov>,"jpriskos@utah.gov" <jpriskos@utah.gov>, "jpatters@utah.gov"<jpatters@utah.gov>, "jbrown@utah.gov" <jbrown@utah.gov>, "jshaw@utah.gov"<jshaw@utah.gov>, "jchristenson@utah.gov" <jchristenson@utah.gov>,"jlee@ulct.org" <jlee@ulct.org>, Kim Gibb <kgibb@utah.gov>,"kharvey@utah.gov" <kharvey@utah.gov>, "kharvey@utah.gov" <kharvey@utah.gov>,"lkatayama@utah.gov" <lkatayama@utah.gov>, "mwatterson@utah.gov"<mwatterson@utah.gov>, "mwatterson@utah.gov" <mwatterson@utah.gov>,"yeschick@utah.gov" <yeschick@utah.gov>, "meganshaw@utah.gov"<meganshaw@utah.gov>, "mcragun@utah.gov" <mcragun@utah.gov>,"mikehylland@utah.gov" <mikehylland@utah.gov>, Michael Drechsel<michaelcd@utcourts.gov>, "mikehaddon@utah.gov" <mikehaddon@utah.gov>,"mwheeler@ulct.org" <mwheeler@ulct.org>, "mkmiskimins@utah.gov"<mkmiskimins@utah.gov>, "natechecketts@utah.gov" <natechecketts@utah.gov>,"natetalley@utah.gov" <natetalley@utah.gov>, "natetalley@utah.gov"<natetalley@utah.gov>, "natewinters@utah.gov" <natewinters@utah.gov>,"pgarver@utah.gov" <pgarver@utah.gov>, "pray@utah.gov" <pray@utah.gov>,"pray@utah.gov" <pray@utah.gov>, "rsparr@utah.gov" <rsparr@utah.gov>,"rrockwell@utah.gov" <rrockwell@utah.gov>, Richie Wilcox <rwilcox@utah.gov>,"robbipoulson@utah.gov" <robbipoulson@utah.gov>, "rogerlewis@utah.gov" <rogerlewis@utah.gov>, "ryancowley@utah.gov" <ryancowley@utah.gov>,"sandee.moore@slcgov.com" <sandee.moore@slcgov.com>, "swatkins@utah.gov"<swatkins@utah.gov>, "shellyjackson@utah.gov" <shellyjackson@utah.gov>,"swang@utah.gov" <swang@utah.gov>, "swang@utah.gov" <swang@utah.gov>,"sasbury@utah.gov" <sasbury@utah.gov>, "stevebowman@utah.gov"<stevebowman@utah.gov>, "tjfornelius@utah.gov" <tjfornelius@utah.gov>,"tracygruber@utah.gov" <tracygruber@utah.gov>, "xthomas@utah.gov"<xthomas@utah.gov>, "xthomas@utah.gov" <xthomas@utah.gov>
CC: Gary Syphus <gsyphus@le.utah.gov>, Maddy Oritt <moritt@le.utah.gov>
DATE: 03/10/2022 11:16

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2023FL0139, Government Records Access Amendments by Stoddard, A. has been assigned to the following analyst(s) for a Fiscal Note:

Ivan D. Djambov - Lead Analyst
Gary R. Syphus - Secondary Analyst
Maddy Oritt - Secondary Analyst

The attorney assigned to this bill is Robert H. Rees

Please help us to determine any fiscal impact by logging on to https://secure.utah.gov/ufn/ and completing a response.

SUBJECT: Fwd: FN: Input on Fiscal Note for 2023FL0139 (Protected)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Blaine Thomas <bsthomas@agutah.gov>
CC: Stephanie Saperstein <stephaniesaperstein@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>, "Amanda Slater (DHHS)" <aslater@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 03/10/2022 11:33

Blaine -

[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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---------- Forwarded message ---------
From: **Legislative Automated Email System** <boyd@le.utah.gov>
Date: Mon, Oct 3, 2022 at 11:16 AM
Subject: FN: Input on Fiscal Note for 2023FL0139 (Protected)
To: Ivan Djambov <idjambov@le.utah.gov>, fiscalnotes@agutah.gov <fiscalnotes@agutah.gov>, brianjensen@utah.gov <brianjensen@utah.gov>, benelson@utah.gov <benelson@utah.gov>, ccochran@utah.gov <ccochran@utah.gov>, cliffbutter@utah.gov <cliffbutter@utah.gov>, ddwilliams@utah.gov <ddwilliams@utah.gov>, davidlitvack@utah.gov <davidlitvack@utah.gov>, davidlund@agutah.gov <davidlund@agutah.gov>, devans@utah.gov <devans@utah.gov>, ecropper@utah.gov <ecropper@utah.gov>, Evan Curtis <ecurtis@utah.gov>, ggopez@agutah.gov <ggopez@agutah.gov>, hreilly@utah.gov <hreilly@utah.gov>, John L. Valentine <jvalentine@utah.gov>, jelarsen@utah.gov <jelarsen@utah.gov>, jakehennessy@utah.gov <jakehennessy@utah.gov>, jasongardner@utah.gov <jasongardner@utah.gov>, jeanmills@utah.gov <jeanmills@utah.gov>, jenevans@utah.gov <jenevans@utah.gov>, jpriskos@utah.gov <jpriskos@utah.gov>, jpatters@utah.gov <jpatters@utah.gov>, jbrown@utah.gov <jbrown@utah.gov>, jshaw@utah.gov <jshaw@utah.gov>, jchristenson@utah.gov <jchristenson@utah.gov>, jlee@ulct.org <jlee@ulct.org>, Kim Gibb <kgibb@utah.gov>, kharvey@utah.gov <kharvey@utah.gov>, lkatayama@utah.gov <lkatayama@utah.gov>, mwatterson@utah.gov <mwatterson@utah.gov>, yeschick@utah.gov <yeschick@utah.gov>, meganshaw@utah.gov <meganshaw@utah.gov>, mcragun@utah.gov <mcragun@utah.gov>, mikehylland@utah.gov <mikehylland@utah.gov>, Michael Drechsel <michaelcd@utcourts.gov>, mikehaddon@utah.gov <mikehaddon@utah.gov>, mwheeler@ulct.org <mwheeler@ulct.org>, mkmiskimins@utah.gov <mkmiskimins@utah.gov>, natechecketts@utah.gov <natechecketts@utah.gov>, natetalley@utah.gov <natetalley@utah.gov>, natewinters@utah.gov <natewinters@utah.gov>, pgarver@utah.gov <pgarver@utah.gov>, pray@utah.gov <pray@utah.gov>, rsparr@utah.gov <rsparr@utah.gov>, rrockwell@utah.gov <rrockwell@utah.gov>, Richie Wilcox <rwilcox@utah.gov>, robbipoulson@utah.gov <robbipoulson@utah.gov>, rogerlewis@utah.gov <rogerlewis@utah.gov>, ryancowley@utah.gov <ryancowley@utah.gov>, sandee.moore@slcgov.com <sandee.moore@slcgov.com>, swatkins@utah.gov <swatkins@utah.gov>, shellyjackson@utah.gov <shellyjackson@utah.gov>, swang@utah.gov <swang@utah.gov>, sasbury@utah.gov <sasbury@utah.gov>, stevebowman@utah.gov <stevebowman@utah.gov>, tjfornelius@utah.gov <tjfornelius@utah.gov>, tracygruber@utah.gov <tracygruber@utah.gov>, xthomas@utah.gov <xthomas@utah.gov>
Cc: Gary Syphus <gsyphus@le.utah.gov>, Maddy Oritt <moritt@le.utah.gov>

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[redacted]

[redacted]

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Gary R. Syphus - Secondary Analyst
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The attorney assigned to this bill is Robert H. Rees

Please help us to determine any fiscal impact by logging on to https://secure.utah.gov/ufn/ and completing a response.

[redacted]

[redacted]

[redacted]

SUBJECT: RE: DHHS Legislatively Required Reports
FROM: Mark Andrews <markandrews@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>
CC: "Ray, Paul" <pray@utah.gov>, Seth Anderson <sanderson@le.utah.gov>
DATE: 03/10/2022 15:16

[redacted]

[redacted]

Thanks so much, Marc!

mark

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Friday, September 30, 2022 6:12 PM
To: Seth Anderson <sanderson@le.utah.gov>; Mark Andrews <markandrews@le.utah.gov>
Cc: DHHS_EDO <dhhsedo@utah.gov>; Guy Dansie (DHHS) <gdansie@utah.gov>; Al Romeo (DHHS) <alromeo@utah.gov>; Cindy Burnett (DHHS) <cburnett@utah.gov>; Bree Barbeau (DHHS) <bbarbeau@utah.gov>; Colin Kingsbury (DHHS) <ckingsbury@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>; John Curless (DHHS) <jcurless@utah.gov>; Car Ruddell (DHHS) <cgruddell@utah.gov>; Brent Kelsey <bkelsey@utah.gov>; Linda Wininger (DHHS) <lindaw@utah.gov>; Kyle Lunt (DHHS) <kylelunt@utah.gov>; Jill Parker <jparker@ualhd.org>
Subject: DHHS Legislatively Required Reports

HHS Staff -

Attached are the following DHHS legislatively required reports due by October 1st, 2022:

- DHHS | LHD Recommendations on Birth Certificate Fees (HB 341, 2022)
- Suicide Prevention Technical Assistance Report
- Health Coverage Improvement Program Report
- Adult Autism Treatment Program Advisory Committee
- Hepatitis C Outreach Pilot Program
- Drinking While Pregnant Prevention Media and Education Campaign
- Air Ambulance Rates Report

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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[redacted]

SUBJECT: Two big SCOTUS rulings yesterday
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 24/06/2022 07:39

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | June 24, 2022

It's Friday and we are a mere 6 months from Christmas Eve. You're welcome.

Today is also National Food Truck Day, a great choice for date night.

Be in the Know

- The Supreme Court ruled 6-3 on Thursday that New York's concealed carry licensing regime, a century-old law which requires anyone who wants to carry a concealed handgun outside his home to demonstrate a special need for self-defense, is unconstitutional and violates citizens' Second Amendment rights.
- The Supreme Court also ruled 6-3 on Thursday that citizens cannot file a civil action lawsuit and seek damages under U.S. Code Section 1983 in the event a police officer fails to inform them of their *Miranda* rights.

Rapid Roundup

- This weekend's air show at Hill Air Force Base is expected to draw 500,000+ people, 5703 designs were submitted as Utah searches for a new flag, fireworks restrictions are in place as we heard towards July, and Rudy Gobert scrubs the Utah Jazz from his Instagram page 😟

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Utah Headlines

General

- Utah Patriot Front members have their security guard licenses suspended, executive says (Fox13)
- Man behind Tabernacle Choir for 22 years retires (KSL TV)
- Utah's new state prison is here, but some families of prisoners worry about the transfer (KUER)
- Flash flood warning issued at Capitol Reef National Park (KUTV)

Politics

- Several House GOP lawmakers requested pardons, Jan 6. committee reveals. One asked for pardons for a list of lawmakers that includes Reps. Chris Stewart and Burgess Owens (Salt Lake Tribune)
- Attorneys for transgender students seek to block school sports ban from taking effect (Salt Lake Tribune)
- Senate approves gun safety bill. Mitt Romney voted yes, Mike Lee voted no (Deseret News)
- San Juan County commissioners acted in 'bad faith' for personal benefit, judge says (KUTV)

Education

- This app incentivizes kids to prep for higher ed: Students can win Chick-Fil-A, movie passes and other rewards through the Keys to Success Program (Salt Lake Tribune)

Elections

- Project Veritas has again inserted itself in Utah's Republican primary — and it should give us all pause (Salt Lake Tribune)
- Sen. McKell doesn't want to turn a blind eye to campaign signs on gov't property anymore (KUER)

Environment

- Wildfire burning outside Bryce Canyon National Park grows to 4,600 acres, remains 5% contained (Salt Lake Tribune)
- Watts in the wild: Utah has plans for electrifying its scenic highways With federal funding, UDOT is finding locations for EV charging stations every 50 miles. (Salt Lake Tribune)
- Poll: 3 in 4 Americans ignore evacuation orders for disasters, weather. More than half of Americans don't have an emergency kit (Deseret News)
- Flash flooding hits southern Utah national parks, closing roads (KSL)
- Alaska's June wildfires break records, fueled by hot, dry weather. More than 1 million acres have burned already in the state, the earliest date on record (Washington Post)

Health

- Ten more Utahns died of COVID-19 in the past week. The number of cases and hospitalizations both rose in the last seven days. (Salt Lake Tribune)
- Utah vape store shelves stripped of JUUL products hours after FDA announces ban (Fox13)

Housing

- Is the West's pandemic housing high over? The Provo housing market just saw the nation's largest share of price cuts (Deseret News)
- Brint Novinska-Lois: Ending housing discrimination in Salt Lake City would boost economic mobility. Community councils should not stand in the way of the proposed Affordable Housing Overlay. (Salt Lake Tribune)
- Airbnb bookings in rural Utah see major boom (ABC4)

National Headlines

General

- 'Just say it was corrupt' and 3 other takeaways from Thursday's Jan. 6 hearing (NPR)
- Takeaways: Trump risked provoking 'constitutional crisis' (AP)
- Fox News's Bret Baier: 'Patriots' testifying before Jan. 6 panel 'stood up' to Trump's bid to overturn election (The Hill)
- The Memo: First phase of Jan. 6 hearings sharpens dangers for Trump (The Hill)
- Israeli gunfire killed journalist Shireen Abu Akleh, U.N. says (NPR)
- UN chief warns of 'catastrophe' from global food shortage (AP)
- Fertility doctors move embryos to other states in case of Roe v. Wade impact (Wall Street Journal)
- A half-century after one movement, 'Fierce Madres' in Uvalde call for another as collective grief is turning into collective rage (Washington Post)

Politics

- GOP unity? Some aim for reconciliation after tough primaries (AP)
- Senate Passes Bipartisan Gun Bill Funding Red-Flag Laws, Mental Health Programs (Wall Street Journal)
- Greitens's violent ad sets off GOP scramble to stop his Senate bid. State and national Republicans are feverishly shopping super PACs, planning an independent candidate and lobbying Trump, hoping to sink the scandal-ridden ex-governor's comeback (Washington Post)
- Biden's pick for NATO chief confirmed. Gen. Christopher Cavoli currently commands U.S. Army forces in Europe and will succeed Gen. Tod Wolters as the head of U.S. European Command and NATO supreme allied commander. (Politico)
- DOJ searches home of former official who aided alleged pro-Trump 'coup' (Politico)
- Multiple House Republicans on defensive over Jan. 6 panel testimony that they sought post-riot pardons (Politico)

Ukraine UA

- Ukrainians cheer nation's EU candidacy amid wartime woes (AP)
- Ukrainian army to leave battered city to avoid encirclement (AP)
- Russia blames U.S. for Kaliningrad transit restrictions (Reuters)

News Releases

The 13th annual Clear the Air Challenge

Join the Salt Lake Chamber, UCAIR, and TravelWise as we kick off the 13th Annual Clear the Air Challenge. Issued by business, government, and community leaders, the Challenge is a month-long competition designed to encourage Utahns to reduce vehicle emissions by choosing alternatives to driving alone. Help us get the word out and make this year's Challenge an even bigger success. The Clear the Air Challenge starts July 1. Learn more at ClearTheAirChallenge.org. (**Read More**)

Owens backs bipartisan, bicameral agreement to extend school and summer meals for kids

Rep. Burgess Owens (UT-04), Ranking Member of the Subcommittee on Early Childhood, Elementary, and Secondary Education, co-sponsored the Keep Kids Fed Act, legislation to help schools weather learning disruptions, supply chain challenges, and four-decade high inflation through targeted and temporary aid. (**Read More**)

Senate passes Romney-backed bipartisan Safer Communities Act

By a vote of 65-33, the Senate passed the *Bipartisan Safer Communities Act* —legislation to bolster public safety and prevent tragedies before they occur, including through substantial investments in mental health, school safety, and state-led crisis intervention programs. U.S. Senator Mitt Romney (R-UT) was part of a bipartisan group of 20 members to sign on to the proposal on June 12. The legislation now goes to the House of Representatives for consideration. (**Read More**)

Congressman Blake Moore's provisions included in the National Defense Authorization Act for Fiscal Year 2023

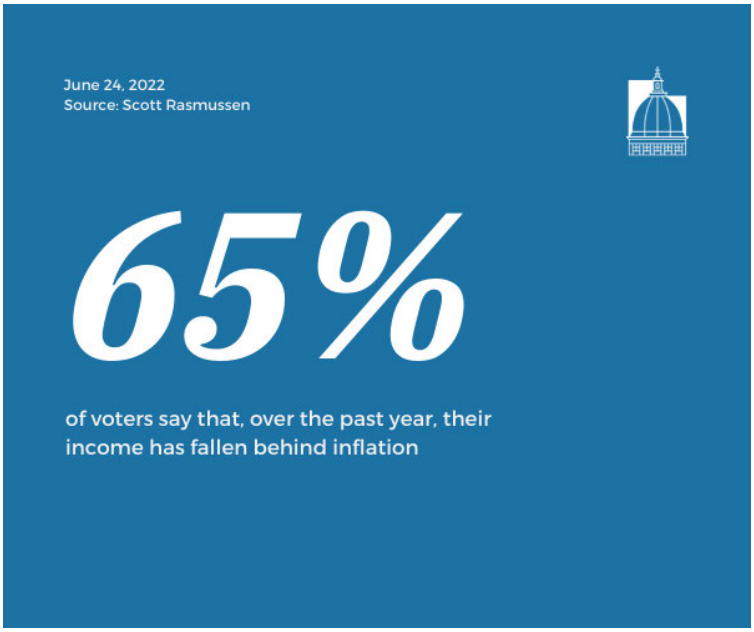
Early Thursday morning, the House Armed Services Committee (HASC) passed the National Defense Authorization Act (NDAA) for Fiscal Year 2023, and Congressman Blake Moore fought to successfully include many sponsored provisions in the passed legislation.

"During a time of economic uncertainty and global geopolitical instability, the House Armed Services Committee carefully put together a defense authorization bill that will improve our defense systems and the lives of our servicemembers," **said Congressman Blake Moore.** (**Read More**)

Senate passes Lee's FORMULA Act

The US Senate unanimously passed a modified version of the Fixing Our Regulatory Mayhem Upsetting Little Americans (FORMULA) Act introduced by Sen. Mike Lee (R-UT). The FORMULA Act was created to combat domestic baby formula shortages and bolster the supply chain to help American families feed their babies. Recent shortages come in the immediate aftermath of a recall and temporary closure of a major American formula factory, but highlight systemic weaknesses in this vital supply chain. Due to the disruption, families in Utah and across the nation are struggling to feed their babies. This modified version of Lee's FORMULA Act will lift substantial tariffs on the importation of baby formula and reduce the costs borne by retailers trying to keep their shelves stocked. (**Read More**)

Number of the Day



Tweet of the Day

Abby Cox
@AbbyPalmerCox

Come to this amazing party tomorrow at Thanksgiving Point!! 4-9pm

First Lady Abby Palmer Cox

Upcoming

- **Primary election day –** June 28
- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1896** - Harvard University issues its first honorary degree to an African American – author, educator and orator, Booker T. Washington.
- **1918** - Mildred Ladner Thompson is born. In 1945, she became one of the Wall Street Journal's first female reporters.
- **1929** - Carolyn Spellmann Shoemaker is born. When she was 51, and her children were grown, she began looking at the stars. She discovered 32 comets and more than 800 asteroids. In 1993, her most notable discovery was a team effort. Along with her husband and astrogeologist, Gene Shoemaker and astronomer David Levy, they discovered the comet Shoemaker-Levy 9. She retired in 2019 at age 90 and died Aug. 13, 2021.
- **1947** - While flying near Mt. Rainer, pilot Kenneth Arnold witnessed what is considered the first widely reported sighting of an unidentified flying object – UFO.
- **1995** - Esther Rome, American health advocate, dies from breast cancer at age 49. She belonged to the Boston Women's Health Book Collective. She and other group members began writing articles on women's health which became the book *Our Bodies, Ourselves.*
- **2021** - A 12-story condo collapses in Florida, killing 98

Wise Words

"You are what you do, not what you say you'll do."
— Carl Gustav Jung

Lighter Side

"The Supreme Court overturned a New York law — a New York State gun law restricting concealed weapons. 'Cuz you know how sometimes you'll be on the F train in August and there's no A.C. and then it stops in the middle of the tunnel and the conductor doesn't announce anything and you think to yourself, 'Man, I wish we all had guns.'"

— *SETH MEYERS*

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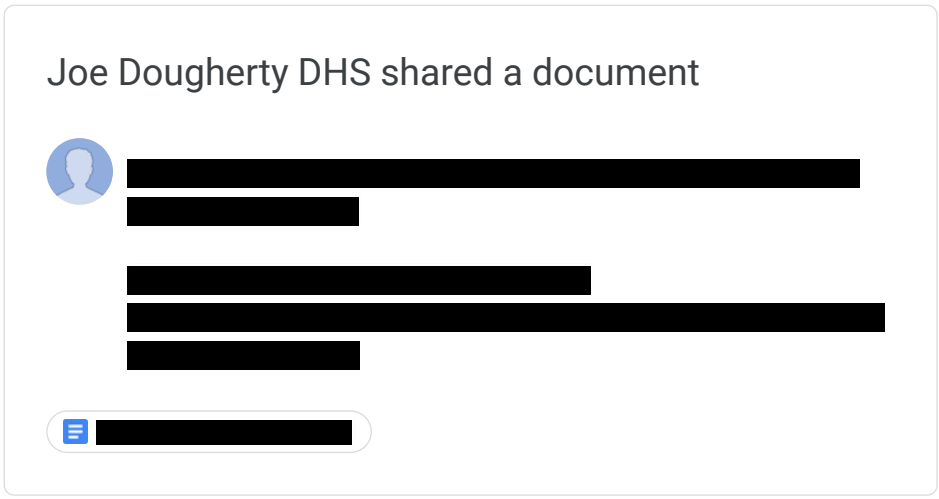
SUBJECT: DRAFT - DHHS Abortion FAQs
FROM: "Joe Dougherty DHS (via Google Docs)" <drive-shares-noreply@google.com>
TO: mwatterson@utah.gov
CC: aslater@utah.gov, brittanyhuff@utah.gov, bdorff@utah.gov, carmenrichins@utah.gov, chaley@utah.gov, crmeaders@utah.gov, cmeaders@utah.gov, davidlitvack@utah.gov, hborski@utah.gov, jnp@utah.gov, jstrohecker@utah.gov, jennyjohnson@utah.gov, katieengland@utah.gov, kristigrimes@utah.gov, lbaksh@utah.gov, lindaw@utah.gov, lpnilson@utah.gov, mhofmann@utah.gov, natechecketts@utah.gov, ntaxin@utah.gov, pray@utah.gov, sbolivar@utah.gov, stephaniesaperstein@utah.gov, tonypatterson@utah.gov, thales@utah.gov, tracygruber@utah.gov
DATE: 24/06/2022 08:29



Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
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Google Workspace

SUBJECT: Security at DHHS Facilities
FROM: Nate Winters DHS <natewinters@utah.gov>
TO: DHHS ELT <DHHS_ELT@utah.gov>
CC: "Tyson Walker (DHS)" <tysonwalker@utah.gov>
DATE: 24/06/2022 08:32

Good Morning ELT,

We've heard concerns around safety at some of our DHHS locations, especially in light of the SCOTUS decision around Roe V. Wade. Please know that we have connected with the Department of Public Safety on these concerns. The intelligence that DPS has gathered indicates that any activity around this decision is looking to be held at the capitol. If they get word of a change they will let us know. Also, if we see anything, please let Tyson Walker know immediately. He has a direct connection with DPS to get a team sent to our facilities for security. Additionally, we've let our security companies know to be aware of anything unusual and to report.

Please let me know if you have any questions.

Thanks,

Nate

Nate Winters
Deputy Director
C: 801.450.2098
natewinters@utahg.gov
hs.utah.gov
health.utah.gov

Utah Department of Health & Human Services

SUBJECT: Fireworks, spotlighting service, and more
FROM: Office of Gov. Spencer Cox <govcomm@utah.gov>
TO: <mwatterson@utah.gov>
DATE: 24/06/2022 09:41

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Happy Friday from #OneUtah, a weekly update from the office of Gov. Spencer J. Cox. Here's your recap of what we did this week, what's on the horizon, and more. Reply to this email with any questions or suggestions regarding the newsletter. And thank you for subscribing!

Vote!

We encourage every eligible voter to cast their ballot in the Tuesday, June 28 primary election. Your vote is your voice. So please vote and help us shape our great state. If you have any questions, visit vote.utah.gov.

Fireworks safety

We met with firefighters and local officials to encourage Fire Sense as we head into fireworks season. Current drought conditions have made Utah a tinderbox and fire danger is extremely high statewide. In fact, 100% of the state is in drought and 83% of the state is in extreme drought or worse.

Firework sales begin today. If you choose to use fireworks this summer, please be smart and safe about it. Remember:

- Only use fireworks only during legal times and designated holidays.
- Keep a fire extinguisher and water nearby.
- Use fireworks away from dry grass — and never use them on state and federal lands, and all private lands outside cities and towns; and.
- Use extreme caution when lighting aerial fireworks.

You can always find the latest on fireworks safety and local restrictions at firemarshal.utah.gov/department-services/fireworks/.

We know that wildfires from fireworks are preventable. Last year, Utahns used good Fire Sense and cut human-caused wildfires by 51% — that's more than 500 fires that never started. As we gear up for summer celebrations, let's all stay vigilant and use good Fire Sense.

The Supreme Court's ruling

This administration has been dedicated to giving a voice to the most vulnerable in our society, including the unborn. We wholeheartedly support today's Supreme Court ruling and are encouraged to see abortion law will be left to elected state representatives.

As pro-life advocates, this administration is equally committed to supporting women and families in Utah. We all need to do more to support mothers,

pregnant women, and children facing poverty and trauma.

Working together to keep Americans safe

We're heartbroken by recent gun violence, and we are committed to helping make a change.

We're proud to join a bipartisan group of governors who are coming together to make recommendations and identify solutions that give state and local leaders effective tools designed to stop mass shootings and instill confidence in our communities and schools.

Every state is unique, but we can all agree that there are common sense ways to keep our schools and communities safe in a manner consistent with the demands of the American people. Stay tuned for updates.

Recognizing Utah's Spirit of Service

Like so many Utahns, we know how important it is to give back, which is why we're thrilled to introduce the awardees of the inaugural Governor's Spirit of Service Awards. Out of more than 100 nominations, this year we honored:

- **Cristina Diaz de Leon**, who created Rancho Market COVID-19 vaccine clinics, advanced inclusion and cultural celebrations, empowered youth, led out on service projects, and strongly believed in "meeting people where they are". Unfortunately, she passed away from lung cancer on Jan. 22, 2022, and her family accepted the award in her honor.
- **Artes de México en Utah**, which creates cultural awareness, provides diverse perspectives, builds understanding and cross-cultural competence, helps the Latino-Hispanic youth connect with their roots and be proud of their multicultural heritage.

- **The Little Lambs Foundation for Kids**, which provides comfort kits for children placed into foster care, emergency shelters, and escaping domestic violence, Northern Utah's only direct service diaper bank, has distributed over 1.75 million diapers to Utah families.
- **Andilynn Chambers**, a 10-year-old with a very giving heart. She asks for donations rather than birthday gifts, and has donated more than 1,000 items to the local homeless shelters, domestic violence shelters, and The Christmas Box House.
- **Lenise Peterman**, the volunteer mayor of Helper. She was nominated for working tirelessly on behalf of her community, being a key volunteer for the city revitalization committee, writing grants for the city, securing key partnerships, and acting as a mentor to aspiring change-makers.
- **Ruff Haven Crisis Sheltering Center**, which works to prevent individuals from having to surrender their pets by providing shelter when someone is experiencing a crisis, temporary hardships, medical emergencies and more.
- **Emily Rojo Mendoza**, who tutors fellow Kearns HS students, helps at food banks, serves as the president of the My Kearns Evidence 2 Success Youth Council, has raised thousands of dollars for the local food pantries and the homeless youth resource center.
- **Ken Vaughn III**, who has been in a wheelchair for 20 years, is an active volunteer board member and webmaster for nonprofit Chairbound Sportsman, and helps fundraise and coordinate outdoor adventures for disabled persons.
- **Moab Multicultural Center**, which works to help the homeless find a place to sleep and make sure the less fortunate families in Moab get food for dinner.

These awardees are why Utah leads the nation in volunteerism and service work. You can read more about them here.

Opening Utah’s new state corrections facility

This week marked a big moment for the Department of Corrections and Utah as we celebrated the largest construction project in our state’s history: We officially cut the ribbon at the new Utah State Correctional Facility. We're proud of this effort to provide a safe and secure facility that's also conducive to recovery and rehabilitation.

What makes this building different? There's increased programming space for education, vocational training, and treatment; greater access to medical care and resources; and improved working environments for staff.

We applaud the individuals who have dedicated more than five years to this project: Jerry Jensen; Bryan Taylor; Capt. Matthew Coates; Lt. Bisera Habibija;

Lt. Michael Millward; Elizabeth Brown; Steven Turley; and Mike Ambre.

We'd also like to thank the dedicated Department of Corrections staff. Corrections is not an easy career. It can be dangerous and thankless — and it can mean long hours. But it's a vital part of keeping us all safe. Inmates will be moving to the new facility from the Draper prison site in the coming weeks.

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CDC authorizes COVID vaccines for children

The Centers for Disease Control and Prevention issued recommendations for vaccinating children 5 years of age and younger against COVID-19, which clears the way for the nearly 241,000 Utah children to get vaccinated!

Additionally, the FDA has authorized both the Pfizer and Moderna mRNA vaccines for use with all ages (6 months and older) eligible for COVID-19 vaccinations. Previously, only the Pfizer vaccine was available for children younger than 18.

Vaccines for this youngest age group are on the way. According to the Utah Department of Health and Human Services, providers have already ordered 32,300 doses of the vaccines.

Providers such as local health departments, select pharmacies, and doctor's offices are offering vaccinations to the youngest Utahns over the next several days to weeks. For more information visit www.coronavirus.utah.gov/vaccine/ or call the COVID-19 hotline at 1-800-456-7707.

Good government in action

The town of Lynndyl in Millard County now has water, thanks to the quick action of state and local officials. Lynndyl has two wells powered by pumps. The state allocated $1.75 million to help the town build new drinking water infrastructure, but before that could happen, the pumps failed yesterday afternoon. The water shortage was not due to drought.

When the Department of Environmental Quality and Department of Public Safety got word, they reached out to work with Lynndyl and Delta City officials to expedite hauling water into the town and to see if the pumps could be fixed.

By 9 p.m., water was on the way with LiquaDry from the neighboring town of Abraham hauling water to Lynndyl. DEQ helped install a new pump and ensured the water was safe to drink.

In the meantime, the Governor's Office of Economic Opportunity is working with Millard County to secure $113,000 in emergency funds to keep the water flowing until the grant money comes through.

"After talking with Gov. Cox last night, everything ran more smoothly," Lynndyl Mayor Briar Proctor said. "A huge thank you to the surrounding cities, the state and everyone who helped us. It's been an overwhelming amount of help."

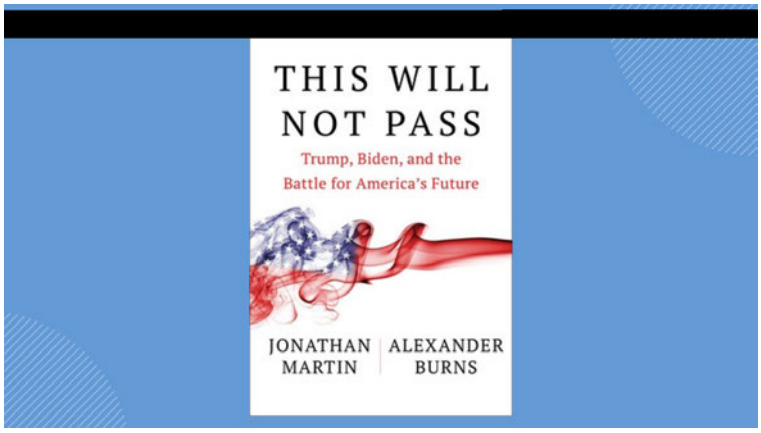
We're grateful to DEQ, DPS, Go Utah, Delta City, Lynndyl City, LiquaDry and Millard County for coordinating so quickly and efficiently to make sure this town of 120 has water. This is good government in action!

State flag design preview

We're excited by the enthusiasm around a new state flag! Lt. Gov. Henderson and members of the Utah State Flag Task Force got a sneak peek of some of the 5,000 flag designs that have been submitted by the public..

Finalists were not selected at the preview event.

The new state flag aspires to reflect on Utah's past while uniting us with new symbolism and a shared identity. Learn more about the process and timeline here.



A discussion about America's future

We're looking forward to our discussion with author Jonathan Martin about his book, "This Will Not Pass."

The book explores how both of our political parties confronted a series of national traumas, including the coronavirus pandemic, the January 6 attack on the Capitol, and the political brinksmanship of President Biden's first year in the White House.

Join us for this free event at the Hinckley Institute of Politics at the University of Utah on Thursday, June 30, at 6:30 p.m. Hope to see you there!

Supporting local: Red Iguana 2

This week we were able to stop by Red Iguana 2 for a quick – and delicious — lunch. We especially loved the puntas de filete and queso.

The Cardenas family has proudly served the Salt Lake Valley since 1965, and we're sure they'll be satisfying hungry patrons for decades to come. We're always happy to see small family businesses thriving. Let us know what your favorite local restaurant is here!

Meeting with faith leaders

Faith leaders are a central part of the fabric of our community. This week we met with 31 different faith leaders from across the state of Utah.

Faith groups strengthen and illuminate our relationship with a higher power, but they also maintain cultural traditions, reinforce moral values and create community. We can't thank each of them enough for their guidance, goodness, and charity.

ICYMI

- More good economic news: Salt Lake City was ranked No. 4 by the Wall Street Journal in its annual rankings of the hottest job markets in the country. Provo was ranked No. 2 in smaller metro areas.
- Yes, Utah experienced a tornado this past week. In fact, we've averaged two per year since 1950. The good news is that this one was in a remote part of Duchesne County resulting in no structural damage or injuries. If you find yourself facing a tornado, try to take shelter in a low place like a ditch or ravine. If indoors, get into a basement, or a room without windows.
- We had a fun opportunity to talk about a more hopeful version of politics with Vermont State Sen. Becca Balint and Slate host Amanda Ripley. Listen here!
- Lt. Gov. Henderson welcomed the Consul General of the Republic of Georgia to the Capitol on Tuesday. He said he had a "wonderful visit to Utah."
- Courtesy of the Utah Office of Energy Development: Here are four energy saving tips to help you beat this summer heat!

- Preparing for a backcountry adventure can look a little different for each outing and individual, but the benefits of a well-planned trip help ensure safety in the wilderness. Find a few first hand tips from Escalante-based guide and search and rescue volunteer Rick Green here!
- We had yet another great jobs report. Our unemployment rate remains at a historic low, and our job growth is one of the best in the U.S. We're proud of the hard-working Utahns who contribute to the most robust economy in the nation.

Coming up

- June 24: Join Utah First Lady Abby Cox at the Show Up for Summer Service kickoff event tonight from 4 p.m. to 9 p.m.! Connect with local nonprofits to find the perfect service opportunity for you and your family or friends to do this summer.
- June 28: The Primary Election is less than one week away! If you have any questions, contact your county clerk or go to www.vote.utah.gov.
- June 30: Join us for a lively discussion with author Jonathan Martin about his book, "This Will Not Pass." This free event will be held at the Hinckley Institute of Politics at 6:30 p.m. No registration required.
- June 30: This is the last day to apply for a Utah Manufacturing Modernization Grant! This grant supports Utah businesses to modernize, establish, relocate, retain, or develop manufacturing in the state. The Legislature created the grant program to modernize Utah companies' manufacturing, increase supply chain resilience, and lessen American dependence on foreign manufacturing.
- July 1: Lt. Gov. Henderson will join the leadership of the newly consolidated Utah Department of Health & Human Services to celebrate its new vision and to reflect on its origins, which date back to Utah's first female state senator – suffragist, doctor and visionary – Martha Hughes Cannon.
- July 12: All Utah educators are invited to attend Show Up Utah's free conference focused on professional and personal wellness. Learn more here.

Get involved!

Looking for a new job opportunity? From great employee benefits to versatile work schedules, the career opportunities with the state are truly endless. Join Team Utah today!

Those looking to volunteer can also consider more than 300 boards and commissions. Find out which openings are available and how you can get involved here!

Get in touch!

You can reach the Governor's Office here. And you can follow us on Twitter, Facebook, Instagram, TikTok, and YouTube for the latest news and updates.

Contact the Governor's Office

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FROM: "Paul Ray DHS (via Google Sheets)" <drive-shares-dm-noreply@google.com>
TO: mwatterson@utah.gov
CC: amoretz@utah.gov, brettmarkpeterson@utah.gov, ddiez@utah.gov, dmoore@utah.gov, janaeduncan@utah.gov, jstrohecker@utah.gov, mhofmann@utah.gov, ntaxin@utah.gov, tracygruber@utah.gov
DATE: 24/06/2022 13:41

Paul Ray DHS shared a spreadsheet

Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

Google Workspace

SUBJECT: Roe v Wade overturned: reactions from Utah and nation
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 24/06/2022 14:40

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Special Edition | June 24, 2022

Roe v Wade overturned

In a 6-3 vote, the U.S. Supreme Court has overturned the 50-yr old law that legalized abortion in all 50 states, saying it was up to each state to create their own laws governing abortion.

In his concurring opinion, Justice Clarence Thomas said the court should also revisit Griswold v. Connecticut, a 1965 decision that declared married couples

[redacted]

had a right to contraception; Lawrence v. Texas, a 2003 case invalidating sodomy laws and making same-sex sexual activity legal across the country; and Obergefell v. Hodges, the 2015 case establishing the right of gay couples to marry. Then, he said, after "overruling these demonstrably erroneous decisions, the question would remain whether other constitutional provisions" protected the rights they established.

Utah's trigger law allows abortions only if the mother's life is at risk, if the pregnancy was a result of rape or incest, or if two physicians who practice "maternal fetal medicine" both determine that the fetus "has a defect that is uniformly diagnosable and uniformly lethal or ... has a severe brain abnormality that is uniformly diagnosable." It will not go into effect until legislative general counsel certifies the Supreme Court's decision.

Utah Headlines

- Roe v. Wade ends: Latter-day Saint leaders urge members 'to protect life and to preserve religious liberty.' "The church's position on this matter remains unchanged," says update on church webpage. (Deseret News)
- Religious leaders and organizations react to Supreme Court decision striking down Roe v. Wade. Many of the responses centered on religious liberty, with religious conservatives saying the ruling upheld religious freedom and others arguing that striking down Roe v. Wade violates religious liberty (Deseret News)
- Supreme Court Justice Thomas says court should reconsider rulings on same-sex marriage, contraception (Deseret News)
- Utahns cheer and jeer the end of Roe v. Wade (Salt Lake Tribune)
- Utah politicians, candidates react to Supreme Court's ruling on abortion rights (KUTV)
- Utah leaders react to Supreme Court decision to overturn Roe v. Wade (Fox13)
- End to a 'national nightmare' or 'devastating'? What Utah Republicans, Democrats say about abortion ruling (Deseret News)
- SLCPD to support 'peaceful demonstrations' following Roe v. Wade ruling (ABC4)
- Planned Parenthood of Utah reacts to overturning of Roe v. Wade (KUTV)
- LDS church, Catholics, other faith leaders react to Roe v. Wade being overturned (Salt Lake Tribune)

National Headlines

- Supreme Court overturns Roe v. Wade; states can ban abortion (AP)
- From joy to anger, faith leaders react to Roe's reversal (AP)
- Abortion ruling exposes deep chasm over the issue in the US (AP)
- In their own words: U.S. Supreme Court justices on overturning Roe v. Wade (Reuters)
- Fall of Roe v. Wade Upends Abortion Landscape for American Women. Clinics will close and telemedicine abortions could expand as half of U.S. states are expected to ban or restrict the procedure (Wall Street Journal)

- Pence calls for **national abortion ban** as Trump, GOP celebrate end of Roe (Washington Post)
- Here's what the justices in the majority opinion said about Roe during their confirmation hearings. (New York Times)
- Thomas calls for overturning precedents on contraceptives, LGBTQ rights (The Hill)
- Biden vows to protect access to abortion pills, contraception and travel (The Hill)
- Biden calls abortion ruling 'a sad day' for country (AP)
- 'With sorrow ... we dissent': Liberal justices rebuke decision to overturn Roe. They warn of how far state leaders could push this newfound power. (Politico)
- Garland says Justice Department will protect access to an abortion. (New York Times)

Statements on today's ruling

Gov. Cox and Lt. Gov. Henderson issue joint statement on U.S. Supreme Court ruling

"This administration has been dedicated to giving a voice to the most vulnerable in our society, including the unborn. We wholeheartedly support this Supreme Court ruling and are encouraged to see abortion law will be left to elected state representatives.

As pro-life advocates, this administration is equally committed to supporting women and families in Utah. We all need to do more to support mothers, pregnant women, and children facing poverty and trauma."

Sen. Romney statement on Supreme Court decision

"The sanctity of human life is a foundational American principle, and the lives of our children—both born and unborn—deserve our protection. I support the Court's decision, which means that laws regarding abortion will now rightfully be returned to the people and their elected representatives."

Senator Mike Lee's statement on Dobbs decision

"*The national nightmare of Roe has ended. The Supreme Court of the United States has overturned the wrongly decided Roe v. Wade and Planned Parenthood v. Casey.*

"*While the 63 million lives lost to abortion since Roe can never be reclaimed, we can take heart that the Supreme Court has recognized that Roe v. Wade and its progeny belong next to Plessy v. Ferguson and Dred Scott v. Sandford in the anticanon of Supreme Court history. I have never been prouder to have clerked for Justice Alito or the Supreme Court of the United States.*

"*I pray for national unity and for the safety of the justices of the Supreme Court who, in regard to this case, have faced unprecedented attacks. I thank God that the people of Utah and the United States are now free to enact protections for life and human dignity.*"

Rep. Curtis reacts to Supreme Court ruling

am proud to witness today's Supreme Court ruling in favor of human life. I welcome the overturning of Roe v. Wade and appreciate that state policy makers can now enact laws that align with their values. Personally, I believe

these laws should include the preservation of life, but I also appreciate that this ruling allows elected officials, closer to the people, to draft laws that align with their state's moral views. We must, at a federal, state and local level, adopt policies that support children in foster care systems, ensure easy and affordable access to contraception, and provide robust resources for women with unplanned pregnancies,.

While I see this ruling as a cause for celebration, I am also cognizant of those who feel differently. As this difficult debate continues, I implore all Americans at all levels of government to use this opportunity to learn from one another, treat each other with compassion, and find ways to work together to solve our differences rather than push one another away.

Rep. Blake Moore on SCOTUS decision

"I am thrilled with today's Supreme Court ruling overturning Roe v. Wade. States like Utah have been given back their right to protect the lives of millions of children and support expecting mothers. This is a monumental day in our nation's history."

Alliance for a Better Utah statement on Supreme Court decision

In response to the Court's opinion, Chase Thomas, executive director for Alliance for a Better Utah, issued the following statement:

"While we were warned this was coming, the Supreme Court's unprecedented elimination of constitutional rights today is still staggering and upsetting. For nearly fifty years, Utahns and Americans have relied on the protections of *Roe* and *Casey* to make personal medical choices impacting their own lives and their families. It is alarming that these personal choices have been stripped from individuals and are now placed in the hands of our state's GOP supermajority, which has not only been hostile toward abortion access but also indifferent toward the needs and rights of women in general.

"Let's be clear. Abortion has always existed and will continue to exist, despite its legal status nationally or here in Utah. We must work to support and lift up all those who are grieving and impacted by this decision today, especially those impacted most—marginalized individuals in our communities, people of color, and those with lower-incomes.

"This is not the end. The fight for freedom is constantly shifting and evolving, but we cannot surrender. We were set back a few steps—or decades—today, but we'll continue advocating for a better future, one where every Utahn can safely and freely have access to comprehensive reproductive healthcare."

Alliance for a Better Utah will be joining with Utahns and allied organizations to rally against and protest this decision this evening at 7:00pm at the Utah State Capitol Building and invite all to join us. We also encourage Utahns to support organizations that have been and will continue to work tirelessly to support reproductive freedom for those in our communities, including Planned Parenthood, the Utah Abortion Fund, and so many others.

Utah Democratic Party statement on Supreme Court decision in Dobbs v. Jackson

This morning, the Supreme Court announced its decision in *Dobbs v. Jackson Women's Health Organization.* This decision, which matches a draft opinion leaked last month, has effectively overturned *Roe v. Wade,* invalidating the

landmark decision that has made safe, legal abortion the law of the land for nearly 50 years. This ruling leaves decisions about women's reproductive freedom in the hands of state legislatures. **That means that, in Utah, abortion is now essentially outlawed thanks to a bill passed by the GOP supermajority in 2020**, which, when triggered by a Supreme Court decision like the one announced today, makes abortion illegal in almost all cases.

Utah Democratic Party Chair Diane Lewis released the following statement in response: "This decision is **earth-shattering** for women across the country, especially in states like Utah, where extremist Republicans have meticulously put in place extremely restrictive abortion bans, **plotting for exactly this moment**. Let's be clear: such personal and intimate decisions as the choice to have an abortion should be between a woman, her family, and her doctor, and **they should not involve the agenda of radical politicians. (Read More)**

Ally Isom's statement on Supreme Court decision on abortion

"There is nothing more sacred than life. As the mother of four and grandma to five, I am pro-life. I am also pro-consent, pro-family planning, pro-responsibility and pro-compassion. This is a complex subject for every woman, which is exactly why we need more women in the United States Senate. At minimum, we should do more to prevent unwanted pregnancy in the first place and the law should allow the termination of a pregnancy when a mother's health is endangered, or when a woman or child is sexually assaulted. Every pregnancy is a unique experience for that woman. We must do more to support women and children, while ensuring fathers are also involved and responsible for their children."

Tina Cannon statement on Supreme Court decision to overturn Roe v Wade

The Supreme Court Decision regarding Roe v. Wade is the news the pro-life movement has been fighting for and eagerly anticipating for nearly 50 years. This is a win for the sanctity of life. Over two dozen states will now be abortion free due to trigger laws and state constitutional laws...

This news brings great responsibility to those who stand to protect the lives of the unborn. We must fund pregnancy resource centers, we must work nonstop to help women facing an unplanned pregnancy and do not know where to turn. We must support policies to aid families, not tear them apart.... (**Read More**)

Sen. Dan McCay's responds to U.S. Supreme Court abortion ruling

"I'm encouraged that after nearly 50 years since the ruling of Roe v. Wade, we are finally recognizing and acknowledging the scientific facts of the matter – that a fetus is a human life. By recognizing this truth, we can take steps to overcome our nation's greatest atrocity and find better ways to support both mothers and children. Now is the time to unite to provide resources and educate about alternative options readily available, such as adoption. I remain steadfast in being unapologetically pro-life and in my support for mothers, families and children."

President Stuart Adams on US Supreme Court decision on abortion

"Today is a monumental victory for human life. Protecting those who cannot defend themselves is an obligation and duty we must all take upon ourselves. The Declaration of Independence clearly states we have a right to life, liberty

and the pursuit of happiness, a promise the U.S. Supreme Court upheld today.

“My commitment to life does not end at birth. Every mother and child, regardless of age, health or dependency, deserves protection, respect and opportunity. It is imperative that we enhance resources, including eliminating barriers surrounding adoption and financial and material support to help mothers and children.”

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SUBJECT: Fwd: FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
FROM: Tonya Hales <thales@utah.gov>
TO: Carmen Richins <carmenrichins@utah.gov>, Charla Haley <chaley@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Clover Meaders <crmeaders@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Jenny Johnson <jennyjohnson@utah.gov>, Joel Hoffman <jhoffman@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>, Kristi Grimes <kristigrimes@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Linda Wininger <lindaw@utah.gov>, Lynne Nilson <lpnilson@utah.gov>, Michelle Hofmann

<mhofmann@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Paul Ray DHS <pray@utah.gov>, Tony Patterson <tonypatterson@utah.gov>
DATE: 24/06/2022 15:09

Many may have already received this - but sending as FYI

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF** <medicaiddirector@utah.gov>
Date: Fri, Jun 24, 2022 at 2:51 PM
Subject: FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
To: <medicaiddirector@utah.gov>

To view this email as a web page, click here. June 24, 2022

HHS IEA
Office of Intergovernmental and External Affairs

Dear Emma,

FACT SHEET:

President Biden Announces Actions In Light of Today's Supreme Court Decision on *Dobbs v. Jackson Women's Health Organization*

Today, President Biden announced actions that his Administration is taking to protect women who will face the grave consequences of today's Supreme Court decision. This decision expressly took away a Constitutional right from the American people that it had recognized for nearly 50 years – a woman's right to choose, free from government interference.

This decision will have devastating consequences in the lives of women around the country.

The President made clear that the only way to secure a woman's right to choose is for Congress to restore the protections of *Roe* as federal law. Until then, he has announced two actions the Administration is taking to protect women.

Protecting the Right to Seek Medical Care

As the Attorney General made clear, women must remain free to travel safely to another state to seek the care they need.

A person has the right to travel between states for whatever reason they want – it is no one else's business – especially the government's. If a woman lives in a state that

[redacted]

restricts abortion, the Supreme Court's decision does not prevent her from traveling from her home to a state that allows it.

If any state or local official tries to interfere with women exercising this basic right, the Biden Administration will fight that deeply un-American attack.

Protecting Access to Medication

The President directed the Secretary of Health and Human Services to protect women's access to critical medications for reproductive health care that are approved by the Food and Drug Administration—including essential preventive health care like contraception and medication abortion.

More than 20 years ago, the FDA approved mifepristone to safely end an early pregnancy; this drug is also commonly used to treat miscarriages. The American Medical Association and the American College of Obstetricians and Gynecologists wrote to President Biden and Vice President Harris, asking the federal government to protect access to this care. In the face of threats from state officials saying they will try to ban or severely restrict access to medication for reproductive health care, the President directed the Secretary of Health and Human Services to identify all ways to ensure that mifepristone is as widely accessible as possible in light of the FDA's determination that the drug is safe and effective—including when prescribed through telehealth and sent by mail.

Find more information here.

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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FROM: Utah Policy <info@utahpolicy.com>

TO: mwatterson@utah.gov
DATE: 27/06/2022 07:54

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Situational Analysis | June 27, 2022

It's the last Monday in June and it's National Sunglasses Day.

Today is the LAST DAY to have your primary ballot postmarked. You can drop it off at a polling collection location until 8 pm tomorrow and you can vote in person tomorrow if you'd like.

Be in the Know

- On Friday, the US Supreme Court overturned Roe v Wade, sending the decisions on laws regarding abortion back to the states. Judge Clarence Thomas used his concurrence to call for the Court to reconsider all of the Court's substantive due process precedents, including *Griswold* [contraception], *Lawrence* [sodomy], and *Obergefell* [same-sex marriage].” After overruling those “erroneous” decisions, Thomas wrote, the court could determine whether the rights established in those cases are located elsewhere in the Constitution.
  There was a special edition of the Utah Policy newsletter sent Friday afternoon with an initial roundup of news stories and reactions. If you missed it, you can read it here. The trigger law in Utah went into effect Friday evening.

- The bipartisan Safer Communities Act has been signed into law after passing the US House on Friday in a 234-193 vote. No Utah Congressmen voted for the bill. The legislation will implement stricter background checks for gun purchasers under age 21, provide incentives for states to adopt “red flag” laws, block domestic abusers in dating relationships from owning or buying guns until five years pass without further disqualifying convictions, and appropriate funding for mental health and school safety measures.

Rapid Roundup

- Huge crowds at Hill AFB air show, the Grand Canyon won't seek volunteers to kill bison this fall, flash flood warnings in effect across southern Utah including parts of Lake Powell, Capitol Reef National

[redacted]

Park, Russia has defaulted on its foreign currency debt for the first time since 1918. It also attacked Kyiv again over the weekend as G7 leaders met.

FROM OUR SPONSOR, 100 PERCENT KIDS COVERAGE COALITION

82,000 Utah kids don't have health insurance

Health insurance is crucial for the success of children, especially during a public health crisis. Unfortunately, too many kids across Utah are going without health insurance. Let's help all kids get the care they need, by covering all kids NOW!

Utah Headlines

Roe v. Wade

- GOP lawmaker Karianne Lisonbee says she trusts Utah women to control their 'intake of semen' as abortion trigger law goes into effect. (Salt Lake Tribune)
- 'A great day for the babies': Gayle Ruzicka marks end of abortion after 50-year fight. Ruzicka says she would support a federal effort to ban abortion. (Salt Lake Tribune)
- 'Not now, not ever': Planned Parenthood files lawsuit against Utah after abortion ban (ABC4)
- SCOTUS ruling elicits strong feelings on both sides of abortion issue (KUTV)
- How Utah religious leaders view abortion (Fox13)
- Church of Jesus Christ of Latter-day Saints' stance on abortion is now 'more liberal' than some states' laws (KUER)
- From Salt Lake City to St. George, Utahns react to state's abortion ban (KUER)

General

- Inland Port Authority's budget, of more than $40 million, includes lots of spending with little detail. No line items note how much the port plans to invest in its transloading facility, Intelligent Crossroads Network or other big-dollar projects in the coming year. (Salt Lake Tribune)
- From alcoholic to workaholic: How Jefferson Rogers took his addictive personality and made it work for him (Deseret News)
- Fire ignites near Rio Tinto Stadium during Real Salt Lake game (KUTV)

Politics

- How civility became a bad thing. Some Americans now view civility as a barrier to social progress. That idea is toxic to our democracy (Deseret

News)

Elections

- Utah County Commissioner Amelia Powers Gardner calls out David Leavitt for implying she endorsed him in the Utah County Attorney race. (Daily Herald)
- 'Mitt Romney Republican' is now a potent GOP primary attack (AP)
- What Utah voters should know before this year's primary elections. Longtime Salt Lake County Clerk Sherrie Swensen walked Tribune reporters through the ballot counting process, showing the security measures her office employs to keep voting anonymous and accurate. (Salt Lake Tribune)

Environment

- He worked to clean up sites contaminated with uranium in San Juan County. When he got sick, it took years to get compensation. (Salt Lake Tribune)
- Fill Lake Powell? Coalition calling for more water to be stored in the reservoir faces tough road ahead. (Salt Lake Tribune)
- The drying Colorado River needs your voice. Here's how to make it heard (Deseret News)

Housing

- A new report shows that having a mortgage is far more expensive than having a lease, a disparity that is helping to cool a red-hot housing market. (New York Times)
- Steven Ridge and Ross Ford: An electrification mandate for Utah homes would be a bad idea. Forcing all-electric homes would lead to more emissions, higher costs and fewer energy options (Salt Lake Tribune)

Utah/Ukraine

- Local nonprofit aims to fix lost homes in Ukraine (KSL TV)

National Headlines

Roe v. Wade

- Chasm opens between states over abortion pills and out-of-state care. The overturning of Roe v. Wade sets up tensions between competing state laws unseen since slavery (Washington Post)
- A Vatican News editorial reiterated the Catholic Church's defense of "unborn life," but emphasized that this goes beyond abortion. It said truly "being for life" meant addressing maternal mortality rates in the U.S., poverty and "the threat of firearms." (New York Times)
- In light of the Supreme Court's decision to overturn Roe v. Wade, advocates from all sides of the issue have called for men to be part of the conversation. The Times heard from hundreds who wanted to share their stories. (New York Times)
- The end of Roe v. Wade has huge economic implications for male partners, too (NPR)
- Roe ruling shows complex relationship between court, public (AP)
- Roe v Wade ruling disproportionately hurts Black women, experts say (Reuters)
- In states that allow abortion for rape and incest, finding a doctor may prove impossible (Politico)

General

- Mom who saved her kids from Uvalde school shooting says police are targeting her (KUTV)
- Consumer-Staples Stocks Are Bright Spot in Bleak Market. Shares of companies selling staples such as beer, chocolate and canned soup have raced past the broader market in 2022. (Wall Street Journal)

Politics

- More than 1 million voters switch to GOP in warning for Dems (AP)
- In Colorado and elsewhere, 2020 election deniers seek top voting offices (Reuters)
- Biden signs gun safety bill into law, takes swipe at Supreme Court (Reuters)
- Democrats seize on abortion ruling in midterms as Republicans tread carefully (Washington Post)
- Abortion ruling could scramble data privacy talks (Washington Post)
- How Democrats and Republicans explained the Roe fallout on Sunday talk shows. (New York Times)
- Crunch time for multiple incumbents as seven states hold elections (Roll Call)
- Trump fatigue sets in: ‘Some donors are getting sick of the sh--show' (Politico)

Ukraine UA

- As missiles struck the Ukrainian capital Sunday, sending Kyiv into collective fear, one of its soldiers was laid to rest in an emotional funeral in the suburb of Bortnychi. His mother plunged to her knees and cried out, "I beg you, put me next to him!" (New York Times)
- Russia has defaulted on its foreign currency debt for the first time in more than a century, as tough Western sanctions designed to punish Moscow for invading Ukraine restrict its ability to pay overseas creditors. (Washington Post)
- Russia ‘pouring fire’ on Ukrainian city as offensive mounts (AP)
- Pledging new sanctions, G7 to stand with Ukraine 'for as long as it takes' (Reuters)
- NATO to massively increase high-readiness forces to 300,000 - Stoltenberg (Reuters)
- Ukraine's richest man sues Russia at Europe's top human rights court (Reuters)
- A bloody retreat as Ukrainian unit hit by Russian cluster bombs (Washington Post)
- How bad actors are using tech platforms to sexually exploit, traffic Ukrainian women (The Hill)

News Releases

Gov. Cox appoints Rep. Joel Ferry as the new executive director of the Utah Department of Natural Resources

Gov. Spencer Cox announced Rep. Joel Ferry will be joining his administration as director of the Department of Natural Resources. This appointment is subject to approval from the Utah Senate.

“From water conservation to air quality to public lands, Joel has been an effective voice for wise stewardship of the rich natural resources in our state,” Gov. Cox said. “His legislative experience as well as his foundation as a

farmer and rancher will help shape our vision around natural resources and I'm grateful he's willing to take on this new challenge." (**Read More**)

Gov. Spencer J. Cox names Rick Westmoreland to 2nd District Juvenile Court

Gov. Spencer J. Cox has appointed Rick Westmoreland to fill Judge Michelle Heward's vacancy on the 2nd District Juvenile Court. The governor's nominations are subject to confirmation by the Utah Senate.

"Rick's experience as both a prosecutor and defense counsel will serve him well as he joins the 2nd District Juvenile Court bench," Gov. Cox said. "We're grateful for his continuing commitment to public service."

Westmoreland currently serves as specialty court division chief in Davis County Attorney's Office, acting as a prosecutor of all types of criminal felony and misdemeanor cases in Utah State District Court, a position he's held since 2004. Prior to his current position, he worked as adjunct professor in criminal justice at Weber State University in Ogden. He also worked as an adjunct professor in the master's program of nursing teaching compliance in patient care. (**Read More**)

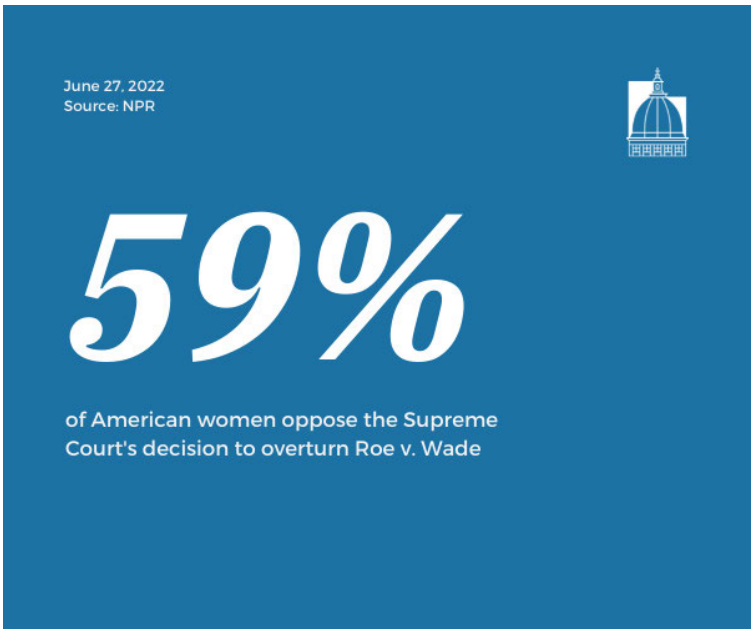
Utah Senate requests public comment on Judicial Nominee

The Utah Senate Judicial Confirmation Committee is seeking public comment on attorney Rick Westmoreland, who Governor Spencer J. Cox appointed as a judge for the 2nd District Juvenile Court.

Those who desire to comment should contact the Utah Senate Judicial Confirmation Committee at the Office of Legislative Research and General Counsel, by 5:00 p.m. Monday, July 11, 2022, at the Utah State Capitol, House Building, Suite W210, PO Box 145210, Salt Lake City, Utah 84114-5210. All statements should include the respondent's name, telephone number and mailing address.

The Senate Judicial Confirmation Committee plans to hold a public hearing, then issue a recommendation to the full Senate. If confirmed by the Senate, Westmoreland will fill the vacancy left by the retirement of Judge Michelle E. Heward on August 1, 2022. The 2nd Juvenile District includes Weber, Davis and Morgan counties.

Number of the Day



Tweet of the Day

Upcoming

- **Primary election day –** June 28
- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, [Register here]

- **General election –** Nov 8

On This Day In History

- **1829** - English scientist James Smithson establishes the Smithsonian Institution
- **1844** - Joseph and Hyrum Smith killed in Carthage, Illinois
- **1880** - Helen Keller is born
- **1893** - Prices collapse at the New York Stock Exchange drawing the United States into a deep economic depression.
- **1950** - President Truman orders US forces to Korea
- **1978** - Gillette Co. receives a patent for the first successful erasable ball-point pen.
- **1985** - Route 66 decertified, highway signs removed.
- **2008** - Bill Gates steps down as Chairman of Microsoft Corporation to work full time for the Bill & Melinda Gates Foundation.
- **2015** - Activist Bree Newsome removes Confederate flag from South Carolina State House.
- **2017** - Mark Zuckerberg announces Facebook has reached 2 billion monthly users

Wise Words

"I have no space for folks who try to reduce racism to a mere 'culture war,' as though racism is just a bad idea held by otherwise decent people and not a brutal system that deprives people of humanity."

— Bree Newsome

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SUBJECT: It's Primary Election Day - don't forget to vote!
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 28/06/2022 07:19

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RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | June 28, 2022

It's Primary Day in Utah. It's too late to mail in your ballot but you can drop them in a vote box or vote in person, 7 am - 8 pm. vote.utah.gov has all the info you'll need. Most election outcomes will be known tonight, but some may take up to two weeks for final results. You can check for results here.

Be in the Know

- Utah's trigger law has a 14-day restraining order, after Third District Court Judge Andrew Stone said that "irreparable harm" could be done without the order in place. "Doctors here are threatened with felonies. The affected women are deprived of safe, local medical treatments to terminate pregnancies," he said.
- Russia sent a missile into a big mall in Ukraine in the middle of the day Monday, when it was full of shoppers. “This is one of the most brazen terrorist acts in the history of Europe,” Mr. Zelensky said in an address Monday. “Russia became the biggest terrorist organization in the world.
- The Jan. 6 panel is to hear from Cassidy Hutchinson, a special assistant and top aide to Mark Meadows today at 11 am MDT. The panel’s announcement yesterday about today's hearing said it would be “to present recently obtained evidence and receive witness testimony.”

Rapid Roundup

- An Amtrak train hit a dump truck in Missouri, derailed, killed 3 people and injured dozens, a semi in Utah overturned, dumping some 200 beehives on the road , and tragedy in San Antonio, where an abandoned tractor-trailer was found to have 46 dead migrants inside and around it.

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trails, wildlife, climbing boulders and routes. Learn more at gondolaworks.com

Utah Headlines

General

- Could Utah's federal lands become a safe haven for abortion? (Deseret News)
- Census shows Utah had lowest abortion rate in country, spent little on family planning (Fox13)
- How to find a campsite in Utah for the Fourth of July or any other time this summer. 'Be open to all sorts of different camping,' says The Dyrt founder Sarah Smith (Salt Lake Tribune)

Politics

- Meet the conservative judge on a liberal court worried about rising partisanship (Deseret News)
- Jason Perry: The real lesson from Roe v. Wade? Your vote matters more than you think (Deseret News)
- Jenny Wilson: The end of reproductive rights will harm all Americans. There is no social safety net to help women who are forced to give birth. (Salt Lake Tribune)
- Blake Moore urges next steps after Supreme Court Roe v. Wade decision (Cache Valley Daily)
- Derek Kitchen: We are governed by extremists with unchecked power (Salt Lake Tribune)
- Lawmaker seeks to remove felony statute from Utah's abortion trigger law (KSL Newsradio)
- The FOX 13 Investigates team has obtained a video of Utah County Attorney David Leavitt discussing his "strategy" to adopt a Native American baby, allegedly taking advantage of his political influence to overcome a federal law designed to protect Native American children from being adopted by non-Native families. (Fox13)

Elections

- List of every candidate in Utah primary elections (ABC4)
- 5 states — including Utah — are holding primary elections this week. Here's what to know (Deseret News)
- Yesterday, the day before the primary, former President Trump endorsed two incumbents almost certain to win today. (Deseret News)
- The Utah primary election is expected to be 'pretty normal' (KSL Newsradio)
- GOP lawmaker alleges fraud in Utah primary election. State says there is no fraud (Deseret News)
- State elections leaders dismiss state lawmakers claims of vote switching (KSL Newsradio)
- Utah officials, Lee campaign push back against claims of election fraud in Senate primary (KUTV)
- Meet the Utah candidates running for office on June 28 (Fox13)
- Previewing the primary election (ABC4)

Environment

- It's a nasty, hungry pest, and scientists just mapped its genome. Crop devouring locust transforms in famine-provoking way (Deseret News)
- Utah leaders urge caution with fireworks amid record drought. Will people listen (Deseret News)

Family

- How did the safety net hold up in COVID-19 — and should it be expanded? (Deseret News)

Health

- Women are still underrepresented in clinical trials (Washington Post)

Housing

- New apartments to rise in Salt Lake neighborhood at center of revitalization plan (Deseret News)

National Headlines

General

- Just a terrible story. Houston Tipping went into Los Angeles Police Department training on May 26 a healthy, 32-year-old police officer. But after his fellow officers beat him as part of an exercise designed to "simulate a mob," he left a quadriplegic and died three days later. (Washington Post)
- Post-Roe: Dems challenge GOP to show they care for mothers (AP)
- New poll says 59% of Americans disapprove of Roe v. Wade being overturned (Deseret News)
- How is corporate America responding to Roe v. Wade reversal? (Deseret News)
- Abortion battles in state courts after Supreme Court ruling (AP)
- Roe Is the New Prohibition (The Atlantic)
- What does it take to impeach a Supreme Court justice? (ABC4)
- Supreme Court backs a high school coach's right to pray on the 50-yard line (NPR)
- World's stress at record levels: Gallup (The Hill)
- Google is preparing to shut down its messaging platform, Google Hangouts, and to transition users to its newest service, Google Chat. (The Hill)
- A 101-year-old former concentration camp guard was convicted by a German court of being accessory to more than 3,500 murders and sentenced to five years in prison. (New York Times)

Politics

- The question floating over the Jan. 6 hearings: Should Donald Trump be prosecuted? No U.S. president has ever been indicted on federal charges, but millions of Americans think Trump should be (Deseret News)
- John Eastman, one of the lawyers who aided Donald Trump's efforts to undo the 2020 election results, had his cell phone seized last week. (AP)
- Pence leans in on abortion, as Trump, other potential 2024 candidates are more cautious (Washington Post)
- McConnell moves to center ahead of midterms (The Hill)
- Her father fled the Nazis. She's the new U.S. Ambassador to Germany. For Amy Gutmann, a respected democracy scholar, her role as President

Biden's envoy to Germany is not a job, "it's a mission," one both professional and personal. (New York Times)

- Storm clouds at home dampen Biden's return to Europe. The president kicked off the G-7 summit in Germany hoping to rally the world's leading democracies, but turmoil in Washington hangs over the proceedings. (Politico)
- Democrats' big bets on GOP primaries come due: What to watch in Tuesday's elections (Politico)

Ukraine UA

- France's Macron: Russia cannot, should not win Ukraine war (AP)
- Zelenskyy tells G-7 summit Ukraine forces face urgent moment (AP)
- G-7 pledges $4.5 billion to improve food security (Washington Post)
- At a boarding school in Ukraine, displaced children long for home. Many left their parents behind when they were evacuated from the country's east. Now they wrestle with the trauma of a conflict that has consumed much of their young lives. (New York Times)

News Releases

WGU and BYU-Pathway Worldwide announce scholarship and student transfer collaboration to improve lives through education

Western Governors University (WGU) and BYU-Pathway Worldwide announced a collaboration that provides access to additional degrees for BYU-Pathway students, alumni, and employees. The agreement establishes seamless transfer processes for individuals enrolling at WGU from BYU-Pathway – and helps them map a straightforward path toward select bachelor's and master's degree programs offered by the online, nonprofit university.

In addition to clear-cut transfer processes, WGU has established the Pathway to WGU Scholarship. BYU- Pathway students who have at least completed PathwayConnect or the first year, as well as currently employed staff members, are eligible to apply for this scholarship. Valued at up to $4,000, this award will make it easier for students and staff to enroll with WGU and earn a respected, career-ready degree. (**Read More**)

UCAIR donates hundreds of smart thermostats to SLCo program to reduce emissions, improve air quality

The Utah Clean Air Partnership (UCAIR) generously donated 200 smart thermostats to Salt Lake County's Green & Healthy Homes Initiative, which serves low- to moderate income families with health conditions worsened by their home environment. Hundreds of Salt Lake County homes will soon reduce their emissions and improve health conditions for those housed.

"Air quality continues to be at the front of Utahns minds," said Kim Frost, Executive Director of UCAIR. "We are thrilled to partner with Maverik and Big West Oil to provide smart thermostats to Utah households that experience greater effects of air pollution. With the implementation of energy efficient technology, such as smart thermostats, we will see benefits to our air shed." (**Read More**)

Congressman Blake Moore appointed to the House Budget Committee

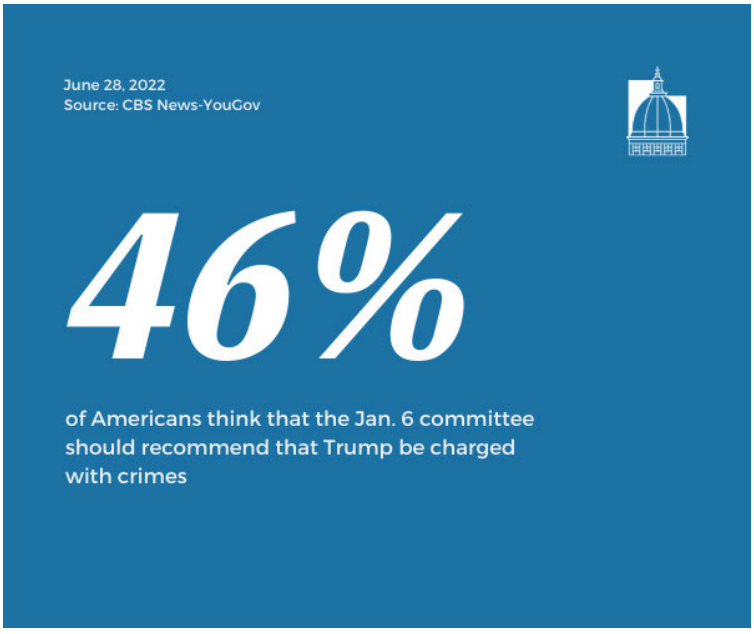
Today, Congressman Blake Moore announced his appointment to serve as House Republican Leader Kevin McCarthy's representative on the House Budget Committee as the second highest ranking Republican member of the committee. He also serves as the representative from the House Armed Services Committee.

"I am beyond excited to be appointed to serve on the House Budget Committee," **said Congressman Blake Moore.** "Addressing our national budget issues has been the focus of much of my work both in Washington and in Utah's First Congressional District. It is imperative that we rein in our federal spending and get our fiscal house back in order so we can chart a course forward that will ensure prosperity for the next generation. I thank Leader McCarthy, Ranking Member Mike Rogers, and Ranking Member Jason Smith for recognizing my work, passion, and vision for how we can address these issues and for including me in this important committee. I look forward to getting to work." (**Read More**)

Sen. McCay's statement about temporary restraining order on S.B. 174
Sen. Dan McCay issues the following statement regarding a temporary restraining order on S.B. 174:

"Statistically 8.2 babies are aborted every day in Utah. Sadly, Judge Stone sentenced 115 babies to death. It's disappointing that a law meant to protect the most vulnerable, the unborn, is delayed by one Judge with no support in the law. I'm confident that Utah's abortion ban will be upheld, and we can work to support life."

Number of the Day



Tweet of the Day

Upcoming

- **Primary election day –** June 28
- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1762** - Russian Tsarina Catherine II seizes power, declaring herself sovereign ruler of Russia
- **1820** - Tomato is proven to be non-poisonous by Colonel Robert Gibbon eating a tomato on steps of courthouse in Salem, New Jersey
- **1836** - James Madison dies
- **1914** - 1914 - Austria’s Archduke Ferdinand and his wife Sophie are assassinated by a Bosnian Serb nationalist, setting in motion the events that led to WWI.
- **1919** - Treaty of Versailles is signed, officially ending WWI. John Maynard Keynes predicts economic chaos because of the harsh terms of the treaty.
- **1969** - Stonewall riots start. In the early morning hours, police raided the Stonewall Inn, a popular gay bar in the Greenwich Village section of New York City. That night the street erupted into violent protests and street demonstrations that lasted for the next three days. The Stonewall riots marked a major turning point in the modern gay civil rights movement in the United States and around the world.
- **1971** - Elon Musk is born.
- **2007** - Egyptian Health Ministry officially bans female genital mutilation

- **2011** - Christine Lagarde becomes the 1st women to be elected head of the International Monetary Fund (IMF)

Wise Words

"Knowledge is knowing that a tomato is a fruit. Wisdom is knowing not to put it in a fruit salad."

— Brian O'Driscoll

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Situational Analysis | June 29, 2022

It's Wednesday and we have a two-fer: It's National Camera Day and National Waffle Iron Day, so go ahead and grab a pic of your breakfast food.

Be in the Know

- It was a very good night to be an incumbent in Utah. Senator Mike Lee and Reps. Moore, Stewart, Curtis and Owens all won their primaries by healthy margins. All the votes for Becky Edwards and Ally Isom combined would not have been enough to defeat Lee. A few incumbents have lost their seats, most notably Utah County Attorney David Leavitt,

Senator Gene Davis and Rep. Kelly Miles. Some races are not yet decided.

- In D.C., explosive testimony from Cassidy Hutchinson, former personal assistant to Trump's chief-of-staff, has rocked the political world. She gave sworn testimony of plates thrown at walls, a president who told his Secret Service he was the f'ing president and to take him to the Capitol because the mob wasn't there to hurt him, then lunging at the driver when he was told no. Trump and his supporters immediately began attacking Hutchinson, but Sarah Matthews, former deputy secretary and Trump 2020 spokeswoman tweeted "Anyone downplaying Cassidy Hutchinson's role or her access in the West Wing either doesn't understand how the Trump WH worked or is attempting to discredit her because they're scared of how damning this testimony is."

Rapid Roundup

- The Utah Jazz have made an offer to Will Hardy to become the new head coach, Gov. Cox nominates Judge Jill Pohlman to the Utah Supreme Court, Colorado Rep. Lauren Boebert, who won her primary last night, says she's 'tired of this separation of church and state junk,' Turkey lifts its objections to Sweden, Finland joining NATO, Ghislaine Maxwell is sentenced to 20 years in prison, and finally, a very happy 15th birthday to the iPhone.

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Utah Headlines

General

- His journalism skills got him there, but his religion made him an asset. Religion journalists reflected on how they build trust with their audience during a recent National Press Club event (Deseret News)
- Emily Bell McCormick: If racism seems familiar, we need new eyes. When we are surrounded by something, we often become desensitized to it. Americans who struggle to see racism need a new perspective (Deseret News)
- FBI investigating kidnapping, murder of 5-year-old girl in San Juan County (KUTV)

- Adoption in Utah examined in light of Roe v. Wade decision (KUTV)
- Back to back! Utah named most independent US state... again (Fox13)

Politics

- Editorial Board: Utah can lead the way on pro-life abortion policies — for mothers and babies. The state has a reputation as a well-governed conservative place unafraid of tackling hard issues. We can continue that legacy with abortion law (Deseret News)
- Following Roe v. Wade, the Supreme Court still has some major decisions to make this term. Here are 3 major cases they are about to decide on (Deseret News)
- Gov. Cox announces Utah Supreme Court nominee, Jill Pohlman (KSL Newsradio)

Education

- How Utah children have changed in the past 50 years, according to a retiring kindergarten teacher (Salt Lake Tribune)
- UVU's Latino Scientists of Tomorrow program to be duplicated at universities across US (Daily Herald)

Elections

- Utah Sen. Mike Lee set to face independent Evan McMullin in Senate race (Deseret News)
- Commissioner Bill Lee behind in Utah County race; both incumbents ahead in Davis (Salt Lake Tribune)
- Utah Legislature primary results: Longtime Sen. Gene Davis appears headed for defeat (Salt Lake Tribune)
- Utah primary election brings possible shake-up in state Legislature, Utah County Attorney's Office (KSL)
- 2022 Utah Primary Elections Results (ABC4)
- Petersen tops Potter a second time in Republican legislative primary (Herald Journal)

Environment

- Utah is establishing specialized judges to rule on some water disputes. Here's what that means (Salt Lake Tribune)
- Local leaders urge participation in month-long challenge to improve Utah's air quality (Fox13)
- The shrinking of Lake Mead is exposing a wide range of wreckage — even bodies (Washington Post)

Family

- Post-Roe America needs new family policies. Romney and Rubio have ideas (Deseret News)

Health

- Utah's abortion rate among lowest in the U.S. Teen births, unwanted pregnancies also on the decline in recent years (Deseret News)
- Here's how your personal online data could be used against you following Roe v. Wade reversal (Deseret News)

Housing

- Why falling birthrates may bring chaos to housing. Housing and families are deeply linked. You can't talk about one without considering the other (Deseret News)

- Report: Investors have indeed helped fuel today's record high housing prices (Deseret News)

National Headlines

General

- Two Mexican nationals charged after death of 51 migrants in sweltering Texas truck (Reuters)
- A Boy Scout escaped Amtrak wreckage to comfort a dying truck driver (Washington Post)
- Can pregnant patients receive chemotherapy? The many unanswered questions doctors face after abortion ruling. (Washington Post)
- You think you had a bad day. A drunk technician in Japan lost an entire city's worth (460,000 people) of personal data after a night of heavy drinking. (The USB sticks were found two days later.) (New York Times)

Politics

- The story behind AP report that caused Trump to throw lunch (AP)
- Trump's legal exposure may be growing — and 4 other takeaways from the Jan. 6 hearing (NPR)
- 1/6 Takeaways: Angry Trump, dire legal warnings and ketchup (AP)
- Trump sought to lead armed mob to Capitol on Jan. 6, aide says (Washington Post)
- 'Ketchup dripping down the wall': 5 stunning moments from Cassidy Hutchinson's Jan. 6 testimony (Politico)
- Trump's had bad moments, but few worse than Cassidy Hutchinson's testimony (Washington Post)
- Trump Aides Watch Testimony and Brace for Damage (New York Times)
- Election denial is a losing message as centrist Republicans sweep statewide Colorado primaries (CPR)
- Hard-line conservative Reps. Boebert, Miller win primaries (AP)

Ukraine UA

- Ukraine's leader pushes for fuller NATO embrace, more arms (AP)
- Warsaw hails planned U.S. military base in Poland as clear signal to Russia (Reuters)
- Near Kherson, Ukrainians regain territory in major counteroffensive (Washington Post)

News Releases

Gov. Spencer J. Cox appoints Judge Jill M. Pohlman to Utah Supreme Court

Gov. Spencer J. Cox named Utah Court of Appeals Judge Jill M. Pohlman as his choice to serve as a Utah Supreme Court Justice. The governor's nominations are subject to confirmation by the Utah Senate. If Pohlman is confirmed, the five-member Utah Supreme Court will be majority women for the first time in state history.

"After meeting with Judge Pohlman, reading her opinions and learning about her demeanor and reputation, I'm completely convinced she is the right choice to serve the people of Utah on the Supreme Court," Gov. Cox said. "Her brilliant legal mind and her commitment to the rule of law will reinforce public trust in this vital institution." (**Read More**)

Utah Senate requests public comment on Utah Supreme Court nominee

The Utah Senate Judicial Confirmation Committee is seeking public comment on Jill M. Pohlman, current Court of Appeals Judge, who Gov. Spencer J. Cox appointed to serve as a Justice on the Utah Supreme Court.

Those who desire to comment on the individual appointed should contact the Utah Senate Judicial Confirmation Committee staff, Jonathan Adams at the Office of Legislative Research and General Counsel, by 5:00 p.m. on Wednesday, July 13, 2022, at the Utah State Capitol, House Building, Suite W210, PO Box 145210, Salt Lake City, Utah 84114-5210. All statements should include the respondent's name, telephone number and mailing address. (**Read More**)

Owens: Time for Bureau of Indian Education reforms so students have the opportunity to succeed

Rep. Burgess Owens (UT-04), Ranking Member of the Early Childhood, Elementary, and Secondary Education Subcommittee, delivered the following statement, as prepared for delivery, at a joint subcommittee hearing to examine the policies and priorities of the Bureau of Indian Education (BIE):

"BIE has long been plagued by problems and has been on the Government Accountability Office (GAO) high-risk status list since 2017. The report issued 65 recommendations for improving BIE operations and performance, but as of December 2020, 22 of those recommendations remained open.

"The schools funded by BIE frequently fail to provide students with an environment that keeps them safe and healthy...." (Read More)

Ally Isom post-primary statement

"I am proud of what we have accomplished these past twelve months. We showed up – on backroads and Main Streets, in living rooms and fire stations, in ice and snow, and in heat and sun, at county conventions, in small-town halls and on debate stages. Through this process we've given people hope. There's a better way to engage in meaningful dialogue and address issues facing our state and nation. And we owe it to our posterity to reach real solutions, get the right things done and bring about a new dawn for the Republican Party."

Number of the Day

Tweet of the Day

Upcoming

- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1858** - Julia Lathrop is born. She became a social reformer in the area of education, social policy, and children's welfare and the first woman ever to head a United States federal bureau when she served as director of the United States Children's Bureau (1912-1922).
- **1897** - Kazue Togasaki is born. She became a physician who pioneered a place in medicine for women of Japanese ancestry and was one of the few physicians allowed to practice medicine in the Japanese Internment Camps during World War II
- **1956** - President Dwight D. Eisenhower signs the Federal Aid Highway Act of 1956 creating the United States Interstate Highway System.

- **1964** - Civil Rights Act of 1964 passed after 83-day filibuster in the US Senate
- **1972** - US Supreme Court strikes down death penalty as unconstitutional in a 5-4 vote.
- **1986** - Richard Branson completes the fastest crossing of the Atlantic Ocean aboard his powerboat, the Virgin Atlantic Challenger II. It took three days, eight hours and 31 minutes.
- **1995** - US space shuttle docks with Russian space station
- **2003** - Katharine Hepburn dies at age 96
- **2007** - The first iPhone is released in the US
- **2017** - Ana Brnabic becomes the first female prime minister of Serbia.

Wise Words

"Everyone thought I was bold and fearless and even arrogant, but inside I was always quaking."

— Katharine Hepburn

Lighter Side

"Trump fighting to take control of the president's car like it's an action movie, only he's the president and this is real life."

— TREVOR NOAH

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SUBJECT: Minutes for Social Services Appropriations Subcommittee onThursday, Feb. 3, 2022 8:00 AM
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO:
DATE: 29/06/2022 09:15

Link to document: https://le.utah.gov/interim/2022/html/00002020.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=APPSOC

MINUTES
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE

Thursday , February 3, 2022|8:00 a.m.|30 House Building

Members Present:
Sen. Jacob L. Anderegg, Senate Chair
Rep. Raymond P. Ward, House Chair
Rep. Ken Ivory, House Vice Chair
Sen. Luz Escamilla
Sen. John D. Johnson
Sen. Michael S. Kennedy
Sen. Daniel W. Thatcher
Sen. Todd D. Weiler

Rep. Jennifer Dailey-Provost
Rep. Sandra Hollins
Rep. Marsha Judkins
Rep. Michael L. Kohler
Rep. Michael J. Petersen
Rep. Karen M. Peterson
Rep. Candice B. Pierucci
Rep. Norman K. Thurston

Members Absent:
President J. Stuart Adams

Staff Present:
Sean C. Faherty, Finance Officer
Russell T. Frandsen, Finance Officer
Kimberly D. Madsen, Financial Analyst
An Bradshaw, Committee Secretary
Jordan Gage, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.
1 . 8:00 Call to Order

Chair Anderegg called the meeting to order at 8:11 a.m.

2 . 8:00 Public Input on Topics on Today's Agenda

Anita Bennett, LCPD, spoke in favor of funding increase for HCBS service providers.

Margaret Rose, Executive Director, YCC Family Crisis Center, spoke in favor of appropriations for domestic violence shelter support.

Timothy Scott, Captain, Ogden City Police Department, spoke in favor of appropriations for domestic violence shelter support.

Kendra Wyckoff, Executive Director, Peace House, spoke in favor of appropriations for domestic violence shelter support.

Kristen Floyd, Executive Director, Safe Harbor Crisis Center, spoke in favor of appropriations for domestic violence shelter support.

Chad Jensen, Utah Sheriff's Association, commented on domestic violence shelter support.

Gabriella Archuleta, Public Policy Director, YWCA Utah, spoke in favor of appropriations for domestic violence shelter support.

Allen Swanson, Chief of Police, Layton City Police Department, spoke in favor of appropriations for domestic violence shelter support.

Denette Stanger, Victim Services Director, YCC Family Crisis Center Utah, spoke in favor of appropriations for domestic violence shelter support.

Ashlee Taylor, Executive Director, The Refuge Utah, spoke in favor of appropriations for domestic violence shelter support.

Jill Anderson, Executive Director, CAPSA, spoke in favor of appropriations for domestic violence shelter support.

Matthew Wappett, Executive Director, Institute for Disability Research, commented on HCBS compensation and school to work program for people with disabilities.

Gina Worthen, Council Member, Cache County Council, spoke against funding for the Cache Recourse Center.

3 . 8:00 Approval of Minutes

MOTION:
Rep. Ward moved to approve the minutes of January 19 and 20, 2022.The motion passed with a vote of 13-0-4.

Yeas- 13
Nays- 0
Absent- 4

Sen. J. Anderegg
Rep. J. Dailey-Provost
Rep. S. Hollins
Rep. K. Ivory
Sen. J. Johnson
Rep. M. Judkins
Sen. M. Kennedy
Rep. M. Petersen
Rep. K. Peterson
Rep. C. Pierucci
Sen. D. Thatcher
Rep. N. Thurston
Rep. R. Ward

Sen. J. Adams
Sen. L. Escamilla
Rep. M. Kohler
Sen. T. Weiler

4 . 8:00 Unfinished Items from the Previous Agenda

Rep. Lesser presented the appropriations request for Pregnancy and Postpartum Medicaid Coverage Amendments H.B. 220, with the assistance of Liban Mohammad, American Heart Association, and Gabby Saunders, American College of Obstetricians and Gynecologists.

Rep. Ward assumed the chair.

Rep. Thurston asked about funding through the Affordable Care Act and to whom this program would apply and Rep. Lesser and Gabby Saunders responded.

Sen. Tha...

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SUBJECT: Supreme Court narrows rights of Native American tribes
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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | June 30, 2022

It's Thursday and National Meteor Watch Day. If the skies are clear tonight, take a look!

Be in the Know

- Three years ago, Native Americans in Oklahoma rejoiced when the Supreme Court ruled that the eastern half of Oklahoma is on tribal land, and that the state could not bring criminal prosecutions for crimes on Native American land without the consent of the Native American tribes. But on Wednesday, the court narrowed that decision, and dramatically increased the power of states over Native American tribes, prompting an angry dissent from Justice Neil Gorsuch, the author of the 2019 decision, and an ardent proponent of Native American rights.
- Speaking of the Supreme Court, today is Justice Breyer's last day and Justice Jackson's first. He will retire at noon and swear in Ketanji Brown

Jackson immediately afterward.

Rapid Roundup

- Get to know Utah's Second Gentleman, Gabe Henderson.
- Do you think Utah drivers are *the worst?* Turns out we're among the most responsible drivers in the nation. 😕
- Stuffed elephant, a memento of a murdered baby, was stolen from a car at a Sandy gold course. Heartbroken mom would like it back.

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Utah Headlines

General

- How this 'Caribbean of the Rockies' pumps millions of dollars into Utah (Deseret News)
- Not all shortages create crises, like that from the infant formula shortage. But if you want to build a house, use tampons or have a penchant for hot food, supply chain woes may be more than inconvenient (Deseret News)
- What the Utah Jazz are saying about Will Hardy now that the hire is official (Salt Lake Tribune)
- Man charged with crashing stolen truck in the Navajo Nation, killing kidnapped girl in back seat (Salt Lake Tribune)
- Missing in Utah: Family cuts ties with investigator in Dylan Rounds case (ABC4)
- 18 yo shoots at his 12-yr-old sibling, leading to a 90-minute chase (KUTV)

Politics

- Jana Riess: Latter-day Saints now look liberal on abortion — by not changing. GOP has swung so far to the right that Latter-day Saints' nuanced abortion stance, once commonly accepted by fellow conservatives, now looks liberal by comparison. (Salt Lake Tribune)
- Utah Supreme Court sides with inland port, says zoning doesn't violate state law (KSL)
- Utah governor sends messages to those on both sides of abortion debate (KSL)

- Rep. Moore eager to shift gears after primary win: 'I want to get back to work' (Standard-Examiner)
- Is there a split in the GOP? Look no further than the primaries in Utah County (KUER)

Elections

- Trump's last-minute endorsements of Utah Republicans pad his win-loss record (Deseret News)
- Overnight election results: The latest on Utah's primary races (Salt Lake Tribune)
- Utah County Attorney David Leavitt loses bid for reelection (Fox13)
- McMullin calls out Lee ahead of November election battle (Fox13)
- One primary race in Washington County remains too close to call, others show clear victors (St. George News)

Environment

- Is Utah ready for a major quake? Political will and money, lots of it, are needed to prepare for a disaster that could flatten buildings and destroy infrastructure. (Salt Lake Tribune)
- Southwest Utah records its driest May in 127 years, water district says (Fox13)

Family

- Perspective: Love doesn't belong in the sharing economy (Deseret News)

National Headlines

General

- Blinken, Pompeo, Pelosi and Rubio display nonpartisan importance of religious freedom at D.C. summit. "Everybody — Democrat and Republican, right and left and center — has come together to defend this foundational right." (Deseret News)
- R. Kelly sentenced to 30 years in sex trafficking case (AP)
- U.S. newspapers continuing to die at rate of 2 each week (AP)
- Randy Cox, 36, was being transported in a police van when it came to a sudden stop on June 19. He is now in the hospital, barely able to move and the New Haven police are being investigated (New York Times)
- 1955 warrant in Emmett Till case found; family seeks arrest. Carolyn Bryant Donham made the allegations that led to Till's lynching in Mississippi. (Politico)
- Economists expect slower growth in U.S. household spending in May compared with the prior month as high inflation weighs on consumers' purchasing power. (Wall Street Journal)

Politics

- Liz Cheney says US is 'confronting a domestic threat' in Donald Trump (CNN)
- Cheney: GOP must choose between loyalty to Trump or the Constitution (The Hill)
- Republicans dismiss Hutchinson testimony (The Hill)
- Hutchinson's bombshell Jan. 6 testimony sways legal experts and conservative media (NPR)

- Jan. 6 committee subpoenas Pat Cipollone, Trump's former White House counsel (NPR)
- Facebook and Instagram are removing posts offering abortion pills (Deseret News)
- Antiabortion lawmakers want to block patients from crossing state lines. Some advocacy groups and their allies are crafting legislative language that could be adopted in Republican-led state capitals. (Washington Post)
- Andrew Giuliani had the name ID and his famous father. He just didn't have the votes. (Politico)

Ukraine UA

- Russia steps up attacks in Ukraine after landmark NATO summit (Reuters)
- Putin still wants most of Ukraine, war outlook grim -U.S. intelligence chief (Reuters)
- The U.S. will make its biggest military expansion in Europe since the Cold War, including its first permanent troop presence in Poland, as NATO prepares for two more members to join the alliance in response to Russia's invasion of Ukraine. (Wall Street Journal)
- Russia abandons Snake Island in strategic victory for Ukraine (Reuters)

News Releases

Utah Foundation: Despite booming economy, analysis shows Utah community quality of life in decline

Today, the Utah Foundation releases *The 2022 Utah Community Quality of Life Index: Is a Booming Economy Making Life Better?* The report focuses on community quality of life – based on a survey where Utahns rate their communities on a series of 20 factors. In this report, the Utah Foundation discusses the results of the 2022 survey, compares 2022 data with previous years, analyzes responses by population group, and suggests targeted ways that policymakers might improve quality of life in Utah communities.

Since 2011, the Utah Foundation has measured community quality of life with the Index five times. In 2022, the Community Quality of Life Index stands at 64 out of a possible 100 points, making this year the clear low mark. (**Read More**)

Utah Inland Port Authority statement on Utah Supreme Court ruling

The Utah Inland Port Authority (UIPA) is pleased with today's decision by the Supreme Court of Utah to affirm in part the Third District Court's previous ruling rejecting Salt Lake City's legal challenges to the creation of the UIPA.

UIPA will continue to support the State of Utah in challenges related to the tax provisions of the Utah Inland Port Authority Act. The Port Authority will also continue to fulfill the charge of the Utah Legislature by providing smart, sustainable, and equitable logistics solutions for all of Utah. UIPA is committed to future-proofing Utah's link in the global supply chain, modernizing logistics to safeguard Utah's natural beauty and reduce risk, and improving quality of life by enhancing community livability.

Owens announces UT-04 Congressional Art Competition Winner

Today, Rep. Burgess Owens (UT-04) announced Westlake High School senior Reagan Swensen as the winner of the 2022 Congressional Art Competition for Utah's Fourth District.

Reagan's artwork, titled "Mirror," will be displayed in the United States Capitol alongside the winners from each Congressional district for the year. (**Read More**)

Goldman Sachs announces 2022 10,000 Small Businesses Summit, largest gathering of small business owners in the U.S.

Goldman Sachs today announced the 2022 *10,000 Small Businesses* Summit to bring together more than 2,500 small business owners from across the country – the largest gathering of its kind in the U.S. – from July 19-20. The Summit will be held over two days at the Gaylord National Resort & Convention Center and Nationals Park where thousands of small business owners and alumni of Goldman Sachs' *10,000 Small Businesses* education program, top entrepreneurs, members of congress, and administration officials will come together to define the future of America's small business agenda. Following the pandemic and amid historic inflation, supply chain and workforce challenges, the Summit will bring together policymakers to share solutions to accelerate growth and create jobs to power our economic recovery. (**Read More**)

2022 Clear the Air Challenge kick off

The Salt Lake Chamber, along with its partners Utah Clean Air Partnership (UCAIR) and TravelWise, kicked off the 13th Annual Clear the Air Challenge today. Issued by business, government and community leaders, the Challenge is a month-long competition designed to encourage Utahns to reduce their vehicle emissions by choosing alternatives to driving alone.

The Clear the Air Challenge begins July 1.

How to Participate:

1. Sign up on the Clear the Air Challenge website at cleartheairchallenge.org and enter your information to create an account.
2. Challenge your friends and co-workers to participate as a team or individually.
3. As a business owner or team manager, send out the challenge fact sheet available in the Startup Toolkit to your employees that explains what the challenge is and why you want them to participate. (**Read More**)

Utah farm and business leaders to call for action on farm labor shortage

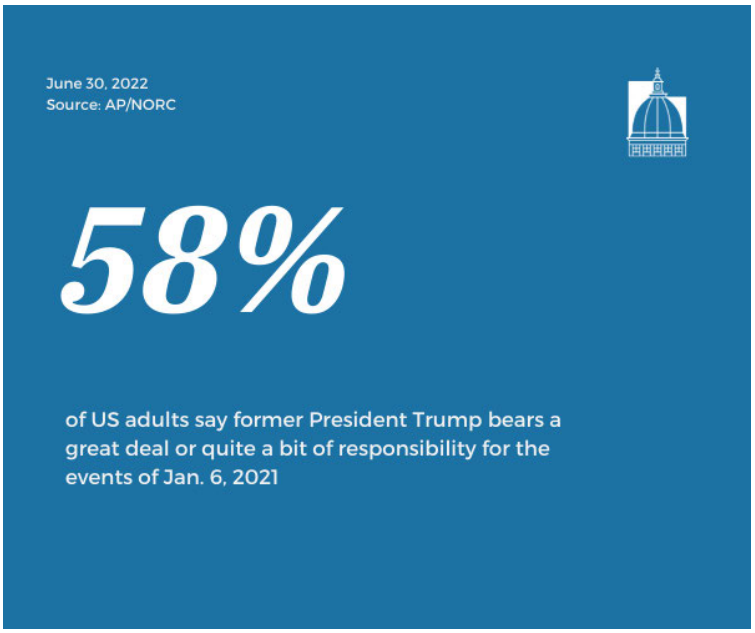
On Thursday, June 30, at 1:00 pm MT/3:00 pm EST, the Utah Farm Bureau Federation, the Salt Lake Chamber, and the American Business Immigration Coalition will hold a press event calling attention to the urgency of fixing Utah's and the nation's extreme farm labor shortages by passing new Senate agriculture workforce solutions at Schmidt's Farm and Greenhouse, 9120 S. Redwood Road, West Jordan, Utah 84088. (**Read More**)

Curtis bill to protect health research from Chinese influence gets committee hearing

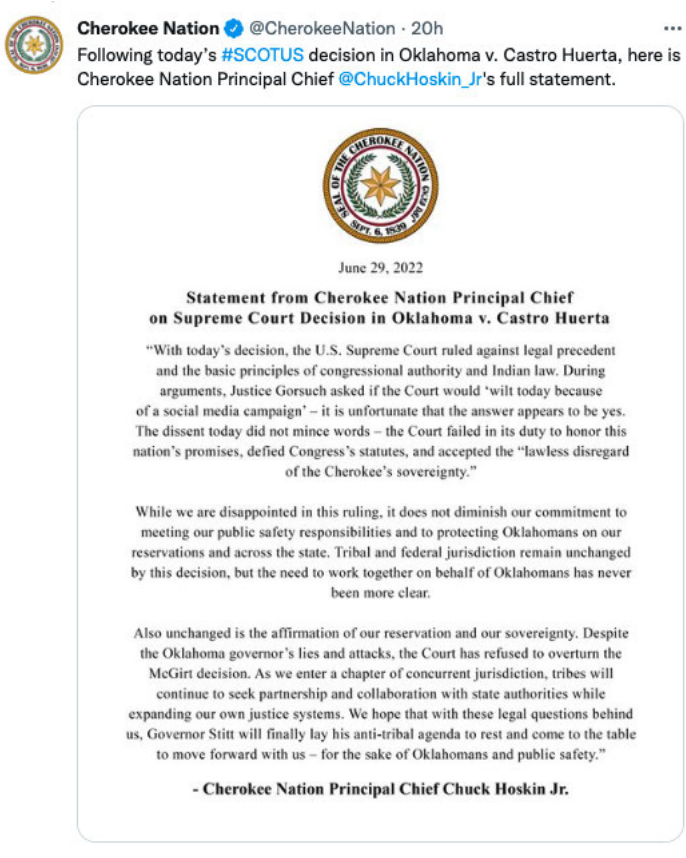
Today, the House Energy and Commerce Committee's Subcommittee on Health held a hearing on Congressman Curtis's bill, the *Fix Nondisclosure of Influence in Health Research Act,* or the *Fix NIH Research Act*.

"I am deeply concerned by foreign influence in research institutions through China's Thousand Talents Program," said Rep. Curtis. "My bill before us today, the NIH Research Act, would help prevent these nefarious influence operations. The *Fix NIH Research Act* is in the bipartisan China package, and I urge my colleagues to maintain its inclusion and pass this common-sense legislation into law." (**Read More**)

Number of the Day



Tweet of the Day



Cherokee Nation @CherokeeNation · 20h

Following today's #SCOTUS decision in Oklahoma v. Castro Huerta, here is Cherokee Nation Principal Chief @ChuckHoskin_Jr's full statement.

June 29, 2022

Statement from Cherokee Nation Principal Chief on Supreme Court Decision in Oklahoma v. Castro Huerta

"With today's decision, the U.S. Supreme Court ruled against legal precedent and the basic principles of congressional authority and Indian law. During arguments, Justice Gorsuch asked if the Court would 'wilt today because of a social media campaign' – it is unfortunate that the answer appears to be yes. The dissent today did not mince words – the Court failed in its duty to honor this nation's promises, defied Congress's statutes, and accepted the "lawless disregard of the Cherokee's sovereignty."

While we are disappointed in this ruling, it does not diminish our commitment to meeting our public safety responsibilities and to protecting Oklahomans on our reservations and across the state. Tribal and federal jurisdiction remain unchanged by this decision, but the need to work together on behalf of Oklahomans has never been more clear.

Also unchanged is the affirmation of our reservation and our sovereignty. Despite the Oklahoma governor's lies and attacks, the Court has refused to overturn the McGirt decision. As we enter a chapter of concurrent jurisdiction, tribes will continue to seek partnership and collaboration with state authorities while expanding our own justice systems. We hope that with these legal questions behind us, Governor Stitt will finally lay his anti-tribal agenda to rest and come to the table to move forward with us – for the sake of Oklahomans and public safety."

- Cherokee Nation Principal Chief Chuck Hoskin Jr.

Upcoming

- **Hatch Center Webinar: Preserving Judicial Integrity** — July 14, 11:00 am, MDT. **Register here**
- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1702** - Elizabeth Timothy is born. The colonial immigrant became the first female newspaper editor and publisher in America. After the death of her father, Timothy assumed his role in printing the South Carolina Gazette under contract with Benjamin Franklin.
- **1883** - Dorothy Tilly is born. She was a civil rights reformer who devoted her life to reforming southern race relations
- **1899** - Margaret Byrd Rawson is born. An educator and researcher, she identified and treated reading disorders including dyslexia
- **1906** - US Congress passes the Meat Inspection Act and the Pure Food and Drug Act; these laws owe much to the expose journalism of the period (Upton Sinclair's 'The Jungle' in particular)
- **1934** - Hitler orders the assassination of hundreds of members of his own political party in the Night of the Long Knives.
- **1936** - Gone with the Wind is published.
- **1938** - Superman first appears in a comic
- **1982** - The ERA fails, 3 states short of ratification.

- **2014** - *Burwell v Hobby Lobby* is decided in a 5-4 vote
- **2021** - Donald Rumsfeld dies at age 88

Wise Words

"If freedom of speech is taken away, then dumb and silent we may be led, like sheep to the slaughter."

—*George Washington*

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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 1, 2022

Welcome to July and National Grilling Month! It's also National Hot Dog Month 🌭 and National Ice Cream Month. 🍦

Enjoy your long weekend as we celebrate Independence Day. Here's a list of events that might pique your interest and a list of fireworks restrictions. Have fun, don't burn the state down and Utah Policy will be back in your inboxes on Tuesday.

Be in the Know

- The Supreme Court ruled 6-3 on Thursday that Obama-era Environmental Protection Agency regulations limiting coal plant emissions overstepped its authority. President Joe Biden called it a “devastating decision that aims to take our country backwards," while leaders in Utah applaud the decision. Jennifer Napier-Pearce, Cox’s senior communications adviser, said the governor is “thrilled” with the decision. “We believe that states are best situated to develop ways to reduce emissions, and we’ve been successful in doing so."
- The Court also ruled 5-4 yesterday that the Biden administration can end the Trump-era Migrant Protection Protocol—or “Remain in Mexico” policy—which required asylum seekers arriving at the United States’ southwestern border to wait in Mexico for their claims to be processed.
- Finally, U.S. consumer spending is cooling, decreasing 0.4 percent month-over-month in May, after increasing by 0.3 percent each of the two months prior. And, global markets wrapped up their worst first half of a year since 1970 yesterday, with the S&P 500 falling 21 percent through Thursday from the beginning of 2022.

Rapid Roundup

- USC and UCLA are leaving the PAC-12, Yellowstone is reopening the entire park this weekend, record-high gas prices aren't projected to stop Americans from traveling for the Independence Day holiday weekend, meanwhile, Delta pilots picket across the country, and, mortgage rates dropped slightly to 5.70%.

FROM OUR SPONSOR, DESERET NEWS MARATHON

This is the race: Join us for this year's Deseret News Marathon on July 23!

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah’s heritage! Register today!

Utah Headlines

General

- Public invited to see new monument honoring Black pioneers at This is the Place Heritage Park (Deseret News)
- ‘Bar-a-palooza’: Utah’s liquor board hands out eight bar licenses. Population increases and approval by the Utah Legislature made the

new licenses available. (Salt Lake Tribune)

- HOA Treasurer confesses to embezzling more than $150K thanks to persistent homeowner (Fox13)
- Here are some of the new Utah laws going into effect on July 1 (ABC4)
- Plan for long lines, lengthy waits this weekend in Zion National Park (St. George News)

Politics

- What Utah leaders say about Supreme Court ruling that limits EPA's power to reduce carbon emissions (Deseret News)
- Utah lauds, environmentalists lament Supreme Court for limiting EPA on clean power (Salt Lake Tribune)
- Election update: Two incumbents on the cusp of falling in Salt Lake and Utah counties (Salt Lake Tribune)
- Some races tighten for Utah GOP hopefuls in latest updates to primary vote totals (Salt Lake Tribune)
- Jen Plumb overtakes Derek Kitchen in nail-biter Utah Senate race (Salt Lake Tribune)
- Controversial candidate Kim DelGrosso concedes Utah school board race to incumbent Cindy Davis (Salt Lake Tribune)
- Richard Davis: In Utah, the election that matters most doesn't matter to most voters. The Utah Republican primary makes most of the decisions, but gets the smallest turnout. (Salt Lake Tribune)
- Husband of Bluffdale mayor charged for allegedly harassing wife's political opponent. Jason Hall was charged Thursday with one felony and two misdemeanors (Salt Lake Tribune)

Education

- State school board to consider library book policy (KUTV)

Environment

- Federal government cancels yet another oil and gas lease sale in Utah (Salt Lake Tribune)
- One of Utah's largest water suppliers is asking residents to cut use by 10% (Fox13)
- E.P.A. ruling is a milestone in the long pushback to regulation of business. The decision created greater opportunities for business interests to challenge regulations, reflecting conservative legal theories developed to rein in administrative agencies. (New York Times)

Health

- Park City Mountain owner Vail Resorts expands health plan to cover abortion, travel costs (Deseret News)
- 19 more Utahns died of COVID-19, and the number of cases is on the rise (Salt Lake Tribune)

Housing

- How Airbnbs are making Utah's housing market crisis worse — especially in these cities (Deseret News)
- An old Salt Lake City Ramada helped as a shelter but it wasn't a homelessness solution. Out of 168 clients at the city's temporary high-needs hotel, only 22 were connected to permanent housing. (KUER)

National Headlines

General

- Religious freedom is 'life or death' in the trenches (Deseret News)
- New data: Inflation still running red hot, consumers could tap out savings by end of the summer (Deseret News)
- Trial for US basketball star begins in Moscow-area court (AP)
- After two pandemic years, a summer travel bounce — and chaos (AP)

Politics

- Three-fourths of Democrats dissatisfied with the direction of the country, economy (Deseret News)
- Liz Cheney to Republicans: Choose between the Constitution or Trump (Deseret News)
- Biden supports exception to Senate filibuster to pass abortion-rights law (Deseret News)
- Supreme Court ruling will allow Biden to scrap 'Remain in Mexico.' Kavanaugh and Roberts side with liberal justices (Deseret News)
- Trump's vulnerabilities for 2024 mount after new testimony (AP)
- Boebert, court decisions ignite debate over church and state (The Hill)
- Florida's 'Don't Say Gay' law takes effect today. Its impact is already being felt (The Hill)
- Justice Ketanji Brown Jackson sworn in to Supreme Court (Politico)
- Supreme Court to hear case on GOP 'independent legislature' theory that could radically reshape elections. The case stems from the North Carolina Supreme Court's decision this year to throw out the Republican-drawn congressional map for gerrymandering. (Politico)

Ukraine UA

- A pre-dawn deadly missile strike hits residential buildings in Ukraine's Odesa region (AP)
- Dozens of Russian weapons tycoons have faced no Western sanctions (Reuters)

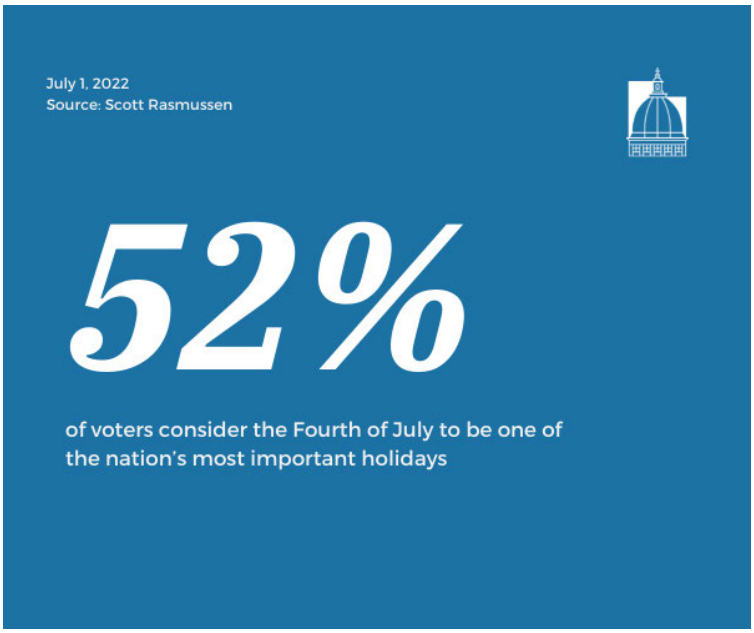
News Releases

Kem C. Gardner Policy Institute: Utah's Consumer Sentiment continues to fall in June

Utah's consumer sentiment fell in June, according to the Kem C. Gardner Policy Institute's Survey of Utah Consumers. The Utah index fell to 64.4 in June, compared to 69.0 in May. For the version of our index referring to the U.S., sentiment was 54.1 in June, compared to 57.9 in May. June's national consumer sentiment index reflects the lowest reading in the University of Michigan survey's 70-year history.

The full results are now available online. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Hatch Center Webinar: Preserving Judicial Integrity** — July 14, 11:00 am, MDT. **Register here**
- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1863** - The Battle of Gettysburg begins
- **1867 -** New Brunswick, Nova Scotia, Quebec and Ontario became the Dominion of Canada. Happy Canada Day!
- **1896** - Harriet Beecher Stowe dies at age 85
- **1903** - France hosts the first Tour de France bicycle race.

- **1916** - Battle of the Somme begins. By the end of the day, 20,000 British soldiers were dead and 40,000 wounded. It was the single heaviest day of casualties in British military history.
- **1944** - The Bretton Woods Conference begins.
- **1968** - The United States institutes the ZIP Code.
- **1984** - PG-13 rating debuts
- **1987** - For the first time in history, there were three Black women serving as presidents of four-year colleges and universities in the US: Dr. Niara Sudarkasa at Lincoln University in Pennsylvania, Dr. Johnetta Cole, at Spelman College in Atlanta and Dr. Gloria Randle Scott at Bennett College in Greensboro, NC.
- **1994** - Judith Rodin becomes the first female president of an Ivy League Institution when she is named president of the University of Pennsylvania.
- **1997** - Hong Kong returned to China. It's not working out that great.

Wise Words

"In the twenty-first century, building resilience is one of our most urgent social and economic issues because we live in a world that is defined by disruption."

— Judith Rodin

Lighter Side

"The Supreme Court ruled that the Environmental Protection Agency does not have the authority to protect the environment? So what is their job now?"

— TREVOR NOAH

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[redacted]

Representative Harrison has questions about the implementation of the program, in particular what will be done to ensure providers are aware of the program so patients can begin accessing it.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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--
Jennifer Strohecker, PharmD, BCPS

Medicaid Director
Director, Division of Integrated Healthcare
C: 385.280.3659
jstrohecker@utah.gov

Beginning July 1, 2022, we will be the Utah Department of Health & Human Services

UTAH DEPARTMENT OF HEALTH utah department of human services

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DATE: 03/07/2022 08:20

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[redacted]

Utah Department of Health & Human Services

On Sun, Jul 3, 2022 at 8:21 AM Sarah Welliver DHS <swelliver@utah.gov> wrote:

Is this meant to be a complete list of available resources for pregnant individuals or parents with newborns? Families with children of any age?

There are definitely resources missing, but I'm not sure what the goal of this document is. I know Marc you mentioned wanting to share this with legislators and constituents.

DCFS worked with 211 Utah to create a website with parent resources, including crisis nurseries, respite care, etc. https://uw.org/211/family-strengthening/

Was this a legislative request? I want to be able to efficiently support you all on Tuesday, especially with the deadline. Any clarity will help me put something together, and loop in DCFS if needed for assistance. Thank you!

Sarah

On Sun, Jul 3, 2022 at 8:12 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Marc -

Sorry for the weekend e-mail, but I thought I better e-mail since your goal is to complete this document by COB Tuesday.

One program I did not see listed is the Newborn Safe Haven Program. This program is currently run out of PAE. DCFS plays a significant role once a parent leaves a newborn at a hospital (or other designated location).

Do we want to add this program to the resource list?

[Heather - are you aware of any programs with the Division of Population Health that may need to be included here? I am not sure if Janae has already reviewed this document, but thought I would start by asking you]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 5:45 PM Marc Watterson <mwatterson@utah.gov> wrote:

Thanks Tracy. We'll make sure this is ready to send out by COB on Tuesday.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jul 1, 2022 at 2:20 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you!

I would like to get this formatted since we will be sending it to all lawmakers.

Tracy S. Gruber

Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Jun 29, 2022 at 4:27 PM Marc Watterson <mwatterson@utah.gov> wrote:

It sounds like staff now have this information updated.

Do you want us to work with Comms to get this formatted in a way that would make it easier to share with legislators (and for them to share with their constituents)?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jun 24, 2022 at 8:53 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you Paul!

Please make sure to get this document populated as soon as possible. Thank you!

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Jun 24, 2022 at 11:29 AM Paul Ray DHS (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

[redacted]

Paul Ray DHS shared a spreadsheet

Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

Google Workspace

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--
Sarah Welliver
Public Information Officer
C: 801.520.2777
swelliver@utah.gov
hs.utah.gov

Utah Department of
Health & Human Services
Public Affairs & Education

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SUBJECT: Utah Resources fo... - I don't think this applies based on t...
FROM: "Sarah Welliver DHS (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 05/07/2022 13:38

[redacted]

Sarah Welliver DHS added a comment to the following document

[redacted]

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are subscribed to all discussions on Utah Resources for Mothers and Families. Change what Google Docs sends you. You can reply to this email to reply to the discussion.

Google™

SUBJECT: Utah Resources fo... - I don't think this applies based on t...
FROM: "Sarah Welliver DHS (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 05/07/2022 13:48

Sarah Welliver DHS resolved a comment in the following document

[redacted]

[redacted]

[redacted]

---------- Forwarded message ---------
From: **Raymond Ward** <rayward@le.utah.gov>
Date: Wed, Jun 29, 2022 at 7:45 PM
Subject: Some pro-life ideas to improve pregnancy related services.
To: Tracy Gruber (DHS) <tracygruber@utah.gov>, nate checketts <natechecketts@utah.gov>

Hi Tracy and Nate -

I hear from Neil Abercrombe that the Governor is interested in doing some things to provide better pregnancy related services to women in light of the trigger law.

It makes sense to me that from a pro-life viewpoint, we as a state ought to be interested in more than just eliminating abortion, but also in making sure that a pregnancy turns out well for her and her child.

If you guys in are sorting through possible policy recommendations, I wanted to put some of my top ones in your hopper for consideration. (And I will, of course, be bringing this up as best I can with my legislative colleages as well)

Here are some things that I think would make things better for women and show actual action on the part of the state to being pro-life for women as they plan for and go through pregnancy and childbirth.

1. Raise the Income eligibility to be covered for pregnancy Medicaid to 200% of the poverty level. Currently women between 138 and 200 may really struggle to get coverage and pre-natal health care.
2. Provide 12 months of post partum coverage. The first year of the baby's life can be very chaotic. Getting health care for herself (including if desired to get back on highly effective birth control) can be impossible if we cut folks off of coverage 60 days after the birth of the child.
3. Cover family planning services up to 250% of the poverty level. This is similar to what was discussed a couple of years back in the legislature for the lower threshold of 100% of the poverty level. The stakes are much higher for a women if abortion is not an option for her, and she is not in a position to care for another child if she does get pregnant, so making it easier for lower income individuals to access birth control would be a good help to them.
4. Provide 12 months of continuous eligibility to children on Medicaid. We have discussed this several times in the legislature, but haven't every quite found the funding. Maybe now is the right time.
5. Apply for the CHIP "unborn child" option. This is for women who are not here legally, but their child when it is born, will be here legally, and entitled to Medicaid services. This allows for coverage during the pregnancy, so the baby has a better chance to be born health.
6. Set a minimum set of services that we want to have available across the state to women who have a substance use disorder. This could include peer support, or home visitation, or coverage of inpatient rehab. Currently the services of this nature that are available are very spotty across the state, mostly just available in Salt Lake County. This item - it we plan correctly - could be funded from the opioid settlement, and so wouldn't have to come from general fund.

I have attached a brief prepared by Dr. Jessica Sanders who is with the family planninc division at the University of Utah. (And I think she has presented at MCAC, so you might already have this.) In it you will see many of these same ideas, as well as some others.

I am not sure how this will play out, but I would love to be involved if we are discussing ways to make our healthcare services better for women surrounding pregnancy and childbirth related issues.

Thanks,

RW

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SUBJECT: Re: Some pro-life ideas to improve pregnancy related services.
FROM: Tracy Gruber DHHS <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
DATE: 06/07/2022 06:33

Thank you!

Did you also incorporate any of the ideas that were in the attached slide deck?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

On Tue, Jul 5, 2022 at 4:20 PM Marc Watterson <mwatterson@utah.gov> wrote:

Thank you. These have all been incorporated and, where there has been prior legislation, cited.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Jul 5, 2022 at 4:02 PM Tracy Gruber DHHS <tracygruber@utah.gov> wrote:

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of
Health & Human
Services

---------- Forwarded message ---------
From: **Raymond Ward** <rayward@le.utah.gov>
Date: Wed, Jun 29, 2022 at 7:45 PM
Subject: Some pro-life ideas to improve pregnancy related services.
To: Tracy Gruber (DHS) <tracygruber@utah.gov>, nate checketts <natechecketts@utah.gov>

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SUBJECT: Highland Park suspected shooter charged with 7 counts offirst-degree murder
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 06/07/2022 07:32

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Situational Analysis | July 6, 2022

A happy Wednesday to you. Today is International Kissing Day so pucker up.

Speaking of kissing, a big congrats to Speaker Brad Wilson's daughter Liz on her recent engagement!

Be in the Know

- Did you see the picture of the small boy being circulated on Monday after the parade killings in Highland Park, Illinois, saying he had been separated from his parents? That little's boy's name is Aiden McCarthy and he was alone because both of his parents were shot and killed. His

father died shielding Aiden. He has been reunited with his grandparents.

- The 22-year-old suspected shooter was charged with seven counts of first-degree murder yesterday, Lake County State's Attorney Eric Rinehart promised Tuesday that dozens more charges would be sought. In spite of prior suicidal and homicidal threats in which police confiscated 16 knives, a dagger and a sword, he was able to legally purchase 5 guns, including the assault rifle used in the attack.

Rapid Roundup

- The University of Utah is being recruited by the Big 12, a snake caused a power outage in South Weber, the UHP reported 5 fatalities over the Fourth of July weekend, July 4th fireworks set nearly 3 dozen dumpsters, yards, brush ablaze in Southern Utah, and a 76 million-year-old dinosaur is set to be auctioned off.

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Utah Headlines

General

- 'She was the sweetheart of the family': Kaysville family remembers Macie Hill (KSL TV)
- Utah businesses, once resistant, finally shift to remote and hybrid work (KUTV)
- Mental health issues or poor gun laws? What Utahns say causes mass shootings (Deseret News)
- Utah jail deaths surged back to a concerning high in 2020. County jails haven't reported this many jail deaths since 2016. What's being done? (Salt Lake Tribune)
- Mom of Zane James reacts to $4M Cottonwood Heights settlement in 2018 police killing of her son (Salt Lake Tribune)
- Who is Will Hardy? Meet the 34-yr-old shot-making, volume-texting, slow-eating head coach of the Utah Jazz (Salt Lake Tribune)

Politics

- Where Mitt Romney sees the country going if Donald Trump is elected again (Deseret News)
- Rep. Stewart signs on as co-sponsor of House bill to boost Alzheimer's disease research (St. George News)
- Summit County Council considers eminent domain against private property owners (KPCW)

Energy

- Energy superabundance: How cheap, abundant energy will shape our future (CGO at USU)

Environment

- Great Salt Lake hits another new low — 'this is not the type of record we like to break.' The drop is expected to stretch into the fall. (Salt Lake Tribune)
- Locals cheer close of North Salt Lake waste incinerator (Fox13)
- Air pollution data suggests Utahns cut fireworks use this year (Fox13)
- Cedar City mayor says 'use every drop wisely,' touts tuna can water conservation hack (St. George News)
- What Utahns can do right now to be wildfire ready (KUER)

Housing

- 6 things you should know about the housing market right now (Deseret News)
- Searching for a safe neighborhood? Look for a lot of dogs (Deseret News)

National Headlines

General

- This Florida synagogue is using religious freedom to challenge abortion restrictions (Deseret News)
- 'We want to make your Olympic dreams come true,' IOC president tells Ukrainians during visit (Deseret News)
- Highland Park suspect's online history reveals a fascination with violence (NPR)
- Gun violence in America: A long list of forgotten victims (AP)
- Highland Park set tight gun limits long before parade attack (AP)
- OPEC secretary-general dies, just weeks shy of departure (AP)
- Increasingly isolated, Boris Johnson pledges to fight on (Reuters)
- Boris Johnson fights for political life amid resignations from his party (Washington Post)
- Hiring demand remained strong as summer started (Wall Street Journal)

Politics

- The 5 states that will likely determine the fate of the U.S. Senate (Deseret News)
- The first Gen Z candidates are running for Congress — and running against compromise (NPR)
- Georgia grand jury subpoenas top Trump allies, including Giuliani and Eastman (NPR)

  How Republican-led states are targeting Wall Street with 'anti-woke' laws (Reuters)

- As some Democrats grow impatient with Biden, alternative voices emerge (Washington Post)
- The Supreme Court's EPA ruling was the beginning of something bigger (Washington Post)
- Trump White House bid threatens GOP midterm strategy (The Hill)

Ukraine UA

- Russia's Tactical Shift in Ukraine Raises Prospect of Protracted War (Wall Street Journal)
- NATO signs accession protocols for Finland and Sweden. The ceremony in Brussels took place as Russian forces continued to make "substantive progress" in Ukraine's eastern Donbas region, according to Britain's Defense Ministry (Washington Post)
- Trudeau: Canada first NATO ally to ratify membership bids by Finland and Sweden (Politico)
- A growing movement against illegal war (Washington Post)

News Releases

Gov. Cox orders flags to be lowered in honor of the lives lost in Highland Park

Utah Gov. Spencer J. Cox has authorized the lowering of the flag of the United States of America and the flag of the state of Utah on all state facilities in accordance with President Joe Biden's proclamation honoring the victims of the tragedy in Highland Park, Illinois.

Flags should be lowered to the half-staff position immediately and return to full-staff at sunset on Saturday, July 9, 2022.

The president's statement can be found here.

Utah Senate Judicial Confirmation Committee now accepts public comment via email

The Utah Senate Judicial Confirmation Committee seeks public comment when the governor appoints judicial nominees. Individuals can submit comments regarding judicial appointments to the Utah Senate Judicial Confirmation Committee electronically or by mail.

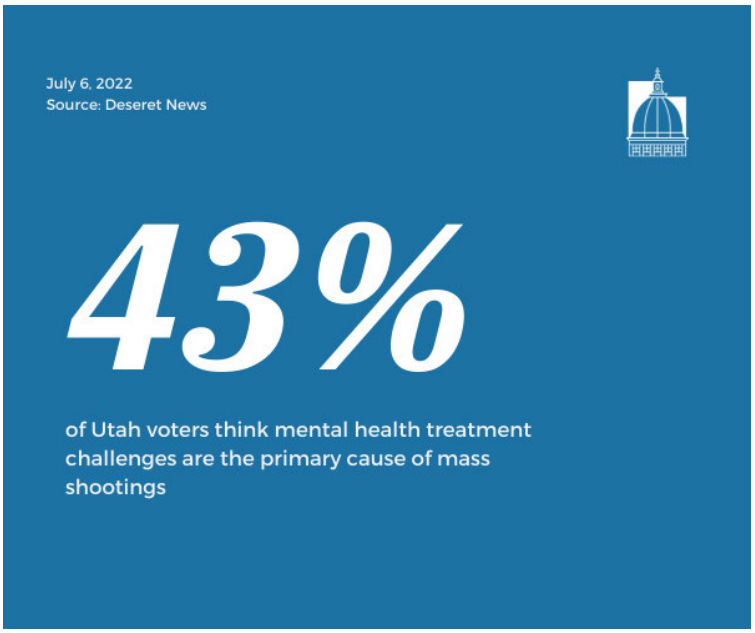
Electronic comments can be emailed to: **senatejudicialnominees@le.utah.gov**.

The Utah Senate Judicial Confirmation Committee is currently requesting public comments for:

- Judge Jill M. Pohlman, who Gov. Spencer J. Cox appointed to serve as a justice on the Utah Supreme Court. The deadline to submit comments is Wednesday, July 13, by 5:00 p.m.
- Attorney Rick Westmoreland, who Gov. Spencer J. Cox appointed as a judge for the 2nd District Juvenile Court. The deadline to submit comments is Monday, July 11, by 5:00 p.m.

(**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Hatch Center Webinar: Preserving Judicial Integrity** — July 14, 11:00 am, MDT. **Register here**
- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1189** - Richard the Lionheart is crowned King of England, upon the death of King Henry II
- **1907** Frida Kahlo is born. The Mexican painter explored questions of identity, postcolonialism, gender and race in Mexican society in a bold, distinctive style
- **1921** - Nancy Reagan is born.
- **1933** - Major League Baseball's first All-Star Game is held
- **1942** - Anne Frank's family goes into hiding in After House, Amsterdam
- **1944** - Fire engulfs a circus big top in Hartford, Connecticut, killing 167, two-thirds of them children
- **1945** - Nicaragua becomes 1st nation to ratify the Charter of the United Nations
- **1946** - George W. Bush is born.
- **1957** - Althea Gibson became the first Black player to win a Wimbledon title in women's tennis singles.
- **1976** - Women inducted into the US Naval Academy for the first time.
- **1983** - Supreme Court rules retirement plans can't pay women less

Wise Words

"How wonderful it is that nobody need wait a single moment before starting to improve the world."

— Anne Frank

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SUBJECT: Re: DHHS-identified Utah Resources for Mothers and Families
FROM: Marc Watterson <mwatterson@utah.gov>
TO: Mark Thomas <mthomas@le.utah.gov>, Abby Osborne <aosborne@le.utah.gov>, Kennedie Starr <kstarr@le.utah.gov>, Nick Frederick <nfrederick@le.utah.gov>
DATE: 06/07/2022 10:44

As an FYI, this was shared out with all legislators (Bcc'd).

The only exception is Rep. Colin Jack. I took a stab at guessing what his email address might be (cjack@le.utah.gov) but it looks like that bounced back. If he has been assigned an email address could you share that with us?

Thanks!

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Wed, Jul 6, 2022 at 10:41 AM Marc Watterson <mwatterson@utah.gov> wrote:

Legislators -

DHHS received several requests this past week to provide information on programs and services in the state that support women prior to a pregnancy, through a pregnancy, and after they give birth.

Please see the attached document we compiled that captures the information requested. The document contains hyperlinks for easy access to program websites. Feel free to share this with your constituents or community stakeholders that would find this information useful.

As always, please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Re: DHHS-identified Utah Resources for Mothers and Families
FROM: Neil Abercrombie <nabercrombie@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
DATE: 06/07/2022 13:44

Marc,

Just curious...did this go to all legislators or just members of certain committees?

Thanks,

Neil

On Wed, Jul 6, 2022 at 10:41 AM Marc Watterson <mwatterson@utah.gov> wrote:

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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SUBJECT: Re: DHHS-identified Utah Resources for Mothers and Families
FROM: Marc Watterson <mwatterson@utah.gov>

[redacted]

TO: Neil Abercrombie <nabercrombie@utah.gov>
DATE: 06/07/2022 14:15

Sorry for the confusion Neil. It was shared out with all legislators (Bcc'd).

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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Thanks,

Neil

On Wed, Jul 6, 2022 at 10:41 AM Marc Watterson <mwatterson@utah.gov> wrote:

Legislators -

DHHS received several requests this past week to provide information on programs and services in the state that support women prior to a pregnancy, through a pregnancy, and after they give birth.

Please see the attached document we compiled that captures the information requested. The document contains hyperlinks for easy access to program websites. Feel free to share this with your constituents or community stakeholders that would find this information useful.

As always, please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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SUBJECT: Confidence in American institutions drops (again); Congress at 7%
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 07/07/2022 07:34

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[redacted]

UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 7, 2022

It's already Thursday and today is World Chocolate Day. What a great day!

Be in the Know

- Gallup is out with its annual look at Americans' confidence in various institutions, and … it's bad. No institution say improvement and 11 of the 16 researched saw significant declines. "This year's poll marks new lows in confidence for all three branches of the federal government—the Supreme Court (25%), the presidency (23%) and Congress (7%)," Jeffrey Jones writes. "Five other institutions are at their lowest points in at least three decades of measurement, including the church or organized religion (31%), newspapers (16%), the criminal justice system (14%), big business (14%) and the police. … Americans' confidence in institutions has been lacking for most of the past 15 years, but their trust in key institutions has hit a new low this year."

- Bye, bye Boris. The scandal-ridden British prime minister Boris Johnson announced he would step down - after he was abandoned by most of his Conservative lawmakers. Some 50 of his Cabinet ministers resigned en masse and even those closest to him told him it was time to go. "I want you to know how sad I am to be giving up the best job in the world. But them's the breaks," he said. Ukraine advisor Mykhailo Podolyak thanked him for supporting Ukraine, while Russia rejoices over his downfall. He will stay on until a replacement is chosen.

Rapid Roundup

- Officers are asking the public NOT to search the area where Dylan Rounds may have disappeared from, motorcycle fatalities increase on Utah roads, a 100-year-old veteran of WWII said through tears that the America they fought for has "gone down the drain," Elon Musk reportedly had twins with a top exec at one of his companies last year, weeks before he and his official girlfriend had their second child, and finally, the story of Fred the mastodon who died looking for love - apparently in all the wrong places.

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Utah Headlines

General

- Value of U.S. dollar hits 20-year highs in boon for travelers but bust for many businesses (Deseret News)
- Religion summit shines bright light on the real human toll of religious violence, persecution (Deseret News)
- Police respond to bomb threat at Ogden-Weber Technical College, no device found (KSL TV)
- Busy Bee Baggers create book bags for children in need (KUTV)
- Why go to space? “We must continue to invest in space if we want to flourish as a society and as a species,” says Senior Research Fellow Eli Dourado (CGO at USU)

Politics

- Utahns on guns: Red flag laws? Yes. Assault weapons ban? Yes. Universal background checks? Yes. New Deseret News/Hinckley Institute poll shows strong support for gun control measures (Deseret News)
- Utah’s trigger law requires rape victims seeking an abortion to report to police. But prosecutors say the law isn’t clear enough. Physicians can face up to 15 years in prison if they perform an abortion without verifying a rape victim reported to police. (Salt Lake Tribune)
- Justice Department sues Arizona over new voter registration laws (Deseret News)
- A Utah woman emailed her lawmaker about abortion. His response on ‘barbaric slaughter’ surprised her. (Salt Lake Tribune)
- Woman behind 'Sharon Says So' podcast explains how we stop 'screaming at each other' (KSL)
- Bluffdale mayor responds after husband charged with threatening city councilman (KUTV)
- Bill to tweak property taxes and water use is advancing on Utah's Capitol Hill (Fox13)

Education

- 'Art is a good teacher': New public exhibit draws attention to the drying Great Salt Lake (KSL)

Environment

- How much will UDOT's Little Cottonwood traffic solutions *really* cost? (Deseret News)
- Are nuclear and natural gas plants 'green'? Europe says yes (Deseret News)
- 'This is a happy day': Stericycle ceases incineration operations after 9-year battle (KSL)
- Biologists' fears confirmed on the lower Colorado River as non-native smallmouth bass are found (AP)
- A U.S. uranium mill is near the Ute Mountain Ute tribe in White Mesa, Utah. A study may reveal if it poses a health risk (NPR)
- Shell has big plans to drill in the Gulf of Mexico despite climate and political debate (Wall Street Journal)

Health

- What a new study uncovered about the practice of intermittent fasting and COVID-19 (Deseret News)
- What COVID-19 did to U.S. life expectancy and where it ranks among causes of death (Deseret News)
- Forget 'stealth omicron.' Here's the latest subvariant causing most COVID-19 cases (Deseret News)

Housing

- SLC project will upgrade nearly 300 apartments dedicated to seniors and the disabled (Salt Lake Tribune)
- Utah's housing market is changing in these 3 ways (KUTV)

National Headlines

General

- 😲 Michigan police apologize for using pictures of Black men as targets (Deseret News)
- It's time to rethink the 'last place you'd expect a shooting' narrative (NPR)
- The NASA engineer who made the James Webb space telescope work. Greg Robinson turned a $10 billion debacle into a groundbreaking scientific mission. Every moonshot is the result of marginal improvements. (Wall Street Journal)

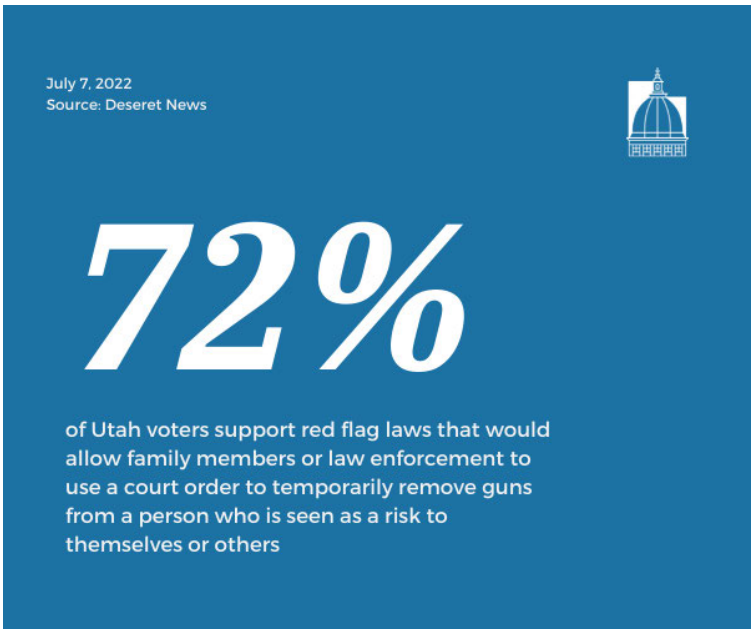
Politics

- What prompted the unprecedented FBI, MI5 joint address? The directors of the two intelligence agencies sent a clear signal on the 'massive shared challenge' China presents (Deseret News)
- Shanghai police data goes public: Possibly one of the 'largest data breaches in history' (Deseret News)
- House Republicans weigh national abortion restrictions (The Hill)
- Former FBI leaders who drew Trump's ire were both audited by IRS (Washington Post)
- Graham's relationship with Trump comes back to bite him (The Hill)
- Secret Service denial of Hutchinson story fuels attacks from both sides (The Hill)

Ukraine UA

- A not-so-distant war. Mariya Manzhos, who grew up in Ukraine and recently became a U.S. citizen, spent the early days of the Russia-Ukraine war trying to get her parents to safety. (Deseret News)
- Ukrainians cling to life at front line: 'We are patriots' (AP)
- Russia's war in Ukraine to overshadow G-20 talks in Bali (AP)
- Video investigation: Russia is using a secret network to steal Ukraine grain (Wall Street Journal)
- Russia strikes Snake Island - again - after Ukrainians plant their flag (Washington Post)

Number of the Day



Tweet of the Day

Upcoming

- **Hatch Center Webinar: Preserving Judicial Integrity** — July 14, 11:00 am, MDT. **Register here**
- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1456** - A retrial verdict acquits Joan of Arc of heresy 25 years after her death
- **1861** - Nettie Stevens is born. She discovered the X and Y chromosomes.
- **1865** - Mary Surratt becomes the first woman executed by the US government for her role in the assassination of Abraham Lincoln. She was joined on the gallows by Lewis Powell, David Herold and George Atzerodt.
- **1928 -** Sliced bread is sold for the first time by the Chillicothe Baking Company, Missouri, using a machine invented by Otto Frederick Rohwedder. Described as the greatest forward step in the baking industry since bread was wrapped.
- **1930** - Building begins on the Hoover Dam.
- **1930** - Arthur Conan Doyle, British writer (Sherlock Holmes), dies at 71
- **1946** - James Earl “Jimmy” Carter marries Eleanor Rosalynn Smith at the Plains Methodist Church in Plains, Georgia.
- **1976** - Female cadets enrolled at West Point for the first time.
- **1981** - Sandra Day O’Connor nominated to the US Supreme Court by Ronald Reagan
- **2019** - US women’s soccer team wins record 4th World Cup title

Wise Words

"I care very much about women and their progress. I didn't go march in the streets, but when I was in the Arizona Legislature, one of the things that I did was to examine every single statute in the state of Arizona to pick out the ones that discriminated against women and get them changed."

— Sandra Day O'Connor

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SUBJECT: Re: Question: Postpartum Resources
FROM: "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, Lynne Nilson <lpnilson@utah.gov>
DATE: 07/07/2022 17:57

Hi Marc - My responses in blue text

Do you know if insurance companies are required to provide coverage for postpartum depression?
To the best of our knowledge, insurance companies are not required to cover treatment for postpartum depression. I would verify this with the Department of Insurance.

Is DFH or DPH doing any education on postpartum depression?
Yes. The Maternal and Infant Health Program has a maternal mental health specialist who works to educate on the signs and symptoms of postpartum depression and resources for care. We have Instagram and Facebook pages to provide education to the public. We also host the maternal mental health referral network (https://maternalmentalhealth.utah.gov/) to link those in need of perinatal mental health services to providers with specialized training. Additionally, we have just developed a maternal mental health toolkit that we will be launching in the coming weeks.

Are there any limitations to current coverage/education you feel may need to be addressed?
There are several states who have policies surrounding establishment of a statewide perinatal psychiatric consult service. This allows for peer to peer consultation for providers to get advice on diagnosis, treatment, and medication management for their pregnant/postpartum patients. (https://www.postpartum.net/professionals/state-perinatal-psychiatry-access-lines/). We would like to see something like this in Utah.

Working to increase the number of mental health providers in Utah, including those trained in perinatal mental health, would be a benefit. All of Utah's counties are health professional shortage areas for mental health: https://ruralhealth.health.utah.gov/wp-content/uploads/2022/03/OPCRH-MH-HPSA-3.21.2022.pdf

Another item on our wish list would be implementation of a telephone triage and referral network (warmline) for the public and providers. A comprehensive statewide database, along with a trained patient triage warmline (a weekday, 9-5 phone line), could effectively support a woman experiencing perinatal mental health issues who need everything from information on a local support group to immediate psychiatric help. A warmline, with someone ensuring that the severity of the case matches the services provided can also be where providers could refer patients confidently once a patient has been screened.

We also have recommendations for prevention that have been developed by our maternal mortality review committee. We looked at recommendations made surrounding cases where there was a mental health condition noted and these included:

- Payers and policy makers should find ways to expand options (ex. expand telehealth and fund more local clinics) for behavioral health care in rural areas so that distance isn't a barrier to care.
- Governments and/or health systems should create mental health/substance use treatment facilities that specialize in perinatal women.

Please let me know if you need further information.

Thanks,
Laurie

On Tue, Jul 5, 2022 at 3:27 PM Marc Watterson <mwatterson@utah.gov> wrote:

Noel and Janae (and or Lynne and Laurie) -

Do you know if insurance companies are required to provide coverage for postpartum depression? Is DFH or DPH doing any education on postpartum depression? Are there any limitations to current coverage/education you feel may need to be addressed?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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--
Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

[redacted]

Utah Department of Health & Human Services
Family Health

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SUBJECT: Former Japanese Prime Minister Shinzo Abe assassinated
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 08/07/2022 07:35

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Situational Analysis | July 8, 2022

It's Friday and National Freezer Pop Day. Those darn things were the cause of an early parenting fail when my first toddler kept asking for "Razor Ducks, Razor Ducks!" I had no idea what he was talking about and he was very sad. Days later, I worked out that he was trying to say "freezer sticks." Sigh.

Be in the Know

- Powerful former Prime Minister of Japan, Shinzo Abe, was assassinated while giving a speech in Nara, Japan. He was shot from behind minutes after starting his speech and was airlifted to a hospital, but arrived without vital signs and never regained them. "Shocked" and "saddened," world leaders reacted to the attack. Even Iran called it an "act of terrorism."

- 300 Ukrainian refugees are making their way to Utah and they need support. Catholic Community Services is helping with "case management, employment services, health services, and education for their children" and are looking for volunteers as well as donations of furniture, household items, laptops and more. Click here to find out more.

Rapid Roundup

- Actor James Caan is dead at 82, 34-yr-old Rihanna is now America's youngest self-made female billionaire, José Eduardo dos Santos, former

tyrant who plundered Angola, is dead at 79, and in some good news, U.S. job growth beats expectations and adds 372,000 jobs, while the unemployment rate holds at 3.6%.

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Utah Headlines

General

- Women & Leadership Project releases final study in series on Utah women of color (Daily Herald)
- On the road in Ukraine: One man's journey to help his people (Deseret News)
- Apple unveils 'extreme' new security measure for iPhones, iPads and Macs (Deseret News)
- New program aims to support small businesses owned by refugees, immigrants in Cache Valley (Herald Journal)
- Police and FBI identify suspect in Dylan Rounds disappearance (KSL TV)
- One of two children hit by SUV passes away after South Jordan crash (KUTV)

Politics

- Jen Plumb builds her lead over Sen. Derek Kitchen, but it remains oh so tight (Salt Lake Tribune)
- Why is a potential Republican presidential candidate coming to Utah? 💲💲💰💲💲 (Deseret News)
- What a grocery store commercial and President Joe Biden's approval ratings have in common (Deseret News)
- 'Laws prohibiting abortion in Utah are older than the State itself,' lawyers say in defense of trigger law (Salt Lake Tribune)

Education

- How to improve school safety? New poll reveals what Utahns think (Deseret News)
- As the school year approaches, Utah schools are already suffering a staff shortage (KSL Newsradio)

- More workers without degrees are landing jobs. Will it last? The increasing availability of good jobs for those without degrees coincides with challenges for traditional higher education (Washington Post)

Environment

- E-bikes are booming in Utah. Are you ready to be a power pedaler? (Salt Lake Tribune)
- How the Great Salt Lake's dropping water level is affecting a Utah bird refuge (KSL TV)
- Farmers are trying new water-saving tech in Utah's drought (Fox13)
- 'It's not doomsday yet' for Lake Powell, but continuing drought poses litany of challenges (St. George News)
- Utah's proposed oil railroad clears final regulatory hurdle. Next question for Uinta Basin Railway: Who's paying for multi-billion-dollar project state says is needed to increase Utah oil production? (Salt Lake Tribune)
- Two philanthropists gave up the opportunity to potentially earn $26 million on the sale of a 1,050-acre Ogden Valley plot that used to house a Trappist monastery. Instead, they put the land into a conservation easement to keep it pristine (Standard-Examiner)

Health

- 14 more Utahns die of COVID-19. And, yes, we're still in a surge. (Salt Lake Tribune)
- 6,872 new COVID cases in Utah reported over past week (Fox13)
- Here's a COVID-19 treatment pharmacists can prescribe (Deseret News)
- University of Utah Health workers walk out to protest the abortion ban and the fall of Roe (KUER)
- Scientists look to people with Down syndrome to test Alzheimer's drugs (NPR)

Housing

- Cache County addresses housing crisis in new report (UPR)

National Headlines

General

- Brittney Griner pleads guilty to drug charges (NPR)
- Are scientists about to unveil the mysteries of dark matter? Dark matter, making up about 80% of the universe, remains a mystery to scientists — the Hadron Collider could change that. (Deseret News)
- Will a pension bailout be enough to save America's unions? (Deseret News)
- Biden awards medal of freedom to Biles, Rapinoe, late Senator McCain (Reuters)
- Big cities can't get workers back to the office. Occupancy is especially low in cities like New York, where workers are the engine of local economies (Wall Street Journal)
- Elon Musk's deal to buy Twitter is in peril (Washington Post)
- US to diversify infant formula industry to avoid shortages (AP)

Politics

- Colorado governor signs executive order to protect abortion rights (Deseret News)
- Sen. Lindsey Graham plans to fight Georgia subpoena (Roll Call)

- Trump left Sarasota media company weeks before federal subpoenas were issued (Herald-Tribune)
- Trump called him 'the strong, silent type.' Today, Cipollone testifies about Jan. 6 (NPR)
- GOP Senate hopefuls adopt a high-risk strategy for November. In one battleground state after another, they're ditching general election entreaties to independent voters in favor of hard-line appeals to the base. (Politico)
- In Muslim-majority Mali, Christians have been targeted and killed. This Latter-day Saint is running for president (Deseret News)

Ukraine UA

- Russian President Vladimir Putin on Thursday accused the West of decades of aggression towards Moscow and warned that if it wanted to attempt to beat Russia on the battlefield it was welcome to try, but this would bring tragedy for Ukraine. (Reuters)
- Lavrov accuses West of 'blatant Russophobia' as he is shunned at G20 meeting (The Hill)
- The U.S. identified at least 18 Russian 'filtration camps' for Ukrainians, a diplomat says. (New York Times)

News Releases

Members selected for Romney Wildland Fire Commission

U.S. Senator Mitt Romney (R-UT) welcomed an announcement made by the Departments of the Interior, Agriculture, and the Federal Emergency Management Agency (FEMA) of the selection of members to serve on the Wildland Fire Mitigation and Management Commission, which Romney negotiated and secured in the *Infrastructure Investment and Jobs Act*. Modeled after Romney's *Wildland Fire Mitigation and Management Commission Act*, the wildland fire commission is tasked with forming federal policy recommendations and strategies on ways to better prevent, manage, suppress and recover from wildfires.

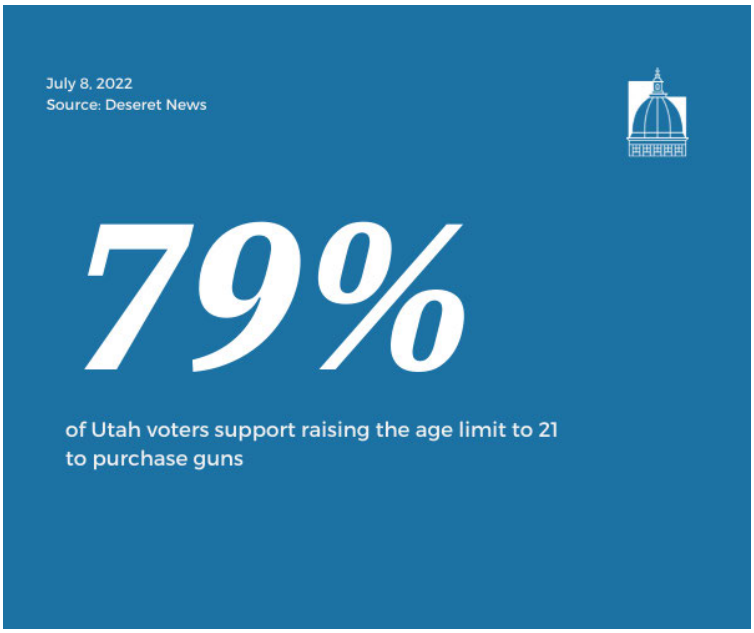
Two Utahns were named to the Commission: Kathy Holder, who currently serves as Utah's State Hazard Mitigation Officer, as well as the Mitigation and Recovery Section Manager for the Utah Division of Emergency Management and Bill Cox, a rancher and County Commissioner for Rich County, as an alternate for local representation. (**Read More**)

Rep. Stewart defunds the Wuhan Institute of Virology

The House Committee on Appropriations voted to advance a budget that would defund research labs in adversarial countries, including China, Russia, North Korea, and Iran. The legislation would include defunding the Wuhan Institute of Virology (WIV), which many believe is the origin point for COVID-19.

Rep. Chris Stewart (R-UT) – a member of both the House Committee on Appropriations and the House Permanent Select Committee on Intelligence – introduced the amendment that is responsible for defunding these unaccountable, foreign research labs. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Hatch Center Webinar: Preserving Judicial Integrity** — July 14, 11:00 am, MDT. **Register here**
- **ULCT Annual Convention** - Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1776** - Liberty Bell tolls to announce Declaration of Independence
- **1831** - John Pemberton, American pharmacist (inventor of Coca-Cola), is born in Knoxville
- **1902** - Gwendolyn Bennett is born. The Harlem Renaissance poet, short story writer and artist, wrote a column “The Ebony Flute” for the journal “Opportunity,” co-founder of “Fire!!” a literary journal
- **1926** - Elisabeth Kubler-Ross is born. A writer and lecturer, she developed techniques for counseling the dying and their families and “stages of grief” to explain the process of grieving.
- **1932 -** The low-point of the Depression as the Dow Jones Industrial Average hits 41.22
- **1941** - German general’s diary reveals Hitler’s plans for Russia: “To dispose fully of their population.”
- **1951** - Paris celebrates its 2,000th birthday. The history of Paris can be traced back to a Gallic tribe known as the Parisii, who sometime around 250 B.C. settled an island (known today as Ile de la Cite) in the Seine River
- **1959** - The first Americans are killed in South Vietnam
- **1994** - Kim Il-sung, Founder, dictator and Supreme Leader of North-Korea (1948-94), dies of a heart attack at 82
- **2008** - American businessman T. Boone Pickens announces his "Pickens Plan", an energy policy that would move away from imported oil
- **2011** - Betty Ford, First Lady of the United States (1974-77) and founder of the Betty Ford Center clinic, dies at 93
- **2019** - US financier Jeffrey Epstein indicted on further charges of sex trafficking of minors

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Wise Words

“The search for human freedom can never be complete without freedom for women.”

— Betty Ford

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SUBJECT: Re: DHHS-identified Utah Resources for Mothers and Families
FROM: Neil Abercrombie <nabercrombie@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
DATE: 08/07/2022 09:05

Thanks Marc.

Neil

[redacted]

On Wed, Jul 6, 2022 at 2:15 PM Marc Watterson <mwatterson@utah.gov> wrote:
Sorry for the confusion Neil. It was shared out with all legislators (Bcc'd).

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Wed, Jul 6, 2022 at 1:44 PM Neil Abercrombie <nabercrombie@utah.gov> wrote:
Marc,

Just curious...did this go to all legislators or just members of certain committees?

Thanks,

Neil

On Wed, Jul 6, 2022 at 10:41 AM Marc Watterson <mwatterson@utah.gov> wrote:
Legislators -

DHHS received several requests this past week to provide information on programs and services in the state that support women prior to a pregnancy, through a pregnancy, and after they give birth.

Please see the attached document we compiled that captures the information requested. The document contains hyperlinks for easy access to program websites. Feel free to share this with your constituents or community stakeholders that would find this information useful.

As always, please let us know if you have any questions.

Marc B. Watterson
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C: 385.321.6473
mwatterson@utah.gov

Utah Department of
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SUBJECT: 🔥 Weekend of wildfires, including one that threatens giant sequoias in CA
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 11/07/2022 07:19

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Situational Analysis | July 11, 2022

It's Monday, National 7-Eleven Day, and Governor Spencer Cox's birthday 🥳

Be in the Know

- 🔥 There are wildfires burning all over the West. One in Yosemite National Park doubled in size over the weekend and is threatening 500+ giant sequoias. The fire was zero percent contained as of Sunday. 8000+ acres are burning around Fillmore, Utah, in a human-caused fire, the Jacob City Fire by Tooele was also caused by humans and a new fire broke out in Parley's Canyon this morning. Be careful out there.

- President Joe Biden signed an executive order on Friday aimed at protecting abortion access after the Supreme Court overturned *Roe v. Wade*. The order is primarily symbolic: It won't override red-state restrictions, and its myriad provisions range from creating an interagency task force, to convening volunteer lawyers, to launching outreach efforts, to safeguarding access to certain abortion pills, to requesting the Federal Trade Commission chair strengthen privacy protections.

Rapid Roundup

- Steve Bannon agrees to testify before House committee, Subway is giving out 1 million free sandwiches, 'Thor: Love and Thunder' scores the franchise's best debut, Vernon Winfrey, Oprah's father, dies at 89, a pregnant woman is given a ticket for driving in the HOV lane - she argues that post-Roe, her unborn baby is a passenger, a Texas couple fed ducks near their home and now their HOA is threatening to foreclose. 🙄

FROM OUR SPONSOR, DESERET NEWS MARATHON

This is the race: Join us for this year's Deseret News Marathon on July 23!

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah's heritage! Register today!

Utah Headlines

General

- St. George teen boldly compels thousands to redefine women's beauty (KSL)
- Susan Madsen: Is calling women 'girls' a problem? Yes. Language can make women feel less mature, professional or responsible. (Salt Lake Tribune)
- Are inflation, high gas prices making travel a summer bummer? New Deseret News/Hinckley Institute poll shows high costs thwarting vacation plans (Deseret News)
- Rev. Theresa Dear: It's time to ask hard questions about gun violence. We are not free when our society must cower at the threat of mass shootings. We are not brave when we do nothing (Deseret News)
- Food shortages? Here's what you need to know (Deseret News)
- She's a domestic violence survivor. Now this Utahn is giving back, providing clothes, safety and hope. (Salt Lake Tribune)
- North Park Police Chief resigns following DUI arrest (Cache Valley Daily)
- Crumbl Cookies files trademark lawsuit against two competitors (KSL TV)

Politics

- Margaret Busse: Unleashing the power of Utah's workforce through systematic licensure review and reform. Review of Utah's licensing requirements will help boost the economy (Salt Lake Tribune)
- Do abortion bans violate the establishment clause? In the aftermath of the Supreme Court's abortion ruling, some Americans want to use religious freedom law to protect abortion access (Deseret News)
- 'So the state has options': Sponsor of Utah's trigger law proposes amending state constitution (KSL)
- The IUP Panel on the race for U.S. Senate and the latest SCOTUS rulings (ABC4)
- Evan McMullin on his run for U.S. Senate (ABC4)
- 23 different property tax hikes proposed in Salt Lake County (Fox13)
- Bill Lee won an award from an election fraud conspiracy group. Now he wants voting machine data from the 2022 primary. (Salt Lake Tribune)
- Donations for DeSantis Utah fundraisers range from hundreds of dollars to $25,000 (KUTV)

Education

- Student demand is pushing some Utah districts to grow, not shrink, their online schools (KUER)
- Salt Lake City School District to conduct feasibility study on 2 high schools (KSL Newsradio)

Environment

- All-time Utah record 117° temperature confirmed after review. Salt Lake City also breaks all-time record for July 9 when it hit 104° (Fox13)
- 4 arrested, accused of starting wildfire that has burned almost 8K acres in Fillmore (KSL)
- Millard County wildfire scorches over 6,600 acres in 24 hours. The Halfway Hill Fire is the largest wildfire the state has seen this season, and officials are expecting further growth. (Salt Lake Tribune)
- Over 200 personnel battle Halfway Hill Fire burning almost 8,000 acres (KUTV)
- Fishing limits increased at 5 Utah lakes, reservoirs as drought continues to take its toll (KSL)
- Conservation groups fight back against 'terrible plan' that would kill over 70 Yellowstone-area grizzly bears (Deseret News)
- Jacob City Fire scorches Soldier Canyon as smoke chokes Salt Lake Valley, and ash falls (Salt Lake Tribune)
- Jacob City fire at less than 4,000 acres, zero percent containment on Sunday afternoon (Salt Lake Tribune)
- Tooele County wildfire caused by generator explosion (Fox13)
- After 10 years, this Utah alternative energy tax credit has yet to pay out any money. Incentive program was expected to provide millions of dollars in tax breaks for energy projects ranging from solar to nuclear to oil shale. (Salt Lake Tribune)

Family

- The baby formula crisis may leave a permanent mark on the international market. The FDA wants to create a process to allow formula manufacturers in other countries to sell their goods in the U.S. — and help head off future shortages (Deseret News)

Health

- Utah's abortion ban could decrease the number of OB-GYNs who study and work in the state (Deseret News)
- New York City is becoming a monkeypox hot spot (Deseret News)
- Over-the-counter birth control? Drugmaker seeks FDA approval (AP)
- America has decided the pandemic is over. The coronavirus has other ideas. The latest omicron offshoot, BA.5, has quickly become dominant in the United States, driving a wave of reinfections across the country. (Washington Post)

Housing

- What actually caused the pandemic housing market rush? (Deseret News)

National Headlines

General

- A crisis historian has some bad news for us: each current crisis is bad enough, but "the whole is even more dangerous than the sum of the parts." (The Atlantic)
- We need to talk about cannabis in the wake of the Highland Park shooting. Long-term cannabis usage is associated with psychosis, and it is dangerous to view it as benign recreation (Deseret News)

- Abbott reopens Michigan baby formula plant after flooding (NPR)
- Elon Musk wants out of the Twitter deal. It could end up costing at least $1 billion (NPR)
- Twitter stock drops after Elon Musk looks to nix deal (Wall Street Journal)
- Tribal elders recall painful boarding school memories (AP)
- Abe's killing haunts Japan with questions on homemade guns (AP)
- Abe's ruling coalition secures big election win in Japan after his killing (Washington Post)
- U.S. banks profits to tumble on higher bad loan reserves (Reuters)

Politics

- Q&A: Rusty Bowers opens up on Trump, the Jan. 6 committee and his Latter-day Saint faith. The Arizona Speaker of the House recently testified before Congress about Trump's efforts to overturn the 2020 election (Deseret News)
- Jordan Ernstsen: Why China is not the threat we think it is. China is powerful, nobody can dispute that, but the U.S. is not defenseless or alone. We have the strength, allies and economic power to rival China. (Deseret News)
- China's economy stumbles in the fog of Covid war (New York Times)
- Georgia's Abrams raises $22M in 2 months, far outpacing Kemp (AP)
- Candidate challenges, primary scars have GOP worried about Senate chances. Four months from Election Day, Republicans are struggling in several of the marquee races in the fight for control of the upper chamber (Washington Post)
- House GOP marches into deeper blue terrain as Dem prospects fade (Politico)
- Tomorrow's Jan. 6 hearing to focus on Trump's 'siren call' to violent extremists (Washington Post)
- Most Democrats don't want Biden in 2024, new poll shows. With the country gripped by a pervasive sense of pessimism, the president is hemorrhaging support. (New York Times)
- Schumer tests positive for COVID as Senate set to reconvene (The Hill)
- Croydon is a town of 800 people in New Hampshire, where the state motto is, "Live Free or Die." When a motion passed at a low-turnout meeting to cut the school budget in half, it jolted the community to realize what it had taken for granted: democracy. (New York Times)

Courts

- How an upcoming Supreme Court case could upend 2024 election laws, lawsuits (USA Today)
- The case that could blow up American election law (The Atlantic)
- Immigration enforcement policy fight reaches Supreme Court
  Lower court rulings are thwarting Department of Homeland Security efforts to focus its limited resources, the Biden administration argues (Roll Call)
- Appeals court lets House panel subpoena Trump financial records. The decision is the latest in a yearslong fight between Trump and the House Oversight and Reform Committee (Roll Call)

Ukraine UA

- Ukraine official says Russia strikes 'absolute terrorism' (AP)
- Ukraine digs for survivors in rubble of apartment building destroyed by Russian missile (Wall Street Journal)

- A Ukrainian priest splits Sundays between church and the front lines (Washington Post)
- Ukraine aims to amass 'million-strong army' to recapture south, says defence minister (BBC)
- Ukraine's defense minister says it has 'passed the test' on new U.S. guided rockets, and needs more. Himars launchers that can reach far behind enemy lines are a game-changer, says Oleksii Reznikov (Wall Street Journal)

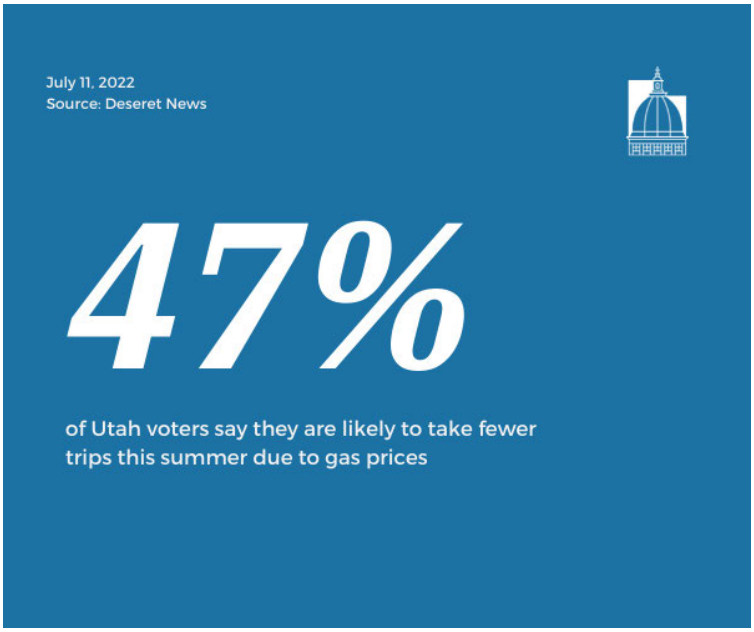
News Releases

Gov. Cox orders flags to be lowered in honor of former Prime Minister of Japan, Shinzo Abe

Utah Gov. Spencer J. Cox has authorized the flag of the United States of America and the flag of the state of Utah to be kept at the half-staff position for one additional day in remembrance of former Prime Minister of Japan, Shinzo Abe.

Flags were kept in the lowered position until sunset on Sunday, July 10, 2022. President Joe Biden's statement regarding former Prime Minister Abe can be found here.

Number of the Day



Tweet of the Day

Upcoming

- **Hatch Center Webinar: Preserving Judicial Integrity** — July 14, 11:00 am, MDT. **Register here**
- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1274** - Robert the Bruce, Scottish king (1306-1329) and national hero, is born in Turnberry Castle, Ayrshire
- **1656** - First Quaker colonists land at Boston in the Massachusetts Bay Colony
- **1767** - John Quincy Adams is born
- **1804** - "The damn fool that shot him." Aaron Burr shoots Alexander Hamilton in an early-morning duel.
- **1916** - US Congress passes Federal Aid Road Act
- **1945** - Soviets agree to hand over power in West Berlin
- **1955** - Congress authorizes all US currency to say "In God We Trust"
- **1960** - "To Kill a Mockingbird" is published.

- **1975** - Spencer J. Cox is born.
- **1977** - US Medal of Freedom awarded posthumously to Rev Martin Luther King Jr.
- **1988** - Mike Tyson hires Donald Trump as an advisor

Wise Words

"We need to get back to being a country of building, a country that dreams big and inspires others to dream big as well."

— Governor Spencer J. Cox

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SUBJECT: Today's Jan. 6 hearing to focus on extremist groups and a Trumptweet
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 12/07/2022 07:36

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Thank you to our sponsor
DESERET NEWS MARATHON

UTAH POLICY
RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 12, 2022

Good morning! It's Tuesday and National Simplicity Day.

Be in the Know

- Today's Jan. 6 committee hearing will focus on extremist organizations like the Oath Keepers, Proud Boys and QAnon. Top leaders and members of the Oath Keepers and the Proud Boys have been charged

with seditious conspiracy in the most serious cases the Justice Department has brought so far in the Jan. 6 attack. The committee will also focus on "the tweet heard 'round the world," from former President Trump: “Big protest in D.C. on January 6th. Be there, will be wild!” he tweeted Dec. 19, 2020. Live coverage begins at 11 am MDT.

- Ukrainian forces struck an ammunition depot deep inside Russian-occupied territory in Ukraine's south, as Russia shelled Ukrainian cities in the east, Ukrainian officials said.Russia says it was just a fertilizer storage facility. Also, Iran is preparing to provide Russia with drones, as well as training for its forces to use them.

Rapid Roundup

- Today and tomorrow are Amazon Prime Day(s): here are some of the best deals
- Not to be left out, Target has its own version of Amazon Prime Day. Here are its best deals
- A swimmer in Iowa was infected with a brain-eating amoeba

FROM OUR SPONSOR, DESERET NEWS MARATHON

This is the race! Join us for this year's Deseret News Marathon on July 23.

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah’s heritage! Register today!

Utah Headlines

General

- Abortion remains legal in Utah, after a judge decided Monday to continue blocking trigger law (Salt Lake Tribune)
- A place of their own. As we celebrate America, we can’t forget the many immigrants who weave its magnificent tapestry – or the hardship of building a new life here. (Deseret News)
- Is there a gun in your house? New poll reveals how many Utahns own firearms (Deseret News)
- Uber files: Leaked records show how ride-hailing giant ‘broke laws, duped police’ in rise to power (Deseret News)
- Which Utah tech companies have the most employees? There are 29 Utah businesses that are classified as tech companies and report having at least 500 employees. Amazon is #1. (Salt Lake Tribune)

- Yes, data centers use a lot of water. But a Utah company shows it doesn't have to be that way. (Salt Lake Tribune)
- Suspect allegedly hangs Ogden man, kills Spanish Fork man as part of 'purge' directed by God (Fox13)
- Judges opened a Utahn's therapy records to her abuser's lawyer. They should have let her defend her privacy, new ruling says. The Utah Supreme Court ruled crime victims have a right to be heard in cases affecting their rights; decision reverses the state's Court of Appeals. (Salt Lake Tribune)

Politics

- Americans are smarter than our leaders think we are. Politicians don't seem to respect us. Maybe that's why so many of us don't respect them (Deseret News)
- What Senate candidate Evan McMullin sees as the biggest threat to the U.S.: Our unmooring from the truth (Deseret News)
- Rep. Andrew Stoddard: The EPA has been restricted — it's up to Utah to lead out on climate action. Decarbonization and environmentally friendly policies need to be a priority in Utah. We can combat climate change "the Utah way" (Deseret News)
- 'No anomalies': Utah Lt. Gov. visits Cache County for post-election audit (UPR)

Education

- Granite School District offers summer food pantry program (KSL)
- Search for new university president at SUU trimmed to three candidates (SUU News)

Environment

- Northern Utah should expect 'dangerously hot conditions' this week (Salt Lake Tribune)
- Here are the largest fires burning in Utah and the West (Deseret News)
- Gov. Cox urges fire safety after 23 human-caused blazes spark over the weekend (KSL)
- Gov. Cox: Those who start Utah wildfires 'will be held responsible'; weekend blazes still scorching acres (Salt Lake Tribune)
- The race to save the giant sequoias at Yosemite National Park. The National Park Service's Yosemite unit said the fire, reported July 7 near the Washburn Trail in the Mariposa Grove section of Yosemite, had grown to more than 2,340 acres by Monday morning (Deseret News)
- Who owns the land for the proposed Little Cottonwood Canyon gondola station? Snowbird, which would benefit from a gondola, quietly bought the land for the project late last year. (Salt Lake Tribune)

Health

- These omicron subvariants could be the most infectious human viruses ever, expert says. Each person infected with omicron subvariants BA.4 or BA.5 can pass the virus to about 18 others. This is more contagious than any other human virus (Deseret News)
- Utah doctors try to solve latest COVID mystery: Why are kids getting diabetes after the virus? (Salt Lake Tribune)
- Federal judge blocks Arizona's 'personhood' abortion law (AP)

Housing

- Building is underway but Salt Lake City's tiny home village still faces red tape (KUER)

National Headlines

General

- NASA unveils the deepest-ever view of the cosmos with images from the James Webb telescope (Deseret News)
- Far out: NASA space telescope's 1st cosmic view goes deep (AP)
- The Library of Congress has named Ada Limón the nation's 24th poet laureate. She takes over for Joy Harjo, who has held the position since 2019. (NPR)
- UK Olympian Mo Farah reveals he was trafficked as a child (AP)
- 😮 Amazon issued 13,000 disciplinary notices at single U.S. warehouse (Reuters)

Politics

- Cassidy Hutchinson's testimony jolted the Justice Department to more openly discuss former President Trump's conduct. (New York Times)
- It's time for Trump to 'sail into the sunset,' says Musk (Reuters)
- Half of GOP voters ready to leave Trump behind, poll finds. Far from consolidating his support, the former president appears weakened in his party, especially with younger and college-educated Republicans. Gov. Ron DeSantis of Florida is currently the most popular alternative. (New York Times)
- An anti-Trump Republican group, the Republican Accountability PAC, plans to spend at least $10 million to beat candidates who embrace Donald Trump's false claims about the 2020 election. (New York Times)
- GOP sees chances of midterm rout spike (The Hill)
- Doomsday political scenario takes shape for Democrats (The Hill)

Ukraine UA

- Famed Ukrainian medic describes 'hell' of Russian captivity (AP)
- Putin will travel to Tehran next week as he seeks to build support. (New York Times)
- The U.N. will investigate the deaths of children in Ukraine. (New York Times)
- Europe braces for gas 'nightmare' as pipeline from Russia shuts off (Washington Post)

Number of the Day

July 12, 2022
Source: Deseret News

53%

of Utah voters have a gun in their home

Tweet of the Day

NASA
@NASA

It's here–the deepest, sharpest infrared view of the universe to date: Webb's First Deep Field.

Previewed by @POTUS on July 11, it shows galaxies once invisible to us. The full set of @NASAWebb's first full-color images & data will be revealed July 12: nasa.gov/webbfirstimages

Upcoming

- **Hatch Center Webinar: Preserving Judicial Integrity** — July 14, 11:00 am, MDT. **Register here**
- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1389** - Geoffrey Chaucer is named chief clerk to the king by Richard II
- **1849** - Dolley Madison dies. She was the 4th First Lady of the United States
- **1862** - President Abraham Lincoln signs a law that creates the Medal of Honor
- **1909** - 16th Amendment (income tax) was passed by Congress
- **1984** - Geraldine Ferraro named vice presidential candidate, the first woman to be named on a major political ticket
- **1997** - Malala Yousafzai is born. She is a Pakistani activist for female education and the youngest Nobel Prize laureate known for human rights advocacy, especially the education of women and children in her native Swat Valley in Khyber Pakhtunkhwa, northwest Pakistan, where the local Taliban had at times banned girls from attending school. In 2012, they shot her in the head for teaching other girls to read.
- **2013** - Malala Yousafzai addresses the United Nations and calls for worldwide access to education

Wise Words

"Sometimes what you don't do is just as important as what you do."
— Greg McKeown, in *Essentialism: The Disciplined Pursuit of Less*

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>
CC: "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Marc Watterson <mwatterson@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 12/07/2022 10:42

Thank you for the email and I'm sorry for the delayed response.

[redacted]

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!

—
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In

preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 12/07/2022 15:28

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

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Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of
Health & Human
Services

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Public Information Officer
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Utah Department of
Health & Human
Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!
—
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>

Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 12/07/2022 15:29

*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs

[redacted]

C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Jul 12, 2022 at 3:28 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of
Health & Human
Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:
Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

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SUBJECT: National deficit decreases
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 14/07/2022 07:30

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 14, 2022

It's Thursday and National Mac & Cheese Day. It's also Bastille Day in France

FR "Allons enfant de la patrie
Le jour de gloire est arrivé"

Now for my mea culpa - yesterday, I said Gordon Monson won an election. Gordon Monson did not, in fact, run for county commission. However, ***Brandon Gordon*** did run and win in Utah County. Sorry 'bout that.

Finally, don't miss the Hatch Center event on preserving judicial integrity.

Be in the Know

- The Treasury Department reported this week the federal government ran a budget deficit of $89 billion in June 2022, a 49 percent decrease from

June 2021 due primarily to pandemic-related stimulus programs expiring and tax revenues increasing as more Americans returned to work. Outlays for the month fell 12 percent year-over-year—from $623 billion to $550 billion—and government receipts increased 3 percent.

Rapid Roundup

- Best ice cream in Utah (according to Yelp) is Blacksmith Ice Cream in Bountiful, check out plans from various communities for the 175th anniversary of Brigham Young et al. entering the Salt Lake Valley, the US is not the only country feeling the pain of inflation - the EU is at 8.8%, the UK at 9.1%, Belgium at 9.65% and Spain at 10.2% and finally, lucky #7 - *and* #11, as a baby is born on 7/11 in a 7/11 parking lot in West Virginia.

FROM OUR SPONSOR, DESERET NEWS MARATHON

This is the race! Join us for this year's Deseret News Marathon on July 23.

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah's heritage! Register today!

Utah Headlines

General

- Come November, there will be 8 billion of us on Earth. As growth slows worldwide, new projections indicate India is on course to surpass China as the world's most populous country in 2023, according to the U.N.'s World Population Prospects 2022 report. (Deseret News)
- How to get help: New 988 suicide prevention, mental health crisis hotline to go live (Deseret News)
- Are you living paycheck to paycheck? Wages falling behind for millions of Americans (Deseret News)
- Ogden man found hanging dies in 2nd 'purge' killing; 1st victim 'did not deserve' attack, niece says (Salt Lake Tribune)
- Zions Bank joins wave of banks eliminating or reducing overdraft fees (KSL)
- Deer Valley Resort names new president and COO: Todd Bennett (KPCW)

Politics

- Editorial Board: 'The Point' could be the next Space Needle or Eiffel Tower if we get it right (Deseret News)
- An 'unhinged' meeting: Former Overstock CEO Patrick Byrne to appear before Jan. 6 committee (Deseret News)
- Bill eliminating sales tax on food to be reintroduced in Utah legislature (Fox13)
- Utah to review professional licenses and the requirements to get them (Fox13)

Education

- Democratic state lawmaker says SLC school board is not racist over Gadson leave (KUTV)
- Republicans' confidence in public schools drops: Gallup (The Hill)
- Public hearing held to determine if Orem should form its own school district (KUTV)

Environment

- Shannon Stirone: Gawking in awe at the universe, together (Salt Lake Tribune)
- Using every last drop, Utahns get creative to conserve water (ABC4)
- Why are some Utah reservoirs almost empty while others are above capacity? (KSL)
- Evacuation orders lifted for Halfway Hill Fire in Millard County (KUTV)
- Kane County leads new "Be Kind to Kanab" initiative with a focus on tourists (Fox13)
- Derek Miller and Kim Frost: Addressing Utah's summertime ozone will take collective action. Our air quality is threatened in the summer as much as in the winter. (Salt Lake Tribune)

Family

- The Stanley Cup takeover (not the hockey trophy). The Stanley Adventure Quencher is taking over the nation, one Instagram account at a time (Deseret News)
- Cost-of-living crisis to hit women hardest, report says (AP)

Health

- Weed killer believed to cause cancer found in most Americans' urine, CDC study shows (Deseret News)
- BA.4 and BA.5: Hospitalizations and daily reported cases are rising as the BA.5 strain becomes the dominant omicron subvariant behind infections. Here is a list of symptoms to look out for (Deseret News)
- Is the COVID-19 pandemic over? No. It's still a worldwide 'public health emergency (Deseret News)
- Is the pandemic surge over for Utah's national and state parks? (Deseret News)
- Uncertainty swirls around how Utah will enforce its trigger abortion ban. Rape victims. Physicians. Pharmacists. Prosecutors. All face dilemmas due to ambiguities in Utah trigger law. (Deseret News)
- Many try to return to normal from COVID, but disabled people face a different reality (NPR)

Housing

- These cities have the most (and least) expensive rent in the Salt Lake Valley (Deseret News)

- Home sale cancellations spiking (ABC4)
- What today's mortgage interest rates mean for Utah homebuyers (KUTV)
- Nearly half of Salt Lake renters spend more than 30% of pay on housing. New study warns Utah's capital city has seen its affordable neighborhoods dwindle and is losing diversity, with many residents "cost burdened" by rents and poised to move away. (Salt Lake Tribune)

National Headlines

General

- Judge rejects Amber Heard's request to set aside Depp win (AP)
- Man charged with rape of girl, 10, who traveled for abortion (AP)
- JPMorgan profit drops 28% as bank signals concern on economy (Wall Street Journal)
- Why a 2022 recession would be unlike any other? Will this 'jobful downturn' turn into a recession without job loss? (Wall Street Journal)
- Work from home might become a legal right in the Netherlands (Deseret News)

Politics

- Biden, Lapid discuss Iran, integrating Israel in Middle East (AP)
- U.S., Israel sign joint pledge to deny Iran nuclear weaponry (Reuters)
- John Bolton said he planned foreign coups. The global outcry was swift. (Washington Post)
- Young voters are fed up with their (much) older leaders. Led by politicians often three times their age, many voters under 30 are hungry for new blood and new ideas. (New York Times)
- Gerrymander, U.S.A. (New York Times)

Ukraine UA

- Officials: Russian missiles kill at least 20 in Ukraine (AP)
- Russia in deadly strike on Ukrainian city a day after grain talks breakthrough (Reuters)

News Releases

Jen Plumb statement on Senate District 9 primary victory

"I am deeply honored to be the choice of the voters of Senate District 9. Running a spirited campaign, I had the privilege of speaking to voters in every corner of our district, learning what they want and need to create the Utah that they want to live in. After the General Election in November, I believe that I am ready to deliver.

"My sincerest gratitude to my opponent, Senator Derek Kitchen, who has made his voice — loud and proud — known throughout the Capitol. His input and action for our district have been a critical part of making Utah a better place, and I look forward to working with him to engage voters through the November election. I am excited to follow in his footsteps in delivering for Senate District 9 voters. (**Read More**)

Chamber celebrates Leadership Utah 2022 graduates

The 2022 Class of Leadership Utah concluded today with graduation ceremonies celebrating the completion of the Salt Lake Chamber's signature

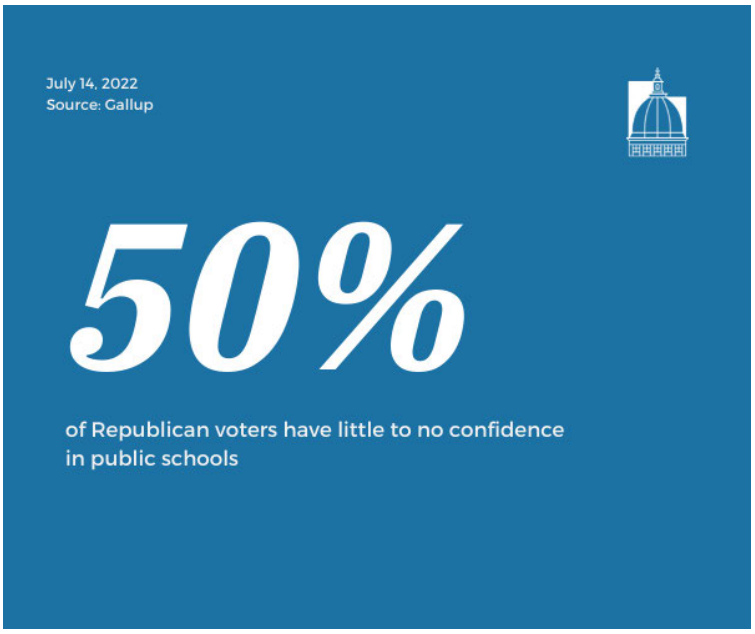
leadership program. Leadership Utah is an exclusive experience for mid- and upper-level management professionals to gain insight into the opportunities and challenges facing our state and become more engaged leaders.

Over the last year, the Leadership Utah cohort of public and private sector participants expanded their network, heard from key community leaders, and learned how best to support our ever-changing society. (**Read More**)

New Goldman Sachs survey finds small business facing unprecedented challenges

Ahead of the largest gathering of small business owners in U.S. history, Goldman Sachs today released **new survey data** that quantifies the challenges facing the small business community more than two years since the start of the pandemic. The new 'Summit Survey' finds an overwhelming majority of small business owners still have deep concerns about the trajectory of the economy – with **93%** worried about the United States experiencing a recession within the next year and **89%** reporting broader economic trends, including inflation, supply chain, and workforce challenges are still taking a toll. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Hatch Center Webinar: Preserving Judicial Integrity** — July 14, 11:00 am, MDT. **Register here**
- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1099** - Jerusalem captured in the First Crusade
- **1789** - French revolutionaries storm the Bastille, marking the beginning of the French Revolution.
- **1798** - Sedition Act become federal law

- **1870** - The United States Congress grants Mary Todd Lincoln a life pension in the amount of $3,000 a year
- **1881** - Billy the Kid is shot and killed by Sheriff Pat Garrett. He was 21.
- **1911** - Gertrude Goldhaber is born. She became a physicist and early researcher into nuclear structure and the properties of nuclei. She was the third woman to be elected to the National Academy of Sciences.
- **1913** - Gerald R. Ford is born.
- **1917** - 16 women from the National Women's Party were arrested while picketing the White House demanding universal women's suffrage; they were charged with obstructing traffic.
- **1933** - Germany begins mandatory sterilization of people with hereditary illnesses
- **1936** - Buddhist nun Pema Chödrön is born
- **2018** - US President Donald Trump calls the EU a "trade foe" in interview with CBS ahead of meeting with Russian President Putin

Wise Words

"*Compassion is not a relationship between the healer and the wounded. It's a relationship between equals"*

— Pema Chödrön

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Utah Policy, 55 N 300 W Ste 500, Salt Lake City, UT 84101
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SUBJECT: New home for Jennie Taylor and her 7 children
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 15/07/2022 07:29

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Situational Analysis | July 15, 2022

It's Friday and half-way through July. Crazy! Today is National Gummi Worm Day - time to make "dirt" pudding cups.

Be in the Know

- Jennie Taylor and her seven children will be moving into a new home soon. The family of the former mayor of North Ogden, Brent Taylor, who was killed in action in Afghanistan in 2018, had the home built for them by Nilson Homes, Have A Heart, and many other donors. Jennie calls it "so much more than a house. This, to me, is symbolism of God's hand and Brent's hand continuing in our lives," she said. Since Brent's death, Jennie created the Major Brent Taylor Foundation, serves as Utah's Civilian Aide to the Secretary of the Army and co-hosts the "Relentlessly Resilient" podcast with Michelle Scharf.

Rapid Roundup

- Ivana Trump, first wife of Donald Trump, is dead at 73, community day of service to benefit Ukraine, Utah elementary school, non-profits and more, the *true* origins of fry sauce, and a cat that has been running around Boston's airport was finally caught - after 3 weeks on the lam.

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Utah Headlines

General

- The man who lives in Scotland, claims he's never been to Utah, allegedly faked his own death and was previously accused of raping a woman in Utah County has also been charged in Salt Lake County with allegedly raping another woman in 2008. (Fox13)
- Rev. Theresa Dear: Why does it take 90 rounds to stop a 25-year-old man? The city of Akron, Ohio, was proud of its 'bias-free' policing and accountability. But Jayland Walker died anyway (Deseret News)

- Do American Christians complain too much? A new report from Lifeway Research notes that many Americans are worried about anti-Christian intolerance (Deseret News)
- Time magazine reveals the 50 best places in the world. Park City made the list (Deseret News)
- Susan Madsen: Believe her — the reasons behind our underreported sexual assault cases. Victim blaming and the trauma of reporting a sexual assault leads many women to stay silent. An estimated 95% of college students never report their assault (Deseret News)
- Social media video prompts investigation into Provo police officers' use of force (Fox13)

Politics

- Thomas Griffith: The 2020 election was lost, not stolen. Attacking our election system as corrupt is not only inaccurate, but breeds distrust in our democracy (Deseret News)
- Report offers ‘the conservative case’ that Trump lost the election (Deseret News)
- Would the Supreme Court become a political body if it were expanded? Sen. Mike Lee, retired federal judge say ‘court packing’ would do irreversible damage (Deseret News)
- Utah argues girls have not been harmed, seeks to dismiss transgender lawsuit. The lawsuit — brought on behalf of two Utah teens — seeks to overturn a ban on transgender girls playing in school sports. (Salt Lake Tribune)
- Hannah Koford Adams: Another three years without a female senator from Utah (Salt Lake Tribune)
- Audit shows Utah spent $8.6 billion in federal funds in 2021 (Fox13)

Education

- Salt Lake City mayor calls for ‘open, honest process’ after school board puts district’s first Black superintendent on leave. Mayor Erin Mendenhall said it’s her “sincere hope” Superintendent Timothy Gadson “can get back to work soon.” (Salt Lake Tribune)
- Parents accuse Utah school of retaliating against son after child said principal sexually abused him. Following the allegation, their son’s special education services were cut, the parents said in a new lawsuit filed against Park City School District. They also allege the school never reported the allegation to police. (Salt Lake Tribune)
- New group working to keep kids safe, but has limited powers (KUTV)

Environment

- What Mitt Romney wants to do to help save Utah’s Great Salt Lake (Deseret News)
- 'This is a huge victory': Gov. Cox celebrates feds' approval of Uinta Basin Railway (KSL)
- Several cougar sightings reported in West Valley City (ABC4)
- Drought, inflation hit central Utah agriculture producers hard (Fox13)
- Halfway Hill Fire 10% contained; community meeting scheduled for Friday in Fillmore (St. George News)
- Health warnings issued as heatwave scorches Europe (Reuters)

Family

- 3 accused of stabbing, burning, beating 2 boys they were babysitting (KSL)

Health

- New research shows why depression treatments affect women differently than men (Deseret News)
- Utah approaches 1 millionth confirmed COVID case as 7,819 test positive, 22 deaths reported (Salt Lake Tribune)

Housing

- 'Sigh of relief': Salt Lake housing sales hit 10-year low. Does this mean prices will lower? Utah home prices are on track to level off — or maybe even dip in coming months (Deseret News)
- U.S. housing market is slowing — but there's a deeper problem. Home supply at historic low. Utah among 5 states with tightest housing supply (Deseret News)
- Locals say vacation rentals are bringing the noise in Rockville, and they want the law changed (Salt Lake Tribune)

National Headlines

General

- U.S. retail sales rose 1% in June. Consumers spent more across a range of goods as inflation reached new four-decade high (Wall Street Journal)
- Sri Lanka's prime minister becomes interim president (AP)
- Oregon tight end, social media star, dies of head injury after falling on rocks (AP)
- Ashes of 8,000 WWII victims found in two Poland mass graves (AP)
- China's economic growth slows sharply, threatening the global economy (New York Times)

Politics

- Secret Service 'erased' text messages from Jan. 5 and 6, 2021, that were requested as part of Capitol riot inquiry, official says (Washington Post)
- Texas sues Biden administration over federal rules that require abortions be provided in medical emergencies to save the life of the mother (Washington Post)
- Texas conservatives have a plan to get around DAs who won't enforce abortion laws (NPR)
- Indiana doctor told the state she performed abortion on 10-year-old girl, document shows (NPR)
- Manchin says he won't support new climate spending or tax hikes on wealthy (Washington Post)
- Armed man arrested outside home of Rep. Jayapal for alleged death threat (Washington Post)
- Arrest sought of Colorado clerk in voting tampering case. Mesa County Clerk Tina Peters and her chief deputy are being prosecuted for allegedly allowing a copy of a hard drive to be made during an update of election equipment in May 2021. (Politico)

Ukraine UA

- WWII vets embark on mission to help Ukrainian orphans (KUTV)
- Ukrainian rescuers hunt for survivors of Vinnytsia airstrike (AP)

News Releases

Gov. Spencer Cox applauds approval of Uinta Basin Railway

Utah Gov. Spencer Cox is elated by today's news that the U.S. Forest Service has authorized the Uinta Basin Railway. This approval allows the Uinta Basin Railway proposal to continue to move forward, connecting the eastern part of Utah with national rail networks.

"This is a huge victory that will get Utah energy to market faster, more cleanly, more safely, and will help the economies of eastern Utah," said Gov. Cox. "State and local governments, the Ute Tribe, energy producers and rail companies have been making the argument for decades that improved access to the outside world will help the Basin diversify its economy. Without a doubt, this infrastructure will improve economic opportunities for individuals, families and businesses. We're excited to see the potential of this region unleashed." (**Read More**)

Senators Portman and Murphy to headline next Senate Project debate

Today, the Orrin G. Hatch Foundation, the Bipartisan Policy Center, and the Edward M. Kennedy Institute for the United States Senate announced the second in a new series of Oxford-style debates between leading U.S. Senators.

On Monday, August 1, at 7:30 p.m. EDT, Senators **Rob Portman** (R-OH) and **Chris Murphy** (D-CT) will headline a one-hour debate at George Washington University's Jack Morton Auditorium carried live and on demand across the C-SPAN platforms, including streamed on C-SPAN Now. CBS News congressional correspondent Nikole Killion will moderate. (**Read More**)

Romney, Stewart, Owens introduce bill to save Utah's Great Salt Lake

U.S. Senator Mitt Romney (R-UT) today introduced the *Great Salt Lake Recovery Act*, legislation to study historic drought conditions and protect the long-term health of the Great Salt Lake in Utah. Earlier this month, the Great Salt Lake dropped to its lowest level on record for the second time in a year, posing a threat to Utah's environment and economy. This legislation builds on conservation actions taken by the Utah legislature in the 2022 legislative session, including the designation of $40 million for the Great Salt Lake watershed enhancement program. Representatives Chris Stewart (R-UT) and Burgess Owens (R-UT) introduced companion legislation in the House. (**Read More**)

Greenfield Energy to add a facility in Uintah County

Today, the Utah Governor's Office of Economic Opportunity (Go Utah) awarded Greenfield Energy, LLC a temporary, marginal tax reduction for its expansion in rural Utah. The post-performance corporate incentive is part of the Legislature's Rural Economic Development Tax Increment Financing (REDTIF) program.

Greenfield Energy plans to provide up to 214 new high-paying jobs and invest $150 million in rural Utah during the next 10 years. (**Read More)**

Katelin Roberts joins the Go Utah board

The Utah Governor's Office of Economic Opportunity (Go Utah) today announced the appointment of Katelin Roberts to its Board of Directors. The Go Utah Board consists of 15 members appointed to four-year terms by Gov. Spencer J. Cox with the advice and consent of the Utah Senate. The Go Utah Board helps promote and encourage the state's economic, commercial, financial, industrial, agricultural, and civic welfare.

Katelin Roberts is the executive director of BioHive, a public-private nonprofit tasked with growing Utah's life sciences and healthcare innovation industry. Before BioHive, Roberts was CEO of a venture-backed Utah medical device startup. She has also worked in various manufacturing and operations roles in aerospace and the consumer packaged goods industries. Roberts is currently an investment partner at MedMountain Ventures, a seed-stage healthcare venture capital fund based in Salt Lake City. Roberts is replacing Andrea Moss on the Go Utah Board. (**Read More**)

Tweet of the Day

Upcoming

- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **Senate Project debate** with the Orrin G. Hatch Foundation and featuring Senators **Rob Portman** (R-OH) and **Chris Murphy** (D-CT) — Aug 1, 5:30 pm MDT, live on CSPAN
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1799** - The Rosetta Stone is found in the Egyptian village of Rosetta by French Captain Pierre-François Bouchard during Napoleon's Egyptian Campaign
- **1806** - Zebulon Pike leads an exploring party across the American Southwest. He ends up in Colorado and has a mountain named after him.
- **1923** - Connie Boucher is born. An artist, she helped start the character merchandising industry by licensing characters such as Charles Schulz's "Peanuts" and Maurice Sendak's "Where the Wild Things Are."
- **1952** - Ileana Ros-Lehtinen is born. In 1989, Ros-Lehtinen became the first Cuban American and Latina elected to Congress. She gave the first Republican response to the State of the Union Address in Spanish in 2011 then again in 2014.
- **1971** - US President Richard Nixon announces he will visit the People's Republic of China
- **1982** - Senate confirms George P. Shultz as US 60th Secretary of State by vote of 97-0. Those were the days (of bipartisan cooperation).
- **2006** - Twitter officially launches

Wise Words

"Do what we can, summer will have its flies."

– Ralph Waldo Emerson

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Utah Policy, 55 N 300 W Ste 500, Salt Lake City, UT 84101

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 15/07/2022 17:19

Did this get finalized?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy
Tracy S. Gruber
Executive Director

[redacted]

O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

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Hi Tracy!

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Thanks!

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Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

--------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has

since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

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FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 06:22

Tracy -

I am just reviewing this now.

Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.

Just my immediate thoughts.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
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Executive Director
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SUBJECT: Gov. Cox elected vice-chair of the National Governors Association
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 18/07/2022 07:44

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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 18, 2022

It's Monday and Nelson Mandela International Day.

Condolences to Lt. Governor Henderson on the passing of her father. His death was held on Saturday.

And, a big congrats to Mindy Benson, who was named the 17th president of Southern Utah University on Friday!

Be in the Know

- Governor Spencer Cox was was elected vice chair of the National Governors Association at the annual summer meeting in Portland. As vice chair, Gov. Cox will oversee the NGA Center for Best Practices, the only research and development office directly serving the nation's governors. He will serve for one year with chair Gov. Phil Murphy from New Jersey.
- A Texas House committee investigating the police response to the Uvalde shooting released a report Sunday that concluded "systemic failures" left the school vulnerable, and "egregiously poor decision-making" by law enforcement could have led to a higher death count. Nearly ***400*** law enforcement officers from multiple agencies waited ***more than an hour*** to confront the gunman. Most of the 21 victims would likely have died even if police had responded well, the report said, but "it is plausible that some victims could have survived if they had not had to wait" for help. Lt. Mariano Pargas—Uvalde's acting police chief—was suspended.
- President Joe Biden's Middle East trip ended this weekend with several announcements: Saudi Arabia will open its airspace to civilian flights from Israel, a group of Arab financial development institutions will spend $10 billion to relieve regional food insecurity alongside a $1 billion

[redacted]

commitment from the U.S., and the U.S. will withdraw peacekeeping forces from a Red Sea island it's occupied for decades—allowing Saudi Arabia to develop the land. Saudi Arabia also agreed to support extending the ceasefire in Yemen. After meeting with Israeli and Palestinian leaders, Biden announced $100 million in aid for Palestinian hospitals and stated his support for a two-state solution with agreed-upon land swaps, returning the U.S. to an Obama-era stance. However, Biden did not secure a concrete commitment from the Saudis to increase oil production, a major goal of the trip.

Rapid Roundup

- Steve Bannon goes on trial today for defying a subpoena from the House Jan. 6 committee, Jennifer Lopez and Ben Affleck married Saturday in a late-night Las Vegas drive-through chapel, President Volodymyr Zelenskiy sidelined his childhood friend as head of Ukraine's security service, and another close ally as top prosecutor, in the biggest internal purge of the war, citing their failure to root out Russian spies, and Britain is on course for hottest day on record at 104°F. Meanwhile, Salt Lake City hit 107° yesterday.

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This is the race! Join us for this year's Deseret News Marathon on July 23.

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah's heritage! Register today!

Utah Headlines

General

- Days of '47 Rodeo's success? His fingerprints are all over it. Meet Tommy Joe Lucia, general manager of Utah's star-studded million-dollar Days of '47 Rodeo, started rodeoing alongside his father when he was 3. (Deseret News)
- Celebrating Pioneer Day? Here's what to eat (Deseret News)
- 'We all have a pioneer heritage': 4 stories to help you appreciate Pioneer Day's 175th anniversary (Deseret News)
- Where do kids get their news these days? It's not Google...Gen Z is using TikTok and Instagram in place of Google (Deseret News)

- Waterskiing helps Utahns with disabilities rediscover outdoors thrill (KSL)
- Nationally, only 20% of businesses are women-owned. Where does Utah rank? Not great. We come in at #45, with 16%. (KSL)

Politics

- Why confusion between registering as independent vs. unaffiliated might be causing this third party to grow (Deseret News)
- Michael Taylor, a former CIA colleague of Evan McMullin, is endorsing him for Senate. This is why. (Deseret News)
- What Mitt Romney says about Donald Trump's alleged call to Jan. 6 witness: It's very serious (Deseret News)
  The IUP Panel on abortion access and the president's approval rating (ABC4)
- McDonald talks health care in 4th Congressional District race (Daily Herald)
- How Jen Plumb plans to help her progressive district in a GOP supermajority world (KUER)

Environment

- New Utah wildfire spreads from Summit County building blaze, prompts evacuations (Salt Lake Tribune)
- Archaeologists, fire crews protect hieroglyphs from Halfway Hill Fire (KUTV)
- Utah Division of Water Quality testing reservoirs for harmful algal blooms, waterborne pathogens (Fox13)
- Romney, Stewart and Owens pitch Congress on a Great Salt Lake rescue bill (KUER)
- Uranium mill in San Juan County is getting a boost from DOE (UPR)

Family

- Cache County officials say reports of domestic violence, abuse, sex assault on the rise (Herald Journal)

Health

- Which states have the most infections from brain-eating amoebas? (Utah is *not* on the list - yay!) (Deseret News)
- Here's where the CDC says you should mask up in Utah: Salt Lake, Summit, Wasatch, Tooele, San Juan and Piute counties. (Deseret News)
- Utahns can now dial 988 to reach suicide prevention counselors, as part of new national hotline that has been years in the making (Deseret News, Salt Lake Tribune)
- After new abortion laws, some patients have trouble obtaining miscarriage treatment (New York Times)
- No exception for life of mother included in Idaho GOP's abortion platform language (Idaho Capital Sun)

Housing

- Christian mortgage companies offer faith-based financial services. Is that a good thing? (Deseret News)
- Over 60% of home sellers in Boise, Idaho, slash asking prices, the most in the nation. Utah is close behind (Deseret News)
- Utahns face an incoming wave of proposed property tax increases (KUER)

National Headlines

General

- Wilson!! Man survives 19 hours at sea by clinging to a volleyball 🏐 (Deseret News)
- Oil prices fall below $100. What does this mean for gas prices? (Deseret News)
- This app compares Hubble and Webb images — the differences are astronomical (clever, eh?) (NPR)
- 3 dead in Indiana mall shooting; witness kills gunman (AP)
- Ivana Trump died from blunt force trauma; NYC examiner rules it an accident (AP)
- Decades of progress in maternal and neonatal healthcare in Afghanistan are eroding under the Taliban due to hunger, fleeing hospital staff and curbs on women's freedom, doctors and international organizations say. (Wall Street Journal)
- Fed officials preparing to lift interest rates by another 0.75 percentage point (Wall Street Journal)
- The Parkland school shooter faces the death penalty as his trial begins (NPR)

Politics

- No major problems with ballot drop boxes in 2020, AP investigation finds (AP)
- Pence endorses in Arizona governor's race, putting him at odds with Trump (Washington Post)

Ukraine UA

- Heartbreaking 💔. 'Evil cannot win': Killed by Russian missile, 4-yr-old Liza is buried (AP)
- 'Bang, bang': Children live and play near Ukraine front line (AP)
- Russia targets Ukraine's missiles as Western-supplied weapons bite (Reuters)

News Releases

Gov. Spencer Cox elected vice chair of the National Governors Association

Utah Gov. Spencer Cox was elected vice chair of the National Governors Association, a bipartisan association which works alongside governors to collaborate on economic recovery, infrastructure investment, health care, education, cybersecurity, workforce development, and other pressing priorities.

As vice chair, Gov. Cox will oversee the NGA Center for Best Practices, the only research and development office directly serving the nation's governors. "I'm honored to serve as NGA vice chair, and I look forward to working closely with governors from every state and territory," said Gov. Cox. "States are where the most creative problem solving happens, and I'm eager to help our federal partners learn from governors and states to find common sense solutions for the nation's biggest challenges." (**Read More**)

New president at Utah Education Association: Renée Pinkney

Park City social studies teacher **Renée Pinkney** will be leaving her classroom to serve a three-year term as president of the 18,000-member Utah Education Association. She was elected to the office by her fellow educators in a statewide vote earlier this year. Her term began July 15.

Pinkney has taught in Utah public schools for 27 years. She served as UEA vice president from 2019 to 2022 and as a member of the UEA Board of Directors representing the Eastern Utah UniServ from 2016 to 2019. (**Read More**)

Zions Bancorp opens sustainable technology center

Zions Bancorporation hosted a ribbon-cutting celebration at its new 400,000-square-foot technology campus in Midvale, Utah. Located on the former Sharon Steel Mill Environmental Protection Agency Superfund site, the sustainably built campus will be the company's primary technology and operations center, serving Zions' affiliate banks in 11 western states, in addition to several national lines of business.

As one of Utah's largest technology employers, Zions welcomes approximately 1,500 technology, operations and other employees to the Platinum LEED-certified building. Employee amenities include workspaces that maximize natural light and views, a large café featuring a healthy menu, bike lockers, adjacent community park with pickleball courts, sharable e-bikes, a community garden, and proximity to the Historic Gardner Village light rail station. (**Read More**)

Bipartisan FORMULA Act passes House

Sen. Mike Lee (R-UT) applauds the passage of the bipartisan Formula Act in the US House of Representatives. The Formula Act was introduced in the House by the Chairman of the House Ways and Means Trade Subcommittee, Representative Earl Blumenaur (D-OR) along with the subcommittee's Ranking Member, Rep. Adrian Smith (R-NE) and a growing list of additional cosponsors.

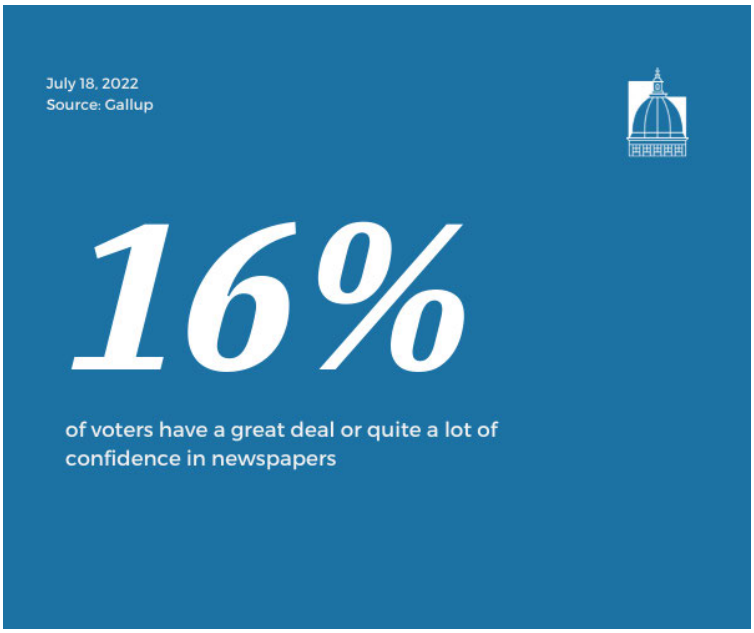
NOTE: Negotiations resulting in the lengthening of the tariff waiver timeline as well as certain economic implications require the Formula Act be presented anew to the US Senate. (**Read More**)

Rep. Blake Moore on House passage of the NDAA for FY 2023

Thursday night, the National Defense Authorization Act (NDAA) for Fiscal Year 2023 passed the House of Representatives. Many of Congressman Blake Moore's provisions advocating for Hill Air Force Base and Utah's defense community were included in the passed legislation.

"Putting forth a defense bill that serves the needs of both the warfighter and military families continues to be one of my top priorities in Congress," said Congressman Blake Moore. (**Read More**)

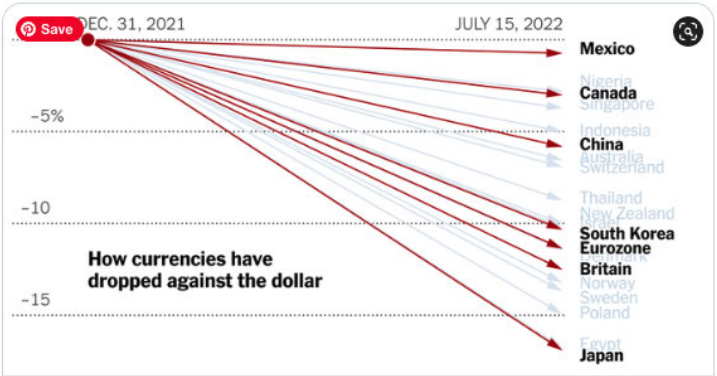
Number of the Day



Tweet of the Day

The New York Times ✓
@nytimes

The value of the U.S. dollar is the strongest it has been in a generation, devaluing currencies around the world and unsettling the outlook for the global economy as it upends everything from vacation costs to the profitability of multinational companies.



nytimes.com
The Dollar Is Extremely Strong, Pushing Down the World
The U.S. currency lubricates the global economy — and often becomes more valuable in times of turmoil, creating worrisome conditions for companies and ...

Upcoming

- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**

- **General election –** Nov 8

On This Day In History

- **64** - Nero's Rome burns
- **1817** - Jane Austen, English novelist (Pride and Prejudice), dies at 41
- **1863** - Kelly Miller is born. He was the first Black graduate student admitted to John Hopkins University but civil rights barriers prevented him from attaining his Master's degree there. He returned to Howard University and earned a master's and a law degree.
- **1892** - Doris Fleischman Bernays is born. She became the first married woman to gain a U.S. passport in her maiden name (1925), was a writer and editor for the "New York Tribune," and a publicist.
- **1908** - Mildred Ryder is born. She adopted the name "Peace Pilgrim" in 1953. A peace activist, she was the first woman to walk the Appalachian Trail in one season. She walked more than 25,000 miles promoting peace for 28 years.
- **1918** - Nelson Mandela is born
- **1925** - Hitler's "Mein Kampf" is published. It's original title was original title was the catchy "Four and a Half Years (of Struggle) Against Lies, Stupidity and Cowardice." It was a blueprint of his agenda for a Third Reich and a clear exposition of the nightmare that will envelope Europe from 1939 to 1945.
- **1940** - FDR nominated for unprecedented third term
- **1968** - Gordon E. Moore and Robert Noyce founded the Intel Corporation.
- **1969** - Senator Ted Kennedy drives car off bridge at Chappaquiddick Island. He makes it out. His passenger, 28-year-old Mary Jo Kopechne, did not.
- **1976** - 14-yr-old Nadia Comaneci scores a perfect 10.0, the first gymnast to do so.
- **1986** - Video of Titanic wreckage is released
- **1992** - Tim Berners posts the first photograph on the World Wide Web. The image was of the band Les Horribles Cernettes at a CERN event.
- **2012** - Kim Jong-un is officially appointed Supreme Leader of North Korea and given the rank of Marshal in the Korean People's Army

Wise Words

"I learned that courage was not the absence of fear, but the triumph over it. The brave man is not he who does not feel afraid, but he who conquers that fear."

— Nelson Mandela

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Brook Dorff (DHHS)" <bdorff@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 12:59

The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.

Thank you!

–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

On Mon, Jul 18, 2022 at 6:22 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am just reviewing this now.

Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.

Just my immediate thoughts.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Did this get finalized?

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of
Health & Human
Services

[redacted]

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!

—
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

--------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education

250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 16:21

Brent is supportive of having Craig Povey as the department's designee. He is going to talk to his team and see who he wants to represent OSUMH.

Thanks,

Nate

On Mon, Jul 18, 2022 at 1:00 PM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

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> –
> **Brook Dorff, MA, CHES** (she/her)
> Public Information Officer

[redacted]

C: 801.556.0633
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Utah Department of Health & Human Services

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Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

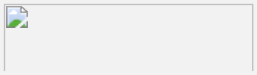
I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!

–

Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov



---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: Re: Intent Language
FROM: "Nate Winters (DHHS)" <natewinters@utah.gov>
TO: "Kyle Larson (DHHS)" <kblarson@utah.gov>
CC: "Paul Ray (DHHS)" <pray@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, VARONICA LITTLE <vlittle@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>
DATE: 18/07/2022 16:51

Paul - do you want to get clarification on this?

On Mon, Jul 18, 2022 at 4:04 PM Kyle Larson (DHHS) <kblarson@utah.gov> wrote:
Here's the email chain where it stopped regarding the Roseman RFP.

Kyle Larson
Administrative Services Director
C: 801.518.0325
kblarson@Utah.gov
https://dsamh.utah.gov/

Utah Department of
Health & Human Services
Integrated Healthcare

--------- Forwarded message ---------
From: **VaRonica Little (DHHS)** <vlittle@utah.gov>

[redacted]

Date: Mon, Jul 18, 2022 at 4:02 PM
Subject: Fwd: Intent Language
To: Kyle Larson DHS <kblarson@utah.gov>

This was the last email about the HB2 funds, we still don't know if the report in HB2 Item 80 is to guide the RFP or not. Here is the language
The Legislature intends that the Department of Human Services report back to the Social Services Appropriation Subcommittee no later than August 10, 2022 on how much it would cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive the following services:
(1) a licensed social worker to help connect women with state services they are determined to need and are eligible to receive;
(2) a peer support program; and
(3) home visitation services through the child's first birthday.
The Legislature further intends that the performance measures by which the program would be measured would include the following:
(1) the rate of a diagnosis of neonatal abstinence syndrome at the time of delivery in the areas where the program has been implemented; and
(2) the number of NICU days related to any substance use disorder in the areas where the program has been implemented.

VaRonica Little
Program Administrator- State Opioid Response Grants
State Opioid Treatment Authority
C: 801.450.0992
vlittle@utah.gov
dsamh.utah.gov

Utah Department of
Health & Human Services
Integrated Healthcare

---------- Forwarded message ---------
From: **Nate Winters DHS** <natewinters@utah.gov>
Date: Tue, May 3, 2022 at 1:20 PM
Subject: Re: Intent Language
To: Kyle Larson (DHS) <kblarson@utah.gov>
Cc: Blaine Thomas <bsthomas@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, Eric Tadehara DHS <erictadehara@utah.gov>, Spencer Hall DHS <spencerhall@utah.gov>, Varonica Little DHS <vlittle@utah.gov>

We can't spend the money over multiple years without intent language. We could set it up as a signer year contract with an option to extend and ask for the language next session. It sounds like there is a willing sponsor already.

On Tue, May 3, 2022 at 1:17 PM Kyle Larson (DHS) <kblarson@utah.gov> wrote:
Nate, how in the world can we do that without intent language? We'll also have issues with non-lapse if they want us to roll that forward.

Kyle Larson
Administrative Services Director
C: 801.518.0325
kblarson@Utah.gov
https://dsamh.utah.gov/

Utah Department of
Health & Human Services
Integrated Healthcare

On Tue, May 3, 2022 at 1:12 PM Eric Tadehara DHS <erictadehara@utah.gov> wrote:
Hey all,

One more fun thing that came up in a meeting Varonica and I were in today. Rep Ward said the intent for the $2.8 is to be spent over 3 years which greatly changes our interpretation.

Nate, can we add this to the list of things to get clarification on?

Thanks!

Eric Yoshio Jesús Tadehara, LCSW, MPA
He/Him/His
Assistant Director, Office of Substance Use and Mental Health
C: 801.699.0895
erictadehara@utah.gov
dsamh.utah.gov

Utah Department of
Health & Human Services
Integrated Healthcare

On Mon, May 2, 2022 at 12:06 PM Nate Winters DHS <natewinters@utah.gov> wrote:
Sorry - I forwarded the wrong email this morning.

--------- Forwarded message ---------
From: **Sean C. Faherty** <sfaherty@le.utah.gov>
Date: Mon, May 2, 2022 at 9:57 AM
Subject: RE: Intent Language
To: Nate Winters DHS <natewinters@utah.gov>
CC: Xochiatl Thomas DHS <xthomas@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Tracy Gruber (DHS) <tracygruber@utah.gov>, Tonya Hales <thales@utah.gov>, Brent Kelsey <bkelsey@utah.gov>, Shari Watkins <swatkins@utah.gov>, mwatterson@utah.gov <mwatterson@utah.gov>

Good Morning Nate (and everyone!)
You are correct in the assumption that the competitive process language goes along with the "supporting pregnant moms with substance use disorders" funding.
Thanks for the question and please let me know if I can be of any more help.
Seán

From: Nate Winters DHS <natewinters@utah.gov>
Sent: Wednesday, April 27, 2022 5:09 PM
To: Sean C. Faherty <sfaherty@le.utah.gov>
Cc: Xochiatl Thomas DHS <xthomas@utah.gov>; Nate Checketts <natechecketts@utah.gov>; Tracy Gruber (DHS) <tracygruber@utah.gov>; Tonya Hales <thales@utah.gov>; Brent Kelsey <bkelsey@utah.gov>; Shari Watkins <swatkins@utah.gov>; mwatterson@utah.gov
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Hi Sean,

Just wanted some clarification on some intent language. In HB 2 Item 84, there is an appropriation from the Opioid Restricted Fund of $2.8M. It is our understanding that the intent is that this is for supporting pregnant moms with substance use disorders. In HB 3 Item 245, there is intent language for this directing a competitive process for disbursing the funds. I'm wanting to make sure that intent language in the Bill of Bills is intended for this funding as we are reading it.

Thanks,

Nate

Nate Winters
Deputy Director
Department of Human Services
C: 801.450.2098
natewinters@utah.gov
health.utah.gov
hs.utah.gov

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DATE: 18/07/2022 17:01

You bet!!

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VaRonica Little
Program Administrator- State Opioid Response Grants
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C: 801.450.0992
vlittle@utah.gov
dsamh.utah.gov

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Thanks!

Eric Yoshio Jesús Tadehara, LCSW, MPA
He/Him/His
Assistant Director, Office of Substance Use and Mental Health
C: 801.699.0895
erictadehara@utah.gov
dsamh.utah.gov

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Cc: Xochiatl Thomas DHS <xthomas@utah.gov>; Nate Checketts <natecheckettts@utah.gov>; Tracy Gruber (DHS) <tracygruber@utah.gov>; Tonya Hales <thales@utah.gov>; Brent Kelsey <bkelsey@utah.gov>; Shari Watkins <swatkins@utah.gov>; mwatterson@utah.gov
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Thanks,

Nate

Nate Winters
Deputy Director
Department of Human Services
C: 801.450.2098
natewinters@utah.gov
health.utah.gov
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[redacted]

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--
Paul Ray
Assistant Director
Office of Legislative Affairs
C: 801-540-0714
pray@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 20:22

Thank you.

Please let me know if you need anything further.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 18, 2022 at 4:22 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Brent is supportive of having Craig Povey as the department's designee. He is going to talk to his team and see who he wants to represent OSUMH.

Thanks,

Nate

On Mon, Jul 18, 2022 at 1:00 PM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:
The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.

Thank you!

–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685

[redacted]

bdorff@utah.gov

On Mon, Jul 18, 2022 at 6:22 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am just reviewing this now.

Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.

Just my immediate thoughts.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Did this get finalized?

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Tue, Jul 12, 2022 at 3:28 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

[redacted]

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Thank you for the email and I'm sorry for the delayed response.

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Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

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Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of
Health & Human
Services

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--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of
Health & Human
Services

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Thanks!

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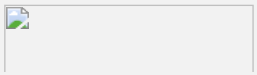
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov



--------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

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By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

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Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

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SUBJECT: Record-setting heat wave scorches Western Europe
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 19/07/2022 07:22

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UTAH POLICY
RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news.

We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 19, 2022

It's Tuesday and it's National Urban Beekeeping Day. We don't have bees but our neighbors do and those little flying friends they love our milkweed and our lavender.

And, happy 29th anniversary to Utah's Lt. Governor Deidre Henderson and Utah's Second Gentleman, Gabe.

Be in the Know

- Hundreds of people have reportedly died as a record-setting heat wave - and wildfires - sweep across Europe. In Portugal, temperatures hit 117°. The UK declared a national emergency as airport runways melted and train speeds limited over fears of buckling tracks as it reaches the hottest day on record after more than 360 years of measuring. Many public buildings, including hospitals, have no air conditioning.

Rapid Roundup

- U.S. Blue Angels names first female pilot in squad's history, Ukraine's First Lady is in Washington for high-level meetings, Toys 'R' Us is coming back - inside Macy's department store and the health benefits of eating chocolate (no, really!).

FROM OUR SPONSOR, DESERET NEWS MARATHON

This is the race! Join us for this year's Deseret News Marathon on July 23.

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah's heritage! Register today!

Utah Headlines

General

- Why these advocates want to make Utahns think about the food they eat. The Utah Food Coalition is trying to network small farmers with everyday people to consider how food systems work. (Salt Lake Tribune)
- Utah chef turns love of cooking cuisines into helping community (KSL)

- Pesky price persistence: Gas is down a bunch in a lot of states, but Utah isn't one of them (Deseret News)
- Gas prices hit two month low in US (The Hill)
- And the Utah cookie war continues: Dirty Dough responds to Crumbl with billboards (Deseret News)
- Two shot in wildlife officer-involved shooting on tribal grounds (KUTV)
- Utah has new phone numbers to connect sex assault victim to services (Fox13)
- Salt Lake City 'Call 2 Haul': How residents can schedule annual bulk waste pickups, and what to toss (Salt Lake Tribune)

Politics

- Salt Lake City parks and public lands are getting a new set of eyes and ears. A park ranger program has long been on the city's wishlist. Thanks to some federal funding and internal buy-in, it's become a reality. (Salt Lake Tribune)
- State pushes back on Utah bail reform lawsuit (KSL)
- Utah lawmakers warned after suspicious mail sent containing 'powdery substance' (KUTV)
- Recount conducted in Utah election separated by 7 votes (Fox13)

Education

- 'Worse than hell': How Utah Tech professors will foster student mental health beyond COVID-19 (St. George News)
- What I learned about kids and resilience in a school lunch room (Deseret News)

Environment

- To get workers into electric cars, this Utah CEO is leading the charge (Salt Lake Tribune)
- Pipe ocean water to the Great Salt Lake? Tread carefully with big ideas Forty years ago the lake threatened to swallow us. Now, it's disappearing. (Deseret News)
- See an up-close view of Great Salt Lake's shrinking shoreline — from Spiral Jetty to the state park marina. Kayakers capture water levels so low in early June that two bays were impossible to navigate as the lake continues to shrivel. (Salt Lake Tribune)
- Unincorporated public land in Southern Utah counties now under Interagency fire restrictions (St. George News)
- In the face of climate change, beavers are engineering a resistance (KUER)
- Decades of 'good fires' save Yosemite's iconic grove of ancient sequoia trees (NPR)

Health

- U.S. 'at the cusp' of losing control of monkeypox; outbreak could become endemic. Top health experts warn that the United States may be too late to contain the outbreak, citing vaccine shortage, inadequate testing (Deseret News)
- There's more monkeypox in Utah. But how many cases depends who you ask (Deseret News)
- Make space, listen, offer hope: How to help a child at risk of suicide (NPR)

- CDC stops reporting coronavirus cases on cruise ships (Washington Post)

Housing

- Utah housing shortage drops to 31,000 units amid record building, report finds (KUTV)
- University of Utah wants alumni to take in students, for $5K in rent each semester (Salt Lake Tribune)

National Headlines

General

- The entire police department of a small Colorado town has resigned. The county sheriff's office took over after the town's three-person police force announced their resignations during a 'time of turbulence' in the department (Deseret News)
- The heat in London on Monday and Tuesday is rivaling parts of the Sahara (NPR)
- After 363 years tracking summer heat, U.K. could see an all-time high (Washington Post)
- Hawaii waves swamp homes, weddings during 'historic' swell (AP)
- Gunfire, shootings and panic mar American weekend (AP)
- Prosecutor recalls coldness, cruelty of Parkland gunman (AP)
- Texas killer earned ominous nickname: 'school shooter' (AP)
- Wall Street braces for economic 'hurricane' (Politico)
- The everything-is-weird economy. If gas prices are plummeting, why is inflation rising? If jobs are growing, why is GDP falling? If everybody's on vacation, why are consumers miserable? (The Atlantic)

Politics

- Conservative blocs unleash wave of litigation to curb public health powers (NPR)
- Anthony Fauci plans to retire by end of Biden's term (Wall Street Journal)
- As Biden eyes 2024, one person weighs heavily: Trump (Washington Post)
- House Democrats tee up votes on same-sex marriage, contraception rights (Washington Post)
- Secret Service set to turn over 'erased' Jan. 6 texts (The Hill)
- Trump responds to Pulitzer rejection of demand to revoke reporting awards (The Hill)
- House approves resolution supporting Finland, Sweden joining NATO; 18 Republicans vote 'no' (The Hill)
- Sen. Ted Cruz says Supreme Court 'clearly wrong' in decision legalizing same-sex marriage (NBC News)

Ukraine UA

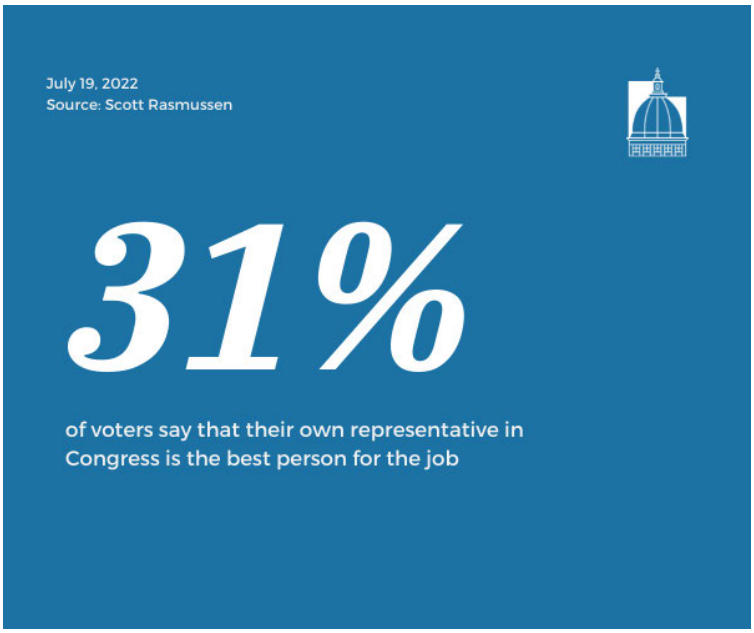
- Ukraine's farmers become the latest target of Russian missiles (Washington Post)
- Long-range artillery supplied by the United States has started to alter Ukraine's battlefield dynamics. (New York Times)
- Russia pounds Ukraine as Putin holds talks in Tehran (AP)
- Russia sending teachers to Ukraine to control what students learn (Washington Post)

News Releases

Curtis and Jayapal introduce bipartisan bill to save lives from gun suicide

Last week, Congressman John Curtis (UT-03) and Congresswoman Pramila Jayapal (WA-07) introduced a bipartisan bill aimed at combatting gun suicides. *The Preventing Suicide Through Voluntary Firearm Purchase Delay Act* would curb gun suicides by allowing people to **voluntarily enroll themselves** onto a "do not sell" list, preventing them from purchasing a gun later on to harm themselves or others should they experience a mental health emergency. This legislation is modeled after similar legislation implemented in many states—including Utah. (**Read More**)

Number of the Day



Tweet of the Day

[redacted]

Upcoming

- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1692** - 5 more people are hanged for witchcraft (19 in all) in Salem, Massachusetts. They are victims #2 - #6.
- **1799** - Rosetta Stone found by a French soldier near the town of Rosetta. The irregularly shaped stone contained fragments of passages written in three different scripts: Greek, Egyptian hieroglyphics and Egyptian demotic. The ancient Greek on the Rosetta Stone told archaeologists that the three scripts were all of identical meaning. The artifact thus held the key to solving the riddle of hieroglyphics, a written language that had been “dead” for nearly 2,000 years.
- **1814** - Samuel Colt is born. In 1836, he received a patent on a revolving six-cylinder pistol
- **1848** - The Seneca Falls Convention begins, the first-ever women's rights convention in the US. During the convention, 68 women and 32 men sign the "Declaration of Sentiments," including the first formal demand made in the United States for women's right to vote.

- **1865** - Charles Mayo is born. Along with his brother William, he founded the Mayo Clinic.
- **1902** - Anna Marie Rosenberg is born. She became an assistant secretary of defense (1950 – 1953) and served in many other government positions.
- **1940** - Adolf Hitler orders Great Britain to surrender. They were disinclined to acquiesce.
- **2017** - US Senator John McCain diagnosed with brain cancer

Wise Words

"In entering upon the great work before us, we anticipate no small amount of misconception, misrepresentation, and ridicule."

— Elizabeth Cady Stanton

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 19/07/2022 09:26

Nate, will Brent report back to you? I'm happy to reach out to USBE with names and contact info but am unclear if Brent or you are doing this.

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

Utah Department of Health & Human Services

On Mon, Jul 18, 2022 at 4:22 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Brent is supportive of having Craig Povey as the department's designee. He is going to talk to his team and see who he wants to represent OSUMH.

Thanks,

Nate

On Mon, Jul 18, 2022 at 1:00 PM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:
The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.

Thank you!

–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

On Mon, Jul 18, 2022 at 6:22 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am just reviewing this now.

Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.

Just my immediate thoughts.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Did this get finalized?

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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O: 435.772.6550
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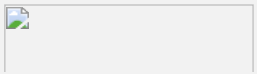

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Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

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Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

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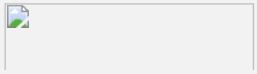

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From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out

another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
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Eric Tadehara will be the SUMH designee.

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USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: All 4 Utah Congressmen vote for the Respect for Marriage Act
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 20/07/2022 07:19

[redacted]

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 20, 2022

Good Wednesday morning to ya. It's National Fortune Cookie Day. Have you ever had a fortune cookie that made you cry? I have. 👉 It's also National Hot Dog day 🌭 and cheap (or free!) hotdogs are yours for the asking. I'm sure Senator Romney will want to know, since hot dogs are his favorite.

Be in the Know

- The House voted 267-157 on Tuesday—with support from *all* Utah House members, plus another 43 Republicans and all Democrats—to pass the Respect for Marriage Act, which would repeal the 1996 Defense of Marriage Act and require all states to recognize same-sex and interracial marriages if the marriage was valid in the state in which it originally occurred. Democrats have argued the legislation is necessary after Justice Clarence Thomas signaled in his Dobbs concurrence last month a desire to revisit Obergefell v. Hodges.
- 👀 Security vulnerabilities in a popular Chinese-built GPS vehicle tracker can be easily exploited to track and remotely cut the engines of at least a million vehicles around the world, according to new research. The most severe of six flaws found is a hardcoded password that can be used to gain complete control of any GPS tracker, access to vehicles' real-time location and past routes, and remotely cut off fuel to vehicles, even while they are in motion. wide
- America's deadly epidemic: violence against women. In 2019, nine out of 10 murdered women were killed by men they knew, according to the Violence Policy Center. In nearly two-thirds of those cases the women were wives or other intimate partners of the men. Often, such killings follow years of abuse, raising questions about how police, courts and society at large support women. Black women and girls were murdered at a rate more than twice as high as white women and girls.

Rapid Roundup

- Utah expands fire restrictions in 20 counties ahead of Pioneer Day weekend, Jean Bingham serves as the first woman grand marshal for Days of '47 Parade, the Governor and First Lady kick off Pioneer Day

celebrations with a downtown cattle drive, lots of road closures for parade and marathon.

FROM OUR SPONSOR, DESERET NEWS MARATHON

This is the race! Join us for this year's Deseret News Marathon on July 23.

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah's heritage! Register today!

Utah Headlines

General

- Did you know there were Black pioneers? Mauli Bonner is telling their story (Deseret News)
- What to do when breaking news breaks your heart (Deseret News)
- Documents reveal offers to help, missed opportunities before a U. student was killed in a Salt Lake hotel (Deseret News, Salt Lake Tribune)
- Read University of Utah president's statement on mistakes in killed student's case and released documents (Salt Lake Tribune)
- Mother of Lauren McCluskey responds to U's report on domestic violence response (KUTV)
- Director of Utah Domestic Violence Coalition reacts to U of U report on student death (KUTV)
- 'If not me then who?' Why Elizabeth Smart says self defense should be as common as fire drills (Deseret News)
- Grantsville man admits murdering mom, 3 siblings when he was 16 (KSL)
- Utahn wins tumbling gold medal at World Games (Fox13)

Politics

- Editorial Board: When Social Security and Medicare funds run dry, what's the plan? (Deseret News)
- Rep. Curtis hopes to prevent gun suicides nationally with law similar to Utah's (KSL Newsradio)
- Let the jockeying begin. Several Utah House Republicans vying for open leadership position (KUTV)
- 'Divisive' political climate in focus after Utah lawmaker gets suspicious letter (KUTV)

- Utah members of House join in passing same-sex marriage bill in retort to high court (Fox13)
- Washington County House primary recount finds Joseph Elison won by 10 votes (KUER)
- Mitt Romney warns Democrats against 'stupid' strategy of helping GOP election deniers. “Be careful what you wish for," said the Utah senator, a vocal critic of GOP efforts to cast doubt on elections. (HuffPost)
- The slow pace of Utah Senate confirmation for Rep. Joel Ferry (KSL Newsradio)

Education

- Utah Tech buildings re-open after bomb threat forces evacuations; FBI to investigate (St. George News)
- Ogden’s new O-Tech high school wants to narrow the gap between students and college (KUER)

Environment

- Why did Utah oil shale developers give away priceless water rights? Environmental group alleges secret deal with Deseret Power to preserve the 11,000-acre right that should have expired. (Salt Lake Tribune)
- Ted Williams: The ‘Keystone Pipeline’ won’t make gas any cheaper (Salt Lake Tribune)
- More than 100 million in the US face excessive warning, heat advisories as dangerous heat wave continues (KSL TV)
- Salt Lakers doing a good job conserving water so far this year (Fox13)
- Courts asked to block oil and gas leases over health and climate (UPR)

Family

- Mom captures video accusing Sesame Place of racism after character ignores two Black girls. Sesame Place has issued two apologies for the incident, but the family says it will continue to investigate after others started sharing videos with similar experiences in the park (Deseret News)

Health

- Huge new global study says no alcohol level safe for those under 40. The study, funded by the Bill and Melinda Gates Foundation, says some over 40 may benefit from a small amount, but other research says no (Deseret News)
- Utah has highest rate of skin cancer in U.S. — here’s why (ABC4)
- U.S. death toll from drug overdoses is rising fast among Black and Indigenous people (NPR)

Housing

- Utah home values remain high as inventory increases, market cools (Fox13)

National Headlines

General

- Netflix loses nearly 1 million subscribers. That's good news, as it's a little less than half of the 2 million they predicted they'd lose in April (NPR)
- France battles huge wildfires, Britain bakes in record heatwave (AP)

- Dow jumps 750 points as investors take hope from earnings reports (Wall Street Journal)
- U.S. home sales fell again in June, economists estimate. The housing market and construction have cooled as higher interest rates start to bite (Wall Street Journal)
- Indiana's AG could face a defamation lawsuit by the abortion provider for 10-year-old rape victim (NPR)

Politics

- DHS tracking vast swaths of Americans — and likely Utahns — regardless of immigration status, report says (Deseret News)
- Dan Cox, an election denier, wins the Maryland Republican primary for governor (NPR)
- The National Archives is looking into reports that the Secret Service deleted texts and now can't find them (NPR)
- GOP fake electors 'targets' in Georgia election fraud inquiry. At least a dozen of the GOP electors who falsely certified Trump as the victor of the 2020 election in Georgia are now subjects of criminal investigation (Washington Post)
- 'It's the accumulation': The Jan. 6 hearings are wounding Trump, after all. Republican insiders say the cumulative effective of the hearings has been to erode support for the former president. (Politico)
- Trump's choices set nation on path to Jan. 6 violence, committee shows. Across seven hearings, the panel's findings have illustrated how the president repeatedly escalated tensions following his election defeat (Washington Post)
- House passes bill protecting marriage equality, with 47 GOP members voting 'yes' (The Hill)
- McConnell: Trump will face 'crowded' GOP field if he runs for president (The Hill)
- Meet the young woman at the head of the House GOP's first-term class. Rep. Ashley Hinson has impressed just about everyone in her party — so much so that she could vault to leadership next year. (Politico)

Ukraine UA

- "The mouth of a bear": More than 2 million Ukrainians forcibly relocated to Russia (AP)
- Europe races to cut Russian gas usage amid new Putin warning (Reuters)
- Putin, in Tehran, gets strong support from Iran over Ukraine (AP)
- Russia seeks to annex Ukraine's east, south later this year, U.S. says. In Russian-occupied areas, Moscow is installing Russian banks and forcing residents to apply for Russian citizenship (Washington Post, New York Times)
- Russian fighter jet strikes homes in Sloviansk as Moscow's offensive in Donetsk advances. (New York Times)

News Releases

Curtis votes in favor of the Respect for Marriage Act

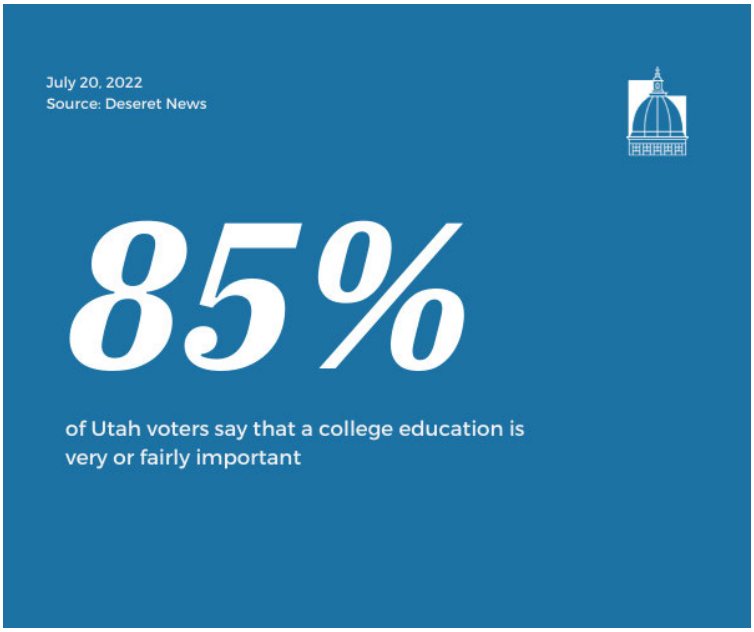
Following the House vote today on the *Respect for Marriage Act*, Representative John Curtis (UT-03) released the following statement:

The majority opinion of the Supreme Court clearly stated that the Court has no intention of reversing any decisions respecting the right to marriage in the Constitution. That said, I also understand how important codifying these protections are to many Utahns. I do not believe the federal government should infringe upon an individual's decision about who they wish to marry.

Sen. Lee continues to fight inflation

Sen. Mike Lee (R-UT) sought passage of his Preventing Runaway Inflation in Consumer Expenditures (PRICE) Act as a part of his continued effort to counter rising inflation. Utah families are feeling the pains of inflation more acutely than those from almost all other states. This week's Consumer Price Index grew beyond expectations placing inflation at a staggering 9.1% nationally. Sen. Lee's PRICE Act would require a three-fifths supermajority vote in the Senate to pass new spending measures when inflation is deemed to be above 3% nationally. This bill constitutes a pillar of Lee's detailed plan to fight inflation. Government spending, especially deficit spending, is considered a major contributor to inflation. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **USU Research Landscape: Water optimization on Utah farms** — Aug 4, 4:00 pm, OC Tanner HQ, SLC. **RSVP here**
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **356** - Alexander the Great is born in Macedonia
- **1848** - Elizabeth Cady Stanton reads the “Declaration of Sentiments” at the Seneca Falls Convention
- **1921** - Congresswoman Alice Mary Robertson becomes the first woman to preside over the floor of US House of Representatives.
- **1942** - The first class of Women’s Auxiliary Army Corps (WAAC) begins at Fort Des Moines, IA.
- **1944 -** US President FDR nominated for an unprecedented 4th term at Democratic convention
- **1953** - The United Nations Economic and Social Council votes to make UNICEF a permanent agency
- **1969** - “That’s one small step for man, one giant leap for mankind.” Neil Armstrong walks on the moon.

- **1973** - Actor and martial-arts expert Bruce Lee dies at age 32 after an allergic reaction to pain medication.
- **1977** - A flash flood hits Johnstown, Pennsylvania, killing 84 people and causing million of dollars in damages
- **2012** - Aurora, Colorado movie theater shooting leaves 12 dead, 70 wounded

Wise Words

"Knowing is not enough, we must apply. Willing is not enough, we must do."

— Bruce Lee

Lighter Side

"I don't know if you've noticed, but it is hot. It is hot! Not just here in the U.S., but there are record-high temperatures all across the world. Seriously, it's so hot, people on TikTok were slapping each other with tortillas just for the breeze."

— *JIMMY FALLON*

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SUBJECT: Pioneer Day: Utahisms and women's advertisements
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 21/07/2022 07:36

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Situational Analysis | July 21, 2022

It's Thursday and National Junk Food Day. So many options....

Be in the Know

- As Utah gears up to celebrate a (very hot) Pioneer Day weekend, have some fun with Utahisms. Do you "fill" sick? Or fish in a crik? Or do you swallow the "t" in mountain? Many of our quirky expressions and pronunciation comes from the early Pioneers, it turns out. BYU linguistics professor David Eddington sorts fact from fiction regarding these “Utah” terms in his recently published *Utahisms: Unique Expressions, Inventions, Place Names & More*. For example, pronouncing that southern Utah town "Hur-ah-kun" reflects the pioneers British origins and Spanish "Fark" reflects the Irish heritage. The word "scones" instead of "fry bread" is unique to Utah.
- Speaking of pioneers, a new database of newspaper advertisements appearing in the Women's Exponent, the preeminent woman’s newspaper published in Salt Lake City from 1872 to 1914, give a glimpse into women's lives on the frontier. For example, one can find ads for a single bottle of tonic to cure diabetes, cancer, ulcers and dizziness, raisins and currants for Christmas mince meat pies, and midwifery courses taught by a certified female doctor, only $30 a term. One of the most avant-garde advertisements ran for almost a decade: a Zion's Bank ad encouraging women to open their own accounts, under their own control, decades before national laws were passed allowing women to do so. The ads were signed by the president of The Church of Jesus Christ of Latter-day Saints (who also served as the bank president.)

Rapid Roundup

- Pleasant Grove, Cedar Hills and American Fork residents warned about another mountain lion following attack on dog, windows broken overnight at 8 Latter-day Saint meetinghouses in southern Utah, a large power outage is affecting thousands of Pleasant Grove residents this morning, and a Utah paramedic returns from a volunteer medical mission in Ukraine.
- As we enter the harvesting season in Ukraine, food shortages could be an issue. USU graduate research fellow Hayden Jensen explains how CRISPR gene editing in agriculture could help alleviate some of the shortage issues.

FROM OUR SPONSOR, DESERET NEWS MARATHON

This is the race! Join us for this year's Deseret News Marathon on July 23.

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah's heritage! Register today!

Utah Headlines

General

- Religious rights 'cannot be absolute,' LDS apostle Dallin Oaks says, in call for a global movement (Salt Lake Tribune)
- In Rome, President Oaks continues Latter-day Saint effort to champion religious liberty worldwide (Deseret News)
- Utah County Sheriff warns of scam costing people thousands (ABC4)

Politics

- Gov. Cox talks about Utah's water challenge and future (KSL TV)
- Jacob Hess: The troubling return of mob rule in America. Destruction, riots and bounties: Is this really the new norm we want to accept when people don't like an official decision? (Deseret News)
- What's the forecast in the Mike Lee-Evan McMullin race for Senate in Utah? It's a hot one (Deseret News)

Business

- The new serfdom: While U.S. workers lost money last year, CEO earnings shot up 18% (Deseret News)

Education

- West and Highland high schools may be rebuilt in Salt Lake City; here's what's next (Salt Lake Tribune)
- Study authors reveal new financial scenarios if Orem splits from Alpine School District (KSL)

Environment

- Sen. Mitt Romney: Saving Great Salt Lake will likely be a multibillion-dollar effort, but worth it (KSL, Salt Lake Tribune,
- Robert Wilson: Leave enough water for the Great Salt Lake (Salt Lake Tribune)
- Jack Stauss: It is time to restore the Colorado River through Glen Canyon (Salt Lake Tribune)
- A Utah Oil field spilled 400 barrels near Grand Staircase last fall — and it's still cleaning up the crude. Missteps dogged the clean up after a pipeline failure released 400 barrels into a dry wash in Dixie National Forest outside Escalante, emails show. (Salt Lake Tribune)
- How 16 artists explore the good and the bad of Utah's air (Salt Lake Tribune)
- New research from USU's CGO: How states can take the lead on implementing a carbon tax that doesn't increase consumer costs. (CGO)
- Utah wildlife encounters increase as animals search for resources amid drought (KUTV)

Family

- Surveys say Utahns are more hungry because of inflation (Fox13)

- Isolation, fear and resilience: Becoming a new mother during a pandemic (Washington Post)

Health

- Boise City Council votes to limit use of city funds to enforce Idaho's abortion ban (Deseret News)
- Codifying contraception? House expected to pass bill. The move would protect contraceptive access from future Supreme Court action, after Justice Clarence Thomas raised the possibility of overturning Griswold v. Connecticut (Deseret News)
- COVID-19 has evolved. What are the symptoms to look out for now? (Deseret News)
- New book explores burnout among physicians and healthcare workers (UPR)

Housing

- Where in the US is home building booming? All eyes on Utah (Deseret News)
- Taxpayers spent over half a million dollars to clean homeless encampments in 2021. Advocates say money would have been better spent on housing and services. (Salt Lake Tribune)

National Headlines

General

- Americans filing jobless claims at highest level in 8 months (AP)
- Comic-Con returns in full force with costumes, crowds (AP)
- Exclusive: U.S. probes China's Huawei over equipment near missile silos (Reuters)

Politics

- A majority thinks Trump is to blame for Jan. 6 but won't face charges, poll finds (NPR)
- The election denial movement is now going door to door (NPR)
- Jan. 6 panel probes Trump's 187 minutes as Capitol attacked (AP)
- AP-NORC poll: Majority want Congress to keep abortion legal (AP)
- Trump White House aide goes on sexist, racist tirade, calls Jan. 6 panel 'anti-White' and female colleagues "hoes" and more (Washington Post)
- Trump wasn't the first to decry his vice president. Jackson wanted to hang his. (Washington Post)

Ukraine UA

- With nearly 2 million living within its borders, Russia becomes the country with the most Ukrainian refugees. Ukraine says the mass relocation is a war crime, Moscow claims humanitarian work (Deseret News)
- How prosecuting war crimes in Ukraine compares to hunting Nazis (NPR)
- Russia pounds major Ukrainian city after expanding war aims (AP)
- Ukraine faces shortfall in weapons as it gears up for first major counteroffensive (Wall Street Journal)

News Releases

Romney: We must ensure the world understands Russia's malevolence

At a hearing on the global food security crisis and the U.S. response,U.S. Senator Mitt Romney (R-UT) pressed USAID Administrator Samantha Power and UN Ambassador Linda Thomas-Greenfield on whether the United States and other nations are sufficiently stepping in to solve the food crisis being created by Russia and its blockade on Ukraine. He called out Russia's malevolence toward Ukraine and other nations and urged the need to communicate Putin's disinformation to the world. (**Read/Watch More**)

Rep. Stewart introduces bipartisan search and rescue bill

Today, Reps. Chris Stewart (R-UT) and Ed Case (D-HI) introduced the Public Lands Search and Rescue Act of 2022. This bipartisan legislation creates a grant program to assist states with the costs of buying, leasing, and maintaining life-saving search and rescue equipment. The program is intended to help with "remote search and rescue." (**Read More**)

Romney, colleagues introduce reforms to the Electoral Count Act of 1887

Today, after months of bipartisan negotiations, led by U.S. Senators Susan Collins (R-ME) and Joe Manchin (D-WV), U.S. Senator Mitt Romney (R-UT) and his colleagues introduced two proposals which include legislation to reform and modernize the outdated *Electoral Count Act of 1887* to ensure that the electoral votes tallied by Congress accurately reflect each state's vote for President.

"From the beginning, our bipartisan group has shared a vision of drafting legislation to fix the flaws of the archaic and ambiguous Electoral Count Act of 1887," **the senators said in a joint statement.** "Through numerous meetings and debates among our colleagues as well as conversations with a wide variety of election experts and legal scholars, we have developed legislation that establishes clear guidelines for our system of certifying and counting electoral votes for President and Vice President. We urge our colleagues in both parties to support these simple, commonsense reforms." (**Read More**)

Sen. Lee fights Biden's war on energy

Sen. Mike Lee (R-UT) stood against high energy prices today in asking the Senate to pass his bill reaffirming the law to limit the President's authority to delay or forgo legally required sales of energy leases on federal land. Sen. Lee was joined in this effort by Sen. Rick Scott (R-FL) and Sen. Dan Sullivan (R-AK). Utah is currently facing some of the highest gas prices in the nation with an average price over five dollars a gallon. (**Read/Watch More**)

Number of the Day

July 20, 2022
Source: Deseret News

41%

of Utah voters say they would vote for Mike Lee if the 2022 general election were held today

Tweet of the Day

Nataliya Gumenyuk ✓
@ngumenyuk

I have seen thousands of photos, this by AP Photo/Andrii Marienko from Kharkiv is in particular strong. The father of 13 years old killed by the Russian airstrike today was praying for two hours, the policewomen all this time stayed with him holding the hand or supporting

Upcoming

- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**

- **General election –** Nov 8

On This Day In History

- **1656** - Elizabeth Key wins a lawsuit freeing herself from slavery in Virginia.
- **1796** - Robert Burns, Scottish poet (Auld Lang Syne) considered the national poet of Scotland, dies at 37
- **1853** - Central Park is created on Manhattan Island
- **1861** - The first Battle of Bull Run, the first major land battle of the Civil War that brought spectators out to watch some 5000 soldiers die.
- **1864** - Francis Clara Folsom is born. She became the youngest First Lady in U.S. history when she married sitting President Grover Cleveland when she was 21. It was the only wedding of a president that took place in the White House. She also has the unique distinction of being both the 23rd and 25th First Lady of the United States.
- **1925** - John T. Scopes found guilty of teaching evolution in the “Scopes monkey trial” in Dayton, Tennessee, fined $100 and costs
- **1938** - Janet Reno is born. She became the first woman to serve as U. S. Attorney General, 1993 – 2001, under President Clinton.
- **1951** - Robin Williams is born.
- **1966** - British physician, Dr. Ian Donald, pioneered the first use of ultrasound for medical diagnosis.
- **1974** - The US House Judiciary Committee approves two Articles of Impeachment against President Richard Nixon
- **1998** - Alan Shepard, American astronaut and 1st American in space, dies of leukemia at 74
- **2007** - The seventh and final *Harry Potter* book is released. *Harry Potter and the Deathly Hallows* sells 11 million copies in 24 hours.
- **2011** - NASA’s final space shuttle mission comes to an end

Wise Words

"It's a very sobering feeling to be up in space and realize that one's safety factor was determined by the lowest bidder on a government contract."

—Alan Shepard

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SUBJECT: July Newsletter: How Abortion Policy is Shaping Up, GlobalGovernment Affairs 101, & More
FROM: FiscalNote <updates@fiscalnote.com>
TO: mwatterson@utah.gov
DATE: 21/07/2022 12:00

FiscalNote | CQ Roll Call

Monthly Newsletter

This month, we're bringing you a look at how abortion policy is taking shape across the US, a comprehensive global government affairs guide, and an on-demand webinar covering SCOTUS and its growing influence on policy and elections.

The Current State of Abortion Policy Across the United States

The landmark SCOTUS decision will have ripple effects across state-level policy. Check out the current state of abortion policy across the country, updated daily.

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Global Government Affairs 101: Manage Issues Around the World

Learn tips and best practices for creating a government affairs strategy equipped to tackle global challenges.

DOWNLOAD NOW

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Watch our on-demand webinar for a preview of the upcoming term and how the Supreme Court will likely determine public policy in the upcoming term.

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SUBJECT: CMS Statement on State Trigger Laws
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
CC: "Tonya Hales (DHHS)" <thales@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 21/07/2022 14:49

You might have already heard about this, but CMS did release a statement a few weeks ago regarding trigger laws in states surrounding abortion. ASTHO shared this with me today:

https://www.cms.gov/newsroom/press-releases/statement-cms-administrator-chiquita-brooks-lasure-access-reproductive-health-care

It sounds like ASTHO is also talking about bringing states together with trigger laws to discuss a number of different issues (i.e. Medicaid, medications, etc.). Hopefully you are also hearing from ASTHO staff that may be working with State Medicaid Directors.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: What did Trump do for 187 minutes? Nothing.
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 22/07/2022 07:34

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DESERET NEWS MARATHON

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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 22, 2022

We made it to Friday of another long weekend! Be safe, be cool, have fun. My husband and I will spend the weekend replacing kitchen cabinets and countertop in our son and daughter-in-laws home and will be thankful for air conditioning the entire time.

Be in the Know

- Despite desperate pleas from aides, allies, a Republican congressional leader and even his family, Donald Trump refused to call off the Jan. 6 mob attack on the Capitol. In last night's Jan. 6 committee hearing, audio was played of Gen. Mark Milley, chairman of the Joint Chiefs of Staff, reacting with surprise to the former president's reaction to the attack. "You're the commander-in-chief. You've got an assault going on on the Capitol of the United States of America. And there's Nothing? No call? Nothing Zero?" Milley said. At the Capitol, the mob was chanting "Hang Mike Pence," testified Matt Pottinger, the former deputy national security adviser, as Trump tweeted that Pence was a coward. Meanwhile, recordings of Secret Service radio transmissions revealed agents at the Capitol trying to whisk Pence to safety amid the mayhem and asking for messages to be relayed telling their own families goodbye because they did not know if they would live to see the end of the day. In the early evening of Jan. 6, after hours of rioting, Mr. Trump had only one thing to say: "Mike Pence let me down."

Rapid Roundup

- President Biden has COVID, a man was arrested after using his horse to run down and trample another man in Uintah County, some good news as the FCC orders phone companies to block auto warranty robocalls 👏👏, Crumbl CEO doubles down, as Utah cookie war continues (doesn't this remind you of the dirty soda war??), and monarch butterflies are now on the endangered species list 😭.

FROM OUR SPONSOR, DESERET NEWS MARATHON

This is the race! Join us for this year's Deseret News Marathon on July 23.

First run in 1970, the Deseret News Marathon is the oldest road race in Utah and the 4th oldest marathon west of the continental divide. The marathon follows the path the Utah pioneers traveled when they first entered the valley. This event is truly a part of Utah's heritage! Register today!

Utah Headlines

General

- Life-threatening corruption endangers Nobel Peace Prize winner Muhammed Yunus. Yunus, a frequent visitor to Utah and helper of the

poor, needs support from the U.S. against baseless charges that could put him in prison (Deseret News)
- Utah domestic violence shelter reports case increase during summer (Fox13)
- She loved reading, drawing and petting any dog she saw. This is who Zhifan Dong, slain University of Utah student, was. (Salt Lake Tribune)
- Small Utah towns using grant-funded projects to entice visitors (Fox13)
- Multiple people hospitalized after armed home invasion suspect sets house on fire 🔥 (KUTV)

Politics

- All of Utah's US House delegation votes against codifying the right to birth control (Deseret News)
- Why some Democrats and Republicans are crossing over to support the other party. Candidates running against Trump-backed opponents are hoping to build bipartisan coalitions to win in November (Deseret News)
- Curtis wants the U.S. to have a voluntary 'Do not sell' gun list. Utah already has one — but how many have actually signed up? (Deseret News
- Tom Huckin: U.S. should study democracies around the world (Salt Lake Tribune)
- What was Trump doing during the 187 minutes before he called off the Jan. 6 attack? The House committee investigating Jan. 6 showed outtakes of Trump's video messages as he wrestled with his wording after ignoring pleas to call off the attack (Deseret News)

Business

- Due to inflation and price increases, minimum wage is at its lowest value since 1956 (Deseret News)
- Amazon's $3.9 billion bid to upgrade health care. The purchase of primary care provider One Medical signals Amazon's renewed interest in the challenging health care sector (Deseret News)
- Why Traeger is cutting staff. The Utah-based company's plan is included in a recent document filed with the Securities and Exchange Commission. (Salt Lake Tribune)
- Car service and repair shops see bump in business due to the heat (Fox13)
- Tech-Moms to host first Orem cohort (Daily Herald)
- Northrop Grumman and NASA successfully test fire rocket booster (Cache Valley Daily)

Environment

- Yes, Utah got 'lackadaisical' about water, Gov. Spencer Cox concedes. Here's why he remains hopeful: From landmark reforms to state water laws to big investments in infrastructure, he believes it's not too late for the Great Salt Lake. (Salt Lake Tribune)
- More wolves for Colorado? Conservation groups propose plan to reintroduce at least 750 wolves (Deseret News)
- You think this summer is hot? Summer of 1936 was deadly. 100 million Americans were under heat advisories this week, but the summer of 1936 burned hotter (Deseret News)
- Wildfires have lasting effects on drinking water supplies long after they're put out (KUER)

- Campfires could face extinction as Utah's summers heat up (Salt Lake Tribune)
- Lake Powell and Lake Mead could collapse without more water cuts along the Colorado River, a new peer-reviewed paper explains (Salt Lake Tribune)
- Critics say the Great Salt Lake Recovery Act pushes more study when action is what's needed (KUER)
- Saratoga Springs to limit irrigation water-use due to drought, increase in costs (KUTV)
- Homes with wood roofs most susceptible to wildfires (Fox13)

Health

- Georgia enacts 6-week abortion ban after a yearlong court battle (Deseret News)
- Utah hits 1 millionth coronavirus case during highly contagious BA.5 surge. Intermountain Healthcare's Dr. Eddie Stenehjem said the state likely passed this milestone months ago because of dramatic undercounting of new cases. (Salt Lake Tribune)
- Are Utahns concerned about getting COVID-19? Here's why a doctor says they should be (Deseret News)
- Study says depression not caused by chemical imbalance, raising questions about antidepressants. University College London research says depression is not a serotonin imbalance and drugs that target it may not be the answer (Deseret News)

Housing

- Housing market enters recession territory. Here's what that means. Sales continue to fall while inventory spikes — especially in 'bubbly' West (Deseret News)
- Volunteers of America hand out water bottles, sunscreen to unsheltered in Salt Lake County on hot July days (Fox13)
- Report: Homes deemed unaffordable in most U.S. counties (Washington Post)

National Headlines

General

- Unvaccinated man in Rockland County, N.Y., diagnosed with polio. This is the first U.S. case of polio in nearly a decade (Washington Post)
- Woman dressed as nurse and tried to steal baby from hospital, police say (Washington Post)
- Cyber-attacks on Port of Los Angeles have doubled since pandemic (BBC)
- Justice Kagan warns U.S. Supreme Court must maintain public confidence (Reuters)

Politics

- Arthur Cyr: What Biden can build in the Middle East (Deseret News)
- Lee Zeldin, GOP nominee for NY governor, assaulted at rally (AP)
- Caroline Kennedy says US needs to engage more in the Pacific (AP)
- Vermonter Harry Anzbock once supported Obama. He eventually came to embrace Trump's false rigged-voting claim – and threatened to kill election officials over it. (Reuters)

- U.S. Supreme Court declines to allow Biden's shift on immigration enforcement (Reuters)
- Pence seeks distance from Trump as he considers 2024 presidential run (Washington Post)
- Watchdog launches criminal probe over missing Secret Service messages (Washington Post)
- A video showed Senator Josh Hawley fleeing the Capitol as it was attacked by the crowd he had cheered earlier. (New York Times)
- House GOP Conference deletes tweet attacking Sarah Matthews, former deputy press secretary in the Trump White House (The Hill)
- Two witnesses back key aspects of Cassidy Hutchinson's account of a heated confrontation between Donald Trump and the Secret Service on Jan. 6. (Politico)
- The inescapable conclusion from the January 6 hearings: Former President Donald Trump could not be compelled to call off the mob that nearly destroyed democracy. (The Atlantic)
- GOP leaders won't get in the way of Trump 2024. Most top Hill Republicans would rather he not announce before November. But that doesn't mean they're prepared to boost any rivals — setting up a 2016 redux. (Politico)

Ukraine UA

- Ukraine, Russia set to sign deal to reopen grain export ports (Reuters)
- Russia to 'run out of steam' soon in Ukraine: U.K. intelligence chief (Washington Post)
- Analysis: Putin bets on an ancient weapon in Ukraine: time (Reuters)
- Russia is laying the groundwork for its annexation of Ukraine. Moscow has introduced its passport, currency and propaganda in a race to absorb occupied regions (Washington Post)

News Releases

University of Utah Research Park passes committee

Sen. Mike Lee's (R-UT) University of Utah Research Park Act passed the Senate Energy and Natural Resources Committee today with a bipartisan vote. This bill would preserve the University of Utah's nearly 600-acre research park and avoid possible action by the Bureau of Land Management to repurpose the land. Research Park is a center for research and development serving both the University and the local workforce. Research Park is situated on a parcel of land which was transferred to the University by the Bureau of Land Management in 1968. Sen. Lee's bill would remove an encumbrance from that land patent to ensure Research Park remains productive and thriving. The bill is now eligible for consideration by the full Senate. (**Read More**)

Sen. Lee's FORMULA Act heads to President's desk

The United States Senate unanimously passed Sen. Mike Lee's (R-UT) FORMULA Act. The bill, which removes import tariffs on baby formula and baby formula input products until the end of this year, now heads to the President's desk. The House of Representatives had previously modified and passed the bill resulting in Senate reconsideration. (**Read/Watch More**)

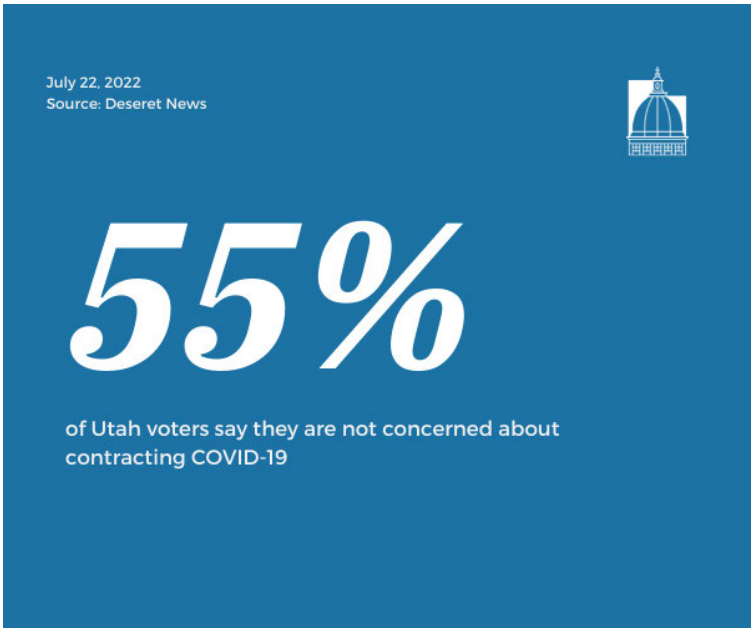
Owens leads the Police Radiation Exposure Benefits Act

Today, Rep. Burgess Owens (UT-04) introduced H.R. 8458, the Police Radiation Exposure Benefits (PATROL) Act, to extend disability benefits to law enforcement officers who lost their lives or were permanently disabled due to clandestine lab radiation exposure, which is not currently covered under the Public Safety Officer Benefits (PSOB) Program. (**Read More**)

Romney, Hickenlooper bill to protect endangered fish species, maintain ecosystems passes committee

Today, U.S. Senators Mitt Romney (R-UT) and John Hickenlooper's (D-CO) *Upper Colorado and San Juan River Basins Recovery Act* passed out of the Senate Energy and Natural Resources Committee. This bipartisan legislation would continue protecting four threatened and endangered native fish species in the Upper Colorado and San Juan River Basins by extending conservation programs for one year to allow Upper Basin communities the time to develop a long-term management plan. The bill next heads to a vote on the Senate floor. (**Read More**)

Number of the Day



Tweet of the Day

FOX 13 News Utah @fox13

KNOW THE RESTRICTIONS - With Pioneer Day weekend just around the corner, officials are urging Utahns to know the restrictions before lighting off fireworks.

fox13now.com
Officials urge caution when using fireworks ahead of Pioneer Day weekend
With Pioneer Day weekend just around the corner, officials are urging Utahns to know the restrictions before lighting off fireworks.

Upcoming

- **Monument dedication to Black pioneers** — July 22, 10:00 am, This is the Place Heritage Park
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1849** - Poet Emma Lazarus is born.
- **1862** - Lincoln tells his cabinet that he will issue an Emancipation Proclamation but will wait until the Union Army has achieved a substantial military victory.
- **1890** - Rose Fitzgerald Kennedy is born. An American matriarch, she was the mother of JFK, RFK & Ted.
- **1893** - Inspired by the view from atop Pikes Peak, American author and professor Katharine Lee Bates writes the lyrics to “America the Beautiful.”
- **1898** - Miriam Underhill is born. She became a mountaineer and environmentalist, was in the first all-women ascent of the Matterhorn in 1932, and developed “manless climbing,” which meant all-women climbing groups.
- **1908** - Jane Bolin is born. She was the first African American woman judge in the United States. She was also the first black woman to

graduate from Yale Law School, the first to join the New York City Bar Association and the first to join the New York City Law Department.

- **1910** - Ruthie Tompson is born. The American animator and artist worked nearly 40 years with the Walt Disney Company. Some of the animated films she worked on include Mary Poppins, Robin Hood, and Winnie the Pooh and Tigger Too. In 2010, she became one of America's supercentenarians.
- **1923** - Bob Dole is born.
- **1926** - Dorcas Reilly is born. You may not know her name, but you almost certainly know her food. During her time working for Campbell's Test Kitchen, she created the green bean casserole, a staple of an American Thanksgiving feast.
- **1937** - The US Senate rejects FDR's proposal to enlarge the Supreme Court
- **1942** - Deportations from Warsaw ghetto to Treblinka begin.
- **1987** - Gorbachev accepts ban on intermediate-range nuclear missiles.
- **1991** - Cannibal and serial killer Jeffrey Dahmer is caught.
- **2013** - Prince George, first child of Prince William and Kate Middleton, is born.

Wise Words

"It has been said, 'time heals all wounds.' I do not agree. The wounds remain. In time, the mind, protecting its sanity, covers them with scar tissue and the pain lessens. But it is never gone."

— Rose Fitzgerald Kennedy

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SUBJECT: Utah's Tony Finau wins PGA Tour's 3M Championship
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 25/07/2022 07:30

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Situational Analysis | July 25, 2022

It's Monday and National Hot Fudge Sundae Day. Or, if you wait outside a few minutes, you can enjoy your chocolate milk....

Also, happy Pioneer Day to those still celebrating.

Be in the Know

- Utah's Tony Finau wins PGA Tour's 3M Championship with a tournament-record five-shot comeback. Finau made four birdies on the back nine at TPC Twin Cities in Blaine, Minn., to overtake former BYU golfer Scott Piercy for his third tour win
- Russian military forces launched missiles at the southern Ukrainian port of Odessa over the weekend, just one day after Russia and Ukraine signed an agreement—brokered by Turkey and the United Nations—to alleviate global food shortages by reopening blockaded Ukrainian ports and allowing grain exports to flow again. "That's all you need to know about deals with Russia," Estonian Prime Minister Kaja Kallas said.

Rapid Roundup

- Holly Mullen returns to journalism as the Salt Lake Tribune's Innovation Lab editor, a federal move to make daylight savings time permanent hits a brick wall in the House, a neighbor's firework catches Magna home on fire, missing Layton man's truck found by Ariz. border, family fears foul play, motorcyclist on I-15 dies after being rear-ended by Tesla reportedly on autopilot, and those unusual lights in Utah's night sky? Not UFOs. Probably.

Utah Headlines

Pioneer Day

- Celebration reminds Utahns of the state's Indigenous roots during Pioneer Day weekend (KSL)
- Utahns celebrate Days of '47 Parade, embrace state traditions (Salt Lake Tribune)
- Pioneer Day special report (Fox13)
- Apostles share examples, anecdotes of their personal 'pioneers' (Deseret News)
- Want to research your pioneer ancestors for Pioneer Day? Here's how Celebrate Pioneer Day by learning about and writing about your pioneer ancestors (Deseret News)
- Descendants of Utah pioneers reflect on family history (Fox13)
- Why America needs Pioneer Day this year more than ever (Deseret News)
- The broader Utah narrative Pioneer Day needs to tell (Deseret News)
- Utah's Days of '47: It's a place for Latter-day Saints, of course, but Catholics, too (Salt Lake Tribune)
- Story of Catholic Fathers Escalante and Dominguez trekking through Utah before Mormon pioneers (Fox13)

- Pioneer Day celebrates the Mormon trek, but there's more to LDS migration (Salt Lake Tribune)
- Latter-day Saint leader dedicates new monument honoring Utah's Black pioneers (Deseret News)
- View photos of monumental day for Utah's Black pioneers as their story is celebrated in stone (Salt Lake Tribune)
- Celebrating pioneers of color and their legacy in Utah (Fox13)
- People celebrate 'heart of Utah' over Pioneer Day weekend (KUTV)
- The most correct guide to making funeral potatoes for Pioneer Day (Deseret News)

General

- Tired of the Utah cookie wars? Try a donut (Deseret News)
- Teens are going back to work. Here's what they're learning (Deseret News)
- Utah woman breaks record at Death Valley race, wins Deseret News Marathon 11 days later (KSL)
- Still feeling pain at the pump? Here's why Utah lags the nation in falling gas prices (KUER)

Politics

- Tired of politics? Why Evan McMullin is the candidate you need (Deseret News)
- I endorse Sen. Mike Lee — Evan McMullin's strategy could lose Utah power (Deseret News)
- Judge tosses lawsuit from Utah election conspiracy duo seeking 2020 voting data (Salt Lake Tribune)
- The IUP Panel on expanding SCOTUS, marriage equality and abortion (ABC4)
- St. George leaders propose property tax hike to bolster public safety (Salt Lake Tribune)

Economic Development

- How cheap gas is fueling economic development for the Shivwits Band of Paiutes in southern Utah (Salt Lake Tribune)
- Utah's 2% unemployment feels good but it means businesses are still scrambling for workers (KUER)

Education

- 72% of the U.S. public educator workforce is female, but just 13% of superintendents are women. Why? (Deseret News)

Environment

- Is this the Wasatch Front's windiest summer? The data blew us away (Deseret News)
- Las Vegas limits size of home swimming pools amid extreme drought conditions (Deseret News)
- Wildfire near Yosemite National Park explodes in size (KSL)
- The Dust Bowl was hotter than this heat wave, despite global warming (Washington Post)

Family

- The abortion ruling reopened the same-sex marriage debate. What will happen next? (Deseret News)

Health

- Parents play crucial role in youth substance use disorder treatment. Addiction resources for youth substance use disorders are available across the state and nation. Here's what parents need to know to offer support (Deseret News)
- Are pulse oximeters less accurate for people of color? New studies suggest pulse oximeters are not calibrated to account for darker skin, resulting in overestimation of Black and Hispanic patients' blood oxygen levels, raising the possibility they may not receive treatments they need (Deseret News)
- She survived a forced sterilization. She fears more could occur post-Roe. (Washington Post)

Housing

- Is the housing market frenzy over? Buyer competition drops to lowest level in 2 years (Deseret News)

Utah/Ukraine connection

- He's a pacifist, but he's doing all he can to keep Ukraine combat ready. Utahn Jason Stout had to leave his home in Ukraine and flee with his family ahead of the Russian invasion; now he's collecting combat gear to send to those fighting back home (Deseret News)

National Headlines

General

- How an AP reporter broke the Tuskegee syphilis story (AP)
- Pope lands in Canada, set for apologies to Indigenous groups (AP)
- Myanmar executes ex-lawmaker, 3 other political prisoners (AP)
- 5 economic forces behind the Fed's next rate-hike decision. The Fed is expected to increase its benchmark rate by three-quarters of a percentage point as it faces enormous pressure to avoid causing a recession (Washington Post)
- The U.S. middle class is getting squeezed in 2022 (Wall Street Journal)
- Elon Musk's friendship with Sergey Brin ruptured by alleged affair. Tesla chief's liaison with Google co-founder's wife led to couple's divorce filing (Wall Street Journal)

Politics

- In a blow to Biden, Supreme Court blocks rollback of Trump-era deportation policies (Deseret News)
- House birth control bill a 'Trojan horse' and election ploy (Deseret News)
- Did the Jan. 6 hearings change anyone's mind? (Deseret News)
- The president who stood still on Jan. 6. Even as the riot raged at the Capitol, Trump wouldn't tell his supporters to stop. (Wall Street Journal)
- Trump's silence on Jan. 6 is damning (New York Post Editorial Board)
- Nearly one in three Americans say it may soon be necessary to take up arms against the government (The Hill)
- Cheney says Jan. 6 committee prepared to consider subpoena of Ginni Thomas (The Hill)
- Trump returns to D.C. this week. These former advisers are plotting the comeback. The former president is going to appear at his allied think tank, America First Policy Institute, which is outlining a vision that could, if all goes to plan, serve as a platform for a future administration. (Politico)

Ukraine UA

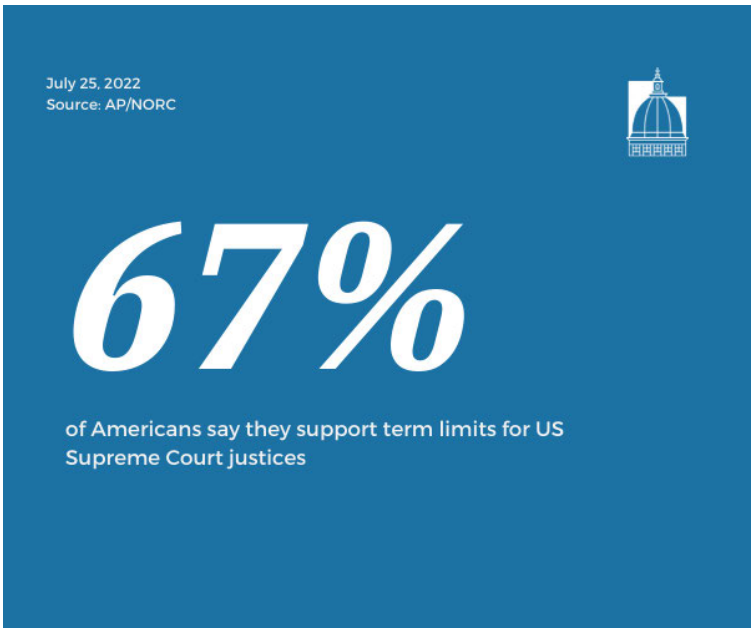
- 'The money is gone': Evacuated Ukrainians forced to return (AP)
- Russia hits Ukraine's Black Sea port despite grain deal (AP)
- The Ukrainian nationalists standing in Russia's way on eastern front (Reuters)
- Last stand at Azovstal: Inside the siege that shaped the Ukraine war. For 80 days, at a sprawling steelworks, a relentless Russian assault met unyielding Ukrainian resistance. This is how it was for those who fought, and for those trapped beneath the battlefield. (New York Times)
- Lavrov says Russian goal to oust Ukraine's president (The Hill)

News Releases

Mayor Jenny Wilson joins National Association of Counties' Familiar Faces Leadership Network to expand data-sharing efforts across behavioral health and justice systems

Announced this week, Salt Lake County Mayor Jenny Wilson is joining a select group of local officials as the inaugural cohort of the National Association of Counties' Familiar Faces Leadership Network for their commitment to improving life outcomes for high-needs residents with complex behavioral health conditions. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1775** - Anna Tuthill Symmes is born. The 9th First Lady of the United States is one of many firsts. She is the only First Lady to be both the wife of a president (William Henry Harrison) and the grandmother of one (Benjamin Harrison), too. She never lived in the White House, either. Exactly one month after President Harrison's inauguration, he died making her the first First Lady to be widowed during her tenure and the one with the shortest tenure.
- **1917** - Dancer and spy Mata Hari is sentenced to death by a French court for spying on Germany's behalf during WWI.
- **1920** - Rosalind Franklin is born. She was an English chemist who was the co-discoverer of the structure of DNA.
- **1941** - Emmett Till is born.
- **1972** - AP reporter Jean Heller breaks the news about Tuskegee syphilis experiments the US government conducted on Black men over 40 years
- **1978** - Louise Joy Brown is born. She is the first person born who was conceived through in vitro fertilization.
- **1984** - From the Russian spacecraft Salyut 7, Cosmonaut Svetlana Savisskaya performs the first spacewalk by a woman.
- **1985** - Rock Hudson announces he has AIDS. He died a few months later, having brought awareness to a mostly unknown, highly stigmatized disease.

- **2007** - Pratibha Patil becomes the first female president of India.

Wise Words

"Science and everyday life cannot and should not be separated."

— Rosalind Franklin

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SUBJECT: "Kind of wild/creative": previously undisclosed emails showcasefake electors
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 27/07/2022 07:19

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Situational Analysis | July 27, 2022

Good Wednesday morning to ya. It's National Crème Brûlée Day, a dessert that looks fancy, tastes amazing and is super easy to make.

Be in the Know

- Previously undisclosed emails provide an inside look at the efforts by advisers to President Donald J. Trump to reverse his election defeat in the weeks before the Jan. 6 attack. “We would just be sending in ‘fake’ electoral votes to Pence so that ‘someone’ in Congress can make an objection when they start counting votes, and start arguing that the ‘fake’ votes should be counted,” Jack Wilenchik, a Phoenix-based lawyer who helped organize the pro-Trump electors in Arizona, wrote in a Dec. 8, 2020, email to Boris Epshteyn, a strategic adviser for the Trump campaign. In a follow-up email, Mr. Wilenchik wrote that “‘alternative’

votes is probably a better term than ‘fake’ votes,” adding a smiley face emoji. US Attorney General Merrick Garland calls the Justice Department's Jan. 6 probe the 'most wide-ranging investigation in its history" and does not rule out criminal charges for Donald Trump.

Rapid Roundup

- A fire broke out inside the Orem LDS temple that is still under construction, the body of a missing Layton man is found in Arizona, Buzz Aldrin's Apollo 11 moon jacket sells at auction for an astronomical $2.8M, only 31 new emojis will be introduced this year (down from 300+ in 2020), and RIP to the Choco Taco.

Utah Headlines

General

- These 2 players with Utah ties are among the 50 best in the NFL, according to PFF (Deseret News)
- Jury awards Utah family $10M for 2016 death of inmate in Davis County Jail (KSL TV)
- Flight makes emergency landing in Salt Lake City after unruly passenger attempts to breach cockpit (Fox13)
- Utah County Sheriffs Office warns public against ongoing scam calls (Daily Herald)

Politics

- Utah Senate hopeful Evan McMullin is striving to make a GOP state competitive again. Polls show former CIA officer who ran for president against Donald Trump is within striking distance of Republican two-term incumbent Mike Lee (Wall Street Journal)
- What Donald Trump said about Mike Lee, Evan McMullin at conservative conference (Deseret News)
- Two-thirds of Americans support term limits for Supreme Court Justices. Confidence in the Supreme Court is falling, and a majority of Democrats and Republicans support term limits (Deseret News)
- Jill Pohlman on track to become Utah’s next Supreme Court justice. If Judge Jill Pohlman is confirmed by the full Utah Senate, the Utah Supreme Court would see its first female majority. (Salt Lake Tribune)
- Should Donald Trump be charged with a crime for his role in Capitol attack? Here’s what Utahns think (Deseret News)
- Utah’s legislature doesn’t reflect the population. 2 millennials want to change that (KUER)

Education

- A growing number of Americans are questioning the value of going to college (NPR)

Environment

- Here are the largest fires burning in Utah and the West right now (Deseret News)
- Rep. John Curtis encourages more domestic oil and gas production during discount fuel event in Lehi. “We can be energy independent and we can still reduce emissions,” the congressmen said. (Salt Lake Tribune)

- What the devastating drought revealed in the West — bodies and more. Third body found in dwindling Lake Mead (Deseret News)
- Lake Powell receding again after disappointing spring (Fox13)
- Expect a smoggy week as ozone settles over northern Utah. Despite a weekend of wildfires in California and Idaho, Utah's poor air is not from smoke (Deseret News)
- Yellowstone visits down 43% in June after flooding caused park closures (Deseret News)
- West Valley homeowners receive city notice to address brown lawn amid drought (KUTV)
- Utah Governor addresses water-use criticisms amid continuing megadrought (UPR)
- Glaciers vanishing at record rate in Alps following heatwaves (Reuters)

Family

- How car seat laws made it harder to start a family (Deseret News)

Health

- Where did COVID-19 come from? Utah researcher says new study confirms virus originated in market, not lab (Deseret News)
- New studies bolster theory coronavirus emerged from the wild (AP)
- Bad news for nap lovers: New study shows link between naps and high blood pressure (Deseret News)

Housing

- What are the top 10 most stable housing markets? Here's how Utah, Idaho rank (Deseret News)

National Headlines

General

- The new gun control bill is a good thing, faith leaders say. But the country needs more (Deseret News)
- Texas school principal suspended after Uvalde shooting (Reuters)
- Alphabet reports slowest rate of growth in 2 years (Wall Street Journal)
- In just six hours, St. Louis, Missouri got more rain than is normal for July and August combined. Now, residents wonder how they will recover from historic flooding (NPR)
- Japan minister says women 'underestimated' (AP)
- How the Fed's inflation battle is already slamming the economy. The Fed is just getting started in trying to rein in the worst spike in prices in four decades. (Politico)
- Another big rate hike coming today as Fed battles inflation. Economy hangs in balance (NPR)

Politics

- Jeff Flake: I know Rusty Bowers. Trump was wrong to blast him. Republicans were wrong to censure him (Deseret News)
- Trump, Pence square off with dueling speeches in possible GOP primary preview. Former running mates court MAGA voters in separate events Tuesday (Deseret News)
- Trump ignores Republican calls to avoid repeating false election claims (Reuters)

- Justice Dept. investigating Trump's actions in Jan. 6 criminal probe (Washington Post)
- 6 in 10 in new poll support law clarifying vice president can't reject state-certified electoral votes (The Hill)
- Trump returns to the scene of his tarnished legacy (Politico)
- Trump calls for tent cities to address homelessness (Politico)
- House passes bill for research on cognitive effects of coronavirus, 69 Republicans vote 'no' (The Hill)
- Walker's fumbles highlight GOP's rocky Senate roster (Politico)
- 19-year-old turns Gaetz insult into $115K abortion rights fundraiser (Washington Post)
- Democrats introduce bill to enact term limits for Supreme Court justices (The Hill)

Ukraine UA

- Civilian medic commands respect on Ukraine war's front lines (AP)
- The desperate lives inside Ukraine's "dead cities" (The New Yorker)
- The new shock of Russia's war in Ukraine: Genocide fatigue (The Hill)
- US rocket system enables Ukraine to strike key supply bridge (AP)

News Releases

The Office of the State Auditor releases limited review of the Department of Alcoholic Beverage Services

The Office of the State Auditor (Office) today releases its limited review of the Department of Alcoholic Beverage Services (DABS) for the period ending June 30, 2022.

The Office identified four findings:

- Finding 1. Unable to Adequately Track and Adjudicate Violations
- Finding 2. Inventory Discrepancies Exist / Failure to Audit Package Agencies as Required by Administrative Rule R82
- Finding 3. Liquor Prices Not Adequate to Cover Handling Expenses and Capital Costs
- Finding 4. Parents Empowered Campaign Has Indeterminate Impact on Underage Drinking

State Auditor John Dougall said, "The Department of Alcoholic Beverage Services has been renamed and is under new management. This is our first audit since those changes. We see a renewed focus on improving its operations. Our report identifies opportunities to improve the process for monitoring violations and to remedy inventory discrepancies and product pricing issues. (**Read More**)

Number of the Day

July 27, 2022
Source: Deseret News

49%

of Utah voters believe that former President Donald Trump should be charged with a crime in relation to the events of Jan. 6, 2021

Tweet of the Day

Business Ukraine mag
@Biz_Ukraine_Mag

Powerful portrait of Ukrainian First Lady Olena Zelenska and President Zelenskyy by Annie Leibovitz for Vogue magazine

Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1866** - The Transatlantic Telegraph Cable comes ashore in Newfoundland. It was 1686 miles long.
- **1891** - Myrtle Lawrence is born. A sharecropper and labor organizer, she worked within the biracial Southern Tenant Farmers' Union from 1936 to 1943.
- **1921** - Scientists Frederick Banting and Charles Best successfully isolate insulin
- **1943** - Stalin issues Order No. 227 outlawing cowards. "Panic makers and cowards must be liquidated on the spot."
- **1953** - North Korea and the United Nations sign armistice to stop fighting and divide Korea at the 38th parallel.
- **1965** - President Lyndon B. Johnson signs a bill requiring cigarette makers to print health warnings on all cigarette packages about the effects of smoking
- **1974** - The House Judiciary Committee recommends that America's 37th president, Richard M. Nixon, be impeached and removed from office.
- **1981** - Six-year old Adam Walsh is kidnapped.
- **2003** - Bob Hope dies at age 100.
- **2013** - Corinne "Lindy" Boggs, former US congresswoman and civil rights activist dies. She launched her political career in 1973 when her husband, longtime Rep and House Majority Leader, died in a plane crash. She won her first race with 80% of the vote. When asked if she had any doubts about running for her husband's seat, Boggs quipped, *"The only thing that almost stopped me was that I didn't know how I could do it without a wife."*
- **2020** - US congressman John Lewis becomes the first black lawmaker to lie in state in the Rotunda in Washington D.C.
- **2021** - Largest-ever repatriation of 17,000 looted Iraqi antiquities returned to Baghdad, including items from Hobby Lobby's Museum of the Bible and Cornell University

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Wise Words

"Even though the truth can't be denied or erased, it can be systemically obscured, strategically misinterpreted, and hidden from mainstream comprehension"

— John Lewis

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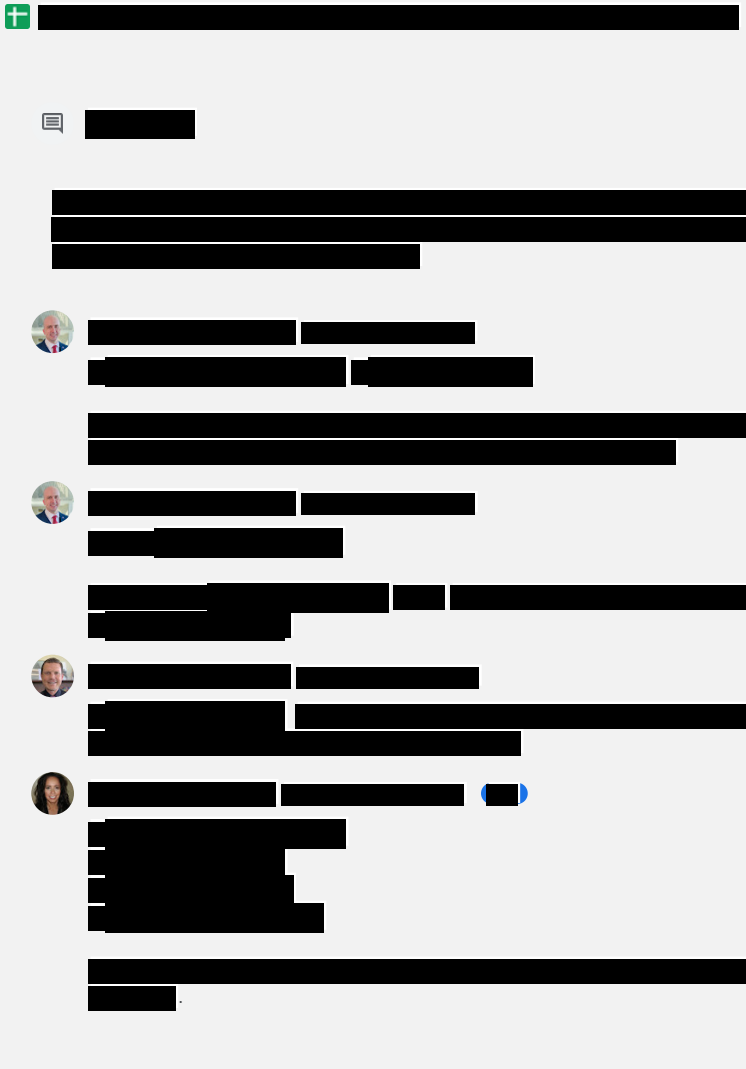
SUBJECT: DHHS Internal Committee Meeting Plans/Agendas for 2022 In...
FROM: "Nate Checketts (DHHS) (Google Sheets)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 27/07/2022 12:08

[redacted]

[redacted]

[redacted]

Rebecca King (DHHS) (rbarnett@utah.gov) mentioned you in a comment in the following document



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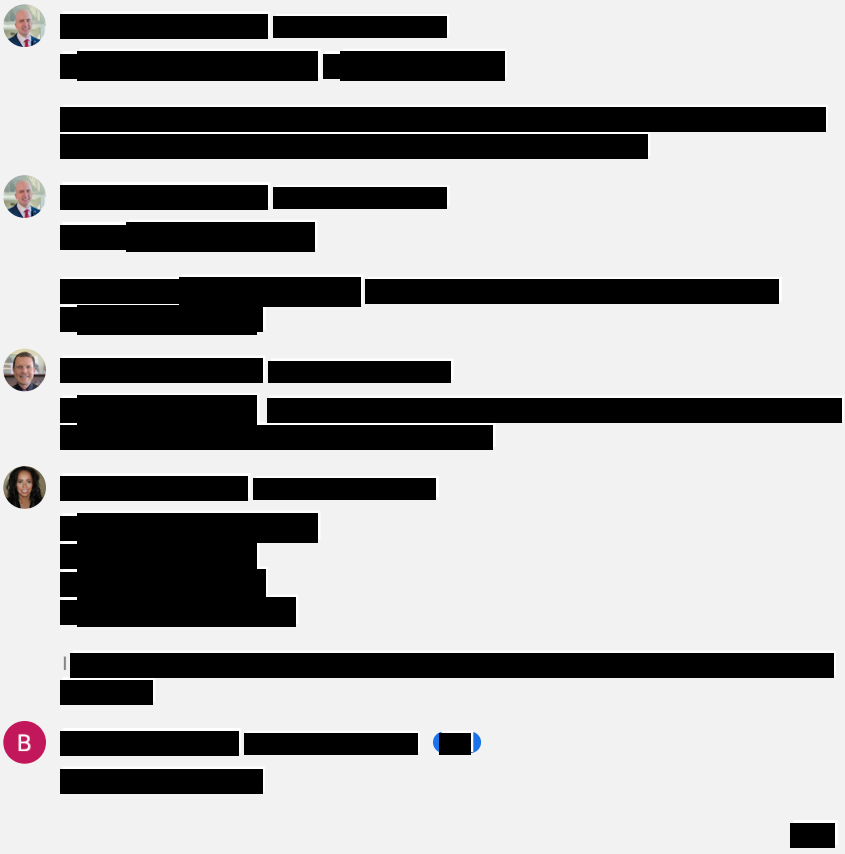
SUBJECT: DHHS Internal Com... - @natechecketts@utah.gov @thales@utah....
FROM: "Brent Kelsey (DHHS) (Google Sheets)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 27/07/2022 17:38

Rebecca King (DHHS) (rbarnett@utah.gov) mentioned you in a comment in the following document

[redacted]



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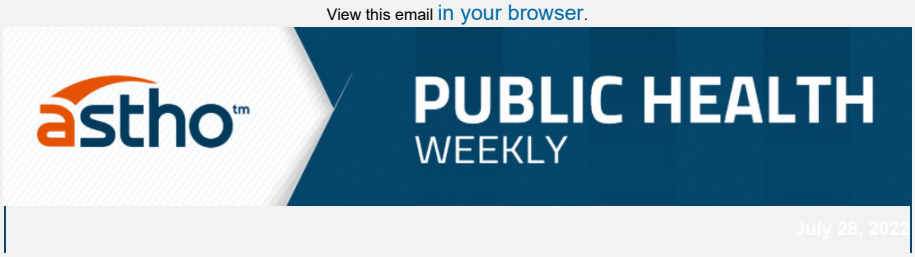
SUBJECT: Celebrating 32 Years of the Americans with Disabilities Act
FROM: "Public Health Weekly" <pr@astho.org>
TO: mwatterson@utah.gov
DATE: 28/07/2022 10:10

View this email in your browser.



Stigma Around Substance Use During Pregnancy: A Louisiana Response

States Leverage COVID-19 Relief Funding to Improve Accessibility for

[redacted]

Opioid use disorder during pregnancy contributes to maternal death and poor birth outcomes. Although prenatal care can reduce these effects, pregnant individuals may delay care due to concerns about stereotyping and stigmatizing by providers.

Joseph Kanter, MD, MPH, (SHO-LA) and Amy Ladley, PhD, discuss Louisiana's approach to reducing stigma and fears of criminalization around opioid use in pregnant and postpartum individuals, and the importance of partnerships. Learn more in this new episode of the Public Health Review podcast.

LISTEN

People with Disabilities

This week, we are commemorating 32 years of the Americans with Disabilities Act (ADA) opening access to employment, transportation, housing, public accommodations, and governmental programs for people with disabilities. In addition to the federal law, a majority of states have enacted laws protecting the rights of people with disabilities.

Learn more about how states have used COVID-19 funding to improve care and accommodations for people with disabilities in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

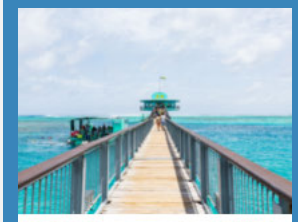
ASTHO has two new articles out in the *Journal of Public Health Management and Practice:*

- **Sustained Management of COVID-19: Doing More of What Works to Control Future Surges |** With fall—and a potentially major surge of COVID-19 cases—around the corner, ASTHO has some suggestions for health officers and departments to maintain a sustainable response. **Read more here**.
- **Strategies to Operationalize Health Equity in State and Territorial Health Departments |** As part of an ongoing column on centering health equity in the wake of the COVID-19 response, this installment covers a technical package of interventions ASTHO has prioritized to support state efforts. **Check out these strategies here.**

Social Connectedness: A Key Component to Youth Mental Wellness, Including Youth with Serious Mental Illness or Emotional Disturbances | Join ASTHO for a two-part webinar series on Aug. 3-4. Presenters from the Wisconsin Office of Children's Mental Health and the Maine Resiliency Building Network will discuss the collective impact we can make toward improving youth mental and behavioral health outcomes through social connectedness. **Register here!**

ASTHO is delighted to announce that Nicole Alexander-Scott, MD, MPH, (alumni-RI) has joined the organization as a senior executive consultant on the health and racial equity team. **Learn more about her history in public health** and her future work with ASTHO.

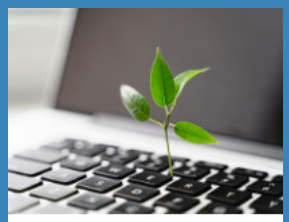
LATEST ASTHO RESOURCES AND EVENTS



Blog

Setting the Stage for Equity in the Island Areas

READ



Report

Climate and Health Capacity Survey

READ

Brief

Boundary Spanning Leadership Model Strengthens Oklahoma Harm Reduction Programs

READ

Blog

Guam Behavioral Health and Wellness Center: A Pandemic Lifeline

READ

Blog

Placemaking Begets Youth Sports, Promoting Healthier Communities

READ

Brief

Climate and Health Capacity Survey: 10 Key Takeaways

READ

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Heat Waves Require New Thinking** | Evan Mallen, CDC
- **Hawaii's 9-8-8 Experience** | Belinda Danielson, Hawaii Department of Health
- **Best of ME: Hope for the PH Workforce** | Bruce Perry, Northwestern University
- **CDC's Multi-Billion Dollar Investment** | Nick Davidson, South Carolina Department of Health and Environmental Control
- **Health Equity Summit Preview** | Kimberlee Wyche-Etheridge, ASTHO

LISTEN

PUBLIC HEALTH REVIEW PODCAST

astho

PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

- **Nirav Shah Is Ambivalent About His Celebrity.** | *Down East* | Mike Fraser, ASTHO CEO and Nirav Shah (SHO-ME), ASTHO president

Press Room | Careers | Events | Funding

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higher logic

SUBJECT: Collective PTSD in Poland, while the path forward remains unknown
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 29/07/2022 07:42

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | July 29, 2022

It's Friday and National Lasagna Day. Party party 🎉 🥳

Be in the Know

- Erica Glenn spent the summer in Poland and has experienced first-hand the collective PTSD of Polish citizens whose parents and grandparents experienced Russia's "freeing" them from Nazis by razing cities to the ground. It's because of that collective memory, however, that Poland flung open their doors to Ukrainian refugees from the beginning of the war. “We are trying to do for Ukraine what no one did for us during World War II,” said one of her guides.
- Meanwhile, 40 Ukrainian prisoners of war were killed and 75 wounded when a missile strike hit the prison where they were being held. Russia says Ukraine did it and Ukraine says Russia shelled the prison to eliminate evidence of war crimes. Another strike hit Mykolaiv and a Russian soldier castrated a Ukrainian solder with a box cutter, filmed it and shared it. Horrifying.

Rapid Roundup

- Norman Lear turns 100, Utah picked to win Pac-12 title in media’s preseason poll, a rattlesnake showed up in a tree in Cotttonwood Heights, prices rose 6.8% in June, one of the world's most expensive hotels is in Utah, a third flock of turkeys in Sanpete County test positive for bird flu 🦃 and a new detective solves a 60-yr old cold case.

Utah Headlines

General

- The startling case of Ridge Alkonis. This respected family man, Navy officer and Latter-day Saint is now in a Japanese prison as his family and U.S. lawmakers seek his release (Deseret News)
- Fascinating story: New detective solves 60-year-old mystery, declares deceased Utahn a serial killer (KSL)

- FBI, local advocates launch new effort to locate missing indigenous people (Fox13)
- Native American tribes, Utah government seek collaboration at annual summit (Fox13)
- Former crime scene investigator pleads guilty to child sex offenses (Standard Examiner)

Politics

- Evan McMullin thinks he knows how to defeat Trumpism (Politico)
- A professional medical and research ethics organization has canceled its planned convention in Salt Lake City in response to the Utah Legislature's enactment of a "trigger law" that bans most abortions and its recent passage of legislation that bans transgender girls from competing in high school sports. (Deseret News)
- Gas prices are falling. Which way is President Joe Biden's approval rating going? (Deseret News)
- U.S. Secretary of Transportation Pete Buttigieg will be in Salt Lake City on Friday to talk with state leaders about the recently passed $1.2 trillion infrastructure bill (Deseret News)
- How immigration reform could lower your grocery bill. Unless farmers can find workers, food prices will continue to rise, experts say (Deseret News)
- For Rep. Rusty Bowers, an oath is an oath (Salt Lake Tribune)
- 'We want fair elections': Utah County residents decry mail-in voting, voting machines (KSL)
- Utah candidate for clerk says he won't grant same-sex marriage licenses (KUTV)
- Deeper look into Utah congressional delegation's support for same-sex marriage protection (KUTV)

Economy

- Is it recession or not? Utah's situation looks good but some businesses still worry (KUER)
- Utah has 'a lot of cushion' that will help it withstand an economic downturn (KSL TV)
- Some Utahns fear oncoming recession as GDP drops for second straight quarter (Fox13)
- EXPLAINER: How do we know when a recession has begun? (AP)
- The U.S. economy is shrinking. The Fed's rate hikes may have only just begun to bite (Reuters)
- Amazon sees resilient consumer demand as shares jump 13% (Reuters)
- Worker pay and benefits rose 1.3% in second quarter (Wall Street Journal)
- Except in North Carolina, apparently, where one Chick-fil-A store asks for 'volunteers' to work for chicken, not money (Washington Post)

Education

- SUU Named 2022-2023 College of Distinction (SUU News)
- As Salt Lake City moves to shed its first Black school superintendent, a look at what went wrong: An alleged junket, a string of hires and a flood of employee complaints appear to have turned the school board against Dr. Timothy Gadson. (Salt Lake Tribune)

- Alpine School District pulls dozens of books from school library shelves (KUTV)
- University of Utah announces tuition waiver for Native American students (KSL)
- Non-traditional college graduates help fill Utah's teacher vacancies (ABC4)
- Few Black men become school psychologists. Here's why that matters (NPR)

Environment

- The wicked story of 'clean' wind energy and raptors (Deseret News)
- Why does California want to build a $16 billion water pipeline? (Deseret News)
- Mitt Romney proposal to save the ailing Great Salt Lake moves forward (Deseret News)
- If you're looking for wildflowers in Albion Basin, you'll spot some construction too (Salt Lake Tribune)
- Salt Lake breaks 62-year-old triple-digit heat record; flood watch issued for southern Utah (KSL)
- Salt Lake City temperatures almost certain to break record for the hottest month ever documented (Fox13)
- Cloud seeding could bring more water to the Great Salt Lake, Utah Department of Natural Resources says (KSL Newsradio)
- What is killing the West's notoriously resilient bristlecone pines? Once thought to be immune to the devastation happening to other forests, bristlecone pines now appear to be in danger from beetle attack. (Salt Lake Tribune)
- Parleys Canyon mine tests the limits of authority of Utah's mining division (Salt Lake Tribune)

Family

- Romney's proposal for a pro-family, pro-work and pro-birth America (Deseret News)
- 'Freedom Riders' provide recreational horse riding program for children with disabilities (KUTV)

Health

- Utah reports 5,800 new COVID-19 cases and 16 deaths, including Salt Lake County child. Wastewater levels still show high levels of coronavirus in sewage. (Salt Lake Tribune)
- The pandemic isn't over. Why do we act like it is? (Deseret News)
- Sen. Mitt Romney wants to create a new health agency to protect against future public health disasters (Salt Lake Tribune)
- With the summer heat, comes health concerns and needed help for vulnerable (KSL Newsradio)

Housing

- N. Utah housing market edges toward 'normal' as sales plunge and prices start to level off. Rising interest rates bite into those exorbitant offers, but relief could be years away, especially for renters who have given up house hunting. (Salt Lake Tribune)

National Headlines

General

- The value of Turkey on the world stage with Russia, Islamic extremism and global security (Deseret News)
- 15 dead in Appalachian flooding, toll expected to rise (AP)
- This American teacher also sits in a Russian jail, worried nobody cares. Arrested last summer after arriving in Moscow with medical marijuana in his luggage, Marc Fogel has a case that parallels the ordeal of WNBA star Brittney Griner. But his plight has mostly gone unnoticed. (Washington Post)

Politics

- Trump-backed Arizona governor candidate claims election fraud *ahead* of primary (Deseret News)
- Olivia Julianna, the 19-year-old reproductive rights activist who this week turned an insult from Rep. Matt Gaetz into a fundraiser, has raised more than $1.3 million for women seeking abortions — after taking just 72 hours to hit the $1 million mark. (Washington Post)
- Fetterman leads Oz by 11 points in Pennsylvania Senate race: poll (The Hill)
- Jan. 6 texts missing for Trump Homeland Security's Wolf and Cuccinelli (Washington Post)
- Blindsided veterans erupted in anger and indignation Thursday after 41 Senate Republicans suddenly tanked a widely supported bipartisan measure that would have expanded medical coverage for millions of combatants exposed to toxic burn pits during their service. 25 of them supported the bill last month. (NBC News)

Ukraine UA

- Special Report: How Russia spread a secret web of agents across Ukraine (Reuters)
- Northern Ukraine comes under burst of Russian attacks (Wall Street Journal)
- Zelensky says he's hopeful that grain will start moving from Ukraine's ports soon. (New York Times)
- I'm Ukraine's foreign minister. Don't be fooled when Russia says it wants to negotiate. Putin must be stopped. (New York Times)

News Releases

Romney outlines his vision for the future of conservative family policy

Thursday, in a speech at the American Enterprise Institute (AEI), U.S. Senator Mitt Romney (R-UT) outlined his vision for how public policy can best support American families. He then sat down with AEI President Robert Doar to discuss his recently proposed *Family Security Act 2.0*, which aims to reform existing, complex federal programs into one straightforward pro-family, pro-life, and pro-work benefit. (**Read/Watch More**)

Romney proposes new data agency for the protection of public health

Romney's Center for Public Health Data would establish an early warning system for infectious disease

U.S. Senator Mitt Romney (R-UT) proposed a new data agency to improve access to impartial and objective public health data that would bolster our infectious disease intelligence and preparedness. This data already exists in

electronic forms across laboratories, clinics, and hospitals, but is incomplete and fragmented across the Department of Health and Human Services (HHS) and is not shared quickly enough to drive decision making. The Center for Public Health Data (CPHD) would aggregate this existing data to make it more accessible in real time. A two-pager of the proposal can be found here. (**Read More**)

Senate passes Romney, Stewart, Owens, Curtis bill to save Utah's Great Salt Lake

The Senate passed the *Great Salt Lake Recovery Act*, legislation introduced by U.S. Senator Mitt Romney (R-UT) to study historic drought conditions and protect the long-term health of the Great Salt Lake in Utah. Earlier this month, the Great Salt Lake dropped to its lowest level on record for the second time in a year, posing a threat to Utah's environment and economy. Representatives Chris Stewart (R-UT), Burgess Owens (R-UT), and John Curtis (R-UT) lead the companion legislation in the House. (**Read More**)

Salt Lake Chamber honors spring cohort completing new Diversity & Inclusion Training Program

The 2022 Spring Cohort of the Diversity & Inclusion Leadership Training Series concluded with graduation ceremonies celebrating the completion of the Salt Lake Chamber's new signature program. The Diversity & Inclusion Leadership Training Series, sponsored by the Semnani Family Foundation and Zions Bank, was developed to provide newly designated or seasoned professionals in the field of Diversity, Equity and Inclusion access to thought leadership and program development. (**Read More**)

Owens introduces bipartisan resolution honoring victims of the Munich Massacre

Ahead of the 50th Anniversary of the Munich Massacre, Reps. Burgess Owens (UT-04), Brad Sherman (CA-30), and Shontel Brown (OH-11) today introduced a bipartisan House Resolution calling for a moment of silence in Congress and at all future Olympic Opening Ceremonies in honor of the eleven Israeli athletes who were brutally murdered by a group of Palestinian terrorists at the 1972 Summer Olympics in Munich.

"During the 1972 Summer Olympics in Munich, eleven Israeli athletes were brutally murdered by 'Black September,' a group of Palestinian terrorists," said **Rep. Owens**. "As we approach the 50th anniversary of the Munich Massacre, I am humbled to join Reps. Sherman and Brown to honor the victims of this dark day. Throughout history, the unifying power of sports and peaceful competition has brought us together. Now more than ever, we must fight all forms of terrorism, antisemitism, and hate." (**Read More**)

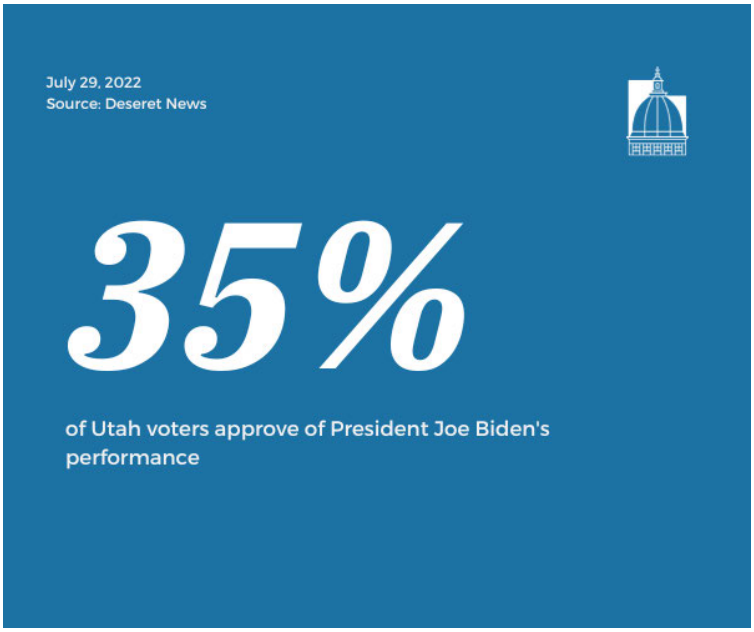
Lee amendments bolster child online safety

During a markup focused on protecting children's online privacy, Sen. Mike Lee (R-UT) offered thirteen amendments, nine of which the Senate Commerce Committee adopted. Lee's amendments were adopted as part of Sen. Blumenthal's (D- CT) and Sen. Blackburn's (R-TN) Kids Online Safety Act (KOSA) and provide additional regulatory safeguards and protections for children online. Sen. Lee voted in favor of pushing KOSA out of committee while noting the work still needed to improve the bill. (**Read/Watch More)**

Lee resolution recognizes Pregnancy Centers

Sen. Mike Lee (R-UT) introduced a Resolution designating the week of November 7th as “National Pregnancy Center Week.” Pregnancy Resource Centers are a vital resource to women across the country, providing a wide range of healthcare services to those in need. Rep. Bob Good (R-VA) introduced a companion resolution in the House. (**Read More**)

Number of the Day



Tweet of the Day

Utah Women & Leadership Project
@UTWomenLeaders

"In the spring of 2022, the Utah Women & Leadership Project convened 11 community conversations with women of color in Utah, and this report summarizes what Pacific Islander (PI) women shared at two of these gatherings." Learn more here: bit.ly/3yxwlEM

The Experiences of Pacific Islander Women in Utah

UTAH WOMEN & LEADERSHIP Project

SUMMARY OF COMMUNITY CONVERSATIONS

In the spring of 2022, the **Utah Women & Leadership Project** convened 11 community conversations with women of color in Utah, and this report summarizes what Pacific Islander (PI) women shared at two of these gatherings. Additional background information and research methods can be found here. This summary of select findings complements this research snapshot.

MOST PRESSING ISSUES

1. Education and career
2. Belonging
3. Health

EDUCATION AND CAREER

Expand horizons: While there is a cultural emphasis on education, there is also expectation from both inside and outside the culture that PI students will pursue sports during their education. This limits personal expectations and goals since they see themselves only in athletic contexts. As one participant stated, "I didn't know Polynesians could be anything other than football or volleyball players until I met more who were doing everything else." Lack of information can be a barrier to choosing more skilled professions, with participants saying, "Educational leaders talk about keeping students of color on the path, and I come from people who don't even know that path exists. How do we get these kids to know that there are options, starting when they are young? They need somebody they trust who has access to resources."

Need for representation: Participants believe that lack of cultural representation and support in school prevents students from dreaming big. As one stated, "The education piece fails from the beginning as they don't see themselves represented in other students, educators, or support groups. Our children cannot get to the next level because nobody represents them, nobody includes them." Another said, "Our kids don't talk about careers because people don't talk to them about careers. They don't want to take advanced classes because nobody looks like them in those classes. They don't understand the options they have to pay for a good education." As one woman added, "Our children are taught they're not good enough, so my daughter doesn't see herself as part of that advanced group." Yet when the situation is ideal, "It's amazing what people can do when they feel comfortable."

Cultural skills advantage: PIs should capitalize on their innate cultural skills, such as bringing people together and valuing the collective over the individual, which benefit many professions. One participant said, "Compassion is in Polynesians' DNA, therefore they are great healthcare workers. Compassion is 90% of the job." Another expanded, "It's against our nature to be cutthroat and competitive, and I encourage everyone to bring their true selves to whatever position they're in. Don't table who you are, your ability to care, or your ability to build bridges, because that's what our culture is. It's about community, the village, the tribe. It's why I think it's so hard for our kids to assert themselves, and it's hard for us as professionals. Infiltrate, push that culture of love, of Aloha, of caring, of speaking up for youth. Your purpose is to culturize every position you touch in any place that you're in." The untapped leadership potential is vast. another participant stated: "I don't see us in the decision-making process like where budget decisions are made. But we have so much to contribute because we're group thinkers and we want to see the group succeed."

BELONGING

Utah needs to maintain the momentum: Continue unconscious bias training and diversity, equity, and inclusion efforts. Bias is perpetuated generationally; training needs to start early and become embedded. For example, one woman described a recent experience where her professionally in-demand husband showed up for an in-person job interview: after looking at him, the interviewer said the professional position was closed, but that a warehouse position was open. The attendee was surprised that such discrimination still happens: "Is there actual lawful redress? Is there really equal

Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1833** - William Wilberforce, English abolitionist, dies at 73
- **1885** - The first National Convention of Black Women is held in Boston, MA.
- **1905** - Mary Roebling is born. She became the first woman president of a major bank (1937), first woman governor of the American Stock

Exchange (1958-1962), and helped establish the first nationally-chartered bank founded by women (1978).

- **1907** - Sir Robert Baden-Powell forms the Boy Scouts in England
- **1921** - Adolf Hitler becomes the leader of the National Socialist German Workers (Nazi) Party.
- **1936** - Elizabeth H. Dole is born. A US Senator from North Carolina (2003-2009), she was the first woman to serve as U.S. Secretary of Transportation (1983-1987), and also served as U.S. Secretary of Labor (1989-1990), becoming the first woman to hold two different cabinet positions under two different presidents. She was also president of the American Red Cross (1991-1999).
- **1954** - "Fellowship of the Ring" first published.
- **1958** - NASA is founded.
- **1974** - The Philadelphia Eleven are ordained as the first female priests in the Episcopal Church.
- **1975** - Ford became 1st US President to visit Nazi concentration camp Auschwitz
- **1981** - Prince Charles married Lady Diana - yes, I watched
- **1987** - Ben & Jerry's and Jerry Garcia agree on a new flavor: Cherry Garcia

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Wise Words

"This monument and the memory of those it honors inspire us further to the dedicated pursuit of peace, cooperation and security for all peoples."

— Gerald Ford, in the guest book at Auschwitz

Lighter Side

I stayed up all night wondering where the sun had gone…

Then it dawned on me.

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SUBJECT: News release: Take protective measures against mosquito bites
FROM: Utah Department of Health and Human Services <jennyjohnson@utah.gov>
TO: <mwatterson@utah.gov>
DATE: 01/08/2022 09:21

[redacted]

[redacted]

Utah Department of Health & Human Services

FOR IMMEDIATE RELEASE:

August 1, 2022

Media contact:

Jenny Johnson

Public Information officer

jennyjohnson@utah.gov

801.209.2591

Take protective measures against mosquito bites

Salt Lake City—Even though no human cases of West Nile virus in Utah have been reported to date, the Utah Department of Health and Human Services says the virus has been found in mosquito pools in Davis, Salt Lake, and Uintah counties. That means the risk of West Nile virus spreading to humans still exists.

West Nile virus is spread by mosquitoes and can cause illness in people and animals. While most people who get infected with West Nile virus will have no symptoms, some develop symptoms similar to the flu, including fever, headache, body aches, nausea, or rashes. In a small number of cases, people can develop a severe form of the virus, which can result in hospitalization and death. Symptoms of the severe form of West Nile virus include high fever, severe headache, stiff neck, disorientation, and confusion. If you are experiencing symptoms, contact a healthcare provider immediately.

“West Nile virus has an annual presence in Utah and it isn’t going away," according to Hannah Rettler, Utah Department of Health and Human Services (DHHS) vector borne/zoonotic epidemiologist. “Now is a good time to protect yourself from mosquito bites and work to eliminate mosquito breeding sites around your home," adds Rettler.

Take these simple precautions to avoid mosquito bites and reduce your risk for infection:

- Wear long-sleeves, long pants, and socks while outdoors and use an insect repellent with 20%-30% DEET, which is safe to use during pregnancy. Repellents are not recommended for children younger than two months of age.
- The hours from dusk to dawn are peak biting times for many mosquitoes. Consider rescheduling outdoor activities that occur in the evening or early morning.
- Mosquitoes lay their eggs in standing water. Remove any puddles of water or standing water including in pet dishes, flower pots, wading and swimming pools, buckets, tarps, and tires.
- Report bodies of stagnant water to your local Mosquito Abatement District (MAD). Visit http://www.umaa.org/ for a list of MADs.
- Keep doors, windows, and screens in good condition and make sure they fit tightly.
- Consult with an immunization travel clinic before traveling to areas that may have mosquito-borne illness such as Zika or dengue and take the necessary precautions.

West Nile virus surveillance will continue into early fall. You can find an updated weekly report at https://epi.health.utah.gov/west-nile-virus-reports/. For more information about West Nile virus, call your local health department or visit https://epi.health.utah.gov/west-nile-virus/.

View this media advisory in Spanish

###

Utah Department of Health & Human Services

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CONTACT

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Salt Lake City, Utah 84116

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SUBJECT: Legislative Report Due by August 10
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Eric Tadehara (DHHS)" <erictadehara@utah.gov>
CC: Brent Kelsey DHS <bkelsey@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>
DATE: 01/08/2022 23:14

Eric -

Just checking in on the status of the following legislative required report. I have down in our records (DHHS Legislative Items Due_2022) that Brent asked you to take the lead on this specific report.

As a reminder, EDO would like at least one week prior to the due date to review the report and provide feedback. Please share the report with me and Shari when it is ready for EDO review.

Thanks!

HB 2, Item 80:

The Legislature intends that the Department of Human Services report back to the Social Services Appropriation Subcommittee no later than August 10, 2022 on how much it would cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive the following services: (1) a licensed social worker to help connect women with state services they are determined to need and are eligible to receive; (2) a peer support program; and (3) home visitation services through the child's first birthday. The Legislature further intends that the performance measures by which the program would be measured would include the following: (1) the rate of a diagnosis of neonatal abstinence syndrome at the time of delivery in the areas where the program has been implemented; and (2) the number of NICU days related to any substance use disorder in the areas where the program has been implemented.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

Utah Department of Health & Human Services
Legislative Affairs

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SUBJECT: Ayman al-Zawahiri, al-Qaeda leader, killed in a US drone strike
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 02/08/2022 07:33

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | August 2, 2022

It's Tuesday and National Ice Cream Sandwich Day. Mmmm.

Also, a major crash on I-15 in Davis County is causing major backups this morning. Hydroplaning in standing water is suspected. Be careful out there!

Be in the Know

- President Joe Biden announced Monday that the United States killed al-Qaeda leader Ayman al-Zawahiri, who helped plan the Sept. 11, 2001 attacks. U.S. officials said Zawahiri died in a CIA drone strike on his Kabul safe house Saturday night. Zawahiri had been in hiding for years and the operation to locate and kill him was the result of "careful patient and persistent" work by the counter-terrorism and intelligence community, a senior administration official told reporters. “Justice has been delivered, and this terrorist leader is no more,” Biden said.

Rapid Roundup

- Pat Carroll, the voice of Ursula from ‘The Little Mermaid,’ dies at 95, you could make $78K/year tasting candy, a man trying to kill a spider with a lighter starts 40-acre fire in Springville (I mean - it WAS a spider.....), and a baby zebra makes his debut at Hogle Zoo.

Utah Headlines

General

- Salt Lake City resident Fientje Allis becomes friend to Navajo Nation (KUTV)

- Sports provide ‘social identity’ we thrive on. No matter what team holds your allegiance, there is an army of likeminded believers who share your enthusiasm and excitement for the cause. And that’s what makes sports great (Deseret News)
- Investigation begins into death of Lindon 16-year-old (ABC4)

Politics

- Utah Senate candidate Evan McMullin is trying to change national politics. Polls suggest it's working (People)
- Where does Mitt Romney stand on proposed law to protect same-sex marriage? (Deseret News)
- Is a third national political party possible? As a founder of the Utah United Party has learned, becoming established takes time, patience and resources. The new Forward Party needs to do more than just appeal to the political center (Deseret News)
- Cox objects to federal 'hammer' on states over anti-discrimination policies (Fox13)
- Truth-in-taxation hearings on property tax hikes to start this month (Fox13)
- Romney’s revised Family Security Act is back and looking for bipartisan support (KUER)

Education

- Rod Zundel has a new job in the Beehive State - Utah Tech announced that Rod has been named the director of broadcasting and multimedia content for the school’s athletic department (Deseret News)
- SLC School Board member, Mohamed Baayd and former state senator James Evans allege superintendent faces racial harassment (KSL TV)

Environment

- Lake Powell: A dwindling gem in the desert in need of long-term solutions (Deseret News)
- Steve Glaser: Utah agriculture must play its part in water conservation Utah must find a way to help its farmers use less water, even if it’s expensive. (Salt Lake Tribune)
- Salt Lake City saw its hottest July on record — again (Salt Lake Tribune)
- Utah wildlife biologists want you to temporarily avoid these High Uintas water areas (KSL)
- Late July storms hit Cedar City, Iron County, cause flooding, road blockages, downed trees (St. George News)
- 2 found dead in charred car within California wildfire zone; blazes burn across the West (KSL)

Family

- People who regularly attended religious services as children are more likely to be happy as adults (Deseret News)
- They lost Medicaid when paperwork was sent to a pasture, signaling the mess to come (NPR)

Health

- Is antiviral Paxlovid related to COVID-19 rebound? (Deseret News)
- 3 practices to improve your mental health, according to a BYU public health professor: **Say** something, **know** something and **be** something (Deseret News)

Housing

- Moab housing ordinance could get vote soon but still faces opposition (KUTV)

National Headlines

General

- Biden: Killing of al-Qaida leader is long-sought 'justice' (AP)
- Bin Laden was the face of al-Qaida, but Ayman al-Zawahiri was its hate-filled heart (NPR)
- Watching al-Qaida chief's 'pattern of life' key to his death (AP)
- More rain, more bodies in flooded Kentucky mountain towns (AP)
- Biden administration task force reunites 400 migrant families separated under Trump (NBC News)

Politics

- What's at stake in Arizona's primary. A newly crowned swing state, candidates in some Arizona primary races are divided over the 2020 election (Deseret News)
- Rusty Bowers testified in D.C. Now he might lose his primary in Arizona. (Washington Post)
- Arizona attorney general: No evidence of widespread dead voters in 2020 (Washington Post)
- There are a slew of significant primaries Tuesday. Election deniers, abortion and Trump's rampage against Republicans who voted to impeach him. It's a busy first primary night in August in five states, including battleground Arizona. (NPR)
- Trump endorses 'ERIC' in Missouri primary, a name shared by rivals. The former president's unusual endorsement added uncertainty to an already tumultuous race (Washington Post)
- How the Green Bay Packers helped Justice Samuel Alito explain religious liberty law. During a recent speech in Rome, the Supreme Court justice shared why he thinks religious freedom is under threat (Deseret News)
- Jill Biden on teaching as first lady: 'Knew I could do both' (AP)
- U.S. Navy deploys four warships east of Taiwan as Pelosi heads to Taipei (Reuters)
- Chinese warplanes buzz line dividing Taiwan Strait before expected Pelosi visit (Reuters)
- Pelosi believed headed to Taiwan, raising tension with China (AP)
- Demand for Workers Eased in June, Economists Estimate (Wall Street Journal)

Ukraine UA

- Russia shells apartment buildings in southern Ukraine (Wall Street Journal)
- World shrinks to a basement in Ukraine for grandmother, 92 (Reuters)
- Voyage of Ukraine shipment provides test of grain agreement (AP)

News Releases

Utah's fertility rate continues to drop, now fourth highest in the nation

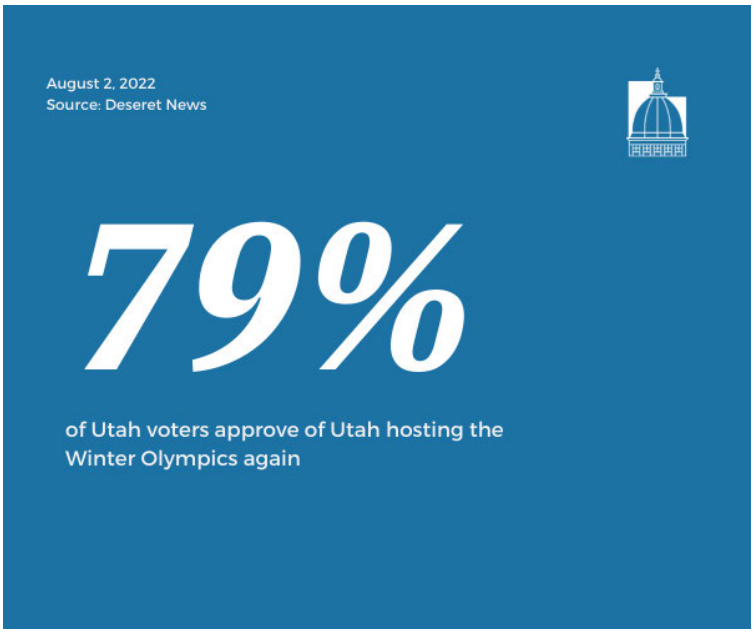
Utah's declining fertility rate made state headlines in 2016 when it no longer ranked highest in the country. Since then, Utah's total fertility rate of 1.92 births

per woman has declined nationally from highest to fourth highest, with rates in South Dakota (1.98), Nebraska (1.94), and North Dakota (1.93) exceeding Utah's. The latest figures are summarized in the latest research brief from the Kem C. Gardner Policy Institute, which shows the Beehive State's decline mirroring a decadal decline in fertility in every U.S. region, state, and Washington, D.C. The Intermountain West and Pacific divisions experienced the sharpest declines. (**Read More**)

WGA celebrates Western Governors University's impact on higher education, workforce development 25 years after founding institution

Western Governors University (WGU)—the nation's leading online, nonprofit institution—was celebrated this week by current and former governors from the Western Governors' Association (WGA), which established the university 25 years ago. While gathered in Coeur d'Alene, Idaho, for its annual meeting, WGA—a non-partisan organization consisting of all U.S. governors considered to be part of the Western region of the nation—signed a proclamation to celebrate the university's 25th anniversary and its impact on higher education and workforce development. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1610** - During his quest to find the Northwest Passage, Henry Hudson's ships sailed up a large river on the eastern shore of North America. The river and bay would eventually be named after him.
- **1754** - Pierre Charles L'Enfant is born. The central design for Washington D.C. was laid out by this French-American architect.
- **1776** - While delegates from the 13 colonies formally approved the Declaration of Independence on July 4, 1776, it wasn't signed by the delegates until August 2nd. However, not all the delegates signed on that day. Many signed days later and some, not at all.
- **1834** - Frédéric Auguste Bartholdi is born. This French sculptor is best known for designing the Statue of Liberty.
- **1865** - Lewis Carroll publishes "Alice's Adventures in Wonderland"
- **1909** - The United States Mint issues the first Lincoln penny to the public.
- **1923** - The 29th President of the United States, Warren G. Harding, dies of a stroke

- **1990** - Iraq invades Kuwait
- **2018** - Apple becomes the first American public listed company to reach $1 trillion in value
- **2018** - TikTok, the video-sharing social network, becomes available worldwide after merging with Musical.ly

Wise Words

"One of the secrets of life is that all that is really worth the doing is what we do for others."

— Lewis Carroll

The Punny Side

My wife told me to take the spider out instead of killing him.

Went out. Had a few drinks. Nice guy. He's a web designer.

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SUBJECT: RE: Legislative Required Reports for SSA - August 1, 2022
FROM: "Sean C. Faherty" <sfaherty@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>, Russell Frandsen<rfrandsen@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Winters (DHHS)"<natewinters@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, "JenniferStrohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 02/08/2022 08:23

Thanks for sending these along Marc,
We will work on getting them posted to the meeting page once we have finalized the agenda.
Thanks,
Seán

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Monday, August 1, 2022 11:10 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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[redacted]

SUBJECT: Fwd: Legislative Report Due by August 10
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Austin Preston (DHHS)" <austinpreston@utah.gov>, "Kody Harvey (DHHS)" <kharvey@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>
DATE: 02/08/2022 11:35

FYI

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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--------- Forwarded message ---------
From: **Marc Watterson (DHHS)** <mwatterson@utah.gov>
Date: Mon, Aug 1, 2022 at 11:14 PM
Subject: Legislative Report Due by August 10
To: Eric Tadehara (DHHS) <erictadehara@utah.gov>
Cc: Brent Kelsey DHS <bkelsey@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>, Nate Checketts (DHHS) <natechecketts@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Shari Watkins (DHHS) <swatkins@utah.gov>

Eric -

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Thanks!

HB 2, Item 80:

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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SUBJECT: (V) PREP - Interim Session
FROM: mwatterson@utah.gov
TO: apinna@utah.gov, aslater@utah.gov, austinpreston@utah.gov, davidlitvack@utah.gov, "Heather Borski (DHHS)" <hborski@utah.gov>, joedougherty@utah.gov, jstrohecker@utah.gov, kharvey@utah.gov, mhofmann@utah.gov, natechecketts@utah.gov, natewinters@utah.gov, pray@utah.gov, rebeccab@utah.gov, swatkins@utah.gov, thales@utah.gov, tracygruber@utah.gov, trentbrown@utah.gov, trudyellis@utah.gov, xthomas@utah.gov, mwatterson@utah.gov
DATE: 02/08/2022 15:10

Notes and Outstanding Items:

[redacted]

Shari to reach out to get further clarification from LFA staff on some items.

Nate and Tonya to follow-up with Brent Kelsey and Eric Tedahara on presentations/reports/draft legislation

Questions that came up after 3pm:

* Not sure if Russell will be presenting on Services for Pregnant Women or if our Staff is being expected to present for the 20 minutes set aside?

* Will Nate Winters be presenting on the Performance Measures Audit follow-up?

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN [redacted]

More phone numbers

(V) PREP - Interim Session

Tuesday Aug 2, 2022 · 2pm – 3pm (Mountain Time - Denver)

Purpose: To verify the agenda items and requests of the Department (i.e. presentations).

Location
Join with Google Meet , MASOB-4-Admin 4058 (30) [Jamboard Smart Board, Projector, Web Cam]
View map

Guests
trudyellis@utah.gov - organizer
aslater@utah.gov
davidlitvack@utah.gov
Heather Borski (DHHS)
mhofmann@utah.gov
mwatterson@utah.gov
natechecketts@utah.gov
natewinters@utah.gov
pray@utah.gov
rebeccab@utah.gov
swatkins@utah.gov
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joedougherty@utah.gov
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jstrohecker@utah.gov
austinpreston@utah.gov
kharvey@utah.gov

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SUBJECT: Kansas votes resoundingly to protect abortion rights
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 03/08/2022 07:52

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[redacted]

UTAH POLICY

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Situational Analysis | August 3, 2022

It's Wednesday and National Watermelon Day. Besides just eating it plain, one of our favorite recipes is cubed watermelon, lime juice and fresh mint. Also delicious when adding feta cheese. 🍉

Be in the Know

- Voters in Kansas resoundingly rejected a proposed amendment to their constitution that would have specified that there was no explicit right to an abortion. That change would have allowed Kansas lawmakers to pass a total abortion ban.
- Speaking of abortion, the Justice Department filed a lawsuit Tuesday challenging Idaho's near-total abortion ban. The lawsuit—the Department's first abortion litigation since the Supreme Court overturned Roe v. Wade earlier this summer—alleges that the Idaho law's narrow life-of-the-mother exception conflicts with federal law requiring hospitals to provide life-saving treatment.
- The Senate voted again and passed a bill expanding health benefits for veterans exposed to toxic burn pits, sending it to President Joe Biden's desk. Republicans had reversed their support and stonewalled its passage last week, crediting their opposition to discretionary spending objections. Democrats and advocates accused them of withholding the money in retaliation for the Democrats' newly-announced reconciliation spending package. Senators Lee and Romney remained no votes.
- House Speaker Nancy Pelosi landed in Taiwan yesterday, becoming the highest-ranking United States politician to visit the island since the 1990s. She reiterated that the US will not abandon Taiwan, even as China saber-rattles. China considers the self-governed island part of its territory and announced plans for live-fire military exercises surrounding the island once Pelosi leaves. It also announced import bans on citrus and some fish products from Taiwan. Taiwan expects increased 'psychological warfare' after Pelosi visit.

Rapid Roundup

- Vin Scully, longtime Los Angeles Dodgers broadcaster, dies at age 94, Airbnb removes '1830s slave cabin' listing after being called out on TikTok 😯, Disneyland will be celebrating Christmas from early November to early January, Lindon teen dies after "altercation" between two groups, and twins in Texas were named "Stockton" and "Malone" by Utah Jazz fans.

Utah Headlines

General

- The microchip revolution: Here's why the U.S. will spend $280 billion to buoy this critical industry (Deseret News)
- While we are struggling to pay up at the pump, Big Oil companies are breaking records with historically high profits (Deseret News)
- Utah-based Nu Skin starts laying off employees (Salt Lake Tribune)
- Weber County man designs water-purifying hiking pole, pushing it to market (Standard-Examiner)
- Officials actively investigating alleged suspects for arson near Utah State Capitol (KUTV)

Politics

- Editorial Board: The Inflation Reduction Act would do a lot of things — fighting inflation isn't one of them (Deseret News)
- What Utahns in Congress say about U.S. killing of al-Qaida leader (Deseret News)
- Utah Democratic Party, Salt Lake County Democratic Party employees unionize (Deseret News)
- Will lifting tariffs on baby formula imports solve the national shortage? Utah Sen. Mike Lee thinks it's a start. (Salt Lake Tribune)
- Billings files legal complaint over House 72 election recount result, calls for hand tally (St. George News)
- Orem City Council votes to place new city school district on November ballot (KUTV)

Education

- Historic NAACP, Latter-day Saint student trip begins in Ghana. 'I want to know where I come from,' said one of 43 students traveling in Ghana as part of the Amos C. Brown Fellowship (Deseret News)
- Salt Lake City superintendent remains on leave, his dispute with school board unresolved, after tense meeting (Salt Lake Tribune)
- Get ready: Here is when school starts in Utah (ABC4)

Environment

- After a man burned 60 acres trying to kill a spider, here are some other head-scratching wildfires (Deseret News)
- House Speaker Brad Wilson: 'We are just getting started' saving the Great Salt Lake (Deseret News)
- Saving the Great Salt Lake could cost billions, House Speaker says (Fox13)
- U.S. extreme weather is an economic and infrastructure problem, too (Deseret News)
- 7 years of plenty and then what? St. George doesn't want development to slow for want of water (Salt Lake Tribune)
- Like the rain? Another monsoonal 'moisture surge' is headed toward Utah this week (KSL)

Family

- The atheist who warned the world about porn addiction (Deseret News)

Housing

- Are we in a housing recession or not? Economists split on what exactly is happening (Deseret News)
- Construction yet to begin on tiny home village for Salt Lake's homeless population (KUTV)
- Neighbors set up new Tooele homeless center one stitch at a time (Fox13)

National Headlines

General

- The trauma....A 12-year-old girl who had been held captive was found walking along a road in rural Alabama on Monday after she escaped from a nearby home, which led the authorities to the grisly discovery of two decomposing bodies where she had been held. (New York Times)
- Sandy Hook parents: Alex Jones claims created 'living hell' (AP)
- Gas prices have fallen nationally for 49 straight days, approach $4 a gallon (Wall Street Journal)
- Zawahiri appeared on his balcony. The CIA was watching — and ready to kill him. (Washington Post)

Politics

- Arizona officials warned fake electors plan could 'appear treasonous' (New York Times)
- Trump loyalist wins GOP nod to oversee Arizona elections (AP)
- Jan. 6 witness Rusty Bowers loses to Trump-backed challenger in Arizona (The Hill)
- Rep. Peter Meijer narrowly loses to Trump-endorsed challenger in Michigan primary (NPR)
- Blake Masters, Trump pick funded by billionaire Thiel, wins Arizona Senate primary (NPR)
- Arizona Secretary of State Hobbs wins Democratic nomination for governor (Reuters)
- Two 'Squad' members survive primary challenges (The Hill)
- Phones of top Pentagon officials were wiped of Jan. 6 messages. The DOD is the latest part of the federal government to have deleted official phone communications relevant to investigations into the events of the Jan. 6 attack on the Capitol (Washington Post)

Ukraine UA

- Cold showers, no lights: Europe saves as Russian gas wanes (AP)
- First Ukraine grain ship enters Bosphorus after inspection (Reuters)
- About ***a third*** of Ukraine's population has been forced from their homes by Russia's onslaught. (New York Times)

News Releases

Utah Foundation wins top awards for policy research

Last week, the Utah Foundation was honored with several awards from the Governmental Research Association, a national association of governmental research professionals. The GRA presented the awards at its 109th annual conference and meeting, hosted by the Economy League of Greater Philadelphia.

The Utah Foundation's honors were as follows:

- **Communications Category,** Best Video: The Missing Middle of the Housing Market
- **Most Distinguished Research Award,** State Government Issue: Going for the Green: How Utah Can Thrive in the New Climate Economy
- **Most Effective Education Awards,** Local Government Issue: Middle Housing Study

"These awards offer hard evidence of the staffs' determination to ensure that this is among the most effective governmental research organizations in the nation," said Utah Foundation Chair Art Turner. "But, more importantly, the awards highlight projects designed to serve Utahns and assist decision makers."

Utah's multiracial resident population added most residents between 2010 and 2020

Utah's multiracial (two or more races) resident population added the most residents and was the fastest-growing racial or ethnic group regardless of Hispanic or Latino origin between 2010 and 2020, according to a report from the Kem C. Gardner Policy Institute. The report uses the 2020 census redistricting data to provide insights into Utah's multiracial population, including ethnicity, youth and adult populations, and where people live.

Considering race alone without ethnicity, the multiracial (two or more races) population increased by 276% since 2010 in the United States and 269% in Utah. Utah's multiracial population growth ranked 13th fastest in the nation. This increase accounted for an additional 203,495 Utahns and drove approximately 40% of the decade's statewide growth. (Read More)

Western Governors University celebrates its 88th commencement this weekend in Salt Lake City

Western Governors University (WGU) will celebrate its 88th commencement in the university's 25-year history at Vivint Arena in Salt Lake City on Saturday, August 6th. A total of 1,368 graduates who have earned their bachelor's and master's degrees will participate in the ceremonies.

WGU is committed to serving nontraditional students, which is reflected in Saturday's graduating class, with approximately 55% of participants coming from one or more of the following historically underserved populations: first-generation college students, students of color, rural residents, and/or low-income earners. Graduates earned degrees in business, education, information technology, and health professions, including nursing. Many work full time and raise families while completing their programs. **(Read More)**

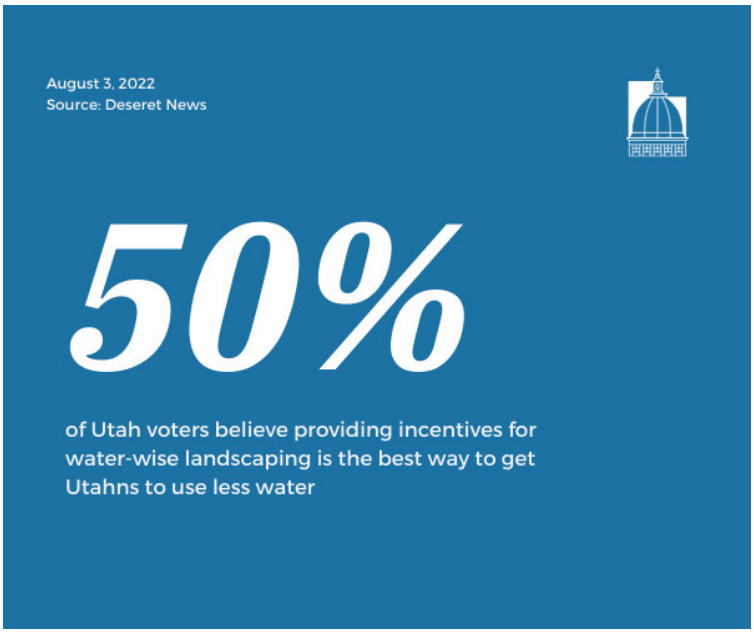
Romney comments on Democrats' reconciliation package

"If you have been paying attention to the news lately, you've see that there is a piece of legislation that is going to be done by reconciliation in Washington, called the Inflation Reduction Act. By the way, if you believe it's going to reduce inflation, I have a bridge in Brooklyn I'll sell you. ***This is not about inflation reduction, this is all about Democrats spending on things they want to spend money on.*** *I'm not going to support it. I don't think any Republicans are going to support it. Why is that? Well, it's another taxing and spending bill. And specifically, there are a number of things they are going to do that I think are pretty harmful."* **(Read/Watch More)**

Romney calls on Defense Department to complete report on U.S. competition with China

U.S. Senator Mitt Romney (R-UT) called on Defense Secretary Lloyd Austin to complete the mandatory, comprehensive reports comparing U.S. military spending with Chinese and Russian military investments required by a provision that Romney secured in the FY2021 National Defense Authorization Act (NDAA). Given that China and Russia do not report their military spending in the same way the United States does, this report will help the U.S. understand the actual purchasing power of China and Russia and inform decisions regarding how we should invest in defense capabilities. (Read More)

Number of the Day



Tweet of the Day

Washington County Water Conservancy District
@wcwcd

August is national water quality month. We are constantly monitoring the quality, treatment and sustainability of our water because we know you depend on it every day. Learn more at: wcwcd.org/water/quality/

#waterquality

Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **General election –** Nov 8

On This Day In History

- **1492** - Christopher Columbus sets sail for the Indies with the Niña, the Pinta and the Santa María
- **1882** - US Congress passes a law restricting immigration.
- **1905** - Maggie Kuhn is born. Forced to retire because she turned 65, she became a senior rights activist and founded the Gray Panthers. She was active in the movement until her death at age 89.
- **1923** - Calvin Coolidge takes the oath of office after Warren G. Harding's death
- **1934** - Adolf Hitler merges the offices of German Chancellor and President, declaring himself "Führer" (leader)

- **1949** - The NBA is born.
- **1958** - Nautilus submarine travels under North Pole
- **1981** - 13,000 Air Traffic Controllers (PATCO) begin their strike; US President Ronald Reagan offers ultimatum to workers: 'if they do not report for work within 48 hours, they have forfeited their jobs and will be terminated'
- **1984** - Mary Lou Retton scores 10 for final vault to win the individual all-round competition in Los Angeles and become first American woman to win an Olympic gymnastics medal
- **1992** - Jackie Joyner-Kersee wins her second Olympic gold medal for the heptathlon
- **1996** - “The Macarena” begins its reign atop the US pop charts

Wise Words

"Stand before the people you fear and speak your mind - even if your voice shakes."

— Maggie Kuhn

The Punny Side

How do you console an English teacher?

There, their, they’re

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SUBJECT: Document shared with you: "HB 2 Legislative Report - Updated to New Format"
FROM: "Brent Kelsey (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: mwatterson@utah.gov
CC: jstrohecker@utah.gov, natechecketts@utah.gov, swatkins@utah.gov, swelliver@utah.gov, thales@utah.gov
DATE: 03/08/2022 09:47

Brent Kelsey (DHHS) shared a document

Brent Kelsey (DHHS) (bkelsey@utah.gov) has invited you to **edit** the following document:

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because bkelsey@utah.gov shared a document with you from Google Docs.

Google Workspace

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SUBJECT: Fwd: Document shared with you: "HB 2 Legislative Report - Updated toNew Format"
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Shari Watkins (DHHS)" <swatkins@utah.gov>
CC: "Austin Preston (DHHS)" <austinpreston@utah.gov>, "Kody Harvey (DHHS)" <kharvey@utah.gov>
DATE: 03/08/2022 15:23

Below is the link for the required report from HB 2, Item 80 from SAMH. Brent Kelsey sent it over but wanted to make sure you were aware. It is due August 10th.

I will send this to EDO for their final review and Cc the three of you.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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--------- Forwarded message ---------
From: **Brent Kelsey (DHHS) (via Google Docs)** <drive-shares-dm-noreply@google.com>
Date: Wed, Aug 3, 2022 at 9:47 AM
Subject: Document shared with you: "HB 2 Legislative Report - Updated to New Format"
To: <mwatterson@utah.gov>
Cc: <jstrohecker@utah.gov>, <natechecketts@utah.gov>, <swatkins@utah.gov>, <swelliver@utah.gov>, <thales@utah.gov>

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SUBJECT: Question: Access to Contraception in Other States
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Margaret Davis <mdavis@astho.org>
DATE: 03/08/2022 15:59

Maggie -

Utah currently has a law in place that allows for women 18+ to access contraception but it is a bit of an administrative nightmare.

Do you know of any states that are operating this successfully? Have they run into issues with pharmacies being willing to participate? Liability for those that sell or prescribe?

Any help you and my counterparts could offer would be appreciated!

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Family Friendly Policies - Need to Meet
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 04/08/2022 07:25

Good morning,

Yesterday Marc and I met to discuss the ask of utilizing its comprehensive list of policies that are family friendly to develop a proposal for a package of policies. Yesterday afternoon Tracy informed me that the plan is for her and some of the senior leadership to meet with the LG on 8/15 (Tracy is that right?) to review the list so the timeline for getting this done is a bit more accelerated than I thought. Marc and I had discussed having a draft ready in a few weeks.

Tracy you also mentioned we need to touch base and understand what the LG's Office is working on. I'm looking for a time tomorrow, would 3-3:30 work for everyone or maybe 4:30-5:30? I can't see everyone's calendars.

I was planning on creating a templated document for us to work on together (I'll do that today) based on an outline we brainstormed yesterday. Here's the outline, would love feedback:

Thinking about families throughout the continuum starting with pregnancy and working through the family timeline. Each broader theme will have a desired result attached and the following elements:

1. What is the desired result?
2. What currently exists?
3. What needs to be fixed? What barriers exist? What policies need to change?
4. Statistical data

The broader themes:

1. Preventing unwanted pregnancies
2. Improving access to efficient adoption services (Marc I added this to the list I don't think we discussed yesterday)
3. Supporting pregnant women
4. Increasing economic supports for families
5. Increasing access to parenting support for families

Within each of the broader themes we'd focus on 1-2 policy recommendations, here's some examples we brainstormed yesterday (there are a lot of other areas we can focus on but these are some ideas):

1. Preventing unwanted pregnancies
    1. Focus on contraceptive access
        1. Understanding and removing barriers with regards to the standing order (Marc and I looked briefly at the standing order requirements and it seems obvious now why pharmacies don't want to engage but I'll do a bit more digging, turns out the standing order requires quite a bit of monitoring and evaluation from pharmacists including administering a self-assessment tool, and continued reviews at 3 months, 12 months, 24 months, 36 months, and 48 months). Here's a link to the standing order https://health.utah.gov/wp-content/uploads/ContraceptiveStandingOrderFINAL.pdf and here's a link to the approved self-assessment tool from DOPL https://dopl.utah.gov/pharm/hormonal_contraception_questionnaire.pdf. Apparently pharmacies can create their own but it has to be approved by us and I'm not sure what the mechanism/process in place is for pharmacies to get that approval?
2. Improving access to efficient adoption services
    1. Need to do more research on this issue but possibly providing more financial assistance
3. Supporting pregnant women
    1. Extending Medicaid postpartum coverage to pregnant women between 138% and 200% FPL to 12 months (this has been proposed in the past and there's lots of information out there from us and other states, I suggested we bring in Nate and Jen to talk this through)
4. Increasing economic supports for families
    1. Increasing incentives for child support compliance
    2. There are a lot of other policies to review and choose from
5. Increasing access to parenting support for families
    1. Expanding outreach and education on programs that exist such as parenting classes, home visiting opportunities, early childhood development programs, etc. . .

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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SUBJECT: PH WINS Survey Results Available Now!
FROM: "Public Health Weekly" <pr@astho.org>
TO: mwatterson@utah.gov
DATE: 04/08/2022 10:21

View this email in your browser.

Colorado's Suicide And Overdose Prevention Strategy

Suicide and overdose are among the top 10 leading causes of death in the United States. Addressing these complex issues requires cross-sector partnerships. This video highlights the Colorado National Collaborative, an innovative effort that brings national, state, and local partners together to mitigate risk factors and build protective factors associated with suicide and overdose.

Learn how this collaborative framework is improving prevention efforts in Colorado and how a similar collaborative approach might benefit other states.

WATCH

Policies

Obesity is on the rise throughout the United States, and with it increased risk for diabetes, heart disease, stroke, and cancer.

While there is no single approach to reducing obesity, a significant piece of the puzzle is healthy eating and increasing access to healthy foods. States have identified different strategies to implement healthy eating approaches and reduce obesity at the school and community levels, as well as through food labeling at grocery stores and food markets.

Learn more about these strategies in this week's Health Policy Update.

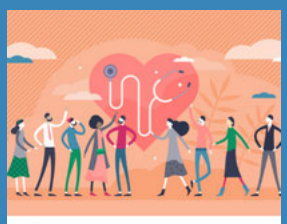
READ

THIS WEEK'S HIGHLIGHTS

New Public Health Workforce Data and Interactive Dashboard Now Available | Full data and an interactive dashboard from the 2021 Public Health Workforce Interests and Needs Survey (PH WINS), the only nationally representative survey of state and local government public health employees in the U.S., are now available. The survey covers critical data on the work force, including the impact of the COVID-19 pandemic on their jobs and professional lives. The survey was conducted by the de Beaumont Foundation and ASTHO between September 2021 and January 2022, and it was completed by nearly 45,000 individuals. **Learn more about PH WINS**.

COVID-19: A Catalyst for Change & How It Could Transform the National Health Data Ecosystem & Health of American Communities | Check out a new webinar from the Massachusetts Health Data Consortium on how the COVID-19 pandemic has provided an opportunity for public health to modernize its data systems to better meet current needs; ASTHO's senior vice president of population health and innovation, J.T. Lane, MPH, will be presenting. **Register now**.

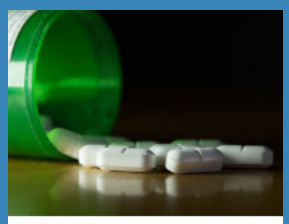
LATEST ASTHO RESOURCES AND EVENTS



Brief

Leveraging Health Official Authority and Influence for Systems Improvement

READ



Brief

Successes from the Suicide and Opioid Overdose Prevention Public Health Initiative

READ

Report

Public Health Confronts the Mosquito: Special Considerations for U.S. Territories and Freely Associated States

READ

astho PUBLIC HEALTH REVIEW MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **PH WINS Survey Released** | Brian Castrucci, de Beaumont Foundation
- **New CDC Workforce Survey** | Laura Parajón (SHO Designee-NM)
- **North Carolina's Child Vaccine Strategy** | Elizabeth Cuervo Tilson (SHO Designee-NC)
- **Monkeypox Response** | Chris Taylor, ASTHO
- **Filling the Workforce Pipeline** | Laura Parajón (SHO Designee-NM)

LISTEN

PUBLIC HEALTH REVIEW PODCAST

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

- **How Health Systems Can Reduce Gun Violence, Here's What Kaiser Permanente Is Doing.** | *Forbes*
- **Biden administration falls into blame game with local authorities over monkeypox response.** | *The Hill* | **Marcus Plescia,** ASTHO
- **Monkeypox cases are rising in the U.S. What's being done to stop the outbreak?** | *PR Morning Edition* | Marcus Plescia, ASTHO
- **Supporting the Public Health Workforce Requires Collective Actions to Address Harassment and Threats.** | *JAMA Open Network* | Michael Fraser, ASTHO
- **The smallpox vaccine stockpile isn't the monkeypox solution we need — yet.** | *Vox* | Nirav Shah (SHO-ME), ASTHO president
- **Health Secretary Says States 'Need to Work With Us' on Fighting Monkeypox.** | *The New York Times* | Marcus Plescia, ASTHO

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higher logic

SUBJECT: RE: Legislative Required Reports for SSA - August 1, 2022
FROM: "Sean C. Faherty" <sfaherty@le.utah.gov>
TO: "mwatterson@utah.gov" <mwatterson@utah.gov>, Russell Frandsen<rfrandsen@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Winters (DHHS)"<natewinters@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, "JenniferStrohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 04/08/2022 14:00

Thanks for this Marc,
Seán

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> Sean, Russell, and Kimberly -
>
> Please see the attached reports from DHHS due to SSA by August 1, 2022:
>
> - Antipsychotic Use in Serious Mental Illness
> - Concurrent Prescriptions for Opioid and Benzodiazepines
> - Urine Drug Testing Report
>
> The Department has two other reports due to SSA in the coming days that are still being finalized:
>
> - Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
> - Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)
>
> Please let us know if you have any questions.
>
> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> dhhs.utah.gov
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> Utah Department of
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SUBJECT: Re: Family Friendly Policies - Need to Meet
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 05/08/2022 06:12

Thank you. I look forward to the discussion.

I would also like to add privacy protections for women using apps to track periods. That's low hanging fruit.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 4, 2022 at 7:26 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Good morning,

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[redacted]

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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SUBJECT: DRAFT - DHHS Poli... - Does this same policy exist for women...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 05/08/2022 10:38

Krisann Humphreys Bacon (DHHS) replied to a comment in the following document

[redacted]

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You have received this email because you are a participant in this thread. Change what Google sends you. You cannot reply to this email. View DRAFT - DHHS Policy Recommendations: Supporting Women, Children, and Families.docx to reply.

Google

SUBJECT: Fwd: QAZ: Question for you (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/08/2022 06:55

[redacted]

I received this response from my contact at Krogers, I can tell you that I've known people personally who've contacted some Smith's in the past year and were told that they must have an initial prescription first before Smith's will refill. It sounds like that might be due to some internal communication issues.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

--------- Forwarded message ---------
From: **Montuoro, Jaime L** <jaime.montuoro@sfdc.com>
Date: Fri, Aug 5, 2022 at 9:18 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,

Here you go:

1. Does Krogers participate in this program? Yes
2. Why or why not? We recognize the importance of access to contraception for our patients. Our general stance is to support our pharmacists in practicing at the top of their license wherever possible and appreciate the fact that pharmacists are allowed in the state of Utah to provide this service.
3. Are there barriers that the State could help address? There are a few significant barriers to our ability to offer this service. I am not sure how the state may be able to assist, but the main barriers are listed here:
    a. Payment for the consultation. Patients must pay for the service out of pocket since insurance companies don't recognize pharmacists as providers. This particularly becomes an issue when pharmacists assess a patient and identify that the patient must be referred. Then either the pharmacist has provided the service up to that point for free or the patient pays for the assessment only to leave without a prescription, having to go to a different provider.
    b. Due to other priorities, our organization has not really promoted the service through our normal marketing channels. To be honest, pharmacy usually gets limited marketing support in general and it's usually focused on more established services like vaccines. We rely on word of mouth to spread awareness that the service is available, which is not very effective.
    c. As with many industries and especially in healthcare, our pharmacies are suffering from staffing shortages and high turnover. Mostly pharmacy technicians but also pharmacists. This, coupled with the COVID vaccine demand, and looking ahead to flu vaccine season/COVID boosters, capacity is a concern.

I hope this helps. I'd be happy to discuss further.
Thanks,
Jaime

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

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Hi Jaime,

I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Krogers regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does Krogers participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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SUBJECT: Inflation Reduction Act passes Senate on party lines
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 08/08/2022 07:24

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Situational Analysis | August 8, 2022

Good morning! It's Monday and National Sneak Some Zucchini Into Your Neighbor's Porch Day. One year, after an abundance of zucchini, I tried canning some zucchini jam - 0/10, do not recommend.

Be in the Know

- The Senate on Sunday passed the $750 billion Inflation Reduction Act in a 51-50 party-line vote, with Vice President Kamala Harris breaking the tie. If it passes in the House as expected, it would spend some than $370 billion over 10 years for climate change policies, including tax credits for electric vehicles. It would also allow Medicare to negotiate the prices of some drugs, add a 15 percent minimum tax on large companies, and spend $80 billion to expand the Internal Revenue Service.

Rapid Roundup

- Sgt. Spencer Fayles with the Utah National Guard took home the title of the 2022 National Guard Soldier of the Year, thousands of US flights were delayed or canceled this weekend, school is starting back up - here's a list of the first day for each district in Utah, a 4th body was

discovered as Lake Mead continues to dry up and an 18-year-old Missouri teen drowned after saving his 4-year-old brother. 😭

Political marketers have a lot on their plate, which is why our team at Effectv put together Best Practices for Political TV Advertising Success. Learn how to maximize your impact on TV, effectively target different audiences, and connect with a local expert to develop your 2022 strategy in Utah.

Utah Headlines

General

- David Brooks: What is it about friendships that is so powerful? (Salt Lake Tribune)
- 😔 A group of men portrayed as possible human traffickers in a Logan TikTok video that went viral turned out to be refugees from Afghanistan who served alongside the U.S. military before fleeing the county during last year's Taliban takeover. (Herald Journal News)
- Southern Utah town tries to make road safer for cyclists after deaths. Old Highway 91 in Ivins will get a $8.9 million makeover. (Salt Lake Tribune)
- After years of being told no, Latter-day Saint woman becomes a barrier-busting military chaplain. "A chaplain is like a spiritual doula," says Jenna Carson, who is one of a growing number of LDS women seeking the job in a range of settings. (Salt Lake Tribune)
- Hey! That jerk flying by in the closing lane isn't hurting, he's helping. Thanks to state legislator Brady Brammer, 'zipper merging' is now the law (Deseret News)
- Police: At least $40.5K in damages so far after parking lot dug up with stolen excavator (KUTV)

Politics

- Utah Reps. Chris Stewart and John Curtis voice support for Nancy Pelosi's Taiwan trip, condemn Chinese aggression. "They are thugs and bullies," Utah Rep. John Curtis said during the Stewart Security Summit. (Salt Lake Tribune)
- Utah Senate investigating 'sexual misconduct' allegations against Democrat Gene Davis (Salt Lake Tribune)
- Woman claims campaign manager didn't help after she reported senator's behavior (KUTV)
- Rep. Angela Romero meets with Vice President Harris to discuss reproductive rights healthcare (KUTV)
- Take 2 Podcast: Utah elections, Senate race (KUTV)

- Rep. John Curtis on privacy, suicide prevention and more (ABC4)
- The IUP Panel on abortion access and the Inflation Reduction Act (ABC4)

Business

- Utah-based Lions Not Sheep apparel company fined for swapping 'Made in China' tags for 'Made in USA' (Deseret News)
- Amazon expands, again: Roomba maker iRobot purchased for $1.7 billion. In Amazon's fourth biggest acquisition to date, the company adds to its smart home portfolio (Deseret News)
- U.S. job growth soared unexpectedly high in July. Here's what happened (Deseret News)
- Nu Skin will cut more employees and pay lower taxes as it aims to earn up to $2.4 billion this year. Nu Skin leaders said they hoped to make $100 million in U.S. and international cuts during a restructuring. (Salt Lake Tribune)

Education

- Here's how Utah's universities are gearing up to fight monkeypox as classes resume (KSL)
- If your heart stops, a Utah high schooler may be able to save you (KSL)
- Weber school head focused on students, teacher retention, school safety (Standard-Examiner)
- Utah schools are finding that tax increases are a hard ask with inflation-weary residents (KUER)

Environment

- This Forest Service proposal would bring fees to dozens of popular Utah trailheads and recreation spots. The proposal would mark a fundamental change to recreation in the Wasatch Mountains (Deseret News)
- Darlene McDonald: When the last laugh is no laughing matter — our climate crisis response. Why did we wait so long to act on the shrinking Great Salt Lake? The options left are costly for this dire emergency (Deseret News)
- 'It's a win-win': Utah DWR traps prairie dogs in Cedar City, sets them free on public land (St. George News)
- An island in the Galápagos reintroduced iguanas after nearly 200 years of extinction (NPR)

Family

- Perspective: I survived abuse. I worked for the church's help line. The AP story broke my heart. No child should have to suffer what those sisters went through. Heroes are working to help stop this sickening abuse (Deseret News)
- More people in Utah and nationwide are going hungry, and it costs more to feed them. Food banks are trying to meet people's needs while coping with decreasing donations. (Salt Lake Tribune)

Health/Well-being

- Community conversations: Utah women of color identify their most pressing concerns (KSL)
- Utah monkeypox cases rise to 48, with walk-in clinic Saturday offering 500 vaccine doses. In the last week, 10 more cases of the virus were reported in Salt Lake County. (Salt Lake Tribune)

- Researchers implement opioid misuse intervention in three rural Utah counties (UPR)
- Perspective: It's time to end the practice of 'trauma funding'. Nonprofits should be evaluated by their results, not the retelling of tragic stories (Deseret News)

Housing

- Builders feeling chilly toward requiring extra insulation to new homes. Hearing next week will address a substantial residential building code update. (Salt Lake Tribune)
- 'Anything can be taken from you' — crowd rallies against gentrification on Salt Lake City's west side (Salt Lake Tribune)
- How high interest rates are hitting St. George housing sales. Home sales in Washington County through the first six months of 2022 are down 12.5%. (Salt Lake Tribune)

National Headlines

General

- Alex Jones ordered to pay $45.2M more over Sandy Hook lies (AP)
- Alex Jones' $49.3M verdict and the future of misinformation (AP)
- After the fall: What Afghanistan looks like since the Taliban takeover (Washington Post)
- Israel, Gaza militants agree to cease-fire after deadly weekend kills at least 43 (Washington Post)
- The excruciating echo of grief in Uvalde (New York Times)

Politics

- What does the abortion-rights victory in Kansas mean for other states? If abortion is on the ballot, even deep-red states can turn (Deseret News)
- First migrant bus from Texas arrives in New York City, part of Gov. Greg Abbott's plan to ship thousands to the East Coast (Deseret News)
- Rusty Bowers speaks: The Arizona Republican Party has fallen (Deseret News)
- Defeated GOP lawmaker sees 'dark and cynical' streak prevailing in politics (Politico)
- Who is Kari Lake? Meet Arizona's Republican gubernatorial nominee. The former TV news anchor won every county in Arizona (Deseret News)
- Indiana becomes 1st state to approve abortion ban post Roe (AP)
- Large employers express opposition after Indiana approves abortion ban (NPR)
- Dems' climate, energy, tax bill clears initial Senate hurdle (AP)
- The Sinema-Manchin split that shaped Dems' deal (Politico)
- Perspective: After a half-century, the Supreme Court is getting religious liberty right again (Deseret News)
- Exclusive: Trump-backed Michigan attorney general candidate involved in voting-system breach, documents show (Reuters)

Ukraine UA

- In the 'gray zone' outside Kherson, Ukraine's soldiers pay a terrible price (NPR)
- Ukraine power plant shelled again, Zelenskiy rails at Russian 'nuclear terror' (Reuters)

- Rocket strikes near nuclear plant in Ukraine prompt fear of catastrophe (New York Times)
- More Ukrainian grain shipments under way. Four ships carrying almost 170,000 tons of agricultural products left Chornomorsk port early Sunday. (Politico)

News Releases

Utah Democratic Party stands with victims of sexual harassment

Chair Diane Lewis released the following statement:

"First of all, I would like to state plainly and clearly that harassment of any kind has absolutely no place in our party, and those who engage in it should face the consequences. The leadership of the Utah Democratic Party stands with those who have spoken out about their experiences, and we believe that there should be a full investigation of sexual harassment of any kind within our party. Nobody should be able to get away with misconduct, especially not those in power, and I stand unequivocally with anyone who has faced harassment." (**Read More**)

President Adams initiates an independent investigation with support from Senate Minority Leadership

President J. Stuart Adams issued the following statement in regards to sexual harassment allegations made by a former intern against Sen. Gene Davis:

"Wednesday evening, I learned about the allegations concerning Sen. Davis from an online post made by a former intern. The entire Senate and I take these comments seriously. After reviewing recommendations from the legislative general counsel and human resource administrator, I have directed an independent investigation be initiated to evaluate these allegations. The Senate condemns and does not tolerate workplace harassment. It has no place in any political, professional or personal setting." (**Read More**)

Owens, Lieu introduce the Trafficking Survivors Relief Act of 2022

Today, Reps. Burgess Owens (UT-04) and Ted Lieu (CA-33) introduced the Trafficking Survivors Relief Act of 2022, bipartisan legislation to give survivors a path to clear their criminal records of non-violent offenses committed as a direct result of having been a victim of trafficking. The bill only affects federal offenses and builds on similar laws in at least 30 states, including Utah. Reps. Ann Wagner (MO-02) and Hakeem Jeffries (NY-08) are original cosponsors of the legislation. (**Read More**)

Utah Clean Energy on Senate passage of the Inflation Reduction Act

"The Inflation Reduction Act would make vital and historic investments in America's future. The jobs this legislation will create alone is enough to get excited about, but the impact it will have in addressing the impacts of climate change is unprecedented. The U.S. Senate's vote today to advance this legislation is a critical first step in safeguarding our future."

"The Inflation Reduction Act would make a historic investment in clean energy and reducing emissions. Major independent analysis has found that Senate's Inflation Reduction Act would reduce America's greenhouse gas emissions by 40% by 2030, while also boosting energy security and helping to shield American consumers from volatile energy prices. Utah's growing clean energy

and energy efficiency businesses are in great position to use these important investments to create jobs and new projects in communities throughout our state." (**Read More**)

Lee denounces so-called "Inflation Reduction Act"

Sen. Mike Lee denounced Senate Democrat's passage of the so-called Inflation Reduction Act. The bill spends hundreds of billions of dollars and raises taxes at a time when inflation has grown to 9.1% nationally and nearly 15% in Utah.

Democrats passed President Biden's legislation through what's known as the budget reconciliation process, meaning the bill could pass with a simple majority rather than the sixty votes customarily needed to advance legislation.

The non-partisan Joint Committee on Taxation estimates that the Inflation Reduction Act will raise taxes by $313 billion over the next ten years. The Penn Wharton budget model broke this down and concluded that this bill has no deficit reduction until at least 2027. (**Read More**)

Romney on passage of yet another partisan and reckless spending bill

U.S. Senator Mitt Romney (R-UT) today released the following statement after the Senate Democrats' unilaterally passed the *Inflation Reduction Act*—yet another reckless taxing-and-spending spree being touted as "anti-inflation" legislation:

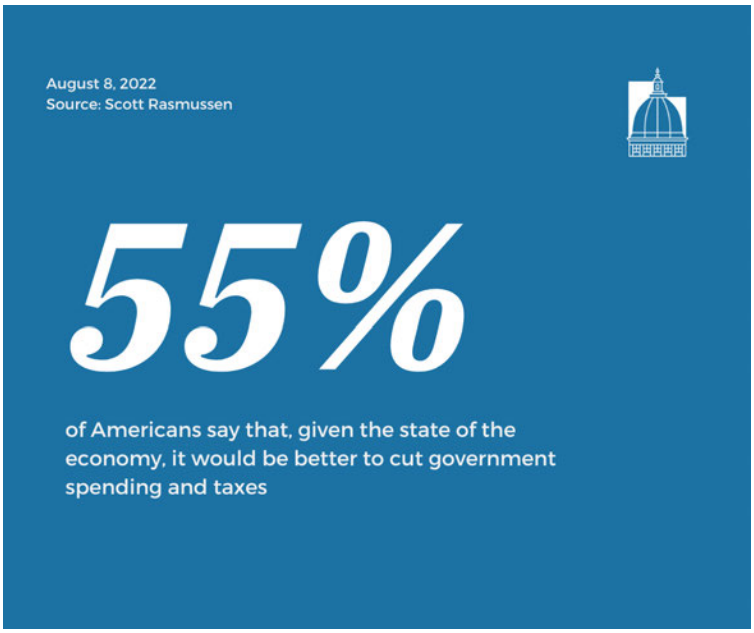
"In March of last year, the Democrats passed their $1.9 trillion American Rescue Plan. Predictably, it contributed to the inflation we are seeing today. Americans are falling further and further behind as they face skyrocketing prices on everything from food to energy and medicines. Today, Democrats returned to their same tired playbook to raise taxes, spend more money, and expand the size of government. Every single Republican senator fought to stop their one-sided, partisan bill. Democrats called it an act to combat inflation. It does the opposite." (**Read More**)

Lee laments Democrat's rejection of PILT amendment

Sen. Mike Lee (R-UT) lamented the rejection of his amendment to the so-called Inflation Reduction Act that would have instituted a supplemental PILT payment over the next ten years.

In Utah, the federal government owns 66.48% of the total land. Payments in Lieu of Taxes (PILT) are federal payments to local governments designed to offset losses in property taxes due to nontaxable federal lands within their boundaries. However, these payments are far lower than what local governments could expect to collect in property taxes. To regard PILT payments as tax equivalents in Utah cities, they would need to be 262 times larger. Sen. Lee's amendment would have increased PILT payments by nearly 10%. Due to the unprecedented inflation caused by the Biden administration, local governments need this forgone revenue more than ever. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Interim Days** — Aug 16-18, le.utah.gov
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, Register here
- **Interim Days** — Sept. 20-22, le.utah.gov
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, Register here
- **Interim Days** — Oct 18-20, le.utah.gov
- **General election –** Nov 8

On This Day In History

- **1844** - Brigham Young chosen as head of the Church of Jesus Christ of Latter-day Saints.
- **1898** - W.K. Kellogg invents corn flakes
- **1945** - President Harry S. Truman signs the United Nations Charter, making the US the first nation to complete the ratification process and join the new international organization.

- **1942** - German saboteurs executed in Washington
- **1969** - Executive order 11478 issued by President Nixon requires each federal department and agency to establish and maintain an affirmative action program of equal employment opportunity for civilian employees and applicants.
- **1974** - Nixon announces his resignation
- **1975** - The term “global warming” appears for the first time
- **2009** - Sonia Sotomayor is sworn in as an Associate Justice of the Supreme Court
- **2017** - The Walt Disney Company announces plans to create its own streaming service, canceling ties with Netflix. (Hello Disney+!)

Wise Words

"I do know one thing about me: I don't measure myself by others' expectations or let others define my worth."
— Sonia Sotomayor

The Punny Side

The mountains aren't just funny, they're...

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SUBJECT: Fwd: [EXTERNAL] QAZ: Question for you from Utah Department of Healthand Human Services (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 08/08/2022 08:25

Response from CVS, interesting challenge that we may be able to help address.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

--------- Forwarded message ---------
From: **Rocchio, John N.** <John.Rocchio@cvshealth.com>
Date: Mon, Aug 8, 2022 at 7:39 AM

Subject: RE: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>, Talbott, Theresa M. <Theresa.Talbott@cvshealth.com>
Cc: Rocchio, John N. <John.Rocchio@cvshealth.com>

Hello Krisann,
Thank you for the outreach. We are live with pharmacist based prescribing of hormonal contraceptives in many states and our teams have a roadmap to expansion. We are currently not live in Utah since we cannot leverage our universal digital tool for the patient assessment.

Other states permit our clinical teams to create a digital assessment form that incorporates all of the questions that would be part of the state form and transfers them over to our digital tool. We understand that this action is not allowed in Utah, which has impeded our ability to provide this service.

I am out-of-office this week as well, and I would happily wish to connect and see if we can rectify this matter upon my return.
Sincerely,
John

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 1:22 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Cc: Rocchio, John N. <John.Rocchio@CVSHealth.com>
Subject: Re: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Fri, Aug 5, 2022 at 11:05 AM Talbott, Theresa M. <Theresa.Talbott@cvshealth.com> wrote:

> Hi, Krisann--
> I am out of the office. Adding my colleague john to help answer the questions
> Terry Talbott, R.Ph.
> Lead Director
> State Government Affairs
> CVS Health
> 5704604394
>
> **From:** Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
> **Sent:** Friday, August 5, 2022 12:58:30 PM
> **To:** Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
> **Subject:** [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)
>
> ****** External Email - Use Caution ******
>
> Hi Theresa,
>
> I don't know if we've met yet, I've worked with Larry in the past related to COVID-19. I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for CVS regarding a particular issue.
>
> It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:
> 1. Does CVS participate in this program?
> 2. Why or why not?
> 3. Are there barriers that the State could help address?
>
> Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?
>
> **Krisann Bacon**
> Special Projects | Executive Director's Office
> C: 385.377.4168
> krisannbacon@utah.gov
> dhhs.utah.gov
>
> Utah Department of Health & Human Services

[redacted]

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Anna Fondario (DHHS)" <afondario@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 09:20

Hi Marc, my understanding is that since the SCI / BI Rehabilitation Fund is a payor of last resort, primary instances when cost-sharing occurs in Utah:

1. Medicaid / Medicare (as a result of job loss / insurance due to the injury)
2. Out-of-pocket

Typically participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, the program will study the issue more.

Cc'ed Teresa and Traci for additional input.

On Mon, Aug 8, 2022 at 8:35 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Janae and Anna -

Could you help come up with a response for Russell's question (see thread below)?

--------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022, 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473

[redacted]

mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

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--

Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

Utah Department of
Health & Human Services
Population Health

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SUBJECT: Re: QAZ: Question for you (Time-sensitive)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>

[redacted]

TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/08/2022 10:23

Thanks!

Can Medicaid cover the consultation for Medicaid clients?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Aug 8, 2022 at 6:49 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

I received this response from my contact at Krogers, I can tell you that I've known people personally who've contacted some Smith's in the past year and were told that they must have an initial prescription first before Smith's will refill. It sounds like that might be due to some internal communication issues.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Montuoro, Jaime L** <jaime.montuoro@sfdc.com>
Date: Fri, Aug 5, 2022 at 9:18 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,

Here you go:

1. Does Krogers participate in this program? Yes
2. Why or why not? We recognize the importance of access to contraception for our patients. Our general stance is to support our pharmacists in practicing at the top of their license wherever possible and appreciate the fact that pharmacists are allowed in the state of Utah to provide this service.
3. Are there barriers that the State could help address? There are a few significant barriers to our ability to offer this service. I am not sure how the state may be able to assist, but the main barriers are listed here:
    a. Payment for the consultation. Patients must pay for the service out of pocket since insurance companies don't recognize pharmacists as providers. This particularly becomes an issue when pharmacists assess a patient and identify that the patient must be referred. Then either the pharmacist has provided the service up to that point for free or the patient pays for the assessment only to leave without a prescription, having to go to a different provider.
    b. Due to other priorities, our organization has not really promoted the service through our normal marketing channels. To be honest, pharmacy usually gets limited marketing support in general and it's usually focused on more established services like vaccines. We rely on word of mouth to spread awareness that the service is available, which is not very effective.
    c. As with many industries and especially in healthcare, our pharmacies are suffering from staffing shortages and high turnover. Mostly pharmacy technicians but also pharmacists. This, coupled with the COVID vaccine demand, and looking ahead to flu vaccine season/COVID boosters, capacity is a concern.

I hope this helps. I'd be happy to discuss further.
Thanks,
Jaime

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

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[redacted]

Hi Jaime,

I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Krogers regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does Krogers participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
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Utah Department of Health & Human Services

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FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Jennifer Strohecker <jstrohecker@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 08/08/2022 11:11

Jen,

Looping you into a discussion about pharmacists consulting and then dispensing contraception in Utah. Can you respond to Tracy's question about Medicaid's ability to pay for the pharmacist consultation that would support direct dispensing of the self-administered hormonal contraceptives?

Thanks,

Nate

On Mon, Aug 8, 2022 at 10:24 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

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>
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Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

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Subject: QAZ: Question for you (Time-sensitive)

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[redacted]

Utah Department of Health & Human Services

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TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: Jennifer Strohecker <jstrohecker@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 08/08/2022 14:07

Also, on a separate note it turns out the legislature passed HB 178 in 2021 allowing pharmacists to prescribe self-administered hormonal contraceptives, Jen do you have any insight into this effort/barriers/uptake?

https://le.utah.gov/xcode/Title58/Chapter17B/58-17b-S627.html

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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Utah Department of Health & Human Services

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To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

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Jaime

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

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krisannbacon@utah.gov
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Utah Department of Health & Human Services

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SUBJECT: Re: Legislative Report Due by August 10
FROM: "Eric Tadehara (DHHS)" <erictadehara@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 08/08/2022 14:18

Brent mentioned he turned this in to Nate. Sorry, I was just coming back from vacation and was getting caught up.

Eric Yoshio Jesús Tadehara, LCSW, MPA
He/Him/His
Assistant Director, Office of Substance Use and Mental Health
C: 801.699.0895
erictadehara@utah.gov
dsamh.utah.gov

Utah Department of Health & Human Services
Integrated Healthcare

On Mon, Aug 1, 2022 at 11:15 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Eric -

Just checking in on the status of the following legislative required report. I have down in our records (DHHS Legislative Items Due_2022) that Brent asked you to take the lead on this specific report.

[redacted]

As a reminder, EDO would like at least one week prior to the due date to review the report and provide feedback. Please share the report with me and Shari when it is ready for EDO review.

Thanks!

HB 2, Item 80:

The Legislature intends that the Department of Human Services report back to the Social Services Appropriation Subcommittee no later than August 10, 2022 on how much it would cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive the following services: (1) a licensed social worker to help connect women with state services they are determined to need and are eligible to receive; (2) a peer support program; and (3) home visitation services through the child's first birthday. The Legislature further intends that the performance measures by which the program would be measured would include the following: (1) the rate of a diagnosis of neonatal abstinence syndrome at the time of delivery in the areas where the program has been implemented; and (2) the number of NICU days related to any substance use disorder in the areas where the program has been implemented.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Re: Legislative Report Due by August 10
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Eric Tadehara (DHHS)" <erictadehara@utah.gov>
DATE: 08/08/2022 14:25

Thanks Eric. Yes, we are just awaiting Nate's approval. In case you don't have it, here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Eric Yoshio Jesús Tadehara, LCSW, MPA
He/Him/His
Assistant Director, Office of Substance Use and Mental Health
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SUBJECT: Re: QAZ: Question for you (Time-sensitive)
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 08/08/2022 15:46

Hello Nate,
thanks for passing along the question.
A couple of items:
1. Medicaid does not reimburse for pharmacist consultative services.
2. Medicaid does reimburse for MTM (medication therapy management) services as of July 2022. A pharmacist could do an MTM consult on an individual receiving OCP's and be reimbursed for a consult.
3. As part of HB178 where pharmacists could consult (no reimbursement) and prescribe with HB178, there are 3 pharmacists registered with Medicaid as providers now.

Hope this helps. I can supply more info if needed.
Thanks
Jen

On Mon, Aug 8, 2022 at 11:11 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

Jen,

Looping you into a discussion about pharmacists consulting and then dispensing contraception in Utah. Can you respond to Tracy's question about Medicaid's ability to pay for the pharmacist consultation that would support direct dispensing of the self-administered hormonal contraceptives?

Thanks,

Nate

On Mon, Aug 8, 2022 at 10:24 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Thanks!

Can Medicaid cover the consultation for Medicaid clients?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Aug 8, 2022 at 6:49 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
I received this response from my contact at Krogers, I can tell you that I've known people personally who've contacted some Smith's in the past year and were told that they must have an initial prescription first before Smith's will refill. It sounds like that might be due to some internal communication issues.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Montuoro, Jaime L** <jaime.montuoro@sfdc.com>
Date: Fri, Aug 5, 2022 at 9:18 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,

Here you go:

1. Does Krogers participate in this program? Yes
2. Why or why not? We recognize the importance of access to contraception for our patients. Our general stance is to support our pharmacists in practicing at the top of their license wherever possible and appreciate the fact that pharmacists are allowed in the state of Utah to provide this service.
3. Are there barriers that the State could help address? There are a few significant barriers to our ability to offer this service. I am not sure how the state may be able to assist, but the main barriers are listed here:
    a. Payment for the consultation. Patients must pay for the service out of pocket since insurance companies don't recognize pharmacists as providers. This particularly becomes an issue when pharmacists assess a patient and identify that the patient must be referred. Then either the pharmacist has provided the service up to that point for free or the patient pays for the assessment only to leave without a prescription, having to go to a different provider.
    b. Due to other priorities, our organization has not really promoted the service through our normal marketing channels. To be honest, pharmacy usually gets limited marketing support in general and it's usually focused on more established services like vaccines. We rely on word of mouth to spread awareness that the service is available, which is not very effective.
    c. As with many industries and especially in healthcare, our pharmacies are suffering from staffing shortages and high turnover. Mostly pharmacy technicians but also pharmacists. This, coupled with the COVID vaccine demand, and looking ahead to flu vaccine season/COVID boosters, capacity is a concern.

I hope this helps. I'd be happy to discuss further.
Thanks,
Jaime

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

** [EXTERNAL EMAIL]: Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi Jaime,

I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Krogers regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does Krogers participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
TO: "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 16:51

Thank you Anna for the great information.

We can also let Russell know that we have built in more measures to look at this over time, so a few years of collecting data would be helpful.

Janae

On Mon, Aug 8, 2022 at 9:20 AM Anna Fondario (DHHS) <afondario@utah.gov> wrote:
Hi Marc, my understanding is that since the SCI / BI Rehabilitation Fund is a payor of last resort, primary instances when cost-sharing occurs in Utah:

1. Medicaid / Medicare (as a result of job loss / insurance due to the injury)

[redacted]

2. Out-of-pocket

Typically participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, the program will study the issue more.

Cc'ed Teresa and Traci for additional input.

On Mon, Aug 8, 2022 at 8:35 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Janae and Anna -

Could you help come up with a response for Russell's question (see thread below)?

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022, 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director

[redacted]

Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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--

Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

Utah Department of Health & Human Services
Population Health

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--

Janae Duncan
Division Director
C: 385.280.0312
janaeduncan@utah.gov

Utah Department of Health & Human Services
Population Health

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SUBJECT: Mar-a-Lago raided by the FBI
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 09/08/2022 07:52

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Situational Analysis | August 9, 2022

Hello to Tuesday. It's a day that deserves celebration: National Book Lovers Day. Two of my summer favorites were "The Warmth of Other Suns" by Isabel Wilkerson and "The Woman They Could Not Silence" by Kate Moore. What's one of the best books you've read recently? I'd love to know.

Be in the Know

- We lost two more icons. 😢 Olivia Newton-John passed away at age 73, after a multi-decade battle with breast cancer. From 1973-1983, she was one of the world's most popular entertainers, with 14 top-ten singles, 4 Grammy's and of course, starred in "Grease," setting a fashion trend of leather pants, big hair and big hoop earrings. David McCullough, best-selling author and historian, died at age 89. Mr. McCullough won Pulitzer Prizes for two presidential biographies, “Truman” (1992) and “John Adams” (2001). “People often ask me if I’m working on a book,” he said in an interview with The New York Times in 1992. “That’s not how I feel. I feel like I work *in* a book."

- Former President Trump said FBI agents executed a search warrant at his Mar-a-Lago resort. The FBI is reportedly investigating misconduct related to classified documents allies of the former president allegedly brought to the residence after he left office. Jennifer Graham calls it a risky move that will re-energize Trump supporters while GOP lawmakers threaten to investigate the FBI.

- The Pentagon announced a $1 billion military aid package for Ukraine on Monday that will include ammunition for HIMARS artillery, mortars, surface-to-air missile munitions, 1,000 Javelin anti-tank weapons, Claymore anti-personnel mines, and medical supplies, among other equipment. This will be the largest of 18 military aid packages the U.S. has sent Ukraine since August 2021. Colin Kahl, undersecretary of defense for policy, told reporters Monday the U.S. estimates between 70,000 and 80,000 Russian troops have been killed or wounded since fighting began. Meanwhile, Russia continues to shell a nuclear power plant in Zaporizhzhia, Ukraine.

Rapid Roundup

- Zachary Quinto, who played Spock in newer "Star Trek" films, just had a "Twilight Zone" moment with a phrase written by his great-grandfather in 1899, President Russell M. Nelson is now longest-living apostle in Latter-

day Saint history, Idaho teens went to Ukraine to gift families new homes, a Utah hiker is in critical condition after being hit in the head by a falling rock and tourism in Glen Canyon National Recreation Area created $410 million in economic benefit in 2021.

Political marketers have a lot on their plate, which is why our team at Effectv put together Best Practices for Political TV Advertising Success. Learn how to maximize your impact on TV, effectively target different audiences, and connect with a local expert to develop your 2022 strategy in Utah.

Utah Headlines

General

- How one Latter-day Saint family in Cedar Hills, Utah opened their home to Ukrainian refugees (Deseret News)
- Andy Larsen: Do young adults choose to stay in Salt Lake City when they start working? How about Provo? New data tracks where America's 16-year-olds live 10 years later. (Salt Lake Tribune)
- Gabby Petito's parents seek $50M in claim against Moab police for not recognizing their daughter was in danger (Salt Lake Tribune)
- Utah to study feasibility of statewide seismic retrofitting program (KUTV)

Politics

- Derek Monson: How tribalism fuels partisan contempt and how we can calm it (Deseret News)
- 'Orwellian?' 'Bag of hammers?' How Utah's Mike Lee, Mitt Romney see inflation reduction bill (Deseret News)
- Rep. Merrill Nelson: The Supreme Court's ruling overturning Roe places abortion law back in the hands of state legislators, where it should always be. Marriage laws should be there as well (Deseret News)
- Bruce Fuller: Romney's lonely crusade to lift America's families (Salt Lake Tribune)

Business

- Data shows gender pay gap opens early. Disparities among male and female college graduates appeared within three years, a WSJ analysis of federal data for 2015 and 2016 graduates shows (Wall Street Journal)

Education

- Taking your kid to college for the first time? Here's the ultimate college dorm checklist (Deseret News)

- Get your kids ready for school with the best back-to-school sales (Deseret News)

Environment

- Dredging up the past. The West has a troubled history with lakes, development and loss. Our newest dilemma? The largest human-made island project in history. (Deseret News)
- Polling shows strong support for Utah Lake dredging, but critics say the survey is biased (Salt Lake Tribune)
- 'Inflation Reduction Act' poised to bring millions to Utah energy transition (Salt Lake Tribune)
- A 'major win' for wildlife enthusiasts: What's next for Utah's newest wildlife management area (KSL)
- Drought persists across Utah despite monsoonal moisture (KUTV)

Health/Well-being

- Cancer, arthritis patients struggling to get medicine after abortion ruling. (Deseret News)

Housing

- USU students scramble for housing after apartments drop them from lease. Again. (KSL)
- Housing market consumer confidence falls to lowest level in over 10 years (Deseret News)
- 'No more avoiding it': As calls for sanctioned homeless camps in Salt Lake City grow, Mendenhall resists. Could legal homeless encampments clean up the Jordan River? West-side council members think so. (Salt Lake Tribune)

National Headlines

General

- Market rout sends state and city pension funds to worst year since 2009. Simultaneous declines in stocks and bonds hammered the funds in the year ended in June, adding to pressure on government finances. (Wall Street Journal)
- Man who shot Ahmaud Arbery gets life sentence for hate crime (Politico)

Politics

- What does the Inflation Reduction Act mean for the average American? (Deseret News)
- Trump and Pence choose opposite sides in the contentious GOP primary for Wisconsin governor (NPR)
- Republicans erupt over FBI's Mar-a-Lago raid (The Hill)
- Johnson steps on political land mine with Social Security, Medicare comments (The Hill)

Ukraine UA

- A young man attempts to escape Russian-occupied Ukraine — then he goes silent (NPR)
- Ukrainian resistance grows in Russian-occupied areas (AP)
- Accounting of bodies in Bucha nears completion: 458 bodies, of which 419 bore markings they had been shot, tortured or bludgeoned to death. (Washington Post)

- How Russia Took Over Ukraine's Internet in Occupied Territories (New York Times)

News Releases

Zions Bank to celebrate the reopening of the "building shipped by mail"

After two years of extensive renovations, Zions Bank will celebrate the re-opening of its historic Parcel Post Bank with a ribbon cutting and community celebration on August 12 at 1:30 pm in Vernal.

Known as the "building shipped by mail," the Parcel Post Bank garnered national attention while it was being built in 1916. Vernal businessman William H. Coltharp found that he could ship the bricks by U.S. mail for less than half the price of sending them by freight wagon. He shipped 80,000 individually wrapped bricks, packed in 50-pound bundles, by parcel post 407 miles from Salt Lake City through Mack, Colorado to Vernal. The shipment overwhelmed the U.S. Postal Service, prompting new postal regulations nationwide. "It is not the intent of the United States Postal Service that buildings should be shipped through the mail," U.S. Postmaster General Albert S. Burleson wrote. (**Read More**)

Report shows more Utah children are struggling with anxiety or depression

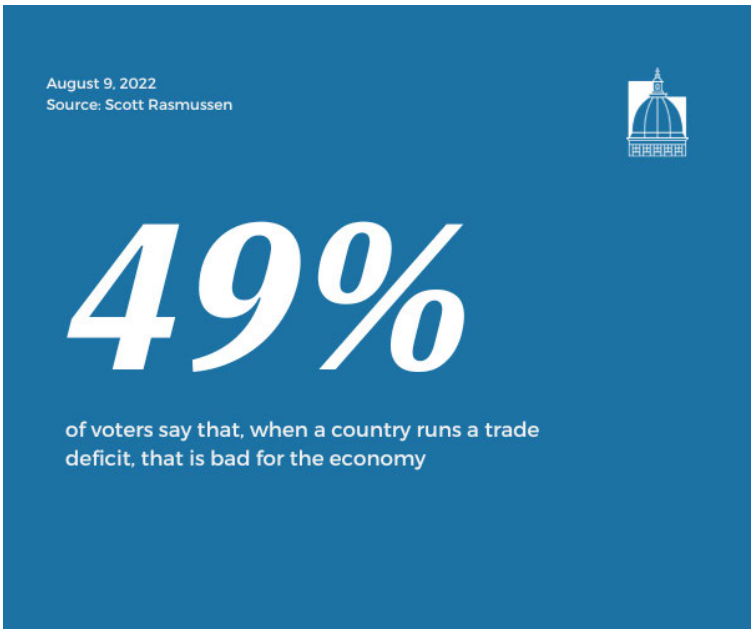
Children in the United States are facing an unprecedented mental health crisis, according to a new 50-state report from the Annie E. Casey Foundation. The ***2022 KIDS COUNT® Data Book*** reports that nationwide, children were more likely to experience anxiety and/or depression during the first year of the COVID-19 crisis than in previous years: Nearly 12% (11.8%) of children ages 3 to 17 experienced anxiety and/or depression in 2020, compared to 9.4% in 2016. Currently, 7.3 million children in this age group reportedly experienced these mental health challenges in the first year of the COVID pandemic – an increase of 1.5 million children (26%) in just four years.

This mental health crisis has also hit children of color, as well as children who identify as LGBTQ+, harder than their peers. Among high school-aged children, 12% of Black students, 13% of students of two or more races, and 26% of American Indian or Native Alaskan students attempted suicide, compared with 9% of high school-aged kids overall. A staggering 23% of LGBTQ+ high school students report attempting suicide, compared to 6% of their non-LGBTQ+ peers. (**Read More**)

Owens introduces bill to empower parents to solve the learning loss crisis

Rep. Burgess Owens (UT-04) introduced the Raising Expectations with Child Opportunity Vouchers for Educational Recovery (RECOVER) Act to empower parents to solve the learning loss crisis facing today's students. As of May, states and school districts had yet to spend 93% of the education funding allocated to them under the Democrats' American Rescue Plan Act. The RECOVER Act would allow states and school districts to use those unspent funds to issue Child Opportunity Scholarships directly to parents. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Interim Days** — Aug 16-18, le.utah.gov
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, Register here
- **Interim Days** — Sept. 20-22, le.utah.gov
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, Register here
- **Interim Days** — Oct 18-20, le.utah.gov
- **General election –** Nov 8

On This Day In History

- **1757** - Elizabeth Schuyler is born. She later marries Alexander Hamilton. Following the deaths of her husband, she co-founded the Orphan Asylum Society, the first private orphanage in New York City. She lived to age 97.
- **1842** - The Webster-Ashburton Treaty is signed. United States Secretary of State Daniel Webster and Britain's Alexander Baring, Lord Ashburton, come to an agreement regarding the Canadian and U.S. border east of the Rocky Mountains. The border had been in dispute since the end of the Revolutionary War.
- **1945** - The US drops its second atomic bomb, this time on Nagasaki.
- **1969** - Charles Manson cult kills five, including pregnant actress Sharon Tate.
- **1974** - Gerald Ford is sworn in as US president after Richard Nixon's resignation becomes effective at noon.
- **1919** - Leona Woods Marshall Libby is born. She became a physicist and the only woman on the team that built the world's first nuclear reactor.
- **1995** - The Grateful Dead's Jerry Garcia dies at age 53.
- **1995** – Roberta Cooper Ramo becomes the first woman to hold the office of president of the American Bar Association
- **2014** - Unarmed teenager Michael Brown is killed by a police officer in Ferguson, Missouri.

Wise Words

"Don't let the noise of others' opinions drown out your own inner voice."

—Steve Jobs

The Punny Side

The swordfish has few predators in the wild.

Except for the rare penfish, which is said to be mightier.

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SUBJECT: Re: Legislative Report Due by August 10
FROM: "Eric Tadehara (DHHS)" <erictadehara@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 09/08/2022 09:58

Thanks Marc!

Eric Yoshio Jesús Tadehara, LCSW, MPA
He/Him/His

[redacted]

Assistant Director, Office of Substance Use and Mental Health
C: 801.699.0895
erictadehara@utah.gov
dsamh.utah.gov

Utah Department of
Health & Human Services
Integrated Healthcare

On Mon, Aug 8, 2022 at 2:25 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Thanks Eric. Yes, we are just awaiting Nate's approval. In case you don't have it, here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Aug 8, 2022 at 2:18 PM Eric Tadehara (DHHS) <erictadehara@utah.gov> wrote:

Brent mentioned he turned this in to Nate. Sorry, I was just coming back from vacation and was getting caught up.

Eric Yoshio Jesús Tadehara, LCSW, MPA
He/Him/His
Assistant Director, Office of Substance Use and Mental Health
C: 801.699.0895
erictadehara@utah.gov
dsamh.utah.gov

Utah Department of
Health & Human Services
Integrated Healthcare

On Mon, Aug 1, 2022 at 11:15 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Eric -

Just checking in on the status of the following legislative required report. I have down in our records (DHHS Legislative Items Due_2022) that Brent asked you to take the lead on this specific report.

As a reminder, EDO would like at least one week prior to the due date to review the report and provide feedback. Please share the report with me and Shari when it is ready for EDO review.

Thanks!

HB 2, Item 80:

The Legislature intends that the Department of Human Services report back to the Social Services Appropriation Subcommittee no later than August 10, 2022 on how much it would cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive the following services: (1) a licensed social worker to help connect women with state services they are determined to need and are eligible to receive; (2) a peer support program; and (3) home visitation services through the child's first birthday. The Legislature further intends that the performance measures by which the program would be measured would include the following: (1) the rate of a diagnosis of neonatal abstinence syndrome at the time of delivery in the areas where the program has been implemented; and (2) the number of NICU days related to any substance use disorder in the areas where the program has been implemented.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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[redacted]

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SUBJECT: Fwd: QAZ: Question for you (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 09/08/2022 13:45

FYI from Walgreens

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

--------- Forwarded message ---------
From: **West, Sally** <sally.west@walgreens.com>
Date: Tue, Aug 9, 2022 at 1:38 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,
We do not prescribe birth control at any of our locations in Utah. The main reason for this is that we do not currently have the capability to do medical billing for payment. I believe we are doing a pilot project on it in Idaho in order to determine if it makes sense for us to invest in new software to bill for these services. However, we do not have plans to extend the pilot anytime in the near future.

Sally

Sally West
Regional Director
Walgreens Government Relations
224-723-2650

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 05, 2022 11:35 AM
To: West, Sally <sally.west@walgreens.com>
Subject: Re: QAZ: Question for you (Time-sensitive)

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Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Aug 5, 2022 at 11:53 AM West, Sally <sally.west@walgreens.com> wrote:

> Hi Krisann. I don't think we are participating because of the amount of time it takes the pharmacist to work with each patient. Let me double check this and get back with you on the answers. I should be able to have something back to you by Tuesday.
>
> Sally West
> Regional Director
> Walgreens State Government Relations
> 224-723-2650
>
> **From:** Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
> **Sent:** Friday, August 5, 2022 10:56 AM
> **To:** West, Sally <sally.west@walgreens.com>
> **Subject:** QAZ: Question for you (Time-sensitive)
>
> **CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Hi Sally,
>
> I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Walgreens regarding a particular issue.
>
> It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:
>
> 1. Does Walgreens participate in this program?
> 2. Why or why not?
> 3. Are there barriers that the State could help address?
>
> Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: QAZ: Question for you (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 10/08/2022 09:43

Thank you Jen! I have a follow up question based on my conversation with Walgreens, when billing MTM would the pharmacy have to have the ability for medical billing through a claim or can they bill that through normal pharmacy billing procedures? That has also been cited as a barrier by two of the major chain pharmacies.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Mon, Aug 8, 2022 at 3:46 PM Jennifer Strohecker (DHHS) <jstrohecker@utah.gov> wrote:
Hello Nate,
thanks for passing along the question.
A couple of items:
1. Medicaid does not reimburse for pharmacist consultative services.
2. Medicaid does reimburse for MTM (medication therapy management) services as of July 2022. A pharmacist could do an MTM consult on an individual receiving OCP's and be reimbursed for a consult.
3. As part of HB178 where pharmacists could consult (no reimbursement) and prescribe with HB178, there are 3 pharmacists registered with Medicaid as providers now.

Hope this helps. I can supply more info if needed.
Thanks
Jen

On Mon, Aug 8, 2022 at 11:11 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Jen,

Looping you into a discussion about pharmacists consulting and then dispensing contraception in Utah. Can you respond to Tracy's question about Medicaid's ability to pay for the pharmacist consultation that would support direct dispensing of the self-administered hormonal contraceptives?

Thanks,

Nate

On Mon, Aug 8, 2022 at 10:24 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Thanks!

Can Medicaid cover the consultation for Medicaid clients?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Aug 8, 2022 at 6:49 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

I received this response from my contact at Krogers, I can tell you that I've known people personally who've contacted some Smith's in the past year and were told that they must have an initial prescription first before Smith's will refill. It sounds like that might be due to some internal communication issues.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Montuoro, Jaime L** <jaime.montuoro@sfdc.com>
Date: Fri, Aug 5, 2022 at 9:18 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,

Here you go:

1. Does Krogers participate in this program? Yes
2. Why or why not? We recognize the importance of access to contraception for our patients. Our general stance is to support our pharmacists in practicing at the top of their license wherever possible and appreciate the fact that pharmacists are allowed in the state of Utah to provide this service.
3. Are there barriers that the State could help address? There are a few significant barriers to our ability to offer this service. I am not sure how the state may be able to assist, but the main barriers are listed here:
    a. Payment for the consultation. Patients must pay for the service out of pocket since insurance companies don't recognize pharmacists as providers. This particularly becomes an issue when pharmacists assess a patient and identify that the patient must be referred. Then either the pharmacist has provided the service up to that point for free or the patient pays for the assessment only to leave without a prescription, having to go to a different provider.
    b. Due to other priorities, our organization has not really promoted the service through our normal marketing channels. To be honest, pharmacy usually gets limited marketing support in general and it's usually focused on more established services like vaccines. We rely on word of mouth to spread awareness that the service is available, which is not very effective.
    c. As with many industries and especially in healthcare, our pharmacies are suffering from staffing shortages and high turnover. Mostly pharmacy technicians but also pharmacists. This, coupled with the COVID vaccine demand, and looking ahead to flu vaccine season/COVID boosters, capacity is a concern.

I hope this helps. I'd be happy to discuss further.
Thanks,
Jaime

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

** **[EXTERNAL EMAIL]:** Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi Jaime,

I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Krogers regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does Krogers participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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SUBJECT: Congressional Summer Wrap Up - What You Need to Know
FROM: "Public Health Weekly" <pr@astho.org>
TO: mwatterson@utah.gov
DATE: 11/08/2022 08:55

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PUBLIC HEALTH WEEKLY

August 11, 2022

A Grassroots Leader's Vision for the Future Community Health Workforce

Community Health Workers (CHWs) have played an integral role in educating, connecting, and assisting vulnerable individuals throughout the COVID-19 pandemic.

ASTHO spoke with Denise Octavia-Smith, executive director of the National Association of Community Health Workers, about the critical work of CHWs. She discusses their roles in marginalized communities, and how public health can partner with and support CHWs. Learn more about this critical workforce.

READ

A Not-So-Sleepy Summer: Q&A with ASTHO Federal Government Affairs

The Congressional summer session has come to a close, and several key issues are left lingering on the table. Whether public health will receive supplemental funding for the monkeypox and COVID-19 responses remains uncertain, and the FY23 appropriations bill faces a long road before it can be passed.

Check out the latest updates on discussions and actions between the House and Senate in this week's Federal Healthy Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

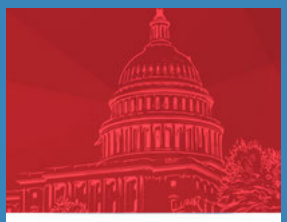
HHS Secretary Xavier Becerra has declared the monkeypox virus outbreak a national public health emergency. Read ASTHO Chief Medical Officer Marcus Plescia's **full statement on the federal declaration** and how state health departments are responding to the outbreak.

LATEST ASTHO RESOURCES AND EVENTS

Brief

Reproductive Health Services Expanded During Pandemic but Inequities Persist

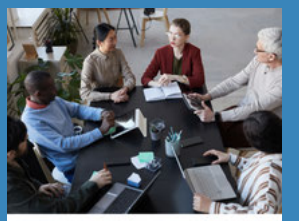
READ



New Resource

Legislative Alert - Congressional Summer Wrap-Up

READ



Blog

How the DiSC Personality Assessment Can Strengthen Public Health Leadership

READ

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Infectious Disease Planning** | Winfred Rawls, ASTHO
- **New York Responds to Monkeypox** | James McDonald (SHO Designee-NY)
- **New School Year, New COVID-19 Strategy** | Manisha Juthani (SHO-CT)
- **Optimistic About the PH Workforce** | Joanne Pearsol, ASTHO
- **Public Health is Underfunded** | J. Nadine Gracia, Trust for America's Health

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PUBLIC HEALTH REVIEW PODCAST

astho PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

• **States have permission to make their monkeypox vaccines go a lot farther.** | *The Washington Post* | Marcus Plescia, ASTHO
• **Most Parents Are Saying No to COVID-19 Vaccines for Toddlers.** | *The Wall Street Journal* | Marcus Plescia, ASTHO
• **Louisville receives $180,000 in grant funds to improve outdoor activities.** | *WLKY*

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SUBJECT: Re: Document shared with you: "DRAFT v2 - DHHS PolicyRecommendations: Supporting Women, Children, and Families Talking Points.docx"
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, Marc Watterson <mwatterson@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 11/08/2022 10:58

Sounds good, thanks! Just for context when we met last night (you might be able to tell from the document) we decided we should have three approaches, 1) An all-in comprehensive cover everything 2) A more moderate but still aggressive approach (this includes all the items that Paul, Marc, and I reviewed and think could be politically/legislatively viable), and 3) A moderate approach that includes a subset of option 2 but likely far less expensive.

Expanded access to contraception has proved to be a very deep rabbit hole, as described in the document despite past legislative efforts to encourage easier access through pharmacies there are a lot of barriers we've identified, some of which may be easier fixes such as the bureaucratic requirements the State has imposed. However, we will need our SMEs like Jen S., Dr. Hofmann, folks at DOPL, and others to weigh in on what the rationale was/is behind all of them.

The reimbursement issue for pharmacies/pharmacists for the evaluation and monitoring pieces are a big issue and not easily solved. It's not only that many insurers don't cover the evaluation cost (although Medicaid will for pharmacist prescriptions) it's also that pharmacy billing systems are not set up to bill for medical claims (which these are) and there seems to be a serious lack of understanding and awareness of these options overall. We're not sure what the fixes are or should be, and evaluating the total cost to the state may be tricky since I doubt we'll directly pay pharmacies to update their systems, although we could look at something like a tax incentive to encourage pharmacies to participate and update their billing systems. At any rate, we definitely need more time to study this, consult with the SMEs, and come up with solid proposals.

Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Thu, Aug 11, 2022 at 9:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Thanks! I'll check on it again later and see how it's coming together.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Aug 11, 2022 at 7:56 AM Krisann Humphreys Baco... (via Google Docs) <drive-shares-dm-noreply@google.com> wrote:

Krisann Humphreys Bacon (DHHS) shared a document

[redacted]

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SUBJECT: DRAFT - DHHS Policy Recommendations: Supporting Women, C...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 11/08/2022 13:49

New activity in the following document

[redacted]

For you

Comments

[redacted]

[redacted]

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SUBJECT: DRAFT v2 - DHHS Policy Recommendations: Supporting Women...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 11/08/2022 14:06

[redacted]

New activity in the following document

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SUBJECT: DRAFT v2 - DHHS P... - @mwatterson@utah.gov and @natechecket...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 11/08/2022 15:15

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) assigned you an action item in the following document

[redacted]

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SUBJECT: DRAFT v2 - DHHS P... - @mwatterson@utah.gov and @natechecket...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 11/08/2022 15:21

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

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SUBJECT: Garland asks for docs to be unsealed, Trump says ok
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 12/08/2022 07:18

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Situational Analysis | August 12, 2022

It's Friday and for many Utah students, the last weekend of summer vacation. Make it a good one!

Also, can you believe it's already been a year since Britney Spear's father said he would step down as her conservator? Time flies.

Be in the Know

- The FBI searched Trump's home to look for nuclear documents and other items, sources told the Washington Post. Attorney General Merrick Garland said he could not discuss the investigation on Thursday. However, in a public statement at the Justice Department, he announced he had personally authorized the decision to seek court permission for a search warrant. He asked a judge to unseal the search warrant for former president Trump's Mar-a-Lago home. Trump said he will not oppose the release of documents related to the search and in fact, called for their immediate release.

Rapid Roundup

- $20,000 prize in next Utah treasure hunt, the NBA has retired Bill Russell's #6 league-wide, a first, high school football season is here and Desert Hills beat Brighton in the opener, and Salt Lake County unveils newly renovated building for runaway, homeless youth.

Political marketers have a lot on their plate, which is why our team at Effectv put together Best Practices for Political TV Advertising Success. Learn how to maximize your impact on TV, effectively target different audiences, and connect with a local expert to develop your 2022 strategy in Utah.

Utah Headlines

General

- BYU Education Week celebrates 100 years of instruction and learning (Deseret News)
- Tithing settlement becomes 'tithing declaration' for Latter-day Saints (Deseret News)
- Black Menaces announce expansion to other college campuses. The group of Brigham Young University students are known for posting videos asking their white classmates questions about race, identity and politics. (NBC News)

- Nearly half of all teens say they use the internet 'almost constantly,' survey finds (KSL TV)

Politics

- AG seeks Utah Supreme Court's OK to appeal injunction of abortion trigger law (Deseret News)
- Who is least likely to vote? BYU study finds it's minorities, young people, Democrats (Deseret News)
- **Jenny Wilson**: New program helps released inmates adjust to freedom. Salt Lake County Jail Resource Reentry Program should save taxpayers money. (Salt Lake Tribune)
- **Judy Weeks Rohner**: Utah should cut the tax on food, not the income tax. Income tax cuts benefit the rich while sales tax on food hurts the poor. (Salt Lake Tribune)
- Rep. Moore blasts Inflation Reduction Act, takes aim at IRS funding provision (Standard-Examiner)
- 'Gooseneck' holds, assault and unnecessary seclusion: Why 3 Utah teen treatment programs have come under scrutiny of state regulators. It's unusual for state regulators to take disciplinary measures against multiple licenses in such a short time period. (Salt Lake Tribune)
- Longtime Colorado City Mayor Joseph Allred steps down after 9 years at the helm of former polygamous town. Allred refused to elaborate further about his resignation or his future plans, other than to say he was "going into some private industry stuff." (Salt Lake Tribune)

Business

- Intermountain Healthcare CEO to step down. Dr. Marc Harrison has served as president and CEO since 2016. (Salt Lake Tribune)
- United Airlines puts $10 million into plan to shuttle customers by electric aircraft (KSL Newsradio)
- Newly remodeled Walmart celebrates grand opening in West Valley City (ABC4)

Economy

- Gas dips below $4 in most of the country but Utah prices are still high (Deseret News)
- Economists: Wage growth remains strong but can't match inflation (KSL TV)
- William E. Fisher: Time to pull the plug on the Utah inland port. Focus on building a clean and modern Point of the Mountain instead. (Salt Lake Tribune)

Education

- Teachers preparing for the first day of school (Fox13)
- School districts across Utah report critical shortage of employees in advance of return (KUTV)
- How you can help Utah's refugee children with school supplies (KSL TV)
- Utahns donate more than 5,000 school backpacks to local refugee families (Fox13)
- The push for full-day kindergarten in Utah (KSL TV)
- Students go back to school in Washington County (KSL TV)
- 'We're back at it': Students, teachers, admin return to classrooms with safety, learning in mind (St. George News)

- ‘We want to give back to this community’: Volunteers, donors fill Backpacks for Kids in Washington County (St. George News)
- 25K UTA passes given out to K-12 students, teachers, staff (KUTV)

Environment

- Proposals sought to address transportation stress in Big Cottonwood Canyon. But is it enough to address the canyon’s issues? (Salt Lake Tribune)
- What does science say we can do to protect our wildlife? It’s something Utah did first (Deseret News)
- Heavy rain causes mud to flow over roads in Summit County (KUTV)
- Afternoon storm drenches St. George; Sunset Boulevard reopens after downpour (St. George Utah)
- Utah's top cash crop is consuming most of our water (Fox13)
- European drought dries up rivers, kills fish, shrivels crops (AP)

Family

- Utah ranks 4th among states in survey on children's well-being (UPR)

Health

- The CDC has eased COVID-19 guidelines. Here’s what you should do now (Deseret News)
- Utah COVID-19 positivity rates, hospitalizations down as state reports 12 deaths (Salt Lake Tribune)
- Will you get insulin-cost relief from the inflation bill? Not if you have private insurance (Deseret News)

National Headlines

General

- Man accused of trying to break into FBI office is killed in standoff (New York Times)
- Johnson & Johnson will discontinue talc-based baby powder globally in 2023 (New York Times)
- Anne Heche on life support, ‘not expected’ to survive (AP)

Politics

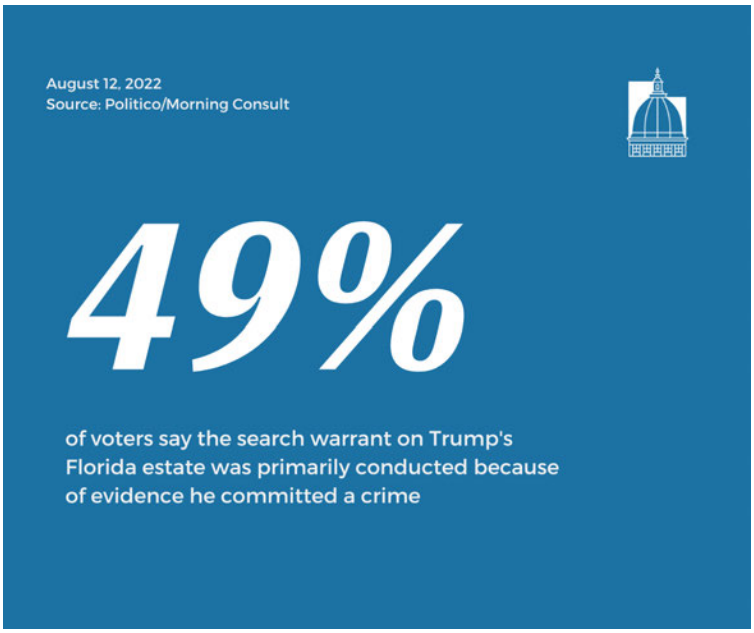
- Mike Pompeo target of a $1 million, second assassination plot (Deseret News)
- Garland asks court to unseal warrant for Mar-a-Lago search (AP)
- U.S. House set to give Biden new win with $430 billion bill on climate, drug prices (Reuters)
- Ex-Va. police officer gets more than 7 years for role in Jan. 6 riot (Washington Post)

Ukraine UA

- Bet Putin didn’t see that coming — how Russia unintentionally strengthened NATO (Deseret News)
- Why a Ukrainian sports official wants Russian athletes banned from competition until ‘the end of this bloody war’ (Deseret News)
- Strikes at Ukraine nuclear plant prompt UN chief to call for demilitarised zone (Reuters)
- Zaporizhzhia nuclear workers: We're kept at gunpoint by Russians (BBC)
- Heavy losses leave Russia short of its goal, U.S. officials say (New York Times)

- Kazakhstan to start oil sales via Azeri pipeline to bypass Russia (Reuters)
- US lawmakers are heading to Ukraine with or without White House's approval (The Hill)
- Western funding promised to Ukraine is arriving slowly - particularly from the EU - forcing Ukraine to print money to pay soldiers' salaries and keep the government operating. (Wall Street Journal)

Number of the Day



Tweet of the Day

Upcoming

- **Interim Days** — Aug 16-18, **le.utah.gov**
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **General election –** Nov 8

On This Day In History

- **30 BC** - Cleopatra dies
- **1851** - Isaac Singer's first patent for a commercial sewing machine is granted.
- **1898** - Hawaii is formally annexed to the US
- **1908** - Henry Ford's company builds the first Model T car
- **1922** - Frederick Douglass' home in Washington, D.C. is dedicated as a national shrine.
- **1939** - "The Wizard of Oz" movie premieres.
- **1955** - US President Eisenhower raises minimum wage from 75 cents to $1 an hour
- **1972** - Wendy Rue founds the National Association for Female Executives (NAFE), the largest businesswomen's organization in the United States.
- **1981** - The personal computer (PC) comes to market for the first time when IBM releases its Model 5150.
- **1990** - Sue Hendrickson discovers Tyrannosaurus rex remains in South Dakota. One of the most complete skeletons in the world, it was named Sue in honor of Hendrickson.
- **1994** - Professional baseball players strike, bringing Major League Baseball's season to an end. The World Series is canceled.
- **2014** - Hollywood icon Lauren Bacall dies at age 89.
- **2021** - Britney Spear's father says he will step down as her conservator after the singer called his conservatorship abusive, amid a #FreeBritney campaign

Wise Words

"Power concedes nothing without a demand. It never did and it never will."
— Frederick Douglass

The Punny Side

I taught my pet wolf how to meditate...

Now he's aware wolf.

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SUBJECT: Agenda for Social Services Appropriations Subcommittee on Tuesday,Aug. 16, 2022 1:00 PM
FROM: Legislative Automated Email System <boyd@le.utah.gov>
TO:
DATE: 12/08/2022 16:09

Link to document: https://le.utah.gov/Interim/2022/html/00003064.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=APPSOC

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15. 4:50 Other Business

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Link to unsubscribe: https://le.utah.gov/tracking/unsubscribe.jsp?com=APPSOC&mess=538977&user=mwatterson@utah.gov

SUBJECT: Fwd: Agenda for Social Services Appropriations Subcommittee onTuesday, Aug. 16, 2022 1:00 PM
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: Brandi Frandsen <btfrands@utah.gov>, Anna Fondario <afondario@utah.gov>
CC: JANAE DUNCAN <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 14/08/2022 16:04

FYI---according to this agenda, it looks like the SCI/TBI cost sharing report item was moved up to the morning session.....
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CC: JANAE DUNCAN <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 14/08/2022 16:05

HA! JUST KIDDING!!!!!! I opened this email first and mis-read it---this IS the afternoon agenda! Apologies for creating confusion
HB

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TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: Brandi Frandsen <btfrands@utah.gov>, Anna Fondario <afondario@utah.gov>, JANAE DUNCAN <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
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SUBJECT: Summary - Family Policy Options.docx
FROM: "Tracy Gruber (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 15/08/2022 09:30

New activity in the following document

[redacted]

[redacted]

[redacted]

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You have received this email because you are a participant in the updated items or subscribed to notifications on Summary - Family Policy Options.docx. Change what Google sends you. You cannot reply to this email.

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SUBJECT: Re: Agenda for Social Services Appropriations Subcommittee onTuesday, Aug. 16, 2022 1:00 PM
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 15/08/2022 09:30

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>

TO: "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 15/08/2022 09:51

It's all good

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: How SDOH impacts asthma and maternal health
FROM: Angie Grover <angie@metop.io>
TO: mwatterson@utah.gov
DATE: 16/08/2022 05:47

Hi Marc,
Does your organization try to leverage data to drive decisions and programs related to social determinants? Most healthcare organizations have the best intentions but the efforts are siloed or reliant on a few busy data analysts.

The new reality is that is doesn't have to be that way. Data doesn't have to be a limited resource. Getting insights doesn't have to be dependent on data scientists.

Here are 2 real-world examples of data in action solving for social determinants:

- **Asking about asthma admissions**: Finding the root cause of asthma admissions at a large metropolitan hospital meant using community data in new ways. Health system executives were asking, "With a strong, clinical program, what could be causing costly Emergency Department visits from uninsured patients for asthma?"

- **Prioritizing pregnant mothers' health**: Improving outcomes for both pregnant mothers and their babies required combining community data with a health plan's patient knowledge to determine how to best alleviate barriers to a healthy pregnancy and reduce NICU stays for babies.

Are you interested in learning how to take a similar approach and tackle some of your SDOH priorities? Schedule a strategy session today.

Angie Grover

Co-Founder/Chief Operating Officer

Metopio

Metopio, 328 S Jefferson Street #540, Chicago, IL 60661
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SUBJECT: Liz Cheney loses primary, says she may run for President
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 17/08/2022 07:19

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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | August 17, 2022

It's Wednesday and National Nonprofit Day. So many good ones to donate to and volunteer with.

Be in the Know

- Liz Cheney lost her primary but says she's not done yet. "Our work is far from over," she said in her concession speech. "I have said since Jan. 6 that I will do whatever it takes to ensure Donald Trump is never again anywhere near the Oval Office — and I mean it." Her opponent, Harriet Hageman went from being a never-Trumper who warned that if Mr. Trump became president, the GOP would be stuck with "somebody who is racist and xenophobic" to an election denier who won Trump's endorsement - and the election.

Rapid Roundup

- We did it! Salt Lake City set a new all-time record for number of days hitting at least 100° in a single year - 22. The National Weather Service notes that between 1991 and 2020, SLC averaged only eight 100° or higher days.

[redacted]

- Change in tune? Tucker Carlson says Trump 'obviously' going to be indicted

On the Hill today

- 8:30 am: Economic Development and Workforce Services, Judiciary, Law Enforcement and Criminal Justice, Natural Resources, Agriculture, and Environment, Revenue and Taxation, Transportation
- 1:15 pm: Business and Labor, Government Operations, Political Subdivisions, Public Utilities, Energy, and Technology,
- 1:30: Education
- 2:00: Health and Human Services

Multiscreen Campaigns Deliver for Political Advertisers

Based on data insights from a dozen political advertiser campaigns with 500+ million impressions delivered, Effectv found that traditional TV & streaming work better together to deliver audiences and reach voters. Read this blog to learn more.

Utah Headlines

General

- 'Win for the public': Utah judge grants access to police shooting records West Jordan fought to keep secret (Salt Lake Tribune)
- Utah boy still in critical condition after dorm fall at Little League World Series (KSL)
- Former Tooele Army Depot official faces 33 child sex abuse charges (Fox13)
- Investigators demonstrate confidence in evidence of Utah ritualistic child sex abuse (Fox13)
- Six Latter-day Saint churches vandalized in Sandy (KUTV)

Politics

- Editorial Board: Could Biden face impeachment over the withdrawal from Afghanistan? (Deseret News)
- Utah State Parks decides that cherished willows near Midway will be razed whether campground is built or not (Salt Lake Tribune)
- Romney warns St. George development could stop without better water conservation (Salt Lake Tribune)
- Utah Gov. Cox on abortion, partisanship and the GOP (Washington Post Live)

Business

- Chip Cookies looks to expand operations, receives Salt Lake City development loan (KSL)
- Salt Lake City restaurant forced to cut hours and increase prices because of inflation (KSL)
- Target's profit drops more than expected as it offloads a glut of inventory (Wall Street Journal)

Education

- School lunch break: Does it bring a sense of belonging or social anxiety? Junior high students who love lunch break 'belong' to school, BYU study finds (Deseret News)
- Expert explains benefits of "mental health days" for students returning to school (Fox13)
- Davis School District installs districtwide surveillance system (KSL)
- Utah high school students can earn college credit for cheap with concurrent enrollment program (Fox13)
- Utah school districts seek substitute teachers amid shortages (KSL)
- More than $2M in federal money granted to Snow College to support agriculture program (Fox13)

Environment

- Urgent steps taken to save Colorado River, Glen Canyon Dam amid drought (Deseret News)
- Colorado River cuts expected for Arizona, Nevada and Mexico (Salt Lake Tribune)
- Before & after: Flash floods occurring all across southern Utah (Fox13)
- Wind energy boom and golden eagles collide in the US West (AP)

Health

- FDA approved rule to make hearing aids available over-the-counter (Deseret News)
- Back to school: What parents need to know about COVID and monkeypox (Deseret News)
- U of U study shows potential racial disparities in IMRT cancer treatment (KSL Newsradio)

Housing

- Housing market recession? It's here, homebuilders say (Deseret News)
- Number of homes for sale reaches normal levels as price growth slows (KUTV)

National Headlines

General

- Think the Supreme Court solved school prayer conflict? Think again (Deseret News)
- Hundreds of kids witness their parents shot to death. This is what it does to them (Washington Post)
- FBI arrests former Rep. T.J. Cox on dozens of fraud charges. The former Democratic congressman was charged with "15 counts of wire fraud, 11 counts of money laundering, one count of financial institution fraud, and one count of campaign contribution fraud." (Politico)

Politics

- Biden signs sweeping bill to tackle climate change, lower health-care costs (Washington Post)
- Murkowski advances in Alaska Senate race, Palin in House (AP)
- Rudy Giuliani set to testify in Georgia 2020 election probe (AP)
- Liz Cheney accuses Trump of 'insidious lie' about FBI search of his home (Reuters)
- Cheney says she's 'thinking about' running for president (The Hill)
- Only two of the 10 House Republicans who voted to impeach Donald Trump remain. (New York Times)

Ukraine UA

- Ukrainians flee grim life in Russian-occupied Kherson (AP)
- China to send troops to Russia for 'Vostok' exercise, a move "unrelated to the current international and regional situation" they said (Reuters)
- Explosions hit Russian ammunition depot in Crimea (Wall Street Journal)
- As Russia falters in eastern and southern Ukraine, Kyiv eyes a threat from the north (New York Times)

World News

- UK inflation reaches 10.1% on soaring food, energy costs (AP)
- Female Saudi activist gets record 34 years in prison for critical tweets (Washington Post)

News Releases

Utah's direct selling industry anchored over 38,000 jobs, made up over 70% of non-gold exports in 2020

Utah's established direct selling industry anchored over 38,000 well-paying jobs and added significantly to state and local tax revenues as part of its 2020 statewide economic impacts, according to a first-of-its-kind report from the Kem C. Gardner Policy Institute.

"Utah is a global hub for the direct selling business model," said Levi Pace, Gardner Institute Senior Research Economist and lead author of the study. "The industry comprises 91 direct selling companies and 66 key suppliers. Ten of these Utah-based direct selling companies provided more than $10.3 billion in goods and services to their customers around the world, 6.1% of industry sales from *all* states and countries." (**Read More**)

Utah Foundation: Utah building code upgrades would yield better air quality into the future

the Utah Foundation releases *To a Higher Standard: Building Codes, Improved Efficiency and Air Quality in Utah.* Utah has kept up to date on commercial building code standards, but it has maintained older residential building standards that fall short of more efficient building practices. The report explores possible new standards with an eye toward air quality, examining costs and benefits.

Utah Foundation President Peter Reichard said the rapid pace of new development offers the opportunity to promote greater air quality stewardship. Builders may play an important part in a cleaner air Utah. "If we build with higher efficiency now, it will pay dividends into the future," Reichard said. "New construction is an important front in Utah's ongoing offensive against poor air quality." (**Read More**)

2023 Utah Teacher of the Year finalists announced

The Utah State Board of Education today announced the five finalists for 2022 Utah Teacher of the Year. They are:

- Teresa Hislop, an eighth grade science teacher at Ogden Preparatory Academy charter school in Ogden.
- Netanya Elise Maxwell, a third grade teacher at Bonneville Elementary in the Salt Lake City School District.
- Elizabeth Sampson, a visual art teacher at Union High School in the Duchesne County School District.
- Tracy Warenski, a second grade teacher at East Meadows Elementary in the Nebo School District.
- Chad Warnick, an agriculture, biology, leadership, and communications teacher at Delta Technical Center in the Millard School District (Read More)

Utah Democrats applaud signing of historic Inflation Reduction Act

This afternoon, President Biden officially signed the Inflation Reduction Act into law. This is a historic win for families across the country and our state.

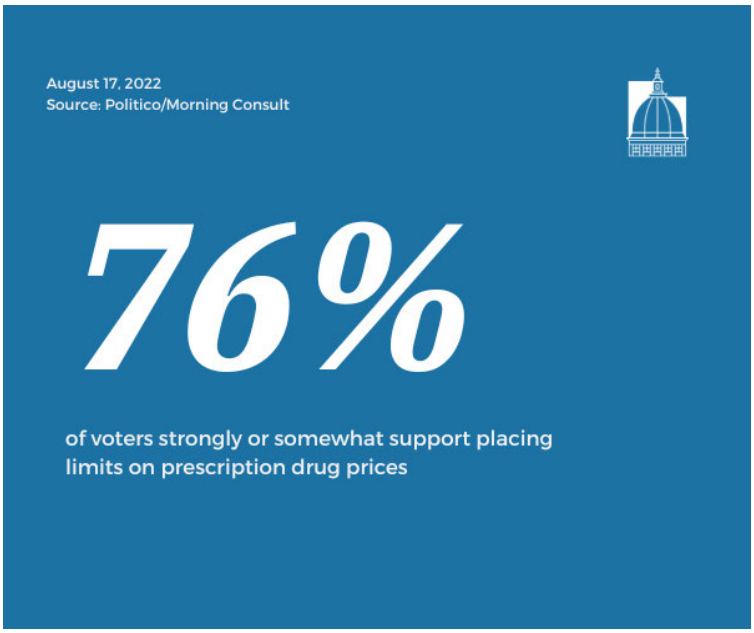
This bill will take important action to cut costs, reduce inflation, lower the price of prescription drugs, and fight back against the climate crisis, all while bringing down the deficit. (**Read More**)

Salt Lake County Housing Trust Fund takes next step

Yesterday afternoon, the Salt Lake County Council took a critical step in moving forward its $20 million investment in affordable housing, made possible through the American Rescue Plan Act (ARPA). The Council approved eight members of the Salt Lake County Housing Trust Fund Advisory Board (HTFAB) to oversee the program.

“More affordable housing is desperately needed,” **Salt Lake County Mayor Jenny Wilson said.** “There are way too many hard-working households that are left behind because of skyrocketing home prices, rising rents, and declining options. This board of experts will support solutions to increase affordable housing.” (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

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- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
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- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
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- **Interim Days** — Oct 18-20, **le.utah.gov**
- **General election –** Nov 8
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1807** - The steamboat designed by Robert Fulton, the Clermont, begins its inaugural trip up the Hudson River. The boat is the first of its kind

offered in public service.

- **1891** - The Centre Market Place bath opened to the public and offered New York City's first showers. Patrons paid 5¢ for the use of the baths and received a towel and bar of soap. They were allowed to take the soap home.
- **1893** - Mae West is born
- **1909** - Earl Douglass discovers dinosaurs in Utah
- **1927** - Elaine Hedges is born. An educator who helped create the field of Women's Studies, she was a founding member of the National Women's Studies Association, and founded the Women's Studies Program at Towson University, one of the oldest programs in the country.
- **1945** - George Orwell publishes the allegorical novella Animal Farm.
- **1959** - A magnitude 7.5 earthquake in Yellowstone National Park creates what is now known as Hebgen Lake in Montana.
- **1962** - East German guards gun down a young man trying to cross the Berlin Wall and leave him to bleed to death
- **1987** - Rudolf Hess, Hitler's last living henchman, dies.
- **1998** - US President Bill Clinton admits in taped testimony he had an "improper physical relationship" with an intern and on the same day admits before the nation he "misled people" about the relationship
- **2012** - Gay pride events are banned for a century in Moscow

Wise Words

"All animals are equal, but some animals are more equal than others."

— George Orwell

The Punny Side

If you think your microwave collecting data and the TV spying on you is bad enough...

The vaccum cleaner has been gathering dirt on you for years.

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SUBJECT: Utah Senate unanimously confirms Jill Pohlman to the Utah SupremeCourt
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 18/08/2022 07:16

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Situational Analysis | August 18, 2022

It's Thursday and National Fajita Day. Seems like a good day to celebrate.

On a somber note, our condolences to the family of John English, a long-time Utah politico who died unexpectedly late Monday night. He will be deeply missed.

Be in the Know

- The Utah Supreme Court has its first-ever female majority as the Utah Senate unanimously confirms Jill Pohlman. “I am honored and deeply humbled by this historic appointment to the Utah Supreme Court,” Justice Jill Pohlman said after her confirmation. She joins Justice Diana Hagen, who was confirmed earlier this year, Justice Paige Petersen, Justice John Pearce and Chief Justice Matthew Durrant.
- A nonprofit called RIP Medical Debt, founded by two ex-debt collectors who used to chase down patients who couldn't afford their bills, buys up unpaid hospital bills from low-income patients — and then clears it. It has wiped out $6.7 billion in debt so far.
- Former Vice President Mike Pence asked fellow Republicans to tone down their anti-FBI rhetoric. “Calls to defund the FBI are just as wrong as calls to defund the police,” he said. He also said that the American people had a right to know what happened on Jan. 6, 2021 and that “In the months and years ahead, I’ll be telling my story even more frequently than I have."

Rapid Roundup

- Little League will get rid of bunk beds at World Series after Utah boy’s head injury, Utahns can digitize their IDs and driver licenses this Friday, a fifth set of human remains found at Lake Mead, and LeBron James just signed a 2-yr, $97.1 million deal with the Lakers. 😮

On the Hill today

- 8:00 am - Administrative Rules Review and General Oversight
- 2:00 pm - Criminal Code Evaluation Task Force

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Utah Headlines

General

- Alleged arsonist sets mental health service building on fire in Tooele (KUTV)
- SLCo DA announces expansion of diversion pilot program for 'low-risk' offenders (KUTV)
- What the bishops knew: Church releases details, timeline about Arizona sex abuse case (Deseret News)
- Utah regulators back down and now say a teen treatment center can stay open after girl's death (Salt Lake Tribune)

Politics

- After their daughters were beat by a girl in sports, Utah parents triggered investigation into whether she was transgender. School opened girl's enrollment records dating back to kindergarten to confirm she was female, Utah High School Activities Association representative tells legislators (Deseret News)
- Utah Lake islands plan 'unconstitutional' and legally unsound, official tells lawmakers (KUTV)
- Utah's LGBTQ conversion therapy ban may get revisited (Fox13)
- Romney talks business policy with chambers of commerce (Daily Herald)
- Mitt Romney shares thoughts on water, Utah Tech during visit to St. George (St. George News)
- The BLM isn't onboard with Sen. Mike Lee's proposal to sell public lands for housing (KUER)

Business

- New York to London in 3 ½ hours? Pre-orders mounting for Boom Supersonic's new passenger jet (Deseret News)
- Meet the winners of the 2022 Living Color Awards (Utah Business)
- Carine Clark joins Lumio as chief innovation officer (Utah Business)

Economy

- What recession? U.S. consumer spending still churning despite record inflation (Deseret News)

- ‘We don’t have the crowds:’ Tourism officials say Bryce Canyon needs more visitors (KSL TV)

Education

- Salt Lake City Schools associate superintendent resigns amid boss's administrative leave (KUTV)
- Administrator transferred to another school after investigation reveals racial slur used (KUTV)
- Utah teacher shortage has officials looking at options to solve crisis (Fox13)
- Jordan School District continues to offer virtual learning for new school year (Fox13)

Environment

- ‘Dust Lake City’ disaster looming as Utah professor fights to save the Great Salt Lake (Deseret News)
- As the Colorado River dries, tribes see indigenous water management as essential (UPR)
- Utah deemed most vulnerable in the West for homes that may catch on fire 🔥 (Deseret News)
- Wildlife officials let hundreds of pheasant hatchlings die — critics say there’s a bigger problem (Salt Lake Tribune)
- Riverton to tap into old source to ensure city has enough water amid drought, growth (KUTV)

Family

- Peter Reichard: Utahns lead the nation on social capital — but do we spend enough time with our kids? (Deseret News)

Housing

- Inside the first tiny home built for village envisioned to house Salt Lake’s chronically homeless (Deseret News)

National Headlines

General

- Arthur Cyr: Salman Rushdie — an example of the freedom we must defend (Deseret News)
- Trump CFO’s plea deal could make him a prosecution witness (AP)
- U.S. weekly jobless claims edged lower last week (Reuters)
- Manti Te’o tells his side of the story nearly a decade after catfishing hoax (Washington Post)

Politics

- The Republican primaries are almost over, and Trump won. Trump-backed candidates have done well this year, putting election deniers on the ballot in November. (Deseret News)
- Why this Christian lawmaker has to unblock his atheist constituents on Twitter (Deseret News)
- States with the toughest abortion laws have the weakest maternal supports, data shows (NPR)
- CDC director announces agency overhaul, says it must ‘do better’ after COVID-19 review (The Hill)

Ukraine UA

- Ukraine's Zelenskyy hosts talks with UN chief, Turkey leader (AP)
- Russia says Ukraine planning 'provocation' at nuclear plant; Kyiv dismisses accusation (Reuters)
- Wagner mercenaries enter the spotlight as Russian troops struggle in Ukraine. Offering freedom to Russian prison inmates who join the war, Wagner seeks to bulk up and replenish Russian losses in Ukraine (Wall Street Journal)
- Why Crimea is so important in the Russia-Ukraine war (Washington Post)

World News

- Why Taiwan matters. The small island is at the heart of U.S.-China tensions (Deseret News)

News Releases

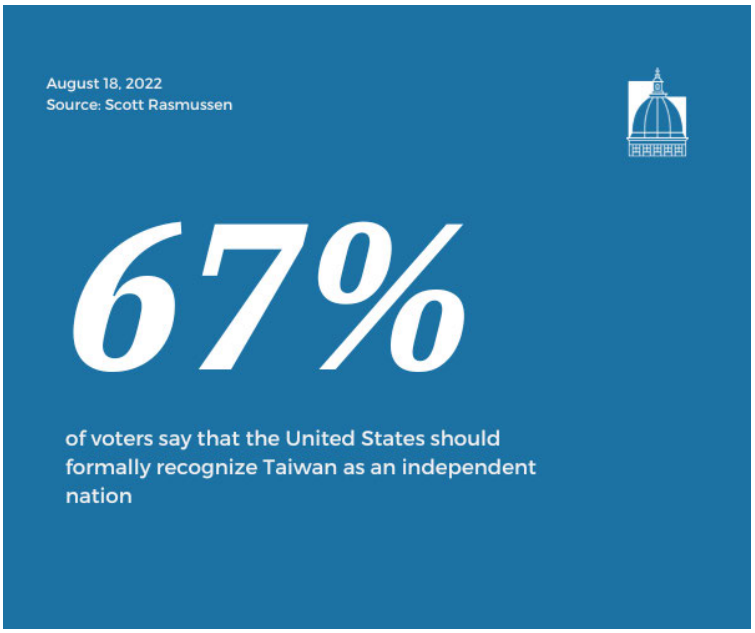
Nominees announced for 2nd District Court vacancy

The Second District Judicial Nominating Commission has selected nominees for a vacancy on the Second District Court. This position results from the retirement of Judge David R. Hamilton, October 31, 2022.

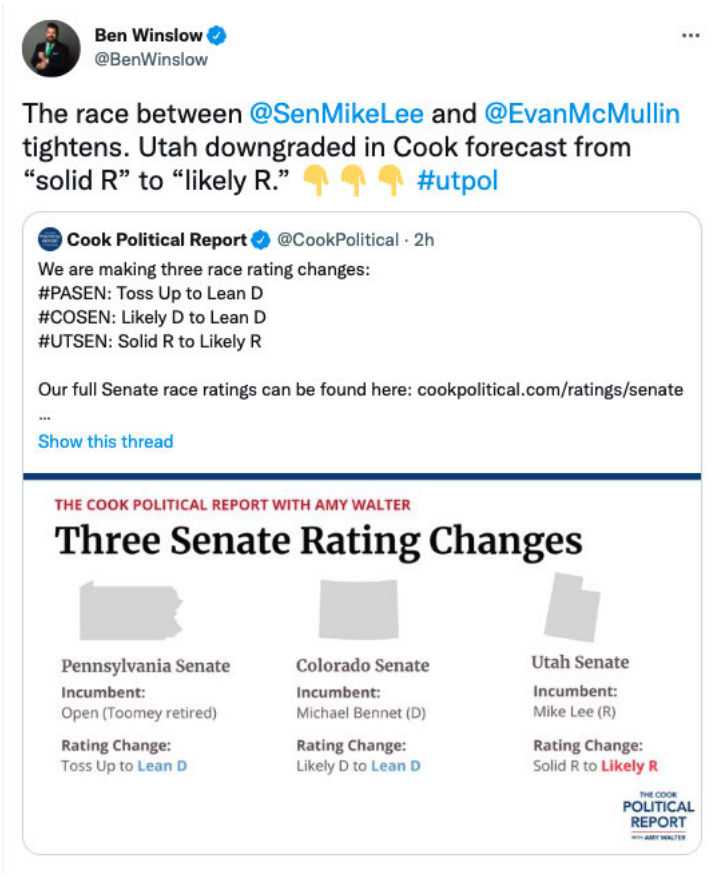
The nominees for the vacancy are: **Richard Gallegos**, adult defender, Davis County Public Defender; **Matthew Hansen**, deputy county attorney, Davis County Attorney's Office; **Jason Nelson**, general felonies division chief/deputy county attorney, Davis County Attorney's Office; **Blaine Rawson**, partner/shareholder, Ray Quinney & Nebeker; **Drew Yeates**, assistant attorney, United States Attorney's Office.

Written comments can be submitted to the Second District Judicial Nominating Commission at judicialvacancies@utah.gov or Commission on Criminal and Juvenile Justice, P.O. Box 142330, Salt Lake City, UT 84114-2330. The deadline for written comments is noon August 25, 2022. The Nominating Commission may request further information or conduct an investigation of the nominees after reviewing public comments. After the public comment period, the names will be sent to Gov. Spencer J. Cox, who will have 30 days to make an appointment. Gov. Cox's appointee is subject to confirmation by the Utah Senate.

Number of the Day



Tweet of the Day



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- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1587** - Just days after landing at Roanoke Island, Virginia, Eleanor Dare gives birth to the first English child born in the Americas. She and her husband, Ananias, name the baby girl Virginia.
- **1590** - The Roanoke Colony is found deserted. John White, the governor of the Roanoke Island colony returns from a supply-trip to England to find no trace of the 100 or so colonists he left behind, and there was no sign of violence. Among the missing were Ellinor Dare, White's daughter; and Virginia Dare, White's granddaughter and the first English child born in America.
- **1872** - Aaron Montgomery Ward produces a mail-order catalog that would launch a growing era of mail-order publications that would last more than 100 years.
- **1914** - US President Woodrow Wilson issues "Proclamation of Neutrality"
- **1920** - With Tennessee's one-vote victory cast by Harry T. Burn, women's suffrage is ratified by 2/3 of states. It will be officially certified on August 26.
- **1927** - Rosalynn Smith Carter is born. She was the U.S. First Lady from 1977 to 1981, politically active while in the White House, focused on mental health, senior citizens, and community voluntarism, and co-founded the Carter Center with her husband in 1982.
- **1936** - Robert Redford is born.
- **1963** - James Meredith becomes the first Black graduate from the University of Mississippi.
- **1991** - Soviet hard-liners launch coup against Gorbachev
- **2017** - Civilian researchers led by Paul Allen re-discover the USS Indianapolis 18,000 feet below the Pacific surface, 72 years after it was sunk by Japanese torpedoes
- **2019** - 1.7 million take part in pro-democracy protest peacefully in Hong Kong, a quarter of the population

Wise Words

"A leader takes people where they want to go. A great leader takes people where they don't necessarily want to go, but ought to be."
— Rosalynn Carter

The Punny Side

What do you call Watson when Sherlock isn't around?

Holmeless.

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SUBJECT: Strategies to Improve Youth Mental Health
FROM: "Public Health Weekly" <pr@astho.org>
TO: mwatterson@utah.gov
DATE: 18/08/2022 08:54

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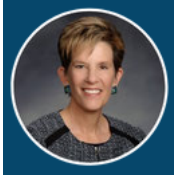
astho™

PUBLIC HEALTH WEEKLY

August 18, 2022

Communicating Through Crises: Advice from a Public Health Leader



For people to make informed decisions about how to mitigate risks during a public health emergency, health agencies must effectively communicate changes and updates to health policy and recommendations.

Karen Smith, MD, MPH, (alumni-CA) shares her experiences communicating policy changes in the face of evolving public health threats, as well as key strategies for maintaining public trust. Learn more about effectively communicating in moments of crisis in this Q&A.

READ

State Policies to Improve Youth Mental Health and Reduce Suicides

The COVID-19 pandemic negatively impacted youth and could have long-term consequences for their mental health. States have many strategies to choose from to improve youth mental health and reduce suicide. Providing them with access to needed mental healthcare and connections to trusted adults have been shown to improve mental health and reduce suicide risk.

Learn more about state strategies to improve youth mental health and reduce suicides in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

New ASTHO Training on HIV | This interactive, self-paced microlearning will give participants a brief background on HIV and an introduction to the National HIV Strategy, the four pillars of *Ending the HIV Epidemic in the United States*, and federal programs in place to help lessen the burden of HIV. **Take advantage of this new resource now.**

Braiding and Layering Funding to Address Housing and Food Insecurity | ASTHO has two new white papers out providing state and territorial health departments with evidence-based recommendations and concrete starting points to reduce food insecurity. The papers identify models and case studies focused on braiding and layering funding to reduce food insecurity and improve neighborhood-level access to food. Read the white papers now:

- **Access to Food**
- **Proximity to Food Retailers**

Performance Improvement Learning Series | ASTHO has published two microlearnings to support public health agencies looking to increase knowledge of quality improvement principles and data visualization tools that facilitate the connection with public health performance management and planning. The series are available in English and Spanish. Check them out below:

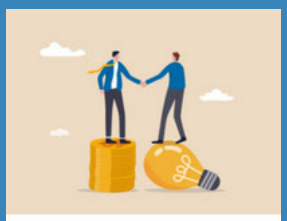
- **Quality Improvement Learning Series**
- **Data Visualization for Performance Improvement Series**

LATEST ASTHO RESOURCES AND EVENTS

Podcast

Substance Use During Pregnancy - Reducing Stigma of Treatment

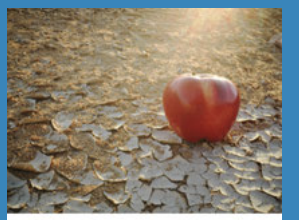
LISTEN NOW



Report

Flexible Funding to Support Public Health Innovation

READ



Blog

Using Your Braiding and Layering Funding to Address Food Insecurity

READ

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **How the Pandemic Changed PH Comms** | Khalilah LeGrand, Nebraska Department of Health and Human Services
- **Predicting COVID-19 in the Fall** | Dylan George, CDC
- **New Data on Public Health Authority** | Maggie Davis, ASTHO
- **Monkeypox Vaccine Strategy** | Marcus Plescia, ASTHO
- **Monkeypox Funding** | Devon Page, ASTHO

LISTEN

PUBLIC HEALTH REVIEW PODCAST

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

- **'Frustration and Stress': State Officials Fault Rollout of Monkeypox Vaccine.** | *The New York Times* | Anne Zink, ASTHO president-elect (SHO-AK)
- Public Health Agencies Lack Money to Combat Climate Threats. | *Stateline* | Shelbi Davis, ASTHO
- **The CDC has relaxed its COVID-19 guidelines. What does that mean for 'high risk' Miami?** | *Miami Herald* | Marcus Plescia, ASTHO CMO
- **CDC's New School Guidance Scraps Quarantines, Lifts 'Test to Stay' Recommendation.** | *The 74 Million* | Marcus Plescia, ASTHO CMO
- CDC Says Quarantine After COVID-19 Exposure No Longer Necessary. | *Bloomberg Law* | Marcus Plescia, ASTHO CMO

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higher logic

SUBJECT: Gary R. Herbert Institute of Public Policy opens at UVU
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 19/08/2022 07:25

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RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | August 19, 2022

It's Friday and it's National Potato Day. Boil them, mash them, stick 'em in a stew...

More somber news: Lt. Governor Henderson lost her cousin to domestic violence this week. 😟 Our deepest condolences on this unspeakable tragedy.

Be in the Know

- The Gary R. Herbert Institute for Public Policy opened officially at UVU yesterday. Former Governor Herbert was praised by UVU President Astrid Tuminez, who described the close relationship Herbert had with UVU beginning in its Technical College days. Current Governor Spencer Cox praised Herbert for his example in setting Utah up as a state that welcomes refugees and that treats people with kindness. Herbert said "We have a responsibility to make sure that our young people are given good instruction, being taught good principles and values, so they can become the leaders of tomorrow that they're going to be." This policy institute is set up to do just that.

Rapid Roundup

- *Another* 100° day in Salt Lake City (that makes 24 this summer), former Vice President Mike Pence will speak at UVU in September, a disturbing find in a Yellowstone hot spring, and championship mullets? It's a thing.

Multiscreen Campaigns Deliver for Political Advertisers

Based on data insights from a dozen political advertiser campaigns with 500+ million impressions delivered, Effectv found that traditional TV & streaming work better together to deliver audiences and reach voters. Read this blog to learn more.

Utah Headlines

General

- Concerns raised over SLCo District Attorney declining to prosecute domestic violence (KUTV)
- Families raise serious concerns six weeks into new $1 billion state prison (Fox13)
- Mosquitoes and medication shortages plague new Utah State Correctional Facility, say inmates (KUER)

Politics

- Catch the governor's monthly news conference held yesterday (PBS Utah)
- Utah governor says he's not a Trump Republican, but he's also not 'woke' (KUTV)
- Utah Gov. Cox says Time calling him ‘the red-state governor who’s not afraid to be woke’ isn’t helping anyone. Reaching across the aisle and working together isn’t being ‘woke,’ Gov. Spencer Cox says (Deseret News)
- Anti-vaccine and pro-abortion advocates are making the same argument. On both sides, people with seemingly opposite views use the same argument to justify their beliefs. (Deseret News)
- Cox: Parents speculating on high school student-athlete’s gender ‘disturbing.' Rules over high school sports need to be fair and followed by all competitors, Cox said. ‘Making up allegations’ about a competitor’s gender is ‘pretty disturbing to me’ (Deseret News)
- What Mitt Romney says about Liz Cheney possibly running for president: Don't do it (Deseret News)
- Don Olsen: I supported Mike Lee six years ago. Even worked on his campaign. No more. (Salt Lake Tribune)
- Though it’s rarely used, Utah still has a forced sterilization law. While some may think forced sterilization laws are in the past, Utah is one of 31 states that still has — and uses — them. (Salt Lake Tribune)

- Utah's governor signals support for bill requiring clergy to report abuse (Fox13)

Education

- UVU opens Gary R. Herbert Institute for Public Policy, announces Pence visit (KSL)
- The 'crisis in the classroom' — how are we teaching politics to kids? (Deseret News)
- How a Utah school district will resolve criminal charges of failing to report child abuse. Park City School District has come to a deal with prosecutors by agreeing to provide more training on mandatory reporting. (Salt Lake Tribune)

Environment

- Dead cows and ripped up crops: A new reality due to drought in the West (Deseret News)
- Weber Basin to receive $14M in federal funding for water reuse project (Fox13)
- Zion National Park trails closed for condition assessment after downpour (St. George News)

Family

- Why Russian mothers with 10 children are being awarded as 'heroines' amid global fertility struggle (Deseret News)
- How to protect your child from sexual abuse in youth sports (Deseret News)
- It now costs $300,000 to raise a child. A middle-income family might spend more than $18,000 a year on average, as inflation hits food, housing, haircuts and sports, Brookings analysis finds (Wall Street Journal)

Health

- 'We need you': Utah Gov. Cox pleads for Utahns to do more to prevent suicide (Deseret News)
- Utah COVID-19 case counts, hospitalizations decline as state reports 13 deaths (Salt Lake Tribune)

Housing

- A Black professor who studies housing discrimination had his house appraised: $472,000. He then did a "whitewashing experiment," removing indications of Blackness, and had a white colleague — another professor — stand in. The appraisal? $750,000. (New York Times)

National Headlines

General

- Social media was his bullhorn - and the way he lured women. Dan Price used social media to bury his troubles, and harnessed his viral fame to enable a pattern of abuse in his personal life and hostile behavior at his company. Don't miss this story in the New York Times
- How often does the Justice Department investigate churches? Hint: not often (Deseret News)
- Judge limits clergy privilege defense in AZ Mormon sex abuse case (AP)

Politics

- Federal judge gives DOJ a week to redact the Mar-a-Lago affidavit before deciding what information can be unsealed (Deseret News)
- Biden to host September summit targeting hate-fueled violence (Reuters)
- Pa. Senate race no longer tossup as Fetterman memes zero in on Oz's wealth (Washington Post)

Ukraine UA

- Doctors stay in Ukraine's war-hit towns: 'People need us' (AP)
- Bomb threats put tiny Moldova, Ukraine's neighbor, on edge (AP)
- From bomb shelter to dorm room: Ukrainian students find refuge at U.S. colleges (Reuters)
- Ukraine's southern forces wage a slow campaign to wear the Russians down (Wall Street Journal)
- Russia's spies misread Ukraine and misled Kremlin as war loomed (Washington Post)
- Odesa is defiant. It's also Putin's ultimate target. (New York Times)
- Ukrainian overnight attacks aim to undermine Moscow's fighting capacity. (New York Times)

World News

- Low water levels on Danube reveal sunken WW2 German warships (Reuters)
- State Department warns US travelers of 'kidnapping risk' in Mexico (The Hill)

News Releases

Gov. Spencer Cox appoints new energy advisor and director of Office of Energy Development

Utah Gov. Spencer Cox has tapped Duchesne County Commissioner Gregory Todd as his new energy advisor and director of the Office of Energy Development, an agency within the Department of Natural Resources.

"Greg's extensive experience in both the energy sector and public service make him well suited for this role in our administration," Gov. Cox said. "We look forward to his leadership in making sure Utahns have secure, affordable and sustainable sources of energy." (**Read More**)

Utah Democrats demand Rep. Ferry's resignation and removal from ballot

The Utah Democratic Party and Joshua Hardy, candidate for House District 1 in the state legislature, yesterday called on Rep. Joel Ferry to resign his seat in the legislature and have his name removed from the ballot. Currently, Mr. Ferry is Acting Director of the Utah Department of Natural Resources and a state representative. This is a clear violation of the Utah Constitution.

"Mr. Ferry is clearly no longer eligible to serve in the legislature since he accepted Gov. Cox's appointment and began to work for DNR," said Mr. Hardy. (**Read More**)

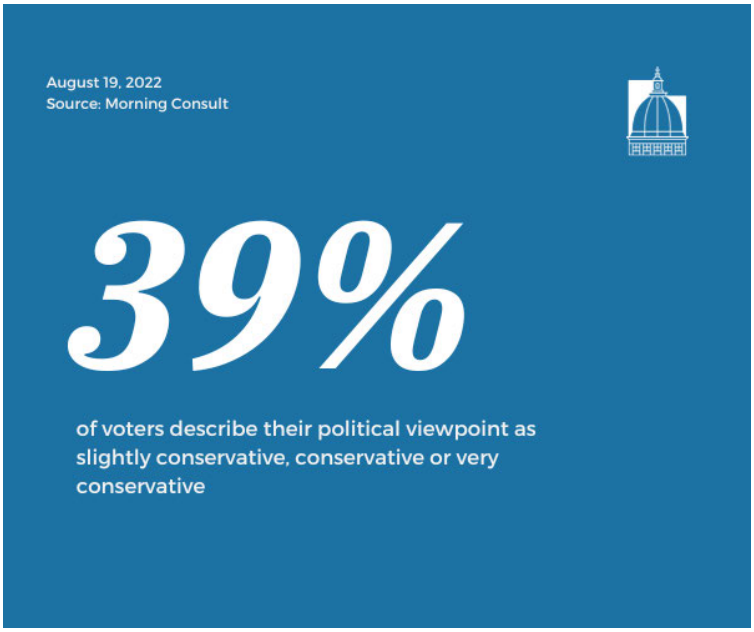
Prevent Child Abuse Utah releases statement about child abuse reporting

The State of Utah's child abuse reporting law mandates who must report– not who can't. When made in good faith, a report of child abuse or suspected child abuse is always legal.

“Keeping children safe is the responsibility of the entire community. Many denominations choose to report abuse even where Utah law does not require it.”, Laurieann Thorpe, Executive Director, Prevent Child Abuse Utah.

Prevent Child Abuse Utah invites all religious organizations to review their canon law, church doctrines and practices and change any that suggest clergy or volunteers serving in positions of authority, not report child abuse. (**Read More)**

Number of the Day



Tweet of the Day

Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **General election –** Nov 8
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1791** - An accomplished mathematician, astronomer and son of a former slave, Benjamin Banneker writes to Thomas Jefferson, urging justice for African Americans using Jefferson's own words from the Declaration of Independence.
- **1851** - Charles Hires is born. The Philadelphia pharmacist developed a drink he called root beer. Utah thanks you, Charles.
- **1919** - U.S. President Woodrow Wilson appears personally before the Senate Foreign Relations Committee to argue in favor of its ratification of the Versailles Treaty.
- **1920** - Donna Allen is born. She founded the Women's Institute for Freedom of the Press in 1972 to publicize and research women's issues which she thought were ignored by the main stream media.
- **1941** - Germany invades the Soviet Union
- **1946** - Bill Clinton is born. He became the 42nd US president.
- **1953** - CIA-assisted coup overthrows the government of Iran and reinstates the Shah.
- **2014** - NASA satellites take photos showing that the eastern basin of the Aral Sea had for the first time completely dried up
- **2020** - Apple becomes the 1st US company to be valued at $2 trillion, just 2 years after it reached $1 trillion valuation

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Wise Words

"One of the criticisms I've faced over the years is that I'm not aggressive enough or assertive enough or maybe somehow, because I'm empathetic, it means I'm weak. I totally rebel against that. I refuse to believe that you cannot be both compassionate and strong."

— Jacinda Ardern, Prime Minister of New Zealand

The Punny Side

If the Internet had a boat, where would they park it?

In Google Docs.

[redacted]

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SUBJECT: Mental health resources, water conservation, and more
FROM: Office of Gov. Spencer Cox <govcomm@utah.gov>
TO: <mwatterson@utah.gov>
DATE: 19/08/2022 12:18

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Happy Friday from #OneUtah, a weekly update from the office of Gov. Spencer J. Cox. Here's your recap of what we did this week, what's on the horizon, and more. Reply to this email with any questions or suggestions regarding the newsletter. And thank you for subscribing!

A reminder about mental health

If you or someone you know is struggling with thoughts of suicide, please reach out. Talk to someone you trust, call 988, or use the SafeUT app, a state-funded crisis chat and tip line, which experts say is saving the lives of at least two Utah students per day.

Help is available, and we need you here.

And if you – or someone you know – fear for your safety due to stalking or intimate partner violence, please contact the statewide domestic violence info line at 1-800-897-5465 for help, including counseling, shelter, transportation, and other services.

Honoring a mentor, friend, and leader

It was a great honor to be part of the opening of Utah Valley University's first and only public policy institute which is named for an outstanding mentor, friend, and governor, Gary R. Herbert.

The Herbert Institute will be a center where UVU students can learn about this great leader and what good government looks like.

Congratulations to President Astrid Tuminez for her visionary effort to create a place where the next generation of Utah's policy leaders can gather, hear from diverse thought leaders, and learn about what makes Utah and our country great. And to Gov. Herbert: Congratulations on this monumental achievement. Your legacy of good governance and public service will benefit UVU and the state of Utah for years to come.

Got a minute?

Tell us what you think of the #OneUtah newsletter! Please click the button below to complete a brief satisfaction survey. We appreciate your feedback!

Tell us what you think!

Meeting with GoUtah and local business leaders

The Go Utah Board promotes and encourages economic opportunity for all Utahns and the state's commercial, financial, industrial, agricultural, and civic welfare. This week we were happy to join their board on two trips to Utah businesses.

First we met with Entrata, the leading operating system for multifamily communities worldwide. We discussed housing and growth in our state, Entrata's community service, and more. We look forward to visiting again soon!

We also toured the Rio Tinto Kennecott mine, a world-class, integrated copper mining operation and major employer in Utah. We appreciate Rio Tinto Kennecott's commitment to supporting and participating in the state's economic growth, environmental protection, and community support!

Staying focused on families and children in Utah

We're staying focused on families and children in Utah. On Wednesday, Lt. Gov. Deidre Henderson chaired the Governor's Early Childhood Commission with leaders from across state government. We're happy to report the

commission is laser-focused on coordinating and streamlining support services and bolstering resources for families with young children, including with the DHHS Office of Early Childhood.

Thanks to the commission for doing such important work for the Beehive State.

We're also re-examining some of the policies and ideas that we think can make Utah an even better place to live and raise a family. Stay tuned!

PBS Utah Monthly News Conference

This week we answered questions at the PBS Monthly News Conference in a live exchange with reporters. Here are a couple topics we discussed:

Q: With school starting, how are we making schools safer?
A: The SafeUT app, while mainly used for helping with students' mental health, can also be used for school safety. It gives kids and parents the ability to anonymously connect with law enforcement to report any type of bullying or suspicious behavior. We've received close to 300 tips over the past year — some of which pointed to potential violence — so we're glad law enforcement could step in and intervene early.

Over the summer, the Utah Department of Public Safety has also been working very closely with school districts, the state superintendent, and the state school board to make sure everyone is implementing safety measures in every one of our schools. They've checked to make sure everyone is using proper training and that the schools' ingress and egress are figured out in a way that will add additional safety. We also have resource officers in many of our schools that are available to help with any issues that may arise in schools.

Q: What's your take on the energy provisions in the Inflation Reduction Act?
A: It's closer to a better approach. We have a unique opportunity in Utah to seek out an all-of-the-above energy approach that will ultimately lead to much better outcomes, and we appreciate the emphasis on both sides of the energy ledger. There's tremendous potential in Utah for solar, wind, geothermal, hydrogen, and more.

However, the most important thing that can come out of this legislation wasn't actually in the legislation — we're told part of the deal to get that legislation passed is permitting reform. The National Environmental Protection Act has unfortunately prevented, slowed down, or increased the cost of big projects that we know would have a good impact on the environment. Here in Utah we've seen NEPA slow down transmission lines. As we're trying to electrify things we do, like driving, we need to be able to transmit electricity, and in Utah it can take seven to 10 years to get these projects off the ground.

We care about the climate and about reducing emissions, but we must find ways to greatly increase the speed at which we're able to build these transmission lines.

You can watch the press conference in its entirety here.

Discussing the Utah way, conservation, and more

We also joined Washington Post reporter Jacqueline Alemany for a live discussion. Here's a look at a few of the questions we answered:

Q: How are you protecting the Great Salt Lake?
A: Historically, the state of Utah had a "use it or lose it" mentality. We changed that mentality in the state and set aside $40 million to purchase water rights from holders which allows farmers and ranchers to keep their water in the streambed. That is going to have a tremendous effect on the Great Salt Lake water levels.

We are using some great nonprofits to help us with preserving waterways and improving animal sanctuaries. We are also doing a significant amount of work to remove invasive species, which will leave more water in the stream and the Great Salt Lake.

We are also working with the federal government. There has been legislation run by members of Congress from the state of Utah with support from leadership in both parties to help us get some resources here as well as the Army Corps of Engineers who will help us understand what is happening with the lake and what we can do to save it.

Q: Why are Utahns able to compromise on such difficult issues?
A: Utahns are great at this. There are so many areas where we are not that far apart, and either side being willing to compromise a little bit would solve 90% of our problems and build bonds that bring Republicans and Democrats together.

Q: How are you addressing systemic issues that are tied in to abortion care?
A: One is trying to prevent unwanted pregnancies as much as possible. Access to contraception is one area that we can do more.

Supporting mothers, especially single mothers, who are living in poverty through access to child care and making health care more available is another aspect we are looking at as a state.

In addition, we are looking at ways to hold men more accountable. We recently passed a policy change that prohibited the procurement of hunting and fishing licenses for those men who are behind in their child support payments and we have seen that be successful.

I am hoping we have several policy proposals passed in the Legislature that will show that we do care about all life — life in the womb but especially life after birth and the women who are far too often bearing the responsibility of caring for these children.

Watch the discussion here.

Addressing drought in the West

We're continuing to share ways in which the state is working to conserve water and plan for a drier future. This week, we're talking about cross-state collaboration.

One-third of Utahns rely on the Colorado River for drinking water, and the river is a major contributor to the state's $189 billion economy. When it comes to resources like the Colorado River, Utah must work with neighboring states to preserve and protect water.

This is especially urgent given that far more Colorado River water is being used, especially by the Lower Basin states, than is available due to the current drought and climate change impacts. Recent estimates based on last year's use show the Lower Basin and Mexico are using about 10 million acre-feet, the Upper Basin states are using about 3.5 million acre-feet and the available flow is only around 6.3 million acre-feet.

We're all going to have to cut back. But Lower Basin states use more than twice the water than Upper Basin states, so it makes sense that the greatest cuts should be shouldered by the Lower Basin.

We support long-term reductions in use over short-term fixes if we are truly going to sustain the system. Utah, along with the other Upper Basin states, will continue to do our part to conserve and bring solutions to the table.

Read more about how we're addressing drought in the West here.

Closing a chapter in Utah history

For 71 years, the Draper prison served the people of Utah as a facility focused on keeping us safe. But over the years, we developed better ways to secure those who were paying their debt to society while at the same time teaching them to rebuild their lives and find a productive future on the outside. The transfer to the new State Correctional Facility in Salt Lake will fulfill this new mission more fully.

This week we were able to recognize those who made the transfer of 2,464 incarcerated individuals possible. We were also able to honor Gov. Gary Herbert for his initiation and support for the prison movement from day one.

The Draper Prison Chapel will be preserved in recognition of its significance in the lives of many Utahns. As we close this chapter, we acknowledge the former Draper Prison and look forward to the future.

How to visit rock imagery sites safely

Rock imagery sites in Utah preserve important messages of the past. Familiar symbols etched into colorful rock formations communicate messages from early Native Americans intended for their posterity.

These tips will help you appreciate rock imagery locations respectfully and in the interest of preservation.

Spotlighting Utah's 'Spirit of Service'

In our inaugural Governor's Spirit of Service Award Ceremony, we recently recognized the outstanding service that Utahns are doing throughout the state. Each week, we'll highlight one of these unsung heroes. This week, we're highlighting the Ruff Haven Crisis Sheltering Center.

Ruff Haven Crisis Sheltering Center works to prevent individuals from having to surrender their pets by providing shelter when someone is experiencing a crisis, temporary hardships, medical emergencies and more.

Read more about Ruff Haven Crisis Sheltering Center and the other honorees here.

ICYMI

- We're proud to report that the executive branch took the trophy — figuratively — at this year's executive-legislative softball game. We appreciate the legislative branch's good sportsmanship and look forward to next year's match!
- Speaking of baseball … we'd love to welcome an MLB team to Utah soon.
- Now for the most important baseball-related item to attend to: We're incredibly proud of the Snow Canyon Little League baseball team for making it to the Little League World Series! But we were devastated to hear about one player's recent injuries. Please join us in praying for Easton Oliverson, his family, and his team. You can also show support with one of the team's hats.
- KSL NewsRadio's "Let Me Speak to the Governor" is back! This month, we answered your questions about water conservation, transportation projects, and more. Listen here!

- On Mondays we wear pink? Lt. Gov. Henderson joined ABC4's Good Things Utah on Monday to give a brief update on the state of the Beehive State. She picked out a pink blazer that morning – and so did the hosts. Watch the segment here.
- Good news for conservation efforts: Weber Basin's study of metered usage in the 2021 season concluded that the presence of meters reduced consumption by 20% to 29%. Read the Standard-Examiner story here.
- Vote Utah launched a new TikTok account this week! Staff from the Lieutenant Governor's Office will explore voting in the Beehive State, notary public, entity registration, document authentication, and other responsibilities that fall under the lieutenant governor's role. Follow Vote Utah on TikTok here.

Coming up

- Aug. 22: We'll welcome many of Utah's mayors to the Capitol and to the Governor's Mansion to learn more about their communities and thank them for their service.
- Aug. 22: Lt. Gov. Henderson will host a luncheon for yet another successful class of returnees. The third Return Utah cohort is wrapping up before the next group starts the 16-week return-to-work program.
- Aug. 25: Join us for a free, in-person discussion with the Women's Leadership Institute about how to elevate Utah women in leadership. Details here.
- Aug. 25-26: Lt. Gov. Henderson will connect with local leaders in Weber County on Thursday and Box Elder County on Friday. Don't miss her at the 97th Annual Box Elder County Fair in Tremonton. It's gonna be fun!
- Sept. 1: We'll help host a town hall with Utah's agricultural community. Stay tuned for details!

Get involved!

Looking for a new job opportunity? From great employee benefits to versatile work schedules, the career opportunities with the state are truly endless. Join Team Utah today!

Those looking to volunteer can also consider more than 300 boards and commissions. Find out which openings are available and how you can get involved here!

Get in touch!

You can reach the Governor's Office here. And you can follow us on Twitter, Facebook, Instagram, TikTok, and YouTube for the latest news and updates.

Contact the Governor's Office

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PUBLIC HEALTH WEEKLY

August 25, 2022

Letter to the White House Requesting Funding For a National Monkeypox Response

In response to HHS' recent declaration of the monkeypox outbreak as a public health emergency, ASTHO CEO Michael Fraser writes to the White House asking for increased resources to better support state, local, tribal, and territorial health agencies as they respond to the outbreak.

While health departments have been able to use COVID-19 supplemental funding as part of their

Strategic Policies Protect Breastfeeding in Workplaces and Schools

The American Academy of Pediatrics recommends that infants exclusively breastfeed for the first six months of life and continue for one year while introducing solid foods.

Studies also show that Black, low income, and other systemically marginalized families are disproportionately impacted by work environments without lactation accommodation.

monkeypox response, it has become increasingly clear that public health needs dedicated resources to mount an effective campaign against monkeypox. Learn more about the evolving response now.

READ

Learn how states are strengthening workplace and school protections for breastfeeding and lactation in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

New ASTHO Training on HIV | This interactive, self-paced microlearning will give participants a brief background on HIV and an introduction to the National HIV Strategy, the four pillars of *Ending the HIV Epidemic in the United States*, and federal programs in place to help lessen the burden of HIV. **Take advantage of this new resource now.**

BE IN THE KNOW

Thank you for being a long-time subscriber to *Public Health Weekly*—we greatly appreciate your support! But did you know that we have more great newsletters to keep you up-to-date on the latest and greatest from ASTHO?

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LATEST ASTHO RESOURCES AND EVENTS

Brief

Louisiana Aims to Recharge Neighbors' Battery-Powered Life Support Equipment

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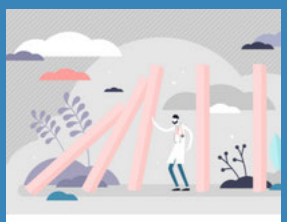

Blog

Preparing for the Next Infectious Disease Threat

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Report

Considerations for Maternal Child Health Policies During Public Health Emergencies

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THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **New Flu Vaccine Polling** | Gillian SteelFisher, Harvard T.H. Chan School of Public Health
- **New COVID-19 Guidelines** | Ian Williams, CDC
- **CDC Reforms** | Nirav Shah (SHO-ME), ASTHO President
- **Back to School Concerns** | Dylan George, CDC
- **The Secrets to Effective Communication** | Glen Nowak, UGA Grady College of Journalism and Mass Communication

LISTEN

PUBLIC HEALTH REVIEW PODCAST

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network

• **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
• **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

astho PUBLIC HEALTH REVIEW

ASTHO IN THE NEWS

• **White House strategy for monkeypox vaccines causing 'chaos out in the field'.** | Politico | Marcus Plescia, ASTHO CMO
• **White House speeds monkeypox vaccines, but not everyone likes the pace.** | *The Washington Post* | Marcus Plescia, ASTHO CMO; Joseph Kanter (SHO-LA)

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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | August 25, 2022

It's Thursday and National Banana Split Day. Also, only 4 months left until Christmas Day!🎄

Lots of news releases today - check them out below.

Be in the Know

- Utah is suing the federal government over Bears Ears and Grand Staircase-Escalante, saying that President Joe Biden has violated the Antiquities Act. “These public lands and sacred sites are a stewardship that none of us take lightly. The archeological, paleontological, religious, recreational, and geologic values need to be harmonized and protected. Rather than guarding those resources, President Biden’s unlawful designations place them all at greater risk,” says a statement about the lawsuit. The lawsuit has opposition from a number of groups, including tribal coalitions. “The tribes have been working for decades and really centuries to protect these lands, and it looks like we’ll have to continue that fight,” said attorney Matthew Campbell of the Native American Rights Fund.

Rapid Roundup

- Shake, shiver and shovel this winter, says the Farmers' Almanac; dried up river in Texas reveals ancient dinosaur tracks; Nancy Pelosi's husband gets 5 days in jail after DUI, gas prices have dropped 70 days in a row; Vanessa Bryant awarded $16 million in suit over Kobe Bryant crash photos; and a British-Belgian teen becomes youngest person to fly solo around the world.

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Deliver your message to a targeted audience in Utah on every screen across top networks and thousands of programs. In this Myths of TV News video, we set the record straight on viewership trends that will boost your political strategy.

Utah Headlines

General

- What’s causing the traffic on Salt Lake’s canyon roads? Wildfire mitigation (Deseret News)
- Riley T. Smith: Ending hunger should be Utah’s next social mobilization (Salt Lake Tribune)
- Manti Te’o reveals what inspired him to open up about the catfishing scandal (Deseret News)
- Utah leaders share tips for engaging with diverse communities (KSL)

- Utahns celebrate Ukraine Independence Day (Fox13)
- Hill AFB prepares for Women's Equality Day celebration (Standard-Examiner)

Politics

- Here's what Biden's student loan plan means for Utahns (Salt Lake Tribune)
- Mitt Romney has a word for Biden's student loan forgiveness plan: bribe (Deseret News)
- University of Utah students react to President Joe Biden's debt forgiveness plan (KUTV)
- The GOP sees student loan forgiveness as an economic drag. One Utah economist disagrees (KUER)
- Editorial Board: A winning student athlete had her gender identity questioned. What is Utah's policy going forward? (Deseret News)
- Are women in politics held to an unfair standard? (KSL)

Business

- Inland Port Authority has a new boss, Ben Hart; he warns that failure would 'damage' Utah for generations (Salt Lake Tribune)

Education

- Even with Utah support, teachers still turn to donations and out-of-pocket cash for supplies (KUER)
- Jordan School District creates 'Zen Center' break area for teachers (KSL)
- Debate brewing over how to pay for new high school in Wasatch County (KUTV)
- How secretive meetings led to the firing of an entire school board with ties to polygamy. Part three of "FOX 13 Investigates: Administrators Expelled" series (Fox13)
- Alpine School District teacher accused of sexual exploitation of a minor (Fox13)

Environment

- Can the University of Utah find answers to climate change? It just got $20 million to try (Deseret News)
- Two Utah universities are tackling climate change in search of practical solutions. The U. and USU have new centers focused solely on helping the state adapt to a rapidly changing world. (Salt Lake Tribune)
- Cloud seeding: a potential save for the Great Salt Lake (KSL Newsradio)

Housing

- Wei Yao and Cameron Smith: Salt Lake City can't be both pro-developer and pro-tenant (Salt Lake Tribune)
- Andra Ghent: Salt Lake City should sell golf courses to provide affordable housing (Salt Lake Tribune)

National Headlines

General

- Yale study finds nearly 50,000 people held in solitary confinement in the U.S. A U.N. human rights expert says the practice is akin to torture (Deseret News)
- Uvalde school police chief fired for response to shooting (AP)

- Stock futures rise as investors await Jackson Hole (Wall Street Journal)
- The surprise in a faltering economy: Laid-off workers quickly find jobs (Wall Street Journal)

Politics

- Survey: Americans support student loan forgiveness — for those with real need (Deseret News)
- Student loan forgiveness could help more than 40 million (AP)
- Ex-football star Herschel Walker's woes hurt Republican chance of taking U.S. Senate (Reuters)
- Trump calls for McConnell to be ousted as GOP leader 'immediately' (The Hill)
- Emails show Trump lawyer agreed Archives should get requested records (The Hill)
- Judge sides with Biden admin, blocking part of Idaho's abortion ban (Politico)
- More U.S. lawmakers set to visit Taiwan, defying angry Beijing (Reuters)

Ukraine UA

- How war in Ukraine has created a refugee and poverty crisis. Increased food prices, millions of displaced refugees, a disrupted supply chain and a cost-of-living-crisis are some of the ways the Russian attack on Ukraine is causing a ripple effect on the world (Deseret News)
- 6 months of war in Ukraine — a time to count the costs (Deseret News)
- Once a heavyweight champion, Kyiv's mayor now fights the Russians (NPR)
- Russia says train station attack was on Ukrainian military target (AP)
- Putin orders Russian military to beef up forces by 137,000 (AP)
- Zelensky vows retribution after deadly Russian strike on Independence Day (Washington Post)

World News

- Rohingya mark 5th anniversary of exodus to Bangladesh (AP)

News Releases

Utah challenges unlawful designation of National Monuments

Today, Utah Attorney General Sean D. Reyes filed a lawsuit in the U.S. District Court for the District of Utah against President Biden's unlawful designation of the Bears Ears and Grand Staircase-Escalante National Monuments.

"These public lands and sacred sites are a stewardship that none of us take lightly. The archeological, paleontological, religious, recreational, and geologic values need to be harmonized and protected. Rather than guarding those resources, President Biden's unlawful designations place them all at greater risk...A congressional solution would be the more effective path for the conservation and management of Utah lands..." (**Read/Watch More**)

Ben Hart named executive director of the Utah Inland Port Authority

The Utah Inland Port Authority (UIPA) Board of Directors announced Ben Hart as the organization's new executive director Wednesday, August 24, 2022. Hart has served as deputy director of the Utah Governor's Office of Economic Opportunity (Go Utah) since March 2017 and was formerly a member of the UIPA board. He was selected from a list of several qualified candidates by the

current board. Hart will begin working to fulfill the Port Authority's mission of providing smart, sustainable, and equitable supply chain solutions on September 12, 2022. (Read More)

Salt Lake remains second highest metro for home price increases

Most Western metros see price decreases from June to July. The Federal Reserve increased interest rates four times in five months (March, May, June and July) in part to slow inflation. That seems to be having an impact in the housing market. Mortgage rates are the highest they've been since 2009, and U.S. year-over-year home price appreciation peaked at 17.3% in March, falling to 13.7% by July.

While home price appreciation is slowing, the Salt Lake City metro area remains second highest in the nation from June to July. This is unusual for the West, given that eight of the 10 metros with the largest decrease in appreciation are our western neighbors. (**Read More**)

Gov. Cox declares State of Emergency due to southern Utah flooding

Gov. Spencer Cox has issued a State of Emergency in response to the recent flooding in Grand, Emery and Wayne counties. The declaration raises awareness of the dangers of flash flooding and allows the state to continue offering state assistance to local governments as needed. (**Read More**)

Poverty Summit on Saturday to focus on major new funding for housing to end homelessness in Salt Lake County

This Saturday, August 27, Crossroads Urban Center is hosting a Poverty Summit at Christ United Methodist Church in Millcreek. The first topic to be addressed at the summit will be what it would take to make homelessness brief, rare and nonrecurring in Salt Lake County as we prepare to potentially host another Olympic Games in 2030 or 2034. (**Read More**)

Bipartisan bill introduced to shine light on demands of Hong Kong authorities and protect Hong Kongers

This week, Congressman John Curtis (R-UT) and Congressman Scott Peters (D-CA) introduced the bipartisan *Hong Kong Business Integrity and Transparency Act* to establish regular reporting on instances where Hong Kong authorities demand data, content takedowns, or assistance with law enforcement from U.S. companies.

Hong Kong after the 2020 National Security Law is no longer the global business city it once was. We have already seen authorities increasing demands from U.S. businesses to comply with data disclosure laws that mirror the laws of the mainland, **said Curtis.** *The Hong Kong Business Integrity and Transparency Act will establish transparency on what information the government of Hong Kong is requesting so that we can protect not only businesses but also protect Hong Kongers.* (**Read More**)

Lee opposes plan to cancel student debt

Sen. Mike Lee (R-UT) opposes President Biden's plan to cancel a portion of federal student debt. Lee offered the statement below following the plan's announcement.

"*President Biden's plan to cancel student debt is yet another reckless spending policy during a period of dangerous inflation. This plan will hurt*

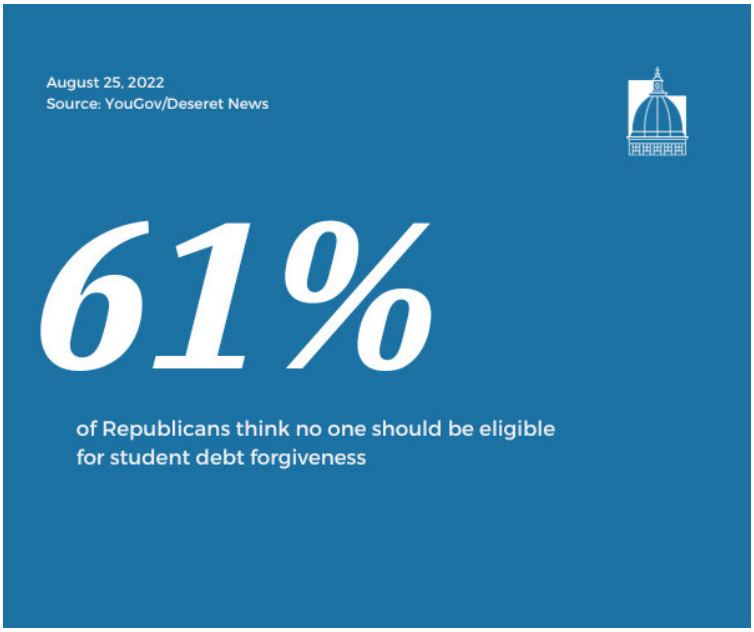
everyone, including those the policy purports to help. Canceling debt will do little to ease America's economic burden and will instead fuel inflation, increase the cost of education, and further the divide between the rich and poor. This sets a dangerous precedent and misleads future borrowers who presume additional forgiveness is inevitable."

Ally Isom named VP, Chief Strategy & Marketing Officer at Clyde Companies

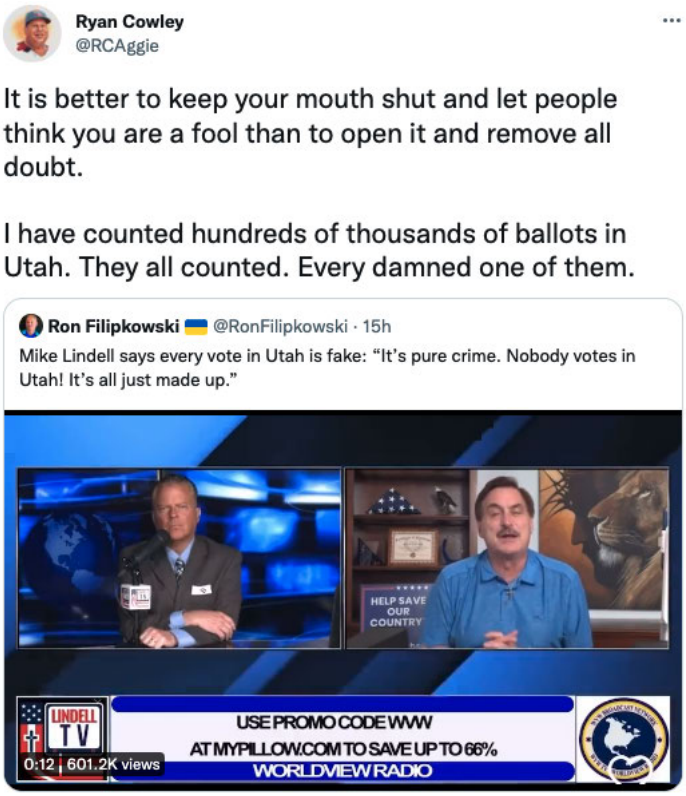
Clyde Companies has announced the hiring of Ally Isom as its Vice President and Chief Strategy & Marketing Officer, effective Sept. 6, 2022.

In this newly created position, Isom will utilize her extensive knowledge to oversee all aspects of marketing & communications, government & public affairs, corporate travel, and community impact within Clyde Companies. (**Read More**)

Number of the Day



Tweet of the Day



Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **General election –** Nov 8
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **325** - Council of Nicaea concludes with the adoption of the Nicene Creed
- **1900** - Friedrich Nietzsche, German philosopher and philologist, dies at 55
- **1916** - National Park Service is founded.
- **1944** - Paris is liberated after four years of Nazi occupation
- **1945** - John Birch, an American missionary to China before the war and a captain in the Army during the war, is killed by Chinese communists
- **1950** - Truman orders army to seize control of the railroads
- **1952** - Puerto Rico becomes a US commonwealth
- **1985** - Samantha Smith, the 13-year-old "ambassador" to the Soviet Union, dies in a plane crash

- **1990** - UN security council authorizes military action against Iraq
- **2005** - Hurricane Katrina forms
- **2009** - Ted Kennedy, “liberal lion of the Senate,” dies at 77.
- **2018** - John McCain dies of brain cancer at age 81
- **2020** - The World Health Organization announces that Africa has eradicated polio (defined as four years since its last case)

Wise Words

“The individual has always had to struggle to keep from being overwhelmed by the tribe. If you try it, you will be lonely often, and sometimes frightened. But no price is too high to pay for the privilege of owning yourself.”
— Friedrich Nietzsche

The Punny Side

"Dad, can you tell me what a solar eclipse is?"

No sun.

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SUBJECT: Pandemic hard on kids in more than one way
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 30/08/2022 07:55

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Situational Analysis | August 30, 2022

It's Tuesday and National Grief Awareness Day. At some point, we will all experience grief - being supported through those dark days can make all the difference.

Be in the Know

- The pandemic was hard on kids on more than one way. Earlier this month, *The Journal of Pediatrics* published the results of a study showing a massive spike in Type 2 diabetes. A typical year sees 5% growth in cases, but in the first year of the pandemic, there was a ***77%*** increase. Black and Hispanic children are disproportionately represented. The authors of the study have several hypotheses about why: Preliminary research shows that COVID-19 itself might heighten the risk for developing diabetes, but there are other possible contributors as well, including increased stress, decreased exercise, decreased healthy eating, poor sleeping habits, depression and anxiety, which can also increase the risk.

Rapid Roundup

- People under 21 banned from buying canned whipped cream in New York; best spots to check out in Utah this Labor Day weekend; the Artemis I launch was scrubbed at the last minute; Serena Williams wins her first match at the US Open; Madam C.J. Walker, the daughter of slaves and America's first female self-made millionaire, is now a Barbie.

In Search of the Best Companies to Work For

Are you proud of where you work? Utah Business is recognizing the organizations deemed the "best place to work in Utah" by their own employees. Let your company know so they can register before nominations close at the end of August.

Utah Headlines

General

- Horrible tragedy. 2 siblings hit, killed on their way to school in Provo; driver also died (KSL)
- Utah FBI employee charged with sexually abusing multiple children (Fox13)
- Salt Lake County DA switches course, files charges against former Bluffdale fire chief (KUTV)
- Manti Te'o catfishing documentary: What is catfishing? How to avoid getting catfished (Deseret News)
- Alta High football player Jalen Sutton recovering after spinal cord surgery following injury last week (Deseret News)
- "... you tell your Goddaughter to stand tall, be proud and continue to be BLACK!!! We are a brotherhood and sisterhood! We have her back. This

is not sports," writes LeBron James (Deseret News)
- Dick Harmon: BYU, rest of us must do better in educating about, combating racial bigotry (Deseret News)
- Black Menaces TikTok group speak out on racist BYU incident (ABC4)
- BYU students of color see 'business as usual' on campus following racial heckling incident (KUER)

Politics

- A group pitching a proposal to build a pipeline from the Pacific Ocean to the Great Salt Lake met with some members of the Utah legislature and Governor Cox's office (Fox13)
- What Utah politicians are saying about the racist incident at a BYU volleyball game (Deseret News)
- 3 Utah 'resiliency' projects receive $109M in grants from federal government (KSL)
- Salt Lake City raises property taxes after reported increase in services demand (KSL)
- It's time for more grace in our public discourse (Deseret News)
- Lessons in politics and empathy from one of New York's elder statesmen, Robert Abrams: 'If you can explain to your constituents what motivated you to vote that way ... even if they don't agree with you, they'll understand.' (Deseret News)
- Senator Keith Grover wants church leaders to pass a background check before working with children (Salt Lake Tribune)

Business

- Investors in Utah's Pluralsight get a 2nd chance to prove an executive misled them while he was selling his stock (Salt Lake Tribune)

Economy

- New federal report shows hints of easing inflation, but goods and services still mostly up (Deseret News)

Education

- Utah college helps Chicano artists preserve their culture through murals, music and more (Salt Lake Tribune)
- Parents outraged after preferred pronouns posted by Farmington Jr. High counselors (KSL TV)
- Uncertainty greets parents on first day of school in Salt Lake City (KUTV)
- 😮 Motorcyclist arrested after going 100mph through Millcreek school zone (KUTV)
- Police help Salt Lake City kids with back to school supplies in Pay-it-Forward program (Fox13)

Environment

- 'Significant milestone' in climate change fight: Underground carbon storage gaining traction in Wyoming, but years away in Utah (Deseret News)
- Utah expected to break many temperature records as 'heat dome' arrives ahead of Labor Day (St. George News)
- Utah forecast calls for scorching temps, with record-breaking heat in Salt Lake City (Salt Lake Tribune)
- Greenland ice sheet set to raise sea levels by nearly a foot, study finds (Washington Post)

Health

- How to order free COVID-19 at-home tests before program ends Friday (Deseret News)
- Monkeypox can spread to anyone, in more ways that you may think. Here's what you need to know (Deseret News)

Housing

- Can Utah commit to reducing homelessness before hosting another Olympics? (KSL)
- Rent price hikes are slowing — but are outpacing home price increases (Deseret News)

National Headlines

General

- Mississippi's largest city in water crisis as treatment plant fails (Washington Post)
- Known as the "Man of the Hole," the last member of an Indigenous group was found dead this month in Brazil, marking the first recorded disappearance of an isolated tribe in the country. (New York Times)
- A man who entered a zoo enclosure to allegedly steal a rare white lion cub was mauled to death by the other lions. (Fox13)
- Data centers, backbone of the digital economy, face water scarcity and climate risk (NPR)
- The remains of Nichelle Nichols (Lt. Nyota Uhura on Star Trek) will join those of Gene Roddenberry (Star Trek creator), his wife, actor Majel Barrett-Roddenberry, as well as those of James Doohan, who played Montgomery "Scotty" Scott in the series and films on a voyage to deep space. (NPR)
- Musk cites whistleblower as new reason to exit Twitter deal (AP)
- Death in Navy SEAL training exposes a culture of brutality, cheating and drugs. The elite force's selection course is so punishing that few make it through, and many of those who do resort to illicit tactics. (New York Times)

Politics

- 6 in 10 Republicans say Trump should be 2024 GOP nominee (The Hill)
- Republicans are signaling concern that the midterm sweep they anticipated is complicated by attention on Donald Trump's legal exposure. Few appeared on Sunday shows to defend him, and those who did indicated they'd rather talk about almost anything else. (New York Times)
- Most Trump voters see civil war as somewhat likely within a decade (Washington Post)
- Republicans scramble to tweak abortion messaging ahead of November (The Hill)
- 'There's enormous frustration': Trump forces Republicans off-script… again (Politico)
- Former top DOJ official: Graham warning of 'riots' if Trump is prosecuted 'incredibly irresponsible' (The Hill)
- House conservatives prep plans to impeach Biden (The Hill)

Ukraine UA

- Eyes on Kherson as Ukraine claims bold move on Russians (AP)

- Ukraine aims to build on initial gains in southern offensive. Kyiv's focus is on Kherson, the largest city to have fallen under Russian control in the early days of the war (Wall Street Journal)
- Volunteer sniper embodies Ukraine's versatile military (AP)
- France accuses Russia of using gas supply as 'weapon of war' (Reuters)
- Ukraine war is depleting U.S. ammunition stockpiles, sparking Pentagon concern (Wall Street Journal)
- Ukraine lures Russian missiles with decoys of U.S. rocket system (Washington Post)
- Ukraine has hobbled Russia's Black Sea Fleet. Could it turn the tide of the war? (Politico)

World News

- One-third of Pakistan submerged, 1,000 dead in historic flooding (Deseret News)
- Iraqi cleric tells loyalists to leave streets after clashes (AP)

DOPL responds to op-ed on licensing ex-offenders

by Zach Whitney

Last week Utah Policy published an opinion piece claiming that Utah's professional licensing boards discriminate against ex-offenders. This claim is baseless and ignores critical facts that show state lawmakers and the Division of Professional Licensing (DOPL) have made several significant efforts over the past several years to reduce barriers and open opportunities for Utahns with criminal histories.

In the 2019 general legislative session lawmakers passed HB 90, which provided an application process whereby ex-offenders can determine if their criminal history would disqualify them from licensure if all other requirements are met. This step helps ex-offenders definitively know whether they're eligible for licensure *before* they spend the time and money fulfilling license requirements and going through the application process. DOPL has reviewed 24 criminal history determination applications so far this year. In addition to receiving an answer as to whether or not a person's criminal history would disqualify them from licensure, applicants receive resources and additional information on steps they could take to potentially qualify for licensure in the future....

Additionally, in the 2020 legislative session lawmakers passed SB 201. This bill specifically requires DOPL to make individual considerations based on several factors before they're able to deny an applicant based on their criminal history. Among these factors are the time that has elapsed since conviction, the applicant's participation in any rehabilitation programs, and testimonials provided by the applicant. This requirement ensures applications for ex-offenders are considered case by case....

We are committed to working with lawmakers and trade associations to update licensing requirements to be relevant to today's standards. In fact, that's one thing the Office of Professional Licensure Review will be specifically looking at cleaning up. (**Read the full response on Utah Policy**)

News Releases

USU names Devin Wiser new VP for Government and External Affairs

Utah State University alumni Devin Wiser has been named vice president for government and external relations at USU. He will assume the position on Sept. 21, 2022.

As vice president, Wiser will report directly to USU President Noelle E. Cockett and comprise part of the executive leadership team. Wiser will oversee all levels of government relationships for the university, including development and implementation of federal and state legislative priorities. He will serve as USU's external liaison by developing and communicating strategies for its campuses, centers and offices throughout the state. Additionally, Wiser will oversee USU's Institute of Government and Politics. (**Read More**)

Katharine and Robert Garff to be honored with the Utah Foundation's 2022 Insight Award

Katharine Garff and her late husband Robert will be honored with the Insight Award at Utah Foundation's 2022 Annual Luncheon on November 16 at the Marriott City Creek Hotel. The purpose of the Insight Award is to recognize civic leaders who, through a career of service or philanthropic support, have worked with integrity to provide insights in the public policy arena with the aim of improving government.

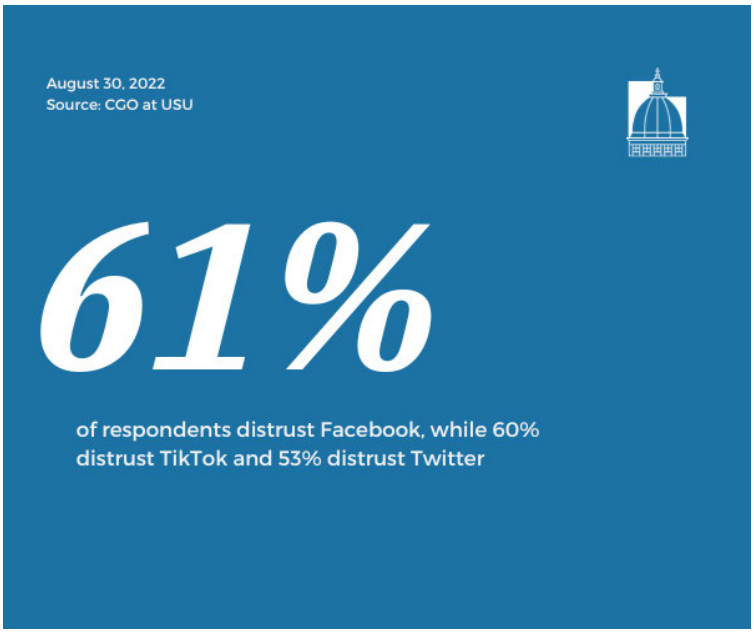
More details, including information on Annual Luncheon tickets and sponsorships, are **available here**. (**Read More**)

South Valley Chamber announces SOURCE South Valley Small Business Summit

The South Valley Chamber of Commerce (SVCC) announced the launch of a new summit tailored to support and supercharge small businesses in Utah. Taking place on October 18, 2022 from 8:00 a.m. – 2:00 p.m., SOURCE is the South Valley's Small Business Summit and is designed by small business leaders for small businesses with less than 50 employees. The event will be held at the Mountain America Expo Center in Sandy, but is open to small businesses across Utah and beyond.

Attendees and exhibitors and can register for SOURCE 2022 at Sourcesouthvalley.com (**Read More**)

Number of the Day

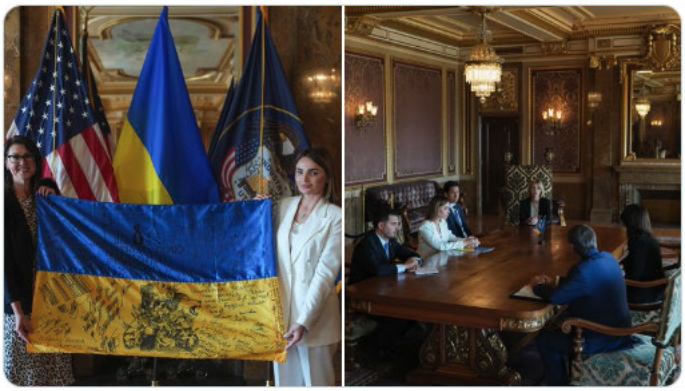


Tweet of the Day

Lt. Gov. Deidre M. Henderson
@LGHendersonUtah

Such a privilege to host a delegation from Ukraine. We discussed how to coordinate resources for the country's children, wounded warriors, & firefighters.

I was nearly speechless when they presented the state with a flag from Ukraine's eighth special forces unit. Slava Ukraini!



Upcoming

- **"Impulsivity, poor decisions, and what to do about it"** with USU Blue Plate Research — Sept 9, 11:30 am, Gallivan Hall downtown SLC, **Register here**
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**

- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **General election –** Nov 8
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1682** - William Penn leaves England to sail to the New World
- **1862** - Second Battle of Bull Run in Manassas, Virginia ends with a Confederate victory over Union forces
- **1890** - President Benjamin Harrison signed the first U.S. law requiring inspection of meat products
- **1957** - US senator Strom Thurmond speaks 24hrs 27m against civil rights
- **1966** - Constance Baker Motley is confirmed as U.S. district judge, becoming the first Black woman on the federal bench. She was also the first African American woman elected to the New York State Senate in 1964.
- **1967** - Thurgood Marshall becomes 1st Black Supreme Court Justice
- **1983** - The astronaut, Guion S. Bluford, Jr., makes history when he became the African American to fly in space.
- **1984** - Judith A. Resnick is the second U.S. woman in space, traveling on the first flight of the space shuttle Discovery
- **2017** - Hurricane Irma forms near Cape Verde Islands, will go on to become category 5 hurricane and kill at least 102
- **2021** - America ends its longest-ever war of 20 years in Afghanistan as the last military evacuation plane flies out of Kabul

Wise Words

"When I dare to be powerful, to use my strength in the service of my vision, then it becomes less and less important whether I am afraid."

—Audre Lorde

The Punny Side

Why do seagulls fly over the sea?

Because if they flew over the bay, they'd be bagels... (h/t Bart Barker)

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SUBJECT: Re: Parent's Worksheet to Register Birth Information
FROM: "Linda Wininger (DHHS)" <lindaw@utah.gov>
TO: Christopher Bramwell <christopherbramwell@utah.gov>
CC: "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Micah Vorwaller <mavorwaller@utah.gov>
DATE: 31/08/2022 18:26

Here are some of the negative consequences that we have been made aware of.

The federal Parent Worksheet forms do not include birth weight in lbs. and oz. on the parent worksheet. The weight of the baby in grams comes from the delivery record. The grams are converted to lbs and oz by nursing staff after the grams are recorded. If the ounces are over .5 some, not all, hospitals round up to the next ounce.

Because the new Parents' Worksheet doesn't have a question for the parents to enter what they were told for the child's birth weight the birth registration clerks are going strictly by what the grams convert to. If the parents get the birth certificate and the weight doesn't match what they remember being told they want this corrected. The parents then must contact the hospital and ask them to correct the "mistake". This takes time for both the VR staff and the hospital staff and is frustrating for the parents.

There are other double checks that were included in the previous Parents Worksheet - sex, where the baby was born, the name of the facility, and birth attendant are no longer on the Parent Worksheet.

When the baby is born before reaching the hospital the place of birth and the attendant is not in the facility records and the information may not be recorded for the medical portion of the birth registration. We have researchers who need this information for their work and it is not available as it has been in the past. I received this email from Dr. Erin Clark, MD, Associate Professor and Division Chief, Maternal-Fetal Medicine and Program Director, Maternal-Fetal Medicine Fellowship recently.

"In brief, our ability to track maternal and neonatal outcomes by birth location and our resultant ability to respond to this data with safety initiatives has been jeopardized. Our entire mission at UWNQC is to keep mothers and babies as safe as possible in the State of Utah. We have defined best practices for birth certificate data capture on birth location, providing a model for other states (and what we hoped would eventually lead to changes to the national birth certificate). Without this data, our biannual report on birth outcomes by birth location will not be possible. And, the work of the UWNQC Out-of-hospital Birth Committee to promote safe pregnancy care and hospital transfers will be negatively impacted. We hope to continue this critical work and would love a chance to discuss the issues at hand."

Dr. Clark is referring to questions that are not found on the Federal Mother's Worksheet or the Facility Worksheet about home births and transfers to hospitals after a home birth. These questions are now marked optional and so they are not getting the data they once received. I will be meeting with their group to discuss the difference they are seeing in the data.

I expect to have other researchers contact me for similar reasons. The Maternal Child Health program is beginning a study on the non-responsiveness to the optional questions on the Parents' Worksheet as a part of the State Systems Development Grant report.

There may be more that I'm not thinking of right now but this gives you an idea.

Thanks,
Linda

Linda S. Wininger, MSW, LCSW
Director, Office of Vital Records and Statistics
State Registrar
O: 801.538.6262
lindaw@utah.gov
vitalrecords.utah.gov

Utah Department of
Health & Human Services
Data, Systems & Evaluation

On Wed, Aug 31, 2022 at 11:54 AM Christopher Bramwell <christopherbramwell@utah.gov> wrote:
If there are negative consequences of the changes I am not opposed to discussing their inclusion in the report if it would be helpful to the legislature to better understand the pros and cons of privacy efforts. Could you give me some examples of the negative consequences?

On Wed, Aug 31, 2022 at 11:23 AM Linda Wininger (DHHS) <lindaw@utah.gov> wrote:
Are you also wanting to provide information on the negative consequences of the changes?

Thanks,
Linda

Linda S. Wininger, MSW, LCSW
Director, Office of Vital Records and Statistics
State Registrar
O: 801.538.6262
lindaw@utah.gov
vitalrecords.utah.gov

Utah Department of Health & Human Services
Data, Systems & Evaluation

On Wed, Aug 31, 2022 at 11:17 AM Christopher Bramwell <christopherbramwell@utah.gov> wrote:

Linda,

There are a few privacy related improvements on the form that we will be highlighting. These include:

- Minimization of data collected. DHHS decreased the amount of data collected by almost 50%.
- Improved clarification to ensure the public is aware of what information is Required or Optional to provide.
- Improved clarification of under which authority/law the data is being collected.
- Clarification of how long the data is retained.

On Wed, Aug 31, 2022 at 11:07 AM Linda Wininger (DHHS) <lindaw@utah.gov> wrote:

Hi Christopher,

Here are the two copies. Will you be highlighting the de-identification of the optional items on the form after 6 years or upon request or something else?

Thanks,
Linda

Linda S. Wininger, MSW, LCSW
Director, Office of Vital Records and Statistics
State Registrar
O: 801.538.6262
lindaw@utah.gov
vitalrecords.utah.gov

Utah Department of Health & Human Services
Data, Systems & Evaluation

On Wed, Aug 31, 2022 at 8:47 AM Christopher Bramwell <christopherbramwell@utah.gov> wrote:

Linda,

My privacy group is required to create an annual report for the Judiciary Interim Committee that includes privacy improvements that state agencies have made during the year. We plan to highlight the changes DHHS made to the new Parent's Worksheet to Register Birth Information form. Do you have a copy of the old form that we can use in our appendices to make the comparison of changes easier to see? I have also attached the most recent copy of the new form that I have. Can you confirm that this is up-to-date and, if not, can you send me the updated form?

Best regards,

–
Christopher Bramwell
Chief Privacy Officer
Utah Department of Government Operations
christopherbramwell@utah.gov
801-884-8466

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--
Christopher Bramwell
Chief Privacy Officer
Utah Department of Government Operations
christopherbramwell@utah.gov
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[redacted]

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--
Christopher Bramwell
Chief Privacy Officer
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christopherbramwell@utah.gov
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SUBJECT: President Biden to speak on 'the soul of the nation' tonight
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 01/09/2022 07:33

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 1, 2022

Welcome to September! Among many designations, it's National Self-Care Awareness Month, Pulmonary Fibrosis Awareness Month, and National Suicide Prevention Month.

Be in the Know

- Governor Cox nominated Alex Goble to serve as a judge in the Sixth District Juvenile Court. Goble then withdrew from the race for San Juan County Attorney - but, as Daniel Woodruff reports, he was running unopposed. The interim county attorney, Brittney Ivins, will be running a write-in campaign and has officially filed the paperwork to do so. If no one else files to be a write-in candidate by September 6th, she only needs one vote to win. And who says local politics is boring??

- President Joe Biden will give a prime-time speech tonight on the "battle for the soul of the nation." The speech is scheduled to begin at 6 pm MDT, and will be given outside Independence Hall in Philadelphia.

Rapid Roundup

- .Serena Williams 🐐 beats the number 2 seed to reach the third round of the US Open; UDOT's on board with a gondola in Little Cottonwood Canyon; an RV was brazenly stolen out of storage area in Eagle Mountain; a Lehi teen becomes rock star when he drums with The Killers; StoryCorps is coming to Utah and, "*The Rings of Power*" premieres on Amazon today. Woot!

The Hinckley Report, PBS Utah's weekly political roundtable, returns Sept. 9 at a new time, 7 p.m. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- Christopher Koopman & Will Rinehart: Twitter isn't a public square. It's a coliseum. (Newsweek)
- Report says BYU police couldn't find evidence of racial slur directed at Duke volleyball team (KSL)
- These stories will help you better understand the ups and downs of race relations at BYU and in the LDS Church (Salt Lake Tribune)
- Susan R. Madsen: Utah is still the worst state for women's equality. But has anything changed? (Salt Lake Tribune)
- Utah prosecutors take sex assault cases to trial less often when they are based primarily on a victim's word. The Utah Investigative Journalism Project reviewed more than 150 sexual assault cases that were scheduled or went to trial. (Salt Lake Tribune)

Politics

- Sole candidate for San Juan County attorney withdraws from race after judicial nomination (KUTV)
- UDOT makes its pick for Little Cottonwood Canyon — and it's a gondola, eventually (Salt Lake Tribune)
- Salt Lake County mayor vows to fight Little Cottonwood Canyon gondola, says Legislature should fund other needs (Salt Lake Tribune)
- Utah Debate Commission announces dates for general election debates (KSL Newsradio)
- Gov. Cox optimistic about GSL's future, touches on abortion, growth during visit to Ogden (Standard-Examiner)
- Utah Gov. Spencer Cox names Salt Lake County Council member to lead new Office of Families (Salt Lake Tribune)

Business

- The Utah 'cookie wars' roar on, through Linkedin comments and an Instagram response (Salt Lake Tribune)
- The Utah Department of Workforce Services is hosting a statewide virtual job fair from 10 a.m. to 1 p.m. Thursday in celebration of Workforce Development Month. Approximately 100 Utah employers are participating in the free online event with thousands of open positions. (Standard-Examiner)
- Oil falls, stock futures point to more losses (Wall Street Journal)

Economy

- How a 'prairie populist' from Roy, Utah became the conservative bulwark against inflation on the Fed (Deseret News)
- Survey indicates most employees are hoping for a raise amid inflation (Deseret News)

Education

- This Utah high school dress code allows pajamas, midriff tops and ripped jeans. Educators say the updated policy reflects how students dress in 2022 and is intended to keep students in the classroom. (Deseret News)
- Utah State University forms new division, focusing on diversity, equity and inclusion (KSL TV)
- Tooele High releases students after broken AC causes uncomfortable class temps (KSL TV)
- The majority of Utah health teachers want help teaching sexuality and mental health (KUER)
- Total student debt cancellation possible for nonprofit workers (UPR)
- American students' test scores plunged during the pandemic to levels unseen for decades (Washington Post)

Environment

- Warnings — and a call to conserve energy — as heat dome settles over the West. Record-breaking temperatures expected over the next few days (Deseret News)
- Proposed sand mine near Dinosaur shelved by unlikely allies — red tape and sage grouse. The BLM must determine whether fracking is a "common" or "uncommon" use for sand before it can authorize such projects on public land (Salt Lake Tribune)

Family

- Utah County nonprofit hopes to 'empower' families by providing them extra support (KUTV)

Health

- Life expectancy in the U.S. fell precipitously in 2020 and 2021, the sharpest two-year decline ***in nearly 100 years***, largely because of Covid.(New York Times)
- Utahns unite in an effort to stop overdose deaths on international day of awareness (Fox13)

Housing

- 'Further to fall': Housing downturn will worsen in 2023, Goldman Sachs predicts (Deseret News)

National Headlines

General

- Reports of sexual assaults across the U.S. military jumped by 13% last year, driven by significant increases in the Army and the Navy. (NBC News)
- School safety concerns rise to highest level in 20 years (The Hill)

Politics

- The problem with Liz Cheney and the Republican Party, according to Ben Shapiro (Deseret News)
- Newly aggressive Biden shifts from compromise to combat. President Biden is spending less time hailing the virtues of unity and more time calling out Republicans and dangers to democracy. (New York Times)
- Obstruction now a major focus in Trump documents probe (AP)
- Days before Mar-a-Lago subpoena, Trump lawyer claimed she scoured his office, closets and drawers (Politico)
- At first, Republicans were highly critical of the FBI search of Donald Trump's Mar-a-Lago resort, but as new details emerge about the more than 100 classified documents the former president haphazardly stashed at his private club Republicans have grown notably silent. (AP)
- Trump's lawyers downplay discovery of classified records at his Florida home (Reuters)
- Mary Peltola beats Sarah Palin, wins Alaska House special election to serve out remainder of former Rep. Don Young's term. She will become the first Alaska Native and the first woman to hold the seat. (AP)

Ukraine UA

- The U.S. says it has determined that Russia is suffering severe manpower shortages in its six-month-old war with Ukraine. The situation has allegedly become so dire that soldiers wounded earlier in the war are being compelled to return to combat. (AP)
- UN inspectors head to Ukraine nuclear plant despite fighting (AP)
- Witness to the massacre in Mariupol. Survivors describe the defining atrocity of the war in Ukraine (New York Times)

World News

- Yet another mother searching for her disappeared son has been killed in northern Mexico, becoming the third volunteer search activist killed in Mexico since 2021. (KSL TV)
- The United Nations says crimes against humanity may have happened in China's Xinjiang (NPR)
- To China's fury, UN accuses Beijing of Uyghur rights abuses (AP)
- Russia launches war games with China, others (AP)
- (Another) top Russian oil official dies - this time after a fall from a hospital window (Reuters)

News Releases

Utah Civic Learning Collaborative releases report with recommendations to improve civics education in Utah

The Utah Civic Learning Collaborative (UCLC) released a report, ***CIVICS EDUCATION POISED FOR INNOVATION: LISTENING TOUR FINDINGS***. In collaboration with the Utah State Board of Education, the UCLC interviewed

more than 400 teachers and administrators to learn about current approaches, barriers to civic teaching, and what educators need to expand their efforts.

"Educators take the historical 'civic mission of schools' very seriously," said report author Judi Hilman; "but many struggle to make time for civics in the face of competing pressures, like the need to boost achievement in areas that are regularly tested like reading and math." The report describes a consensus on the need for guidance on how to discuss current events and issues that matter to students. "No matter what they do, even meeting core standards for teaching about slavery, teachers feel like they are under constant scrutiny," adds Hilman, "They want clarity and leadership from administrators around fostering civic skills like civil dialogue." (**Read More**)

Gov. Cox names Aimee Winder Newton as senior advisor and director of new Office of Families

Today, Gov. Spencer Cox named Aimee Winder Newton as a senior advisor and director of the new Office of Families. She takes on this new role effective Sept. 1, 2022.

The Office of Families aims to support Utah families through proactive rather than reactive strategies and policies. This includes promoting what already makes Utah the best place for children and parents to thrive as well as pursuing policies, legislation and innovation that will strengthen families at all economic levels. (**Read More**)

Gov. Spencer J. Cox nominates Alex Goble to serve as Sixth District Juvenile Court judge

Today, Gov. Spencer J. Cox nominated Alex Goble to serve as a judge in the Sixth District Juvenile Court.

This is a new judicial position created during the 2022 General Legislative Session. The governor's nominations are subject to confirmation by the Utah Senate. (**Read More**)

Utah Senate requests public comment on 6th District Juvenile Court nominee

The Utah Senate Judicial Confirmation Committee is seeking public comment on attorney Alex Goble, who Governor Spencer J. Cox nominated to serve as a juvenile judge in the 6th District Juvenile Court.

Those who desire to comment should contact the Utah Senate Judicial Confirmation Committee electronically or by mail at the Office of Legislative Research and General Counsel by 5:00 p.m. Thursday, September 15, 2022. Electronic comments can be emailed to senatejudicialnominees@le.utah.gov. Written comments can be mailed to the Utah Senate Judicial Confirmation Committee at the Utah State Capitol, Suite W210, PO Box 145210, Salt Lake City, Utah 84114-5210. All statements should include the respondent's name, telephone number and mailing address. (Read More)

WGU and Salt Lake Bees award tuition for one year to four students

Western Governors University (WGU) and the Salt Lake Bees teamed up to grant four scholarships worth a year's tuition to local students on Saturday night. Recipients Shaun Belland, Brinlee Atkinson, Carroll Glidden, and Aubree Jacobsen were awarded the scholarships by WGU Senior Vice

President of Regional Operations Gene Hayes and Vice President of Financial Aid Bob Collins following the fifth inning of Salt Lake's Triple-A baseball game at Smith's Ballpark.

Each of the winners are scheduled to start at WGU and submitted an official entry form earlier in the season. Belland is pursuing a Master of Science in Nursing, Atkinson is pursuing a Bachelor's degree in Business Administration Management, Glidden is pursuing her Bachelor's degree in Computer Science, and Jacobsen will be pursuing a Bachelor's degree in Special Education. (**Read More**)

Voices for Utah Children releases new report about Utah working families' economic opportunity

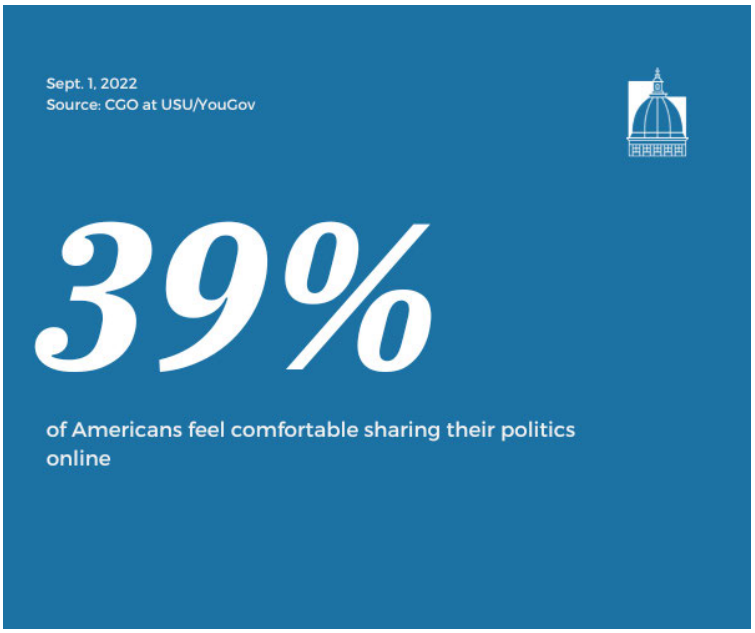
Voices for Utah Children released today the fifth in its series of economic benchmarking reports that evaluate how the Utah economy is experienced by median- and lower-income families by benchmarking Utah against another state. This year's report compares Utah to Texas. While the Economic Opportunity benchmarks come out nearly even, with Utah ahead in 11 and Texas ahead in 8, in the Standard of Living category Utah predominates in 20 categories and Texas in just two. (**Read More**)

StoryCorps Mobile Tour coming to Salt Lake City

KUER is thrilled to announce the StoryCorps Mobile Tour is stopping in Salt Lake City at the Utah Museum of Contemporary Art (UMOCA) from Sept. 8 to Sept. 24. An opening day press event will be held at UMOCA at 11:30 a.m. on Thursday, Sept. 8 where best-selling authors Shannon and Dean Hale will be Salt Lake City's first interview.

In a StoryCorps interview, two people record a meaningful conversation about who they are, what they've learned in life and how they want to be remembered. A trained StoryCorps facilitator guides them through the interview process. After each 40-minute recording session, participants receive a digital copy of their interview. With participant permission, a second copy is archived at the American Folklife Center at the Library of Congress for future generations to hear. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **"Impulsivity, poor decisions, and what to do about it"** with USU Blue Plate Research — Sept 9, 11:30 am, Gallivan Hall downtown SLC, **Register here**
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **Interim Days** — Sept. 20-22, **le.utah.gov**

- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **General election –** Nov 8
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1775** - King George refuses Olive Branch Petition
- **1807** - Aaron Burr is acquitted of treason on the grounds that, although he had conspired against the United States by plotting to annex parts of Louisiana and Spanish territory in Mexico, he was not guilty of treason.
- **1836** - Narcissa Whitman, one of the first white women to settle west of the Rocky Mountains, arrives at Walla Walla, Washington.
- **1850** - P.T. Barnum brings European opera star Jenny Lind to New York
- **1914** - The world's last known carrier pigeon dies at the Cincinnati Zoo.
- **1932** - Forrest E. Mars introduces the Mars Bar.
- **1933** - Anne Richards is born. She became the second woman elected governor of Texas when she won her race in 1990.
- **1939** - Adolf Hitler orders the extermination of the mentally ill, Germany invades Poland and in the "scoop of the century," journalist Clare Hollingworth becomes the first to report the outbreak of World War II
- **1972** - Bobby Fischer becomes the first American to win the World Chess Championship
- **1983** - Korean Airlines flight 007 is shot down by the Soviet Union, killing all 269 passengers and crew.
- **1985** - The wreckage of the Titanic is found on the ocean floor
- **2001** - First Muslim holiday U.S. postage stamp is issued
- **2015** - Pope Francis tells priests to pardon women who have had an abortion, in a letter released by the Vatican

Wise Words

"We're not going to have the America that we want until we elect leaders who are going to tell the truth - not most days, but every day."

—Ann Richards

The Punny Side

What's the difference between a literalist and a kleptomaniac?

A literalist takes things literally.

A kleptomaniac takes things, literally.

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SUBJECT: Ramping Up Monkeypox Vaccinations
FROM: "Public Health Weekly" <pr@astho.org>
TO: mwatterson@utah.gov
DATE: 01/09/2022 08:37

View this email in your browser.

PUBLIC HEALTH WEEKLY

September 1, 2022

Revitalizing Public Health Through Connection

The Senior Leader Reserve Corps connects former government public health leaders with current state health officials in need of leadership-level technical assistance and support. ASTHO developed this program with CDC to support state health officials as they face their biggest professional challenges.

In our new episode of the *Public Health Review* podcast, we learn about the work Greg Holzman (alumni-MT) and Paula Tran (SHO-WI) have done in Wisconsin to strengthen the statewide public health infrastructure.

LISTEN

Legal Considerations for Scaling Monkeypox Vaccination Efforts

There have been more than 17,000 cases of monkeypox virus across 50 states, Puerto Rico, and Washington, D.C. Public health officials from all levels of government are working to respond to the existing outbreak while preparing for the potential of more widespread transmission.

With a demand for the monkeypox vaccine outpacing supply, public health leaders are using several legal tools to scale up the vaccination efforts. Learn more about the legal framework supporting the monkeypox response in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

ASTHO and CDC Co-Author Journal Article in *Public Health Reports* | Throughout the COVID-19 pandemic, public health agencies adopted a variety of novel digital tools and systems to scale up their case investigation and contact tracing efforts. ASTHO staff take a deeper look at the decisions these agencies made as they considered repurposing existing tools and adopting new ones. **Read the article now**.

Letters to FDA from the Campaign for Tobacco-Free Kids | Over 100 organizations, including ASTHO, have co-signed letters to FDA from the Campaign for Tobacco-Free Kids advocating for the ban of menthol and other flavored tobacco products, which have long been marketed to youth and marginalized communities. **Learn more here**.

New Public Health Data Systems Task Force | ASTHO's Jamie Pina, PhD, MSPH, vice president of public health data modernization, has joined a new taskforce from the Office of the National Coordinator for Health Information focused on improving public health data systems and supporting CDC's greater Data Modernization Initiative efforts. **Learn more about the task force and their goals**.

BE IN THE KNOW

Thank you for being a long-time subscriber to ***Public Health Weekly***—we greatly appreciate your support! But did you know that we have more great newsletters to keep you up-to-date on the latest and greatest from ASTHO?

Subscribe to our ***Events*** list and be the first to hear about our webinars, trainings, summits, and more—there's always something new coming your way.

Want to learn more about public health policy? Our ***Legislative Alerts*** provide you with exclusive analysis of emerging health legislation at the federal and state levels.

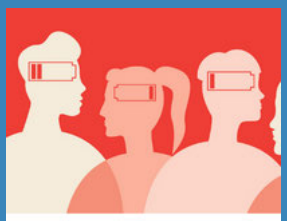
Check out our newsletter page to subscribe to any and all of our offerings.

LATEST ASTHO RESOURCES AND EVENTS

Report

Improving Youth Behavioral Health Through School-Based Strategies

READ



Blog

Building a Culture of Care: Leadership in Public Health Agencies

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Blog

Public Health and Housing Partnerships: Lessons from New York and Rhode Island

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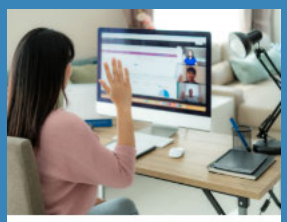

Brief

Environmental Health Innovations During the COVID-19 Pandemic

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Video

How Strong Partnerships Improved Colorado's Suicide And Overdose Prevention Strategy

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Report

State/Territorial Policy Considerations for Preventing Adverse Childhood Experiences

READ

astho PUBLIC HEALTH REVIEW MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Addressing Monkeypox Inequities** | Susan Kansagra (SHO-NC)
- **Breastfeeding Policies** | Deborah Backman, ASTHO
- **Offering Flu and COVID-19 Vaccines Together** | Gillian SteelFisher, Harvard T.H. Chan School of Public Health
- **AI Project Tackles Online Misinformation** | Connie Moon Sehat, Hacks/Hackers
- **ASTHO Seeks More Monkeypox Funding** | Carolyn Mullen, ASTHO

LISTEN

PUBLIC HEALTH REVIEW PODCAST

- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network

astho PUBLIC HEALTH REVIEW

• **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC

LISTEN

ASTHO IN THE NEWS

• **Officials 'cautiously optimistic' about falling monkeypox cases.** | *The Washington Post* | Michael Fraser, ASTHO CEO
• **'It's an incredible place': CDC Director Rochelle Walensky on how she hopes to reform her battered agency.** | *Science*
• **The Public Health Workforce: Looking for a Diagnosis.** | *Medscape*
• **State, Local Officials Ask CDC To Tap Infectious Disease Fund For Monkeypox Response.** | *Inside Health Policy*

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higher logic

SUBJECT: News release: First human case of West Nile virus identified in Utah
FROM: Utah Department of Health and Human Services <chaley@utah.gov>
TO: <mwatterson@utah.gov>
DATE: 02/09/2022 08:44

View this email in your browser

Utah Department of Health & Human Services

IN PARTNERSHIP WITH UTAH'S PUBLIC HEALTH DEPARTMENTS

FOR IMMEDIATE RELEASE:

Friday, September 2, 2022

Media contact:

Charla Haley
Public Information Officer
Phone (801.230.5927)

First human case of West Nile virus confirmed in Utah for 2022

Continue to take precautions against mosquito bites

Salt Lake City—Public health officials confirmed the first positive human case of West Nile virus (WNV) in Weber Morgan Health District about a month after WNV was found in mosquitoes in Utah, with two additional suspect human cases currently under investigation in Weber and Uintah counties. The person is a male resident of the Weber-Morgan Health district, between the ages of 65 and 84. He is hospitalized with

neuroinvasive West Nile virus. In 2021, there were 28 reported human cases of West Nile virus in Utah, including 3 deaths.

In addition to the confirmed human case, as of September 1, 2022, 73 positive mosquito pools have been identified across the state in Davis, Salt Lake, Tooele, and Uintah counties, as well as two positive horses in Uintah County.

Hannah Rettler, vector-borne/zoonotic epidemiologist with the Utah Department of Health and Human Services says, “Mosquito season isn’t over and Utahns should continue to protect themselves from mosquito bites.” Rettler continues, “Many more Utahns could become ill with West Nile virus if they don’t take precautions to protect themselves from mosquito bites.”

To protect yourself:

- Use insect repellent when you go outdoors. Repellents containing 20% to 30% DEET are recommended and safe to use during pregnancy. For more information about insect repellents, visit the EPA information page. Always follow label directions.
- Limit outdoor activities from dusk to dawn, when mosquitoes are most active.
- Wear long pants, long-sleeved shirts, and socks in areas where mosquitoes are active. Spray clothes with insect repellent for extra protection.

To reduce mosquitoes around your home:

- Mosquitoes lay their eggs in standing water so eliminate pools of water as much as possible. Empty water from pet dishes, flower pots, wading pools, backyard ponds, buckets, tarps, tires, and puddles at least once a week.
- Report bodies of stagnant water to your local mosquito abatement district (MAD). Visit http://www.umaa.org/ for a list of MADs.
- Keep doors, windows, and screens in good condition and make sure they fit tightly.

Rettler says most people infected with West Nile virus don’t have symptoms. About 20% of infected people will have flu-like symptoms, while fewer than 1% develop a serious, potentially deadly illness. People who are aged 60 years and older and those with certain medical conditions are at greater risk of serious illness. See a healthcare provider if you develop symptoms of West Nile virus including high fever, severe headache and stiff neck, disorientation, and confusion.

Since surveillance began in 2003, an average of 25 human cases of West Nile virus have been confirmed In Utah each year, with a wide range between 1 and 158 cases.

For more information about West Nile Virus, call your local health department or visit https://epi.health.utah.gov/west-nile-virus/.

To read this news release in Spanish, click here.

###

Utah Department of Health & Human Services

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Salt Lake City, Utah 84116

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SUBJECT: Re: Title X Family Planning Grants
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 08:11

Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> David,
>
> I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.
>
> Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.
>
> Thank you.
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Tracy -

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
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Executive Director
O: 435.772.6550
tracygruber@utah.gov

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Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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davidlitvack@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

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> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

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> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

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For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

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> *(a) Consent for Services.*
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Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
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> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
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> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
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> Thank you!
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Utah Department of Health & Human Services

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Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Family Health

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TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 10:47

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It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

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[redacted]

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O: 801-273-2857
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Utah Department of Health & Human Services
Family Health

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DATE: 06/09/2022 10:48

For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director

[redacted]

He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

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Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided

information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

--------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
> *(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.*

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services
>
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--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Family Health

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SUBJECT: Re: Title X Family Planning Grants
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 11:27

Marc -

My recollection is that the current draft of the legislative review sheet from Laurie & Lynne recommends that we do not submit a grant application because we are not eligible due to the state's parental consent requirement. Maybe we just need to ask that the legislative review sheet be rewritten to incorporate potential changes to state statute based on what Laurie provided last week in response to Congressman Moore's request.

What do you think?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 10:49 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 10:47 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

David -

Lynne and Lauri have been working on a Legislative Review Sheet for the past two weeks on this proposal. I'll upload it to our "2023 Proposed Legislation" sheet for all of you to see when I receive it from them.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 8:10 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human
Services

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.

[redacted]

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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davidlitvack@utah.gov

Utah Department of Health & Human Services

--------- Forwarded message ---------
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Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

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Utah Department of Health & Human Services

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--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of
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Family Health

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SUBJECT: Re: Title X Family Planning Grants
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 11:33

I will communicate that expectation to them. Thanks David

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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What do you think?

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Deputy Director
He/Him/His
O: 385.382.6099
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Utah Department of
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- [redacted]

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Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

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There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
> *(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.*

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services
>
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--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health

O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Family Health

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SUBJECT: DHHS Family Polic... - @davidlitvack@utah.gov and @mwatterso...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: mwatterson@utah.gov
DATE: 06/09/2022 11:41

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

[redacted]

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread by Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov). Change what Google sends you. You can reply to this email to reply to the discussion.

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FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 07/09/2022 06:25

Good morning Marc, The meeting with the LG is tomorrow we need to have this sheet done today. I've started an overview document of all of our proposals, here's the email I sent to Tracy, Nate, and David yesterday:

> Ok so I cleaned up the naming conventions for ease so the ones I have all start with 'Family Policies - *Specific Policy Title*', I added an overview document to link to all the other documents so they're easy to find. All it has is the summary with links. I don't have the following links yet:
>
> For the following I have the Family Policy - Increasing Coverage document but not the Legislative Review sheets:
>
> > **Continuous Medicaid coverage for 12 months postpartum**
> > **Caregiver Compensation**
> > **Accept and Implement Oral Contraceptive Pharmacist Counseling and Dispensing Proposa**l --I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet
> > **Expand Medicaid coverage for contraceptives up to 250% Federal Poverty Level (FPL)**--I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet
>
> Also missing the **Title X Funding Legislative Review Sheet**.

Let me know if I can help, thank you!

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For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
> *(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.*

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
> Utah Department of Health & Human Services
>
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--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Family Health

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SUBJECT: Re: Title X Family Planning Grants
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)"

[redacted]

<natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 07/09/2022 07:30

Thanks Marc - our meeting with the LG has been bumped-up to tomorrow. Can you please check with Laurie to see if we can get an updated review sheet by close of business today.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 11:33 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
I will communicate that expectation to them. Thanks David

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 11:28 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Marc -

My recollection is that the current draft of the legislative review sheet from Laurie & Lynne recommends that we do not submit a grant application because we are not eligible due to the state's parental consent requirement. Maybe we just need to ask that the legislative review sheet be rewritten to incorporate potential changes to state statute based on what Laurie provided last week in response to Congressman Moore's request.

What do you think?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 10:49 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

[redacted]

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 10:47 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
David -

Lynne and Lauri have been working on a Legislative Review Sheet for the past two weeks on this proposal. I'll upload it to our "2023 Proposed Legislation" sheet for all of you to see when I receive it from them.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Tue, Sep 6, 2022 at 8:10 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

[redacted]

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber

Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to

add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
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Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

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> Good Morning Laurie & Lynne -
>
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> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
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> David
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> **David Litvack**
> Deputy Director
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Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Family Health

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SUBJECT: New Mexico commissioner ordered removed from office immediately forparticipating in Jan. 6 insurrection
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 07/09/2022 07:33

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RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 7, 2022

It's Wednesday and National Salami Day. Good times.

Be in the Know

- A New Mexico judge cited insurrection in barring a county commissioner from office and rules that he must immediately be removed from office. District Court Judge Francis Mathew ruled that Couy Griffin, an Otero County commissioner, is now disqualified from holding public office because he violated Section 3 of the Fourteenth Amendment by participating in the Jan. 6 siege. "He took an oath to support the Constitution of the United States ... [and then] engaged in that insurrection after taking his oath," Judge Mathew wrote.

Rapid Roundup

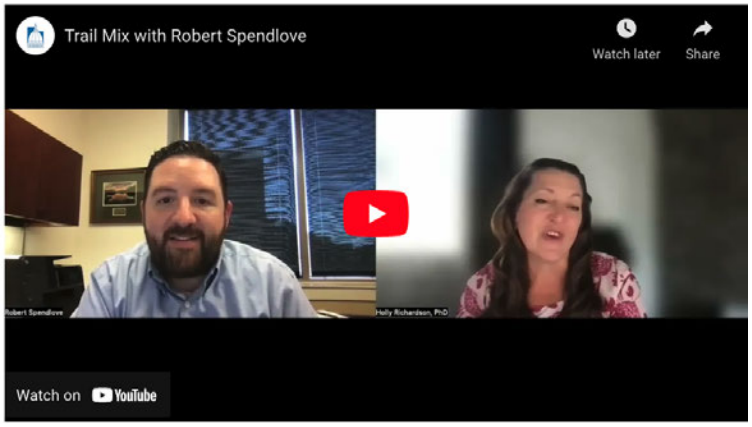
- Bronco Mendenhall has a podcast now: HeadCoachU; South Jordan to dedicate Gold Star Memorial Monument today; the SLC airport hit a new September high of 106°; Weber County detective solved 52-yr-old cold case; heat wave still going strong but expected to peak today; and Salt

[redacted]

Lake City is eying landscaping regulations changes amid ongoing confusion during the drought.

Trail Mix

Today's episode features Rep. Robert Spendlove and his trail from paper boy to Senior Economist for Zions Bank.



The Hinckley Report, PBS Utah's weekly political roundtable, returns Sept. 9 at a new time, 7 p.m. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- Patti Edwards at 90: 'Aging is a privilege' (Deseret News)
- Who has the best fry sauce in Utah? A very serious review (Deseret News)
- Investigators say July fire at Orem Utah Temple was arson, ATF offers cash reward for information (Deseret News)
- United Way of Utah County prepares for Day of Caring on Thursday (Daily Herald)

Politics

- Who are the richest members of Congress? Mitt Romney makes the list (Deseret News)
- US Senate candidate Evan McMullin offers support for codifying same-sex marriage (KUTV)
- Gov. Spencer Cox: Joel Ferry's name to remain on November ballot (Cache Valley Daily)

- Utah's Evan McMullin upends two-party fight for US Senate (AP)

Business

- Behind-the-scenes look at new security technology at Salt Lake City International Airport (Fox13)

Economy

- Inflation brings higher demand, fewer supplies for Utah food pantries (St. George News)
- Fed appears on path for another 0.75-point rate increase (Wall Street Journal)

Education

- Margaret Renkl: Student journalists reveal a changing world (Salt Lake Tribune)
- $1 million donation for teen centers in Davis County addresses 'silent, pervasive problem' (KSL)
- At least 42 Weber District schools release students early due to record heat (KUTV)
- No major changes for school athletes practicing, playing in record temperatures (KUTV)
- Student brings Airsoft gun that looked like real handgun to Vernal Middle School, investigation underway (Fox13)

Environment

- The historic California heat wave: When will the deadly temperatures end? (Deseret News)
- How Lake Bonneville became the Great Salt Lake. The Great Salt Lake is in danger of disappearing. Here's the history of how it became part of Utah (Deseret News)
- New threat to Great Salt Lake? Mineral company wants to extend its canals. (Salt Lake Tribune)
- California's energy grid is in trouble with intense heat wave (Deseret News)
- When will it snow is a cool question in the middle of a heat wave. Farmer's Almanac, Old Farmer's Almanac and the Climate Prediction Center tell very different stories of what's to come (Deseret News)
- Interfaith work is moving beyond dialogue and entering ... the climate scene (Deseret News)
- Molly Absolon: Can we live with electric mountain bikes on trails? (Salt Lake Tribune)
- Park officials urge visitors to plan for excessive heat after woman dies in Grand Canyon (St. George News)
- Utah Climate Center says Utah's water patterns are changing in troubling ways (Cache Valley Daily)

Health

- Juul to pay $438.5 million to states over inquiry into 'despicable' marketing practices. Utah expected to receive an estimated $8.6 million (Deseret News)
- Suicide Prevention Awareness Month: Interruptions can save a life. Jay Lowder shares the story of how an interruption in his life saved him from a suicide attempt (Deseret News)

Housing

- So long San Francisco, L.A., New York: The top cities homebuyers are looking to leave (Deseret News)

National Headlines

General

- His mom and sister were killed by domestic violence. Now, he's trying to help others (NPR)
- Nearly 8 million kids lost a parent or primary caregiver to the pandemic (NPR)
- Schools are back and confronting severe learning loss (Reuters)
- Steve Bannon faces state indictment in N.Y., will surrender Thursday (Washington Post)

Politics

- Today, former president Barack Obama and his wife, Michelle Obama, are returning to the White House for the unveiling of their official portraits. (Washington Post)
- Files seized at Mar-a-Lago include material on foreign nation's nuclear capabilities. Some of the documents detail top-secret U.S. operations so closely guarded that many senior national security officials are kept in the dark about them. (Washington Post)
- Maura Healey to face Trump-backed Republican in deep-blue Massachusetts (Washington Post)
- Senate Republicans point fingers as majority hopes slip (The Hill)
- Baldwin, Collins press Senate colleagues to pass marriage equality legislation (The Hill)
- GOP campaign chief dismisses Dem enthusiasm in race to control House (The Hill)
- 'They're getting killed among women': Skeptical female voters stand in way of GOP Senate. Republicans' chances of retaking the Senate majority are diminishing thanks to abortion. (Politico)
- Bill Barr: The facts show the Feds were being 'jerked around' by Trump (Politico)

Ukraine UA

- Putin mocks West, says Russia will press on in Ukraine (KSL TV)
- Putin calls for review of Ukraine grain deal, accuses West of deception (Reuters)
- Wounded Ukrainian soldiers reveal steep toll of Kherson offensive (Washington Post)

World News

- Putin and Xi to meet in Uzbekistan next week, official says (AP)
- EU plans to cap Russian gas price as Putin threatens supply halt (Reuters)
- Liz Truss's cabinet is Britain's first without white man in top jobs (Reuters)

Number of the Day

Tweet of the Day

Brett Cross
@BCross052422

Seeing all over the country, people wearing maroon for #UvaldeStrong. It's bitter sweet. Seeing all of these babies first day of school pics puts a smile on my face, but the hole in my heart is ablaze. This is #Uziyah s first day of school pic. He will never get to lace up new

Upcoming

- **"Impulsivity, poor decisions, and what to do about it"** with USU Blue Plate Research — Sept 9, 11:30 am, Gallivan Hall downtown SLC, **Register here**
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **General election –** Nov 8

- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1813** - The US gets its nickname “Uncle Sam.”
- **1860** - Anna Mary Robertson Moses is born. Known as “Grandma Moses,” she did not begin painting until she was 76, when arthritis made it difficult for her to embroider. She produced nearly 1800 works before her death at age 101.
- **1888** - Edith Eleanor McLean becomes the first baby to be placed in an incubator at State Emigrant Hospital on Ward’s Island, New York
- **1892** - Elizabeth Coit is born. An architect who tackled affordable housing for people of limited means, she collected and analyzed information for the Federal Public Housing Authority and developed more than 150 projects
- **1916** - Congress passed the Workmen’s Compensation Act.
- **1927** - Idahoan Philo Farnsworth demonstrates the first electric television.
- **1936** - The Boulder Dam (now the Hoover Dam) begins operations.
- **1940** - The Blitz begins as Germany bombs London, the first of 57 consecutive nights.
- **1977** - US agrees to transfer the Panama Canal to Panama
- **1979** - ESPN channel launched
- **2013** - Chinese President Xi Jinping announces plans to develop a new 'Silk Road Economic Belt' (part of the Belt and Road Initiative) during a visit to Kazakhstan

Wise Words

"If I hadn't started painting, I would have raised chickens."
— Grandma Moses

The Punny Side

Son: "Dad, I'm cold."

Dad: "Go stand in the corner, I hear it's 90 degrees.”

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DATE: 08/09/2022 08:21

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PUBLIC HEALTH WEEKLY

September 8, 2022

ASTHO Announces Next Cohort of Diverse Executives Leading in Public Health Program

ASTHO and the Satcher Health Leadership Institute at the Morehouse School of Medicine are delighted to announce the second cohort for the leadership development program Diverse Executives Leading in Public Health (DELPH).

DELPH provides participants with the opportunity to develop their leadership skills, expand their existing professional network, and create access and visibility within the public health system. Learn more about the program and our new cohort now.

READ

How Health Officials Can Build Relationships with Members of Congress

With midterms quickly approaching, public health officials are getting ready to build relationships with new members of Congress. It is more essential than ever for health officials to provide sound data and information to members of Congress on many health issues and ensure support for public health programs.

This week's Federal Health Policy Update is designed to help state and territorial health officials start a lasting relationship with Congress. Check out these tips now.

READ

THIS WEEK'S HIGHLIGHTS

New ASTHO Representative Appointed to National Advisory Committee | Scott Shone, PhD, director of the North Carolina State Laboratory of Public Health, has been named ASTHO's representative to the Advisory Committee on Heritable Disorders in Newborns and Children. The committee advises the HHS Secretary on the most appropriate application of universal newborn screening tests, technologies, policies, guidelines, and standards. **Learn more about Dr. Shone and the committee**.

ASTHO's Preparedness Webinar Series | ASTHO has a new webinar series as part of this year's **National Preparedness Month**. The offerings include: a comprehensive training on the Emergency Management Assistance Compact and preparing mission ready packages; enhancing emergency preparedness and care for pregnant people, neonates, and infants; and a deep dive on the National Biosurveillance Integration Center and how they partner with public health. Sign up for these webinars now:

- **Preparing to Respond to Biological Threats: Use of Mission Ready Packages** | Sept. 15 | 2:30–4 p.m. ET
- **Considerations for Maternal and Child Health and Public Health Emergencies** | Sept. 22 | 4–5 p.m. ET
- **Early Warning Signs: Health and Disease Surveillance Using the National Biosurveillance Integration Center** | Sept. 29 | 4–5 p.m. ET

BE IN THE KNOW

Thank you for being a long-time subscriber to ***Public Health Weekly***—we greatly appreciate your support! But did you know that we have more great newsletters to keep you up-to-date on the latest and greatest from ASTHO?

Subscribe to our ***Events*** list and be the first to hear about our webinars, trainings, summits, and more—there's always something new coming your way.

Want to learn more about public health policy? Our ***Legislative Alerts*** provide you with exclusive analysis of emerging health legislation at the federal and state levels.

Check out our newsletter page to subscribe to any and all of our offerings.

LATEST ASTHO RESOURCES AND EVENTS

Blog

A Conversation on Vaccine Confidence with the Washington State Department of Health

READ

Blog

Embedded: Puerto Rico's Public Health Emergency Preparedness Academy

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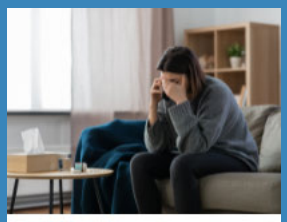
Video

Indiana's Approach to Quickly Onboarding Personnel During the COVID-19 Pandemic

WATCH HERE



Blog

Guam Behavioral Health and Wellness Center: A Pandemic Lifeline

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Podcast

Making Sure Maine Youth Matter

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Report

State/Territorial Policy Considerations for Preventing Adverse Childhood Experiences

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Public Health AmeriCorps Explained** | AJ Pearlman, Public Health AmeriCorps
- **Life Expectancy Data Sounds Alarm** | Anne Zink (SHO-AK), ASTHO President-Elect
- **Helping Youth in Crisis** | Heather Sebero, ASTHO
- **New Naloxone Strategy** | Nabarun Dasgupta, UNC-CH Gillings School of Global Public Health

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PUBLIC HEALTH REVIEW PODCAST

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PUBLIC HEALTH REVIEW

- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC

LISTEN

ASTHO IN THE NEWS

- **Updated COVID boosters will be available to Alaskans next week.** | *Alaska Public Media* | Anne Zink (SHO-AK), ASTHO president-elect
- **CDC recommends reformulated coronavirus booster shot for fall.** | *The Washington Post* | Michael Fraser, ASTHO CEO

Press Room | Careers | Events | Funding

Don't forget to share this with any friends or colleagues who would love to hear more about the latest and greatest in public health!

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DATE: 09/09/2022 07:17

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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 9, 2022

It's Friday and National Teddy Bear Day - it seems particularly appropriate today to honor a bear named Paddington.

Also, a very happy 98th birthday to Russell M. Nelson, president of The Church of Jesus Christ of Latter-day Saints.

Be in the Know

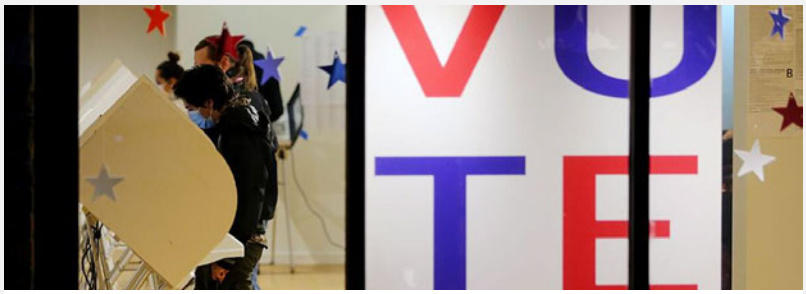
- Queen Elizabeth II died yesterday at age 96. She was England's longest serving monarch, having been on the throne a full 70 years. She served with 15 Prime Ministers, beginning with Winston Churchill. Her final public act was formally appointing new Prime Minister Liz Truss on Tuesday. “In a world of constant change, she was a steadying presence and a source of comfort and pride for generations of Britons, including many who have never known their country without her,” President Joe Biden and First Lady Jill Biden said in a statement. Her oldest son is now

King Charles III and is wife Camilla is the Queen Consort. He will address a nation in mourning later today.

- ABC4 is teaming up with local leaders and community members calling upon Utahns to aid in the ongoing crisis, asking for donations of bottled water as part of a local water drive. Donations may be made at ABC4 Utah's studios at 2175 West 1700 South, Salt Lake City, or you may click here to donate to a GoFundMe set up by conservationist and entrepreneur Jeremy Roberts to deliver drinking water to Jackson, Mississippi.

Rapid Roundup

- The Salt Lake City Greek Festival begins today and runs through the weekend; the Queen is remembered fondly by Utah Brits; Salt Lake City airport still growing; the Hinckley Report with Jason Perry returns tonight at 7 pm; our National Day of Service is tomorrow and Sunday marks the 21st anniversary of the 9/11 attacks. Have a great weekend.



Historic Summer for Politics

After a historic summer, the Hinckley Report returns with analysis of the 2022 primary elections. Doug Wilks, Maura Carabello, and Glen Mills join host Jason Perry on The Hinckley Report this Friday at 7:00 pm to discuss the outcomes, and how major decisions in Washington, D.C. are impacting Utahns.

Utah Headlines

General

- Former West Bountiful mayor, LDS bishop arrested after child sex abuse allegations, including a children as young as 2 (ABC4)
- Lawsuit accuses Kingston polygamist leaders of sexual abuse, fraud, child labor (KUTV)
- Allegations in suit against Kingston polygamist group 'small fraction of what exists' (KUTV)
- Utah Supreme Court blocks effort to overturn Jordan School District tax increase (KUTV)

Politics

- Election officials urge confidence in the system as threats and intimidation continue (Deseret News)
- Commission announces moderators for debates in Utah's five congressional races (Salt Lake Tribune)

- One of these 20 options will be Utah's new state flag. Public feedback on the designs will be accepted through Oct. 5, 2022. (Salt Lake Tribune)

Business

- Finding legitimate work-from-home jobs (Deseret News)
- This Utah city has one of the highest percentages of remote workers in the country (Salt Lake Tribune)
- Meet the 2022 Utah Business Women of the Year (Utah Business)

Education

- Salt Lake City School District opens survey on rebuilding West and Highland High Schools (Fox13)
- Scott Wyatt & Allen C. Guelzo: Higher education can rediscover Its purpose (Wall Street Journal)

Environment

- Feds issue new names for 50 Utah locations that previously contained 'offensive slur' (KSL)
- 3 things to know about Salt Lake City's record-breaking heat (Salt Lake Tribune)
- Brutal 'heat dome' caused record-breaking temperatures across Utah (KUTV)
- Lake Effect: what an Iranian lake can teach us about Great Salt Lake (UPR)

Family

- The maternal instinct is not a myth (Deseret News)
- Aimee Winder Newton: Tribune editorial ignores real needs of Utah families (Salt Lake Tribune)

Health

- Utah is third healthiest state in US, study finds (Fox13)
- BYU researchers find children with autism benefit from at-home parent interventions (Daily Herald)
- Life's Worth Living Foundation supports those struggling with mental health and loss survivors (KSL TV)
- Additional types of cancer reported in people with breast implants, FDA says (KSL TV)

Housing

- Draper, Holladay propose way for high-density housing to fulfill legislative mandate (KSL)
- Miller family gives $5M to save older homes and keep them affordable (Salt Lake Tribune)

National Headlines

General

- Toilet paper prices rising, rolls shrinking as inflation, supply chain take swipe in Europe (Deseret News)
- Reports of shooting with multiple victims at park in Uvalde, Texas, police say (KUTV)
- Princeton University will cover costs for students whose families earn below $100K (NPR)
- Steve Bannon charged with money laundering, conspiracy (Politico)

Politics

- The reformer: Can Ben Sasse and the Republicans fix higher education? (Deseret News)
- Trump documents probe: US ready to appeal judge's hold (AP)
- U.S. reveals more classified records may be missing in Trump probe (Reuters)
- Abortion rights will be on Michigan's November ballot, court rules (Reuters)
- Longtime former Trump ally turns to building 2024 'bullpen'. The Club for Growth is holding events with would-be 2024 contenders and sending millions to political outfits aligned with other candidates. (Politico)

Ukraine UA

- Ukrainian hit squads target Russian occupiers and collaborators (Washington Post)
- Ukrainian forces threaten Russian supply lines after breakthrough (Reuters)
- Ukraine's eastern advance puts forces close to key town. Retaking Kupyansk would help cut off Russian troops further south (Wall Street Journal)

World News

- Queen Elizabeth: 1926 - 2022. Her life in pictures (Reuters)
- Britain has an intricate plan that maps out the 10 days after Queen Elizabeth's death (NPR)
- Camilla becomes queen, but without the sovereign's powers (AP)
- What Russia and the world gained from Mikhail Gorbachev's 91 years (Deseret News)
- UN chief asks world to 'massively' help flood-hit Pakistan (AP)

News Releases

Gov. Cox orders flags to be flown half-staff to honor Queen Elizabeth II's death

Utah Gov. Spencer J. Cox has authorized the flag of the United States of America and the flag of the state of Utah to be lowered to the half-staff position in honor of former Queen Elizabeth II. **Flags should be lowered immediately until sunset on the day of her interment.**

Private citizens and businesses are encouraged to participate as well.

President Biden's statement can be found here.

Delta Technical Center teacher named 2023 Utah Teacher of the Year

State Superintendent of Public Instruction Sydnee Dickson today named Chad Warnick, an agriculture, biology, leadership, and communications teacher at the Delta Technical Center in the Millard School District, as 2023 Utah Teacher of the Year.

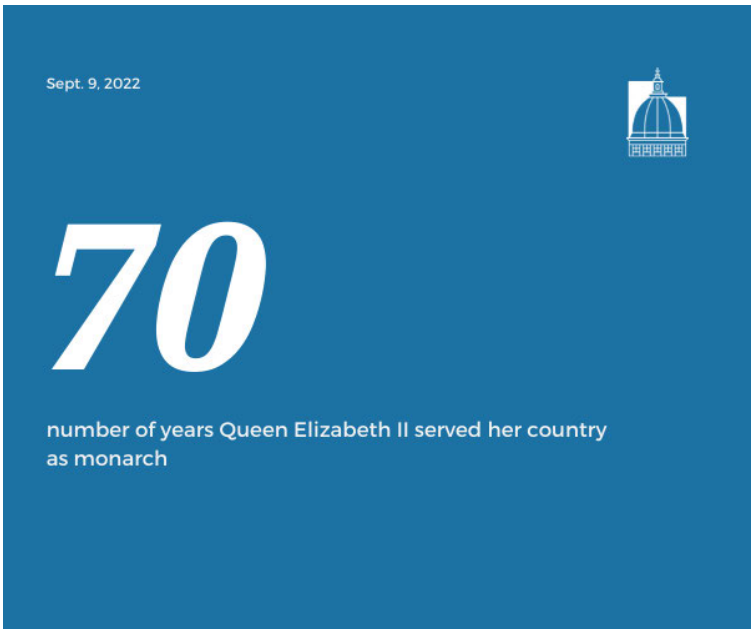
Warnick, of Delta, was presented with a check for $10,000 and will compete with his state fellow teachers of the year in a national competition. He will participate in a number of state and national leadership opportunities. (**Read More**)

Utah Democrats officially file lawsuit to remove Joel Ferry from November ballot

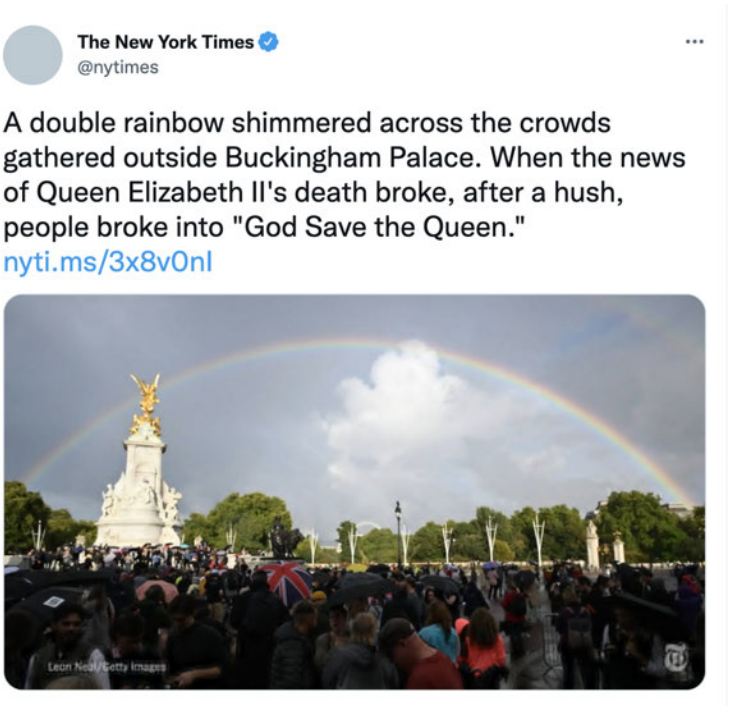
Today, the Utah Democratic Party officially announced that it has filed a lawsuit in federal court to remove Joel Ferry from the general election ballot in House District 1.

After Ferry was appointed by Gov. Cox to lead the Department of Natural Resources, he refused to give up his seat in the legislature, unconstitutionally serving in both the Executive and Legislative branches for months before finally resigning under pressure. However, he still remains on the ballot in HD-1, even though he clearly has no intention of serving his community in the House if re-elected. (**Read More**)

Number of the Day



Tweet of the Day



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- **"Impulsivity, poor decisions, and what to do about it"** with USU Blue Plate Research — Sept 9, 11:30 am, Gallivan Hall downtown SLC, **Register here**
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- **General election –** Nov 8
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1543** - Mary Stuart, at nine months old, is crowned "Queen of Scots"
- **1675** - New England colonies declare war on Wampanoag indians
- **1776** - Congress renames the nation the United States of America
- **1839** - John Herschel took the first glass plate photograph
- **1843** - Nancy Johnson patents the ice cream freezer. Thank you, Nancy!
- **1890** - Harland Sanders is born. The founder of Kentucky Fried Chicken, he started his first restaurant out of a service station. The Colonel served in the military (but wasn't a colonel), worked as a farmhand, served as a local midwife, and even studied law, among other jobs.
- **1893** - President Cleveland's daughter, Esther, is born in the White House
- **1924** - Russell M. Nelson is born
- **1945** - 1st "bug" in a computer discovered by Grace Hopper, a moth was removed with tweezers from a relay & taped into the log
- **1956** - Elvis Presley makes his first appearance on *The Ed Sullivan Show*
- **1957** - US President Eisenhower signs 1st civil rights bill since Reconstruction
- **2015** - Queen Elizabeth II becomes Great Britain's longest-reigning monarch at 63 years and seven months, beating the previous record set by her great-great-grandmother, Queen Victoria

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Wise Words

"It has always been easy to hate and destroy. To build and to cherish is much more difficult."

—Queen Elizabeth II

[redacted]

The Punny Side

I've just written a book about falling down a staircase.

It's a step by step guide.

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Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

1. Committee Business
* Call to order
* Approval of the minutes of the June 15, 2022, and August 17, 2022, meetings.
* Requests for committee bill files

2. Behavioral Health Receiving Centers

3. Sunset Review - Behavioral Health Receiving Center Grant Program

4. Sunset Review - Behavioral Health Crisis Response Commission

5. Sunset Review - Forensic Mental Health Coordinating Council

6. Healthcare Reform - Prescription Drugs

7. Medicaid - Pregnancy Postpartum Coverage

8. Sunset Review - Assisted Living Facility Transfers

9. Adjourn

HEALTH AND HUMAN SERVICES INTERIM COMMITTEE AGENDA
SEPTEMBER 21, 2022

AGENDA
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE

Wednesday, September 21, 2022 | 1:15 p.m. | Room 30 House Building

Members of the public may participate remotely in the meeting by visiting the committee's webpage to access the live streaming options: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

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Situational Analysis | Sept 14, 2022

It's a lovely fall Wednesday morning and it's National Parents Day Off. Hahahaha. 😂 😂

Be in the Know

- The US House of Representatives on Tuesday approved by voice vote legislation eliminating the statute of limitations for victims of child sex abuse to file civil claims, sending the bill—which passed the Senate unanimously in March—to the White House for President Biden's signature. There is currently no statute of limitations for criminal child sex abuse charges, but minors who suffer must file federal civil claims before they turn 28 years old or before 10 years have passed since the abuse occurred.
- GOP Sen. Lindsey Graham introduced legislation on Tuesday that would institute a federal ban on doctors performing abortions after 15 weeks of gestation, stunning his Senate GOP colleagues. Senate Minority Leader Mitch McConnell indicated he wouldn't bring the legislation up for a vote if Republicans retake the Senate, telling reporters he thinks most Republicans "prefer that this be dealt with at the state level."

Rapid Roundup

- Ken Starr dies at 76; Flamin' Hot Cheeto pretzels and other "delicacies" at the State Fair; 150 million yr-old vomit; Lehi removing hundreds of trees in multiple neighborhoods; pit bull shot and killed after it attacked a

[redacted]

girl in a Macey's parking lot; and amazing fungi emerge after southern Utah rains.

Trail Mix

Director Jenny Rees, who oversees the Department of Government Operations, joins me to share her trail from her first job (ear piercing/jewelry sales), to phlebotomy to tech to elected office and now director over nine divisions in state government. She's also not a big trail mix fan - except for one part.

The Hinckley Report, PBS Utah's weekly political roundtable, airs Fridays at 7PM. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- Doomsday Mom: A timeline of the Lori Vallow-Chad Daybell murder case (Deseret News)
- Why do Utahns like funeral potatoes, fry sauce and green Jell-O? (Deseret News)
- FBI raids home in Colorado City after 3 girls found inside trailer on freeway (Fox13)
- Utah Honor Flight: Dozens of veterans taken to DC for experience of a lifetime (Fox13)

Politics

- Cox, GOP governors: Student loan forgiveness 'rewards rich, punishes poor' (Deseret News)
- Federal judge won't stop ballot printing while Democrats make case against Joel Ferry in Utah House race (Salt Lake Tribune)
- Ogden forum expected to draw Senate hopeful McMullin, 14 other candidates (Standard-Examiner)

- Cache County sees an increase in election-related records requests (UPR)
- Romney is still undecided on the Senate's same-sex marriage equality vote (KUER)

Business

- Walmart, Target urge lawmakers to pass bill taking aim at Visa, Mastercard fees (Wall Street Journal)
- New Riverton businesses signal growing economy, highlight demand for workers (Fox13)

Education

- Chronic absenteeism leads to rise in F grades in most of Utah's largest school districts (KSL)
- How well did Utah's colleges, universities rate according to US News rankings? (Deseret News)
- Electronic sign at University of Utah breached, displayed pornography for 2 days (KSL)
- Draper middle school teacher heading to stratosphere through prestigious NASA program (Fox13)
- What a West Point economics class revealed about remote learning during COVID-19 (Deseret News)

Environment

- Great Salt Lake a sovereign entity 'worthy of legal rights,' group says (Standard-Examiner)
- Younger generations could be the key to reaching older Republicans on climate change (KUER)
- What's the drought solution right under our noses? Graywater (Deseret News)

Family

- Similac is back in production. Does that mean the baby formula shortage is over? (Not yet) (Deseret News)

Housing

- Elected officials announce winter overflow shelter efforts, housing solutions as crisis persists (KSL)
- West Jordan neighborhood at wit's end over 'infestation' of skunks, raccoons (KSL TV)
- Mendenhall proposes $6 million to build 400 new housing units for Salt Lake homeless (KSL TV)
- When winter shelters close, SLC mayor plans to have 400 more beds ready (Salt Lake Tribune)
- Local leaders strive to fund units to house Salt Lake City's homeless (Fox13)
- These housing markets are 'significantly overvalued,' may see prices fall up to 20%, Moody's says (Deseret News)

Health

- Is it too soon to get a flu shot? 3 things you need to know (Deseret News)
- UVU prepares to host suicide prevention conference (Daily Herald)

National Headlines

General

- No region is 'immune' as the number of people in 'modern slavery' climbs to 50 million (NPR)
- Driven by consumers, US inflation grows more persistent (AP)
- World shares fall, tracking Wall St dismay over price data (AP)
- Stocks plummet. Dow drops nearly 1,300 points after worrying inflation data (NPR)
- U.S. mortgage interest rates top 6% for first time since 2008 (Reuters)
-

Politics

- This BYU grad could be special master in Mar-a-Lago search case. Retired Judge Thomas Griffith among DOJ picks to conduct independent review of seized documents (Deseret News)
- GOP's Graham unveils nationwide abortion ban after 15 weeks (AP)
- Moderates fleeing U.S. House, setting stage for more Washington gridlock (Reuters)
- Graham creates unwelcome political problem for McConnell, GOP (The Hill)
- DOJ seeks to call Trump bluff on declassification claims (The Hill)
- Railroad strike threatens fragile economy as midterms loom (Politico)
- Congress prepares to act on rail strike amid fears of 'economic catastrophe' (The Hill)

Ukraine UA

- Devastated Ukrainian village emerges from Russian occupation (AP)
- As war began, Putin rejected a Ukraine peace deal recommended by aide (Reuters)
- Zelenskiy pays surprise visit to recaptured town of Izium in northeast Ukraine (Reuters)
- Rapid loss of territory in Ukraine reveals spent Russian military. Troop and logistics issues plus equipment losses could limit Vladimir Putin to defending the territory he already holds (Washington Post)
- Putin, tone deaf and isolated, pursues war 'goals' and refuses to lose (Washington Post)
- Here's what Russian soldiers left behind when they withdrew from Izyum (Washington Post)
- Putin official in charge of developing Russia's arctic resources has become the 7th recent mysterious death by "falling off a boat." (The Sun)
- The curtain protecting the dignity of Russia's military has been pulled back (KSL Newsradio)

World News

- Crowds flock to London to see queen's coffin procession (AP)
- How the U.K. plans to keep world leaders safe as they arrive for the queen's funeral (NPR)
- Understanding the symbolism in the queen's funeral processions (Washington Post)
- Headlines about the royal beekeeper informing the Queen's bees of her death puzzled many people over the weekend. But the tradition of "telling the bees" goes back centuries — and is thought to have potentially grave consequences if not followed. (New York Times)

- The lines for public viewing of Queen Elizabeth's coffin are expected to stretch for miles - 10 miles or more (New York Times)
- What King Charles III's reign means for religion (Deseret News)
- China's Xi visits Kazakhstan ahead of summit with Putin (AP)
- Russia Secretly Gave $300 Million to Political Parties and Officials Worldwide, U.S. Says (New York Times)

News Releases

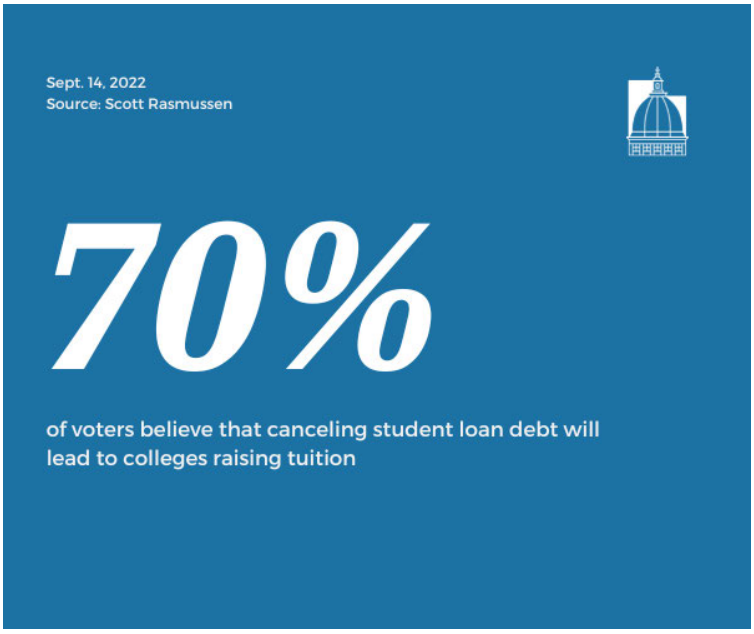
Utahns' well-being drops in 2022

Today, the Utah Foundation released *The 2022 Utah Personal Quality of Life Index: Is the Well-Being of Utahns in Decline?*

The report focuses on personal quality of life – based on a survey where Utahns rate their well-being on a series of seven factors. In this report, the Utah Foundation: compares 2022 data with the 2018 iteration of the survey; analyzes responses by population group; compares Utahns' personal quality of life with their community quality of life; and suggests targeted ways that policymakers might improve quality of life for Utahns.

In 2022, the Personal Quality of Life Index stands at 76 out of a possible 100 points. This is a decrease from 82 points in 2018. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **United Utah Party Issue Summit on Water Conservation** — Sept. 17, 11-12:30, Gardner Rm of the American Fork Public Library
- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, Register here
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **General election –** Nov 8
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1741** - George Frideric Handel finishes his "Messiah" oratorio after working on it non-stop for 23 days.

- **1814** - Francis Scott Key writes the words to A Star Spangled Banner
- **1830** - Emily Edson Briggs is born. She became the first woman White House correspondent during Lincoln's administration and the first president of the Women's National Press Association (1882).
- **1901** - President William McKinley dies of infection from gunshot wounds
- **1901** - Theodore Roosevelt is sworn in as the youngest man to serve as US President, at age 42.
- **1921** - Constance Baker Motley is born. She became the first Black woman appointed federal judge in 1966.
- **1936** - First prefrontal lobotomy in America performed by Walter Freeman and James W. Watts at George Washington University Hospital in Washington D.C.
- **1956 -** IBM introduces the RAMAC 305, 1st commercial computer with a hard drive that uses magnetic disk storage, weighs over a ton
- **1964** - Helen Keller receives the Presidential Medal of Freedom along with 4 other women: Dr. Lena Edwards, Lynn Fontainne, Dr. Helen Taussig, and Leontyne Price
- **1982** - Hollywood star and real-life princess Grace Kelly dies of injuries sustained in a car accident

Wise Words

"I would like to be remembered as someone who accomplished useful deeds, and who was a kind and loving person. I would like to leave the memory of a human with a correct attitude and who did her best to help others."

—Grace Kelly

The Punny Side

What is a vampire's favorite fruit?

A neck-tarine.

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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 15, 2022

It's Thursday and National Online Learning Day. Utah is lucky to have great options at all levels of education.

Be in the Know

- Retail sales rose 0.3% in August, showing the resilience of US consumers. Retail spending encompasses spending on goods such as furniture, cars and groceries and are not adjusted for inflation. Jobless claims fell to 213,000, the lowest since the end of May. Economists say companies are hoarding workers after experiencing difficulties hiring in the past. Food prices, however, are rising at the fastest pace in 40 years.

Rapid Roundup

- Utah drivers are the most confrontational in the nation, according to a Forbes Advisor study; adult bullying; genealogy - for your historic home; billionaire no more - Patagonia founder literally gives away the company to fight climate change; and the Mountain West Conference Commissioner is stepping down.

Inflation and the Midterms

Inflation is still dominating national headlines. Ben Winslow, Heidi Hatch, and Jay Evensen join host Jason Perry on The Hinckley Report this Friday at 7:00 pm to discuss how this will impact the upcoming midterm elections. Plus, Utah's governor joins the fight against student loan forgiveness.

Utah Headlines

General

- Latter-day Saint leaders just made the largest humanitarian donation in church history. Seismic hunger crisis leads to donation of $32 million to the World Food Programme for food and other emergency support for 1.6 million people in nine nations (Deseret News)
- How the media fell for a racism sham: A Brigham Young University paper scooped the New York Times. All the students did was practice basic journalism. (Common Sense)
- Girls taken from homes in historically polygamous community after FBI searched for evidence of underage marriages (Salt Lake Tribune)
- Despite strong polling, a 2nd Olympics could be a tough sell for some Utahns (KUER)

Politics

- Doug Case and Judi Hilman: Utah has laid the groundwork for a new federal civics education law. A divided society needs to learn essential civic skills like media literacy and civil discourse. (Salt Lake Tribune)

Education

- Lawsuit dismissed after Charter School Board rescinds order to replace Vanguard board (KUTV)
- Cache Co. high school students face sexual abuse charges over hazing incident (Fox13)
- Elizabeth Smart, SUU team up to offer self-defense courses (Fox13)

Religious Education

- Clark G. Gilbert, Church commissioner of education: Dare to be different. Preserving the distinctive light of religious universities (Deseret News)
- Liz Darger: Standing as one. Can religious schools create inclusive campuses? (Deseret News)
- Derrick Anderson: Discovering truth. Can science and religion coexist? (Deseret News)
- Linda Livingstone, president of Baylor University: Bringing light to the world. Pairing scholarly discovery with religious commitment (Deseret News)
- Robin Baker, president of George Fox University: Friend or foe Accreditors value clarity of purpose (Deseret News)
- John S. K. Kauwe, president of BYU-Hawaii: The purpose driven university. How a unique mission helps expand college access. (Deseret News)
- Peter Wehner, senior fellow at Trinity Forum and regular contributor to The Atlantic and The New York Times: Of body and spirit. American higher education began as a religious mission. What now? (Deseret News)
- A conversation with David Brooks and Anne Snyder on the value of religious education (Deseret News)
- Eboo Patel, founder and president of Interfaith America: Building bridges. What higher education owes a religiously diverse democracy (Deseret News)
- Peter Kilpatrick, president of Catholic University of America: A reasonable proposition. How faith and reason coexist (Deseret News)
- Freeman A. Hrabowski III, former president of the University of Maryland: Be yourself. Why higher education — and America — is strengthened by

authenticity (Deseret News)

- Becket Fund: The war against faith. (Deseret News)
- Henry J. Eyring, BYU-Idaho president: The innovative university - Why business as usual won't save the crisis of higher ed (Deseret News)
- Ari Berman, president of Yeshiva University: The consumer vs. the covenant. Has a relentless focus on outcomes stripped the academy of purpose? (Deseret News)
- Philip Ryken, president of Wheaton College: A life worth living. Why America's liberal arts tradition is essential (Deseret News)
- Religious school must recognize LGBTQ rights club after Supreme Court ruling (Deseret News)

Environment

- Water woes: Contamination in Sunset, Pleasant Grove; flooding in Salt Lake City (KSL)
- UTA begins environmental review for Point of the Mountain Transit Study (Daily Herald)

Family

- Deeper look into domestic violence in Utah, toll it takes on families (KUTV)

Health

- Why the U.S. is now part of polio's 'world outbreak' (Deseret News)
- Doctors, researchers from around the world coming to Utah to discuss stillbirth at an international conference (KUTV)
- How four private groups used their clout to control the global Covid response — with little oversight (Politico)

National Headlines

General

- Biden: Tentative railway labor deal reached, averting strike (AP)
- High rents outpace federal disability payments, leaving many homeless (NPR)
- Unwed couples grew, US was more wired, the number of people working from home tripled and more people identify as multiracial in COVID's 1st years. (AP)
- Insurers force change on police departments long resistant to it. The high cost of settlements over police misconduct has led insurers to demand police departments overhaul tactics or forgo coverage. (Washington Post)
- Missing people, buried bones at center of Oklahoma mystery. In an Oklahoma compound linked to the Universal Aryan Brotherhood, a white supremacist prison gang, officers found what they believe to be a dumping ground for bodies. (Washington Post)

Politics

- Mike Lee calls on Biden to help the family of a U.S. Navy lieutenant imprisoned in Japan (Deseret News)
- Biden approval rises sharply ahead of midterms: AP-NORC poll (AP)
- Senate Midterm Map Shaped by Abortion and the Economy (Wall Street Journal)

Ukraine UA

- Ukraine's Zelenskyy sees damage in recaptured towns; Russia strikes city water system (Reuters)
- As Ukraine advances, Putin backs further into a corner (Washington Post)

World News

- Xi, Putin meet as Russian military losses test 'no limits' partnership (Washington Post)

News Releases

SL Chamber to recognize organizations elevating best practices of diversity & inclusion in Utah

Utah's business and community leaders will honor local organizations that lead in equality, diversity and fairness during Utah's Business Diversity Summit, part of the One Utah Summit Series. These organizations were nominated by community members and are leading actions to remove barriers, improve the working experience and engagement level of employees, and foster a sense of belonging where individuals can be their authentic selves and have a voice in the organization. Utah's Business Diversity Summit will take place on October 28, 2022, at the Salt Lake City Marriott Downtown at City Creek. (**Read More**)

Congressman Blake Moore introduces the Pharmacist Conscience Protection Act

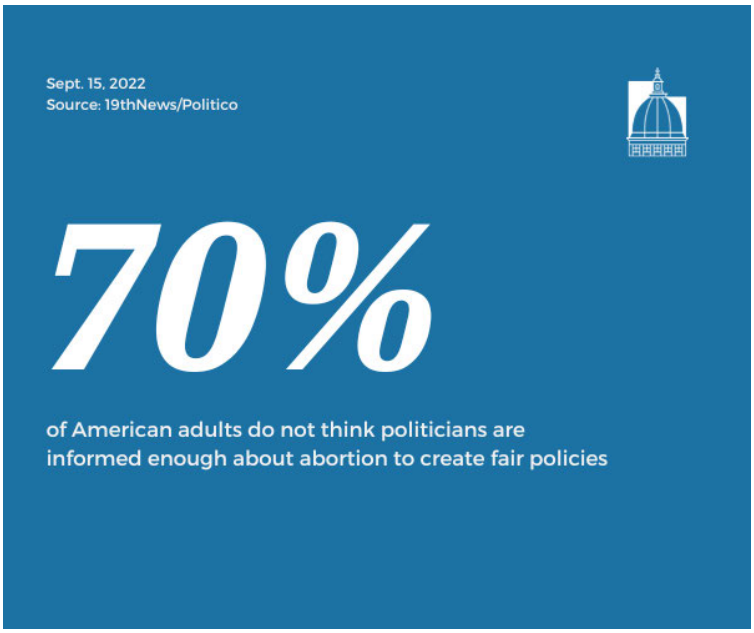
Today, Congressman Blake Moore (R-UT) introduced the *Pharmacist Conscience Protection Act* alongside Congressman Earl L. "Buddy" Carter (R-GA) and Congresswoman Diana Harshbarger (R-TN) to protect pharmacists' conscience rights when choosing whether to fill prescriptions for elective abortions.

This bill, co-sponsored by 26 House Republicans, comes after the Department of Health and Human Services (HHS) issued guidance warning pharmacists that they may be in violation of federal civil rights laws if they do not fill such prescriptions. (**Read More**)

Foreign Relations Committee approves Romney measure on passport agencies

The Senate Foreign Relations Committee voted to approve the *Taiwan Policy Act of 2022* and the *Department of State Authorization Act of 2022*, legislation to offer support for Taiwan and provide authorities for State Department operations, respectively. Following the Committee's business meeting to consider the legislation, U.S. Senator Mitt Romney (R-UT) released a statement regarding his measure to create a report on the geographical diversity of the United States' passport agencies. In a letter to Secretary Blinken, Romney previously urged the State Department to improve their passport services by opening a passport agency in Salt Lake City. (**Read More**)

Number of the Day



Tweets of the Day

Deidre Henderson ✓
@DeidreHenderson

I'm ded.

> **Hardee's** ✓ @Hardees · 14h
> If you still have a phone, get a free breakfast biscuit in our app for My Rewards members: hardees-appinstall.onelink.me/5kyB/f2f1b9b9

And.....

Adam Parkhomenko ✓
@AdamParkhomenko

who made this

Upcoming

- **The Status & Experiences of Utah Women of Color** — Sep. 15, Noon-1:15pm; Virtual, **Register here**
- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **United Utah Party Issue Summit on Water Conservation** — Sept. 17, 11-12:30, Gardner Rm of the American Fork Public Library
- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**strong>
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**strong>
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1857** - William Howard Taft is born. The 27th president of the United States also became the 10th chief justice of the United States. In 1911, during his presidential term, he also proposed an idea that became known as the Chamber of Commerce.
- **1890** - Agatha Christie is born.
- **1928** - While conducting experiments on a strain of influenza, Alexander Fleming discovers penicillin
- **1935** - German Jews are stripped of their citizenship, becoming "subjects" of the state
- **1959** - Nikita Krushchev becomes the first Soviet leader to visit the US
- **1963** - Four Black school girls are killed in a Birmingham, Alabama church bombing.
- **1977** - Chimamanda Ngozi Adichie is born. A Nigerian writer whose works range from novels to short stories to nonfiction, she gave a TED talk on *The Danger of a Single Story*, viewed over 31 million times.
- **1981** - The US Senate Judiciary Committee unanimously approves Sandra Day O'Connor for the US Supreme Court.

- **2008** - Lehman Brothers declares bankruptcy

Wise Words

"Stories matter. Stories have been used to dispossess and to malign. But stories can also be used to empower, and to humanise."

—Chimamanda Ngozi Adichie.

The Punny Side

What is the best way to carve?

Whittle by whittle.

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PUBLIC HEALTH WEEKLY

September 15, 2022

A Q&A with Anne Zink, ASTHO's New President

ASTHO is thrilled to welcome Anne Zink, MD, FACEP as our new president. Zink is a practicing emergency room physician and serves as the chief medical officer for the Alaska Department of Health.

In a conversation with ASTHO, she spoke about her hopes for the future of public health and her goals as president. Zink plans to focus her presidency on improving health information systems to empower the public, healthcare providers, and the public health workforce with the tools and information they need to promote individual and population health. Get all the details in this Q&A.

READ

Leveraging State and Federal Policy to Reduce Maternal Illness and Death

There are significant disparities in pregnancy-related outcomes in the United States. The U.S. maternal mortality rate is higher than many other high-income countries and severe maternal morbidity continues to rise. Additionally, many people of color experience higher maternal mortality when compared to their white counterparts.

With many of these deaths considered preventable, state and federal policymakers are taking steps to improve health outcomes for pregnant people. Learn how in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

ASTHO Welcomes Its 80th President | On Sept. 13 at ASTHO's annual Assembly of Members meeting, **Anne Zink, MD, FACEP (SHO-AK)** began her term as the 80th president of ASTHO. She succeeds **Nirav Shah, MD, JD, (SHO-ME)** who has held the position since January 2021. We thank Dr. Shah for his service and leadership during one of the most difficult challenges public health has faced, and we look forward to Dr. Zink's term as president. **Learn more in our latest press release**.

ASTHO Names New Board Leadership | Also this week, ASTHO announced its other newly elected leaders, including **Steven J. Stack, MD, MBA, (SHO-KY)** president-elect, and **Scott Harris, MD, MPH, (SHO-AL)** secretary-treasurer. **Visit here to learn more about ASTHO's leadership and governance.**

Inaugural DELPH Cohort Graduates | The **Diverse Executives Leading in Public Health** (DELPH) program, co-created by ASTHO and the Satcher Health Leadership Institute at Morehouse School of Medicine, celebrated the graduation of its first cohort at ASTHO's 2022 Fall Leadership Summit. Sixteen scholars completed a 10-month long program focused on fine tuning their leadership skills, expanding their public health network, and connecting with colleagues focused on growth. Meet the graduating class and learn more about their accomplishments in **the DELPH Magazine** now.

New Article in the American Journal of Public Health | ASTHO and the University of Washington co-authored a new article on the growing climate crisis and what it will take to get state and territorial health agencies ready to respond to the effects of climate change on public health. **Check out the full article for more.**

Public Health Stretched Thin | ASTHO CEO Michael Fraser spoke with *The Nation's Health* about the impact of the COVID-19 pandemic on the regular functions of healthcare and public health, outside of managing the pandemic itself. Many critical functions were set aside and public health is racing to make up for lost time. **Learn more about COVID-19's "health debt" now.**

BE IN THE KNOW

Thank you for being a long-time subscriber to ***Public Health Weekly***—we greatly appreciate your support! But did you know that we have more great newsletters to keep you up-to-date on the latest and greatest from ASTHO?

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Want to learn more about public health policy? Our ***Legislative Alerts*** provide you with exclusive analysis of emerging health legislation at the federal and state levels.

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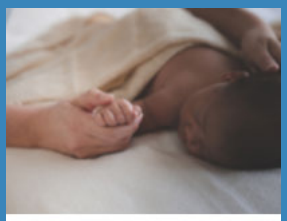
LATEST ASTHO RESOURCES AND EVENTS

Report

Hiring Practices That Support State Integration of Community Health Workers

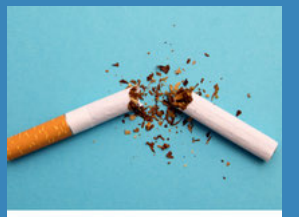
READ



New Resource

Supporting Pregnant and Postpartum Women with Opioid Use Disorder: An Infographic Series

CHECK IT OUT



Brief

Using Medicaid Datasets to Measure Tobacco Use: A Review

READ

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Youth Worried About Climate Change** | Rachael Banks (SHO-OR)
- **Meet ASTHO's New President** | Anne Zink (SHO-AK), ASTHO President
- **ASTHO's Outgoing President** | Nirav Shah (SHO-ME)
- **ASTHO's Impact on Public Health** | Michael Fraser, ASTHO CEO
- **Training for Diverse Public Health Pros** | Jill Miller, Alameda County Public Health Department

LISTEN

PUBLIC HEALTH REVIEW PODCAST

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PUBLIC HEALTH REVIEW

- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC

LISTEN

ASTHO IN THE NEWS

- **As public health does double duty, everyday work falls behind.** | *The Nation's Health* | Michael Fraser, ASTHO CEO
- **AmeriCorps Hopes to Breathe Life into Public Health Workforce.** | *Governing* | ASTHO
- **NIAA Announces Its 12th Annual Antibiotic Symposium.** | *NIAA* | Abraham Kulungara, ASTHO
- **The Victims of a Victimless Crime: The Future of Organized Retail Crime.** | *Loss Prevention Magazine* | Marcus Plescia, ASTHO CMO
- **Biden Administration says a new COVID-19 vaccination campaign could begin within days.** | *Al Jazeera* | Marcus Plescia, ASTHO CMO

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Don't forget to share this with any friends or colleagues who would love to hear more about the latest and greatest in public health!

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Situational Analysis | Sept 16, 2022

It's Friday and the weekend is looming. It's National Play-Doh Day - remember eating some as a kid? Just me? (Once I became a parent, it was banned in my house for many years because Play-Doh and carpet don't mix well. It's allowed again now that the carpet is gone...)

Also, Happy Constitution Day tomorrow!

Rapid Roundup

- Roger Federer to retire; Utah Jazz hire Jeff Hornacek as coaching consultant; police ask public to help solve homicide near Salt Lake City transit hub; how to celebrate Hispanic Heritage Month in Utah; ❤️ Lehi company attempts to build the world's largest blanket fort to grant the wish of a Utah boy with cancer; 😳 queue for queen's coffin 'paused' as wait hits **14 hours**; and finally, some of last night's incredible lightning show over northern Utah.

Friday Favorites: Best tweets of the week

From pumpkin spice (again) to the Great British Bake Off, to the best Polish socks ever, here are some of my favorite tweets this week. Don't miss the story of Dr. Gwendolyn Hall - she was amazing!

Inflation and the Midterms

Inflation is still dominating national headlines. Ben Winslow, Heidi Hatch, and Jay Evensen join host Jason Perry on The Hinckley Report this Friday at 7:00 pm to discuss how this will impact the upcoming midterm elections. Plus, Utah's governor joins the fight against student loan forgiveness.

Utah Headlines

General

- Meet the reporter who confronted Lori Vallow and Chad Daybell: Nate Eaton (Deseret News)
- Davis County jail reports 2nd inmate suicide this week (Salt Lake Tribune)
- Former attorney for Utah AG's Child Protection Division arrested ***again*** in child porn investigations (KSL)

- It'll be an action-packed weekend with activities and events happening in Utah! (Fox13)
- Recent find by Utah paleontologists offers ‘rare glimpse’ into ancient ecosystems (St. George News)

Politics

- Judge rules Joel Ferry's name will remain on the ballot (KUTV)
- Senator Lincoln Fillmore: ‘Democrats are not my enemies.’ The problem with the politics of power. The political divide between Republicans and Democrats creates a false narrative that politics is about power instead of service (Deseret News)
- Three of Utah’s congressmen defend Mike Lee (Deseret News)
- ‘I miss my friend.’ Jason Chaffetz reflects on the life and legacy of Democrat Elijah Cummings (Salt Lake Tribune)
- Utah legislators send cease-and-desist letters to abortion providers and funders (KSL)
- Senator Mike McKell says student loan forgiveness plan will hurt everybody (KSL Newsradio)

Education

- Utah Health Department and Doctors launch project to place air purifiers in Utah schools (ABC4)
- Utah’s hazing policy requirements (ABC4)
- ‘You got this dad’: Dixie Technical College makes its interim president permanent (St. George News)

Environment

- Did summer rain help the Utah drought? No 😭 (Deseret News)
- Desert farms in Utah flourish with water from Colorado River. Compared to neighboring states, Utah is less dependent on water from the Colorado River. Still, Utah is aggressively pursuing conservation measures through a broad suite of state legislation passed this year, including a law that allows farmers to forgo irrigation without losing their water rights. (Salt Lake Tribune)
- Cardiff Fork trails in Cottonwood Canyon are closed. Where are they and how did we get here? (Salt Lake Tribune)
- Wildfires are now a year-round threat. This panel seeks to guide the US through that threat (KSL)

Family

- Why has child poverty in U.S. fallen dramatically in 25 years? (Deseret News)
- Gen Z is the most materialistic generation today — here’s what you should know (Deseret News)

Health

- Utah surpasses 5,000 COVID-19 deaths this week (KSL)
- Utah COVID-19 vaccinations skyrocketed after new booster release, state reports. State data shows nearly 29,000 people received a coronavirus vaccine in Utah in the last week. (Salt Lake Tribune)
- One of long COVID’s worst symptoms is also its most misunderstood. **Brain fog** isn’t like a hangover or depression. It’s a disorder of executive function that makes basic cognitive tasks absurdly hard. (The Atlantic)
- As melatonin gains popularity, here’s what you need to know (Deseret News)

- Why Ryan Reynolds got a colonoscopy — and you should, too (Deseret News)

Housing

- Utah's housing, homeless crisis is at a peak. What are state, city leaders doing about it? (Deseret News)
- Some fear a new boardinghouse near 700 East will worsen SLC's housing crisis (Salt Lake Tribune)
- Pressure builds on housing market as mortgage rates cross 6%, a first since 2008 (Deseret News)

National Headlines

General

- Constipated scorpions, love at first sight inspire this year's Ig Nobel awards (ABC4)
- Americans are paying more and getting less as inflation hits home (NPR)
- After migrants arrived in Martha's Vineyard, a community gathered to welcome them (NPR)
- FedEx's stock price falls 20% pre-market, on course for biggest loss since 1978 (Wall Street Journal)

Politics

- Special master appointed: retired judge Raymond Dearie (NPR)
- Are Republican voters trying to lose? Republican primary voters have ignored polls and their party establishment when choosing candidates this year (Deseret News)
- What this Harvard law professor learned from Abraham Lincoln when the Constitution was 'broken' (Deseret News)
- This GOP strategist is calling on Republican senators to safeguard same-sex marriage (NPR)
- GOP lawmaker calls witness 'boo' and 'young lady' at hearing (Washington Post)
- President Biden is expected to meet with the families of Brittney Griner and Paul Whelan, who are being held in Russia. (New York Times)
- N.Y. Attorney General May Sue Trump After Rejecting Settlement Offer (New York Times)
- On Tuesday, using his Truth Social platform, Trump reposted an image of himself wearing a Q lapel pin overlaid with the words "The Storm is Coming." In QAnon lore, the "storm" refers to Trump's final victory, when supposedly he will regain power and his opponents will be tried, and potentially executed, on live television. (AP)

Ukraine UA

- Ukraine combs another mass burial site, says Russia 'leaves death' (AP)
- Bodies found bound in mass burial site after Russians leave Ukraine city (Reuters)
- Russians fleeing Izyum leave behind letters detailing despair. About 10 days before Ukrainian forces retook Izyum, Russian troops stationed there drafted letters begging their superiors to dismiss them from their roles. (Washington Post)
- Germany takes control of 3 Russian-owned oil refineries (AP)

World News

- New Zealand PM Ardern attends Queen Elizabeth's lying-in-state (Reuters)
- London police say queen's funeral poses biggest ever security test (Reuters)

News Releases

Smith's donates thousands of meals to students in need

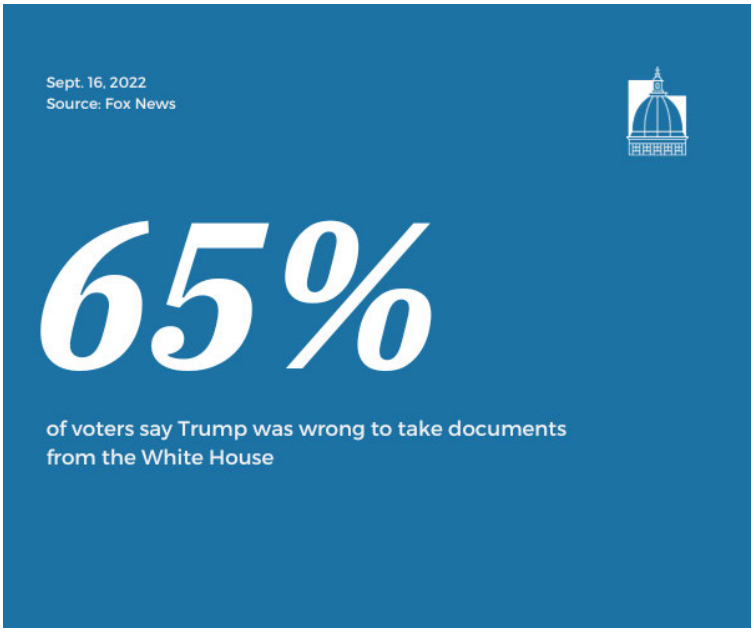
To help meet the food needs of students, Salt Lake Education Foundation with Smith's Food & Drug is providing over 4,000 meals to feed young people in need who may be food insecure or negatively impacted as a result of inflation and the lingering effects of the COVID-19 pandemic.

Approximately 1 in 9 children in Utah struggle with hunger and are unable to concentrate, have poor attendance and suffer anxiety. These students often fall behind academically, drop out before graduation, exhibit behavior problems and experience substance abuse issues. (**Read More**)

Owens introduces the EXPORT Act

Rep. Burgess Owens (UT-04) introduced the EXPORT Act of 2022 to level the playing field for small businesses, entrepreneurs, and innovators to compete internationally. The legislation, originally introduced in the 115th Congress by late Sen. Orrin Hatch and former Rep. Mia Love, corrects an oversight in financial regulation by amending the Commodity Exchange Act to allow small state-regulated non-bank businesses to be exempted from overly burdensome Commodity Futures Trading Commission's (CFTC) regulations. The legislation will expand access to financial services for small businesses and entrepreneurs, while still maintaining proper oversight and mitigating systemic financial risk. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Women in the Money** with Utah State Treasurer's Office — Sept. 15-16, Salt Lake Sheraton + online, **Register here**
- **United Utah Party Issue Summit on Water Conservation** — Sept. 17, 11-12:30, Gardner Rm of the American Fork Public Library
- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**strong>

- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**strong>
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1620** - The Mayflower sets sail
- **1845** - Phineas Wilcox is stabbed to death by fellow members of the Church of Jesus Christ of Latter-day Saints in Nauvoo, Illinois, because he is believed to be a Christian spy.
- **1875** - James Cash Penney, American department store founder (JC Penney), is born on this day.
- **1887** - Louise Boyd is born. The American explorer led expeditions to the Arctic and wrote several books about her experiences. Her amassed knowledge of the Arctic led the U.S. government to appoint her as the head of an investigation of magnetic and radio phenomena in the Arctic.
- **1920** - The "Wall Street bombing" occurs at 12:01 when a horse-drawn wagon explodes on Wall Street, New York, killing 38 and injuring 143.
- **1932** - Gandhi begins fast in protest of caste separation
- **1940** - The Selective Service Act is passed, the first peacetime draft in history
- **1941** - Adolf Hitler orders that for every dead German, 100 Yugoslavs should be killed
- **1971** - Amy Poehler, aka Leslie Knope is born
- **1997** - Apple Computer Inc names co-founder Steve Jobs interim CEO
- **2018** - Cycling land speed record broken for men and women by Denise Mueller-Korenek riding 183.932 mph (296.010 km/h) Bonneville Salt Flats

Wise Words

"What I hear when I'm being yelled at is people caring loudly at me."

—Leslie Knope.

The Punny Side

My new thesaurus is terrible.

In fact, it's so bad, I'd say it's terrible.

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SUBJECT: Re: Medicaid Postpartum Coverage
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Mike Kennedy <mkennedy@le.utah.gov>
CC: Marc Watterson <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 16/09/2022 15:16

Senator,

We need to correct the number of women that would be impacted by this proposal. The total estimated cost is still correct; however, our analyst missed a portion of the information when he pulled the estimated number of women impacted by the change.

The correct figures

8,900 women in total per year:

- 2,000 women would gain new coverage
- 2,000 women would stay on the pregnant woman program instead of moving to adult expansion
- 4,900 women would stay on the pregnant woman program instead of moving to another non-expansion program

We wanted to make sure you had the correct numbers and apologize for the error.

Thanks,

Nate

On Fri, Sep 16, 2022 at 12:13 PM Paul Ray (DHHS) <pray@utah.gov> wrote:

> Sen. Kennedy,
>
> Thank you for taking the time to chat this morning, I just wanted to follow up with answers to your questions.
> 1. What is the cost: $2,948,500
> 2. How many women are in coverage: On an annual basis, we have an average of 3,300 women who have coverage for 60 days. Of that number, 1600 normally qualify to continue coverage and 1,700 would be discontinued. With extension of coverage to 12 months, the remaining 1,700 that would have lost coverage will now maintain that coverage.
>
> I spoke with Rep. Lesser this morning and she would like a vote on this bill. I have attached a copy for your review. She currently has it in Medicaid Expansion, at our request, she plans on amending it to be covered in standard Medicaid coverage with the 70/30 match. The $2.9 million estimate is based on 70/30.
>
> Please let me know if you have any additional questions or concerns.
>
> Thanks,
>
> Paul
>
> --
> **Paul Ray**
> Assistant Director
> Office of Legislative Affairs
> C: 801-540-0714
> pray@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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SUBJECT: Farewell to a Queen
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 19/09/2022 08:16

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The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 19, 2022

It's Monday and Talk Like a Pirate Day. Aargh, ye mateys - I dinna make the code.

Be in the Know

- Queen Elizabeth's funeral was held in Westminster Abbey today. It has been 262 years since the funeral of a British monarch was held there. Westminster Abbey's Tenor Bell tolled once a minute for 96 minutes before the service, marking each year of the Queen's life. The funeral marks the end of ten days of mourning - and the end of an era.
- The entire island of Puerto Rico is without power after Hurricane Fiona lashed the island. Up to two and a half ***FEET*** of rain is predicted by this morning. President Biden approved an emergency declaration yesterday, providing for additional disaster relief funds. Fiona is now headed to the Dominican Republic.
- After Russian forces retreated from areas in eastern Ukraine last week, multiple mass burial sites have been found, similar to the ones found in

Buch earlier this year. Ukrainian police investigators and war-crimes prosecutors have begun exhuming bodies, trying to identify them, documenting signs of torture, and then sending them to the morgue. What an awful, awful job.

Rapid Roundup

- Weekend college football: BYU lost, Utah won, Arizona State fired their head coach this week, right before they are scheduled to play Utah; Kalani Sitake or Blake Anderson could be considered as his replacement; Las Vegas Aces win first WNBA title; shots fired at a quinceañera in Roy; man stabbed in the neck 'for no reason'; world leaders to convene at the United Nations this week in a world 'beset by turbulence.'

Monday Musings: Campaign Sign Wars

Labor Day traditionally marks the beginning of the final campaign push heading into Election Day. Signs sprout up seemingly overnight, flyers hit mailboxes, ads heat up – and so do the sign wars. Senate candidate Nate Blouin had his own sign stolen out of his yard on Friday and two tires on his car deflated – turns out the air wasn't just let out – they were slashed. Would it be too much to ask that legally placed signs be left alone?? Apparently.... (**Read More**)

The Hinckley Report, PBS Utah's weekly political roundtable, airs Fridays at 7PM. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- StoryCorps comes to Utah — to help preserve the heartbeat and history of humanity (Deseret News)
- Utah veterans win $20k after solving treasure hunt in Pleasant Grove (KUTV)
- Utah-based international nonprofit 'Bikers Against Child Abuse' celebrates 25th anniversary (Fox13)
- University of Oregon apologizes for anti-Mormon chant at BYU football game. Utah Gov. Spencer Cox denounced the obscene chant as 'religious bigotry' (Washington Post)

Politics

- Inflation and the midterms (Hinckley Report)

- RINO hunting in the age of Trump. RINO used to mean someone who didn't follow party orthodoxy. But in the Trump era it came to mean disloyalty to the former president (Deseret News)
- Are cease-and-desist letters sent to Utah abortion providers 'political stunt' or 'bold stand'? (Deseret News)
- Utah lawmakers send 'cease-and-desist' demands to abortion providers and advocates (KUER)
- Is the Constitution still worth celebrating? (Deseret News)
- Perspective: Why disagreeing well will save the Constitution. Our Founding Fathers knew the dangers of tyranny by a majority so they built in protections to protect the minority (Deseret News)
- Utah's state treasurer pulls millions from investment firm over its climate and social agenda (Salt Lake Tribune)
- Evan McMullin ran against Trump on principle. Can he beat one of the former president's closest Utah allies? (Salt Lake Tribune)
- Sen. Mike Lee was practically born conservative. Does his support for Trump give Evan McMullin an opening in red Utah? Once the insurgent, now Lee is facing a political insurgent he once voted for over the former president. (Salt Lake Tribune)
- 3rd Congressional District candidate profile: Glenn Wright (ABC4)
- The IUP Panel on affordable housing and student loan forgiveness (ABC4)

Business

- 'Gritty' new venture investor Kat Kennedy is ready to up the ante in Utah's tech ecosystem (Deseret News)
- These Latinas have helped create 5,000 Utah small businesses — most of them minority-owned (KSL)
- Utah small businesses struggle with rising costs brought on by inflation (Fox13)

Education

- Amid a legal battle over a proposed LGBTQ rights club, Yeshiva University has suspended all undergraduate club activities (Deseret News)
- Utah authors sign letter decrying 'plague of book banning' (Salt Lake Tribune)
- Davis District investigating allegations that special needs student was abused at school (KSL)

Environment

- Once flooded ghost town - Whisky Flat - reemerges because of drought (Deseret News)
- The potash canals in Utah's salt flats have become a case of Instagram vs. reality (Salt Lake Tribune)

Family

- Jim Dalrymple II: Why I won't turn my kid into an online influencer (Deseret News)

Health

- Does COVID increase risk of getting Alzheimer's disease? Research from Case Western Reserve University suggests it does (Deseret News)

Housing

- Housing not available or affordable for many Springdale workers (Salt Lake Tribune)
- Cash buyers make up almost a third of U.S. home purchases (Deseret News)

National Headlines

General

- Worried about identity theft? Here's how to protect your online privacy (Deseret News)
- US markets sink ahead of another expected interest rate hike (AP)
- Locked Up: The prison labor that built business empires (AP)

Politics

- 'A crisis coming': The twin threats to American democracy (New York Times)
- Mitt Romney, Mike Lee and the Senate's battle over same-sex marriage (Deseret News)
- Trump openly embraces, amplifies QAnon conspiracy theories (AP)
- Biden says U.S. forces would defend Taiwan in the event of a Chinese invasion (Reuters)
- Trump's favorability rating drops to new low (The Hill)
- Biden on '60 Minutes': 'The pandemic is over' (Politico)

Ukraine UA

- Ukraine says Russian missile struck close to nuclear plant (AP)
- 'Torment of hell': Ukraine medic describes Russian torture (AP)
- Zelenskiy vows no let-up as Ukraine says troops cross key river in northeast (Reuters)

World News

- Queen Elizabeth II mourned by Britain and world at funeral (AP)
- Huge crowds follow queen's funeral in silence and awe (Reuters)
- In 'The Queue,' people lined up by the thousands to view the queen's coffin. (New York Times)

News Releases

Two Utah schools named 2022 National Blue Ribbon Schools

U.S. Secretary of Education Miguel Cardona today recognized 297 schools as National Blue Ribbon Schools for 2022, including two schools in Utah. The recognition is based on a school's overall academic performance or progress in closing achievement gaps among student subgroups. Secretary Cardona made the announcement during his Road to Success Back to School bus tour.

The Utah schools named as National Blue Ribbon Schools were:

- Adams Elementary School, Logan City School District.
- Horizon Elementary School, Washington County School District. (**Read More**)

Curtis, Neguse bill on wildfire recovery passes House

This week, Congressman John Curtis (R-UT) and Congressman Joe Neguse (D-CO) Co-Chairs and Founders of the Bipartisan Wildfire Caucus, announced

that the House of Representatives passed their legislation to help ensure impacted communities have the resources they need to recover from devastating wildfires. The bipartisan Wildfire Recovery Act would increase flexibility in the federal cost share for Fire Management Assistance Grants (FMAG) to bring in additional resources for communities as they rebuild from wildfire damage. (**Read More**)

Utah Democratic Party statement following federal judge's ruling in UDP v. Henderson

Last week, the Utah Democratic Party officially filed a lawsuit in federal court, asking a judge to issue an injunction requiring the Lieutenant Governor's office to remove Joel Ferry from the ballot in House District 1 due to his ineligibility to serve. On Monday, Judge Parrish decided to not rule on the Utah Constitution and Utah law, deferring to her former colleagues in the Utah Supreme Court.

"We are not giving up fighting for the rights of voters in HD-1 to choose their own representative instead of having their legislator picked by a small group of party insiders," said party Chair Diane Lewis. "That means the next step is to take our case to the Utah Supreme Court, asking them to rule on the LG's decision to certify Mr. Ferry." (**Read More**)

Number of the Day

Tweet of the Day

Upcoming

- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**strong>
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
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- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1881** - James Garfield dies after just 4 months as president

- **1893** - New Zealand becomes the first nation to grant women the right to vote
- **1957** - Nevada is site of first-ever underground nuclear explosion
- **1960** - "LIFE" magazine celebrates artist Anna Mary "Grandma" Moses' 100th birthday by putting her on their cover
- **1985** - 8.1 earthquake hits Mexico City, leaving 10,000 dead
- **1988** - American diver Greg Louganis smashes his head on the diving board during the 3m springboard preliminaries at the Seoul Olympics.
- **1995** - Unabomber manifesto published by the New York Times and Washington Post
- **2021** - Body of Gabby Petito found at Bridger-Teton National Forest, Wyoming

Wise Words

"Grief is the price we pay for love."

—Queen Elizabeth II

The Punny Side

Just got a birthday card, opened it and rice went everywhere!!

It was from Uncle Ben.

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SUBJECT: Re: home visiting
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 19/09/2022 09:46

Thanks for the update on this federal legislation.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Sep 19, 2022 at 9:38 AM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

I just received this communication. Not sure if Elizabeth has spoken with you, but want to keep you in the loop.

Noel
Noël Taxin, M.S.
Director Division of Family Health
C: 801.580.9153
ntaxin@utah.gov
health.utah.gov/cshcn/

---------- Forwarded message ---------
From: **Elizabeth VanSant-Webb (DHHS)** <elizabethvw@utah.gov>
Date: Mon, Sep 19, 2022 at 9:24 AM
Subject: Re: home visiting
To: Sarah Woolsey <sarahwoolsey@gmail.com>, Noel Taxin (DHHS) <ntaxin@utah.gov>, Mykio Saracino (DHHS) <msaracino@utah.gov>

Sarah,

I wanted to send you this one-pager from the House Ways and Means Committee regarding MIECHV Reauthorization. The language will likely be introduced in the committee today (Monday) and will be marked up by the committee by Wednesday at the earliest. I received this through the Association of State and Tribal Home Visiting Initiatives (ASTHVI). We were told that we can share it with folks in and outside of our agency, but that it shouldn't be shared on social media or with the press until the bill is introduced today.

While I can't do any advocacy work, I can certainly send along this information I received late last week from the Home Visiting Coalition Steering Committee: For those interested in advocacy on the legislation, two things are helpful at this time:

- Share your support! The Ways and Means Committee is collecting letters of support to help build momentum before a likely markup of the bill next week. You can see examples of endorsement letters from HVC Steering Committee members here:
  - Home Visiting Coalition
  - American Academy of Pediatrics
  - Association of Maternal & Child Health Programs
- Urge Ways and Means Members to co-sponsor the bill! The Committee is currently accepting original co-sponsors for the bill. **Please reach out today to offices with whom you have a relationship to urge their co-sponsorship.**

There are a lot of interesting changes being proposed in this reauthorization, with the most notable being the match requirement. It's not yet clear if this match requirement will need to be new or can be from any current funding. Let me know if you have any questions about any of this. I'd be happy to keep you in the loop if you're interested. As an FYI, I also included Mykio in the conversation here, so she can stay in the loop!

Thanks!
Elizabeth

On Mon, Sep 12, 2022 at 7:16 PM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:
Oh shoot--I forgot to include Noël. Looping her in now!

On Mon, Sep 12, 2022 at 7:15 PM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:
Hi Sarah,

We have a few ways to define "high needs families". For current state funding, we use the term "Families at Risk," which is defined as clients who qualify for WIC, TANF, CHIP, or Medicaid and meet model eligibility requirements regarding pregnancy and the family having a child age 2 or younger (this is because the original legislation was crafted around NFP).

The definition for our federal funds is a lot more complex. Here's an excerpt from one of our policies for our subrecipients regarding eligibility:

I. Enrollment for all families must be voluntary and include:
- A pregnant woman.
- A child younger than kindergarten entry; and/or

II. Families may be enrolled according to a tiered system based on the number of Eligibility Criteria (number of Parent As Teachers (PAT) stressors) and income (% of Federal Poverty Level). The following table outlines the tiered system:

% of Federal Poverty Level	Number of PAT Stressors That Must be Met by Family
At or below 100% of the Federal Poverty Level	0–Families qualify for services based on income alone
At or below 185%	1 (must have 1 stress factor in addition to low-income)
186% - 250%	2 (must have 2 stress factors other than income)
251% - 300%	3 (must have 3 stress factors other than income)

[redacted]

% of Federal Poverty Level	Number of PAT Stressors That Must be Met by Family
At or below 100% of the Federal Poverty Level	0–Families qualify for services based on income alone
301% and above	Does not qualify

III. All families must meet at least one (1) of the following PAT Eligibility Criteria or stressors, which include any of the following:
- Child abuse/neglect
- Child with disability or chronic health condition
- Death in immediate family
- Foster care or other temporary caregiver
- High school diploma equivalency not attained
- Housing instability
- Intimate partner violence
- Low income (at or below 185% of the Federal Poverty Level)
- Military deployment
- Parent incarcerated during child's lifetime
- Parent with disability or health condition
- Parent with mental health issues
- Recent immigrant or refugee family
- Substance use disorder
- Very low birth weight and preterm birth
- Young parents (under the age of 21)

IV. Priority shall be given to families that meet at least one (1) of the following MIECHV Eligibility Criteria:
I. Low income (at or below 100% of the Federal Poverty Level)
II. Pregnant and under the age of 21
III. History of child abuse or neglect, or history of interactions with child welfare services
IV. History of substance abuse or in need of substance abuse treatment
V. Tobacco use
VI. Low student achievement
VII. A child with developmental delays or disability
VIII. A household member who is serving or has served in the U.S. armed forces

V. If the Home Visiting Program has an open caseload for enrollment, priority shall be given to those who meet multiple MIECHV Eligibility Criteria. Additionally, priority may be given to families experiencing multiple stressors, as defined by the PAT home visiting model. Families experiencing multiple PAT Eligibility Criteria or stressors shall always be given priority over families experiencing only a single PAT stressor identified.

As for the current need and the gap, I'll just take a cut at poverty--not figuring in all of these over factors. I did some back of the envelope calculations here based on 2020 ACS data and information I received today regarding MIECHV authorization. There are approximately 3,679,064 children under the age of 5 living in poverty in the U.S. According to the Congressional Research Service, 0.63% of those children live in Utah.This means there are approximately 23,178 children in Utah under the age of 5 living in poverty. With what we're currently able to serve (611 families), we're probably only serving 2.6% of the families in need--assuming only one child per household. However, because home visiting is a long-term intervention, families only have to qualify (or meet this definition) at the time of enrollment. Ideally, we should see changes to income and stressors over time, which would actually increase the need.

As for the cost, I have an estimate based on a per family rate for PAT and NFP, but these should probably be adjusted based on inflation, as I've heard from each of our subrecipients that the current funding levels are insufficient without pulling in local funding (usually county tax dollars):

- PAT: $5,880 per family
- NFP: $6,935 per family

Then our rate at the state is approximately $139,142 for each staff person that we need to run the program. If we expand to each of the LHDs, I would say we would need at least 3 more people on my team.

Obviously serving each and every child accounted for in these calculations could not happen. If we could reach, at minimum, 10% of these children (2,317), I'd say we'd be doing a great job in Utah! The cost of that would probably be around $15.5 million (total, so an increase of about $12 million annually). This would need to be scaled up over time to make sure that we're able to provide adequate support and training for all involved, and to do the work to build a strong referral and connection network.

I'd also suggest keeping an ear to the ground regarding MIECHV reauthorization (it expires on September 30th). I'm not sure what will happen with that, but it's currently our largest funding source, so it warrants some attention!

I'm including Noël here. So she can stay in the loop on our conversation. She's had quite a few conversations about expansion, so she might have additional pieces to add here.

Elizabeth

On Fri, Sep 9, 2022 at 12:55 PM Sarah Woolsey <sarahwoolsey@gmail.com> wrote:
No worries we actually have some

[redacted]

Work
On it today I will let you know if we pass it. Thanks Sarah

Sarah

> On Sep 9, 2022, at 11:32 AM, Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:
>
> Sarah,
>
> I'm only working a half day today, but I wanted to let you know I'm thinking about this and I'll get back to you early next week!
>
> Elizabeth
>
> On Thu, Sep 8, 2022 at 8:49 PM Sarah Woolsey <sarahwoolsey@gmail.com> wrote:
> Thank you!
> This is great. Can you describe how many high needs families might still need visiting (and what thet definition might be) and then what the FULL STATE LOAD would be if we offererd this to all? I want to share the impact if we offer this to ALL families and what that gap is. Then also show that we are not quite there with the ones that need it.
>
> If you have time
> Sarah
>
> On Sep 8, 2022, at 4:00 PM, Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:
>
> Hi Sarah!
>
> Thanks so much for thinking of home visiting in your new role! As a former home visitor myself, I'm so glad to see that there's an increase in awareness and momentum for these services.
>
> I can send you a couple of documents, but I want to be transparent that they aren't as up to date as you might need, so feel free to send over any other questions you have as you're working through them.
>
> - The first is our MIECHV Needs Assessment. This was completed in October 2020, so I'm sure you can immediately think about how it might not be up to date on the state's needs.
> - The second is the legislative report that was submitted in October 2021. These funds were originally designated for a Pay for Success model, but that never got off the ground. In the last legislative session, the nurse home visiting restricted account was appealed. These services are now funded out of the Division's general fund.
>
> Here's a high level picture of our services currently:
>
> MIECHV/Federally-funded Local Implementing Agencies (all providing Parents as Teachers):
>
> - Prevent Child Abuse Utah (serving Weber County)
> - Salt Lake County HD
> - Southeast UT HD
> - Utah County HD
> - Wasatch County HD
>
> Current statewide maximum caseload for federally-funded LIAs: 498 families
>
> State-funded Local Implementing Agencies
>
> - Salt Lake County HD (Nurse-Family Partnership)
> - Central UT HD (PAT)
> - San Juan HD (PAT)
>
> Current statewide maximum caseload for state-funded LIAs: 111 families
>
> Let me know if you have any questions that come up for you. I'm happy to help!
> Elizabeth
>
> On Thu, Sep 8, 2022 at 11:04 AM Lynne Nilson (DHHS) <lpnilson@utah.gov> wrote:
> Hello Sarah!!! Yes, I'm almost to the end of my downhill stretch (1 week). WAHOOOO.
>
> I'm looping in Elizabeth... who will have access to the most recent report. And she will be a great contact for you going forward, for "all things home visiting"
>
> Elizabeth would you please share the most recent home visiting report w/ Sarah? Thank you
>
> On Thu, Sep 8, 2022 at 8:50 AM Sarah Woolsey (DHHS) <swoolsey@utah.gov> wrote:
> Hey there-- can you assist me with the most recent Home Visiting Report? We are running a resolution at the UMA to ask for more $ to support this.
>
> The docs want data on who is not already being served and what gaps exist.
>
> Can you send to my sarahwoolsey@gmail.com?
>
> Thanks team

Lynne-- you are almost there!!!

:))

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--
Lynne Nilson, MPH
Consultant to the Director, Division of Family Health
C: 801 694-3143
lpnilson@utah.gov
https://health.utah.gov/mch/

Utah Department of Health & Human Services

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

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<Utah MIECHV Needs Assessment Updated 12.18.20.pdf><2021 Utah Home Visiting State Report .pdf>

--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

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--
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SUBJECT: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
CC: "Braden Ainsworth (DHHS)" <bainsworth@utah.gov>, "Brandi Frandsen (DHHS)" <btfrands@utah.gov>, "Rebekka Wilkinson (DHHS)" <rnwilkinson@utah.gov>, "Tyler Fisher (DHHS)" <tfisher@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "Andreas Rohrwasser (DHHS)" <arohrwasser@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Ethan Farnsworth (DHHS)" <efarnsworth@utah.gov>, "Al Romeo (DHHS)" <alromeo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
DATE: 19/09/2022 12:40

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.

- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link	Ap
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%	

[redacted]

performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).				
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?		
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and	HB 341	Linda Wininger		

Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."				
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?		
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo		
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie		
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)		

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Shari Watkins (DHHS)" <swatkins@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
CC: "Austin Preston (DHHS)" <austinpreston@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 19/09/2022 12:44

Taylor -

As a reminder, you can find the legislatively required reports on this page:

- [redacted]
- See "IMPLEMENTATION" Tab
- I did a quick sort and here is what I found due by October 1 that was assigned to the Budget Team
- Some of these might already be done. I'm just providing information on what I have insight into.

Report	Due to EDO	Who is Writing	Current Status	Approved?
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Ambulance Service Provider Assessment Fund, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: percentage of providers who have paid by the due date (Target => 85%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Child, Youth, and Families line item, whose mission is "to keep children safe from abuse and neglect and provide domestic violence services by working with communities and strengthening families." The				

[redacted]

department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Administrative performance: Percent satisfactory outcomes on Qualitative Case Reviews for Child Status and System Performance (Target = 85%/85%); 2) Child Protective Services: Absence of maltreatment recurrence within 6 months (Target = 94.6%); 3) Out-of-home services: Percent of cases closed to permanency outcome/median months closed to permanency (Target = 90%/12 months); 4) the percent of children who demonstrated improvement in social-emotional skills, including social relationships (Goal = 69% or more); 5) Monthly average for time between inspections for assisted living facilities (Target = 24 months); and 6) Percentage of Live Utah Births Screened for the Mandated Newborn Heel Stick Conditions (Excluding Those Parents who Refused Newborn Blood Screening) (Target = 100%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Primary Care and Rural Health program, whose mission is "As the lead state primary care organization, our mission is to elevate the quality of health care through assistance and coordination of health care interests, resources and activities which promote and increase quality healthcare for rural and underserved populations." The Department of Health and Human Services shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: Percentage of clinicians that remained at their service obligation site for up to one year after completing their obligation (Target = 75%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Primary Care and Rural Health program, whose mission is "As the lead state primary care organization, our mission is to elevate the quality of health care through assistance and coordination of health care interests, resources and activities which promote and increase quality healthcare for rural and underserved populations." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: total underserved individuals served (Target = 4,000).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Aging and Adult Services line item, whose mission is "to provide leadership and advocacy in addressing issues that impact older Utahans, and serve elder and disabled adults needing protection from abuse, neglect or exploitation." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Medicaid Aging Waiver: Average cost of client at 15% or less of nursing home cost (Target = 15%), 2) Adult Protective Services: Protective needs resolved positively (Target = 95%), and 3) Meals on Wheels: Total meals served (Target = 9,200).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Out and About Homebound Transportation Assistance Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations				

bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Maurice N. Warshaw Trust Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Mental Health Services Donation Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Substance Abuse and Mental Health line item, whose mission is "to promote hope, health and healing, by reducing the impact of substance abuse and mental illness to Utah citizens, families and communities." The Department of Health and Human Services shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Local substance abuse services: Percent of clients successfully completing treatment (Target = 60%), 2) Mental health centers: Percent of clients stable, improved, or in recovery while in current treatment (Adult and Youth Outcomes Questionnaire) (Target = 84%), and 3) Utah State Hospital: Percent of forensic patients found competent to proceed with trial (Target = 65%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Services for People with Disabilities line item, whose mission is "to promote opportunities and provide supports for persons with disabilities to lead self-determined lives." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Community-based services: Percent of providers meeting fiscal and non-fiscal requirements of contract (Target = 100%), 2) Community-based services: Percent of individuals who report that their supports and services help them lead a good life (National Core Indicators In-Person Survey) (Target=100%), and 3) Utah State Developmental Center: Percent of maladaptive behaviors reduced from time of admission to discharge (Target = 80%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Human Services report performance measures for the Human Services Client Trust Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the				

Department of Health and Human Services report on the following performance measures for the Health Care Administration line item, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) average decision time on pharmacy prior authorizations (Target = 24 hours or less); 2) percent of clean claims adjudicated within 30 days of submission (Target = 98%); and 3) Number of calls related to topics covered by training (Target = staff to work with agency).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Hospital Provider Assessment Expendable Revenue Fund, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: percentage of hospitals who have paid by the due date (Target => 85%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Children's Health Insurance Program Services program, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) percent of children less than 30 months old that received at least six or more well-child visits (Target = 50% or more) and 2) percent of adolescents who received one meningococcal vaccine and one TDAP (tetanus, diphtheria, and pertussis) between the members 10th and 13th birthdays (Target = 80%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Integrated Health Care Services line item, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) percentage of children 3-17 years of age who had an outpatient visit with a primary care practitioner or obstetrics/gynecologist and who had evidence of Body Mass Index percentile documentation (Target = 70%); 2) the percentage of adults 18-85 years of age who had a diagnosis of hypertension and whose blood pressure was adequately controlled, (Target = 65%); 3) Average Days to Approve Placement of Medicaid Clients in Nursing Home Facilities (Target = 7.0) and 4) annual state general funds saved through preferred drug list (Target = 21,000,000).				
In accordance with UCA 63J-1-201, the Legislature intends that the Division of Juvenile Justice Services report performance measures for the Administration line item, whose mission is "To be a leader in the field of juvenile justice by changing young lives, supporting families and keeping communities safe." The Division of Juvenile Justice Services shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Management and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills and the current status of the following performance measure for FY 2023: (1) Avoid				

new felony or misdemeanor charge while enrolled in the Youth Services program and within 90 days of release (Target = 100%); and (2) Reduce the risk of recidivism by 25% within 3 years (Target = 25%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Medicaid Expansion Fund, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: percentage of hospitals who have paid by the due date				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Qualified Patient Enterprise Fund, whose mission is "cover expenses related to carrying out the departments duties under the Utah Medical Cannabis Act. Duties include establishing a Center for Medical Cannabis verification and inventory control system, drafting rules required for implementation of the new law, educating stakeholders and the public, and processing applications." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: License 1 additional pharmacy, bring the total of licensed pharmacies to 15, by June 30, 2023 (Target = one).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Nursing Care Facilities Provider Assessment Fund, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: percentage of nursing facilities who have paid by the due date (Target = 85%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Executive Director Operations line item, whose mission is "to strengthen lives by providing children, youth, families and adults individualized services to thrive in their homes, schools and communities." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Office of Quality and Design: Percent of contracted providers who meet or exceed the Department of Health and Human Services quality standard (Target = 85%), 2) Office of Licensing: Initial foster care homes licensed within three months of application completion (Target = 96%), and 3) System of Care: Percent of children placed in residential treatment out of children at-risk for out-of-home placement (Target = 10%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Operations line item, whose mission is "protect the public's health through preventing avoidable illness, injury, disability, and premature death; assuring access to affordable, quality health care; and promoting health lifestyles by providing services and oversight of services which are applicable throughout all divisions and bureaus of the Department." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before				

October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures:1) Births occurring in a hospital are entered by hospital staff into the electronic birth registration system within 10 calendar days (Target = 99%) and 2) percentage of all deaths registered in the electronic death registration system within five calendar days (Target = 80% or more).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Office of Public Guardian line item, whose mission is "to ensure quality coordinated services in the least restrictive, most community-based environment to meet the safety and treatment needs of those we serve while maximizing independence and community and family involvement." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Percent of cases transferred to a family member or associate (Target = 10%), 2) Annual cumulative score on quarterly case process reviews (Target = 85%), and 3) Percent reduction in the amount of time taken to process open referrals (Target = 25%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Organ Donation Contribution Fund, whose mission is "Promote and support organ donation, assist in maintaining and operation a statewide organ donation registry, and provide donor awareness education." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: Increase Division of Motor Vehicle/Drivers License Division donations (Target = $103,000).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Office of Recovery Services line item, whose mission is "to serve children and families by promoting independence by providing services on behalf of children and families in obtaining financial and medical support, through locating parents, establishing paternity and support obligations, and enforcing those obligations when necessary." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Statewide Paternity Establishment Percentage (PEP Score) (Target = 90%), 2) Child support services: Percent of support paid (Target = 70.3%), and 3) Ratio of collections to cost (Target = > $6.25 to $1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Office of Recovery Services (ORS) Support Collections fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Pediatric Neuro-Rehabilitation Fund, whose mission is "The Violence and Injury Prevention Program is a trusted and comprehensive resource for data related to violence and injury. Through education, this information helps promote partnerships and programs to prevent injuries and improve public health." The				

department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: Percentage of children that had an increase in functional activity (Target = 70%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Local Health Departments program, whose mission is "To prevent sickness and death from infectious diseases and environmental hazards; to monitor diseases to reduce spread; and to monitor and respond to potential bioterrorism threats or events, communicable disease outbreaks, epidemics and other unusual occurrences of illness." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: reduce the number of cases of pertussis among children under 1 year of age, and among adolescents aged 11 to 18 years (Target = 395 or less).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Vaccine Commodities program, whose mission is "The mission of the Utah Department of Health and Human Services Immunization Program is to improve the health of Utah's citizens through vaccinations to reduce illness, disability, and death from vaccine-preventable infections. We seek to promote a healthy lifestyle that emphasizes immunizations across the lifespan by partnering with the 13 local health departments throughout the state and other community partners. From providing educational materials for the general public and healthcare providers to assessing clinic immunization records to collecting immunization data through online reporting systems, the Utah Immunization Program recognizes the importance of immunizations as part of a well-balanced healthcare approach." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Increase the number of providers reporting vaccine administrations to the Utah Statewide Immunization Information System (USIIS) by 2% over the previous year (Target = staff to work with agency); 2) Vaccination rates among teens age 13-15 with one Tdap (Tetanus, Diphtheria, Pertussis), two Varicella, one Meningococcal conjugate (Target = 80%); and 3) Percentage of Utah children age 24 months who have received all recommended vaccines (Target = 75%).				
In accordance with UCA 63J-1-903, the Legislature intends that the				

Department of Health and Human Services report on the following performance measures for the Spinal Cord and Brain Injury Rehabilitation Fund, whose mission is "The Violence and Injury Prevention Program is a trusted and comprehensive resource for data related to violence and injury. Through education, this information helps promote partnerships and programs to prevent injuries and improve public health." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: Percentage of those receiving Medicaid/Medicare at intake that are no longer using Medicaid/Medicare 12 months after discharge (Target = 50%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health report on the following performance measures for the Traumatic Brain Injury Fund, whose mission is "The Violence and Injury Prevention Program is a trusted and comprehensive resource for data related to violence and injury. Through education, this information helps promote partnerships and programs to prevent injuries and improve public health." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: The percentage of Traumatic Brain Injury Fund clients referred for a neuro-psych exam or MRI that receive an exam (Target = 100%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Developmental Center Patient Account. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Developmental Center Long-Term Sustainability Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Developmental Center Miscellaneous Donation Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Developmental Center Workshop Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Hospital Patient Trust Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Hospital Unit Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
Under Subsection 62A-5-102(7)(a) of the Utah Code, the Legislature intends that the Division of Services for People with Disabilities (Services for People with Disabilities) use Fiscal Year 2022 beginning nonlapsing funds to provide services for individuals needing emergency services, individuals needing additional waiver services, and individuals court ordered into Services for People with Disabilities services, to provide increases to providers for direct care staff salaries, and for facility repairs, maintenance, and improvements to provide services to eligible individuals waiting for services, limited one-time services including respite care, service brokering, family skill building and preservation classes, after school group services, and other professional services. The Legislature further intends Services for People with Disabilities report to the Office of Legislative Fiscal Analyst by October 15, 2022 on the use of these nonlapsing funds.				

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.
- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is	Google Link	

		Writing	
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%

of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?

[redacted]

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)	

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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SUBJECT: Fwd: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 19/09/2022 12:45

Forgot to include you in the email I just sent. Please see the message and table below. Please follow-up with those reports you are over to make sure we get them to EDO by the end of the week.

Thanks!

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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--------- Forwarded message ---------
From: **Marc Watterson (DHHS)** <mwatterson@utah.gov>
Date: Mon, Sep 19, 2022 at 12:40 PM
Subject: REMINDER - Legislative Reports Due by October 1st
To: DHHS_EDO <dhhsedo@utah.gov>
Cc: Braden Ainsworth (DHHS) <bainsworth@utah.gov>, Brandi Frandsen (DHHS) <btfrands@utah.gov>, Rebekka Wilkinson (DHHS) <rnwilkinson@utah.gov>, Tyler Fisher (DHHS) <tfisher@utah.gov>, Teresa Brechlin (DHHS) <tbrechlin@utah.gov>, Andreas Rohrwasser (DHHS) <arohrwasser@utah.gov>, John Curless (DHHS) <jcurless@utah.gov>, Colin Kingsbury (DHHS) <ckingsbury@utah.gov>, Ethan Farnsworth (DHHS) <efarnsworth@utah.gov>, Al Romeo (DHHS) <alromeo@utah.gov>, Guy Dansie (DHHS) <gdansie@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>, Janae Duncan (DHHS) <janaeduncan@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, Kyle Lunt (DHHS) <kylelunt@utah.gov>, Shari Watkins (DHHS) <swatkins@utah.gov>, Taylor Kauffman (DHHS) <tckauffman@utah.gov>

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

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Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."				
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?		
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo		
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie		
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)		

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Shari Watkins (DHHS)" <swatkins@utah.gov>, "Austin Preston (DHHS)" <austinpreston@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 19/09/2022 14:14

Thanks Marc, I'll look over this.

Taylor Kauffman
Director, Office of Budget
O: 385.414.4311
tckauffman@utah.gov
dhhs.utah.gov
Utah Department of
Health & Human Services
Finance & Administration

On Mon, Sep 19, 2022 at 12:45 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Taylor -

As a reminder, you can find the legislatively required reports on this page:

- [redacted]
- See "IMPLEMENTATION" Tab
- I did a quick sort and here is what I found due by October 1 that was assigned to the Budget Team
- Some of these might already be done. I'm just providing information on what I have insight into.

Report	Due to EDO	Who is Writing	Current Status	Approved?
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Ambulance Service Provider Assessment Fund, whose mission is "Provide access to quality, cost-effective health care				

[redacted]

for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: percentage of providers who have paid by the due date (Target => 85%).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Child, Youth, and Families line item, whose mission is "to keep children safe from abuse and neglect and provide domestic violence services by working with communities and strengthening families." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Administrative performance: Percent satisfactory outcomes on Qualitative Case Reviews for Child Status and System Performance (Target = 85%/85%); 2) Child Protective Services: Absence of maltreatment recurrence within 6 months (Target = 94.6%); 3) Out-of-home services: Percent of cases closed to permanency outcome/median months closed to permanency (Target = 90%/12 months); 4) the percent of children who demonstrated improvement in social-emotional skills, including social relationships (Goal = 69% or more); 5) Monthly average for time between inspections for assisted living facilities (Target = 24 months); and 6) Percentage of Live Utah Births Screened for the Mandated Newborn Heel Stick Conditions (Excluding Those Parents who Refused Newborn Blood Screening) (Target = 100%).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Primary Care and Rural Health program, whose mission is "As the lead state primary care organization, our mission is to elevate the quality of health care through assistance and coordination of health care interests, resources and activities which promote and increase quality healthcare for rural and underserved populations." The Department of Health and Human Services shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: Percentage of clinicians that remained at their service obligation site for up to one year after completing their obligation (Target = 75%).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Primary Care and Rural Health program, whose mission is "As the lead state primary care organization, our mission is to elevate the quality of health care through assistance and coordination of health care interests, resources and activities which promote and increase quality healthcare for rural and underserved populations." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: total underserved individuals served (Target = 4,000).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Aging and Adult Services line item, whose mission is "to provide leadership and advocacy in addressing issues that impact older Utahans, and serve elder and disabled adults needing protection from abuse, neglect or exploitation." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY

2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Medicaid Aging Waiver: Average cost of client at 15% or less of nursing home cost (Target = 15%), 2) Adult Protective Services: Protective needs resolved positively (Target = 95%), and 3) Meals on Wheels: Total meals served (Target = 9,200).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Out and About Homebound Transportation Assistance Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Maurice N. Warshaw Trust Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Mental Health Services Donation Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Substance Abuse and Mental Health line item, whose mission is "to promote hope, health and healing, by reducing the impact of substance abuse and mental illness to Utah citizens, families and communities." The Department of Health and Human Services shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Local substance abuse services: Percent of clients successfully completing treatment (Target = 60%), 2) Mental health centers: Percent of clients stable, improved, or in recovery while in current treatment (Adult and Youth Outcomes Questionnaire) (Target = 84%), and 3) Utah State Hospital: Percent of forensic patients found competent to proceed with trial (Target = 65%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Services for People with Disabilities line item, whose mission is "to promote opportunities and provide supports for persons with disabilities to lead self-determined lives." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Community-based services: Percent of providers meeting fiscal and non-fiscal requirements of contract (Target = 100%), 2) Community-based services: Percent of individuals who report that their supports and services help them lead a good life (National Core Indicators In-Person Survey) (Target=100%), and 3) Utah State Developmental Center: Percent				

of maladaptive behaviors reduced from time of admission to discharge (Target = 80%).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Human Services report performance measures for the Human Services Client Trust Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Health Care Administration line item, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) average decision time on pharmacy prior authorizations (Target = 24 hours or less); 2) percent of clean claims adjudicated within 30 days of submission (Target = 98%); and 3) Number of calls related to topics covered by training (Target = staff to work with agency).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Hospital Provider Assessment Expendable Revenue Fund, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: percentage of hospitals who have paid by the due date (Target => 85%).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Children's Health Insurance Program Services program, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) percent of children less than 30 months old that received at least six or more well-child visits (Target = 50% or more) and 2) percent of adolescents who received one meningococcal vaccine and one TDAP (tetanus, diphtheria, and pertussis) between the members 10th and 13th birthdays (Target = 80%).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Integrated Health Care Services line item, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) percentage of children 3-17 years of age who had an outpatient visit with a primary care practitioner or obstetrics/gynecologist and who had evidence of Body Mass Index percentile documentation (Target = 70%); 2) the percentage of adults 18-85 years of age who had a diagnosis of hypertension and whose blood pressure was adequately controlled, (Target = 65%); 3) Average Days

to Approve Placement of Medicaid Clients in Nursing Home Facilities (Target = 7.0) and 4) annual state general funds saved through preferred drug list (Target = 21,000,000).				
In accordance with UCA 63J-1-201, the Legislature intends that the Division of Juvenile Justice Services report performance measures for the Administration line item, whose mission is "To be a leader in the field of juvenile justice by changing young lives, supporting families and keeping communities safe." The Division of Juvenile Justice Services shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Management and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills and the current status of the following performance measure for FY 2023: (1) Avoid new felony or misdemeanor charge while enrolled in the Youth Services program and within 90 days of release (Target = 100%); and (2) Reduce the risk of recidivism by 25% within 3 years (Target = 25%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Medicaid Expansion Fund, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: percentage of hospitals who have paid by the due date				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Qualified Patient Enterprise Fund, whose mission is "cover expenses related to carrying out the departments duties under the Utah Medical Cannabis Act. Duties include establishing a Center for Medical Cannabis verification and inventory control system, drafting rules required for implementation of the new law, educating stakeholders and the public, and processing applications." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: License 1 additional pharmacy, bring the total of licensed pharmacies to 15, by June 30, 2023 (Target = one).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Nursing Care Facilities Provider Assessment Fund, whose mission is "Provide access to quality, cost-effective health care for eligible Utahans." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: percentage of nursing facilities who have paid by the due date (Target = 85%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Executive Director Operations line item, whose mission is "to strengthen lives by providing children, youth, families and adults individualized services to thrive in their homes, schools and communities." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Office of Quality and Design: Percent of contracted providers who meet or exceed the Department of Health and Human Services quality standard (Target = 85%), 2) Office of Licensing: Initial foster care homes licensed within three months of application				

completion (Target = 96%), and 3) System of Care: Percent of children placed in residential treatment out of children at-risk for out-of-home placement (Target = 10%).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Operations line item, whose mission is "protect the public's health through preventing avoidable illness, injury, disability, and premature death; assuring access to affordable, quality health care; and promoting health lifestyles by providing services and oversight of services which are applicable throughout all divisions and bureaus of the Department." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures:1) Births occurring in a hospital are entered by hospital staff into the electronic birth registration system within 10 calendar days (Target = 99%) and 2) percentage of all deaths registered in the electronic death registration system within five calendar days (Target = 80% or more).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Office of Public Guardian line item, whose mission is "to ensure quality coordinated services in the least restrictive, most community-based environment to meet the safety and treatment needs of those we serve while maximizing independence and community and family involvement." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Percent of cases transferred to a family member or associate (Target = 10%), 2) Annual cumulative score on quarterly case process reviews (Target = 85%), and 3) Percent reduction in the amount of time taken to process open referrals (Target = 25%).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Organ Donation Contribution Fund, whose mission is "Promote and support organ donation, assist in maintaining and operation a statewide organ donation registry, and provide donor awareness education." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: Increase Division of Motor Vehicle/Drivers License Division donations (Target = $103,000).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Office of Recovery Services line item, whose mission is "to serve children and families by promoting independence by providing services on behalf of children and families in obtaining financial and medical support, through locating parents, establishing paternity and support obligations, and enforcing those obligations when necessary." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Statewide Paternity Establishment Percentage (PEP Score) (Target = 90%), 2) Child support services: Percent of support paid (Target = 70.3%), and 3) Ratio of collections to cost (Target = > $6.25 to $1).

In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the Office of Recovery Services (ORS) Support Collections fund. The department shall report to the Office of the Legislative Fiscal Analyst and to

the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Pediatric Neuro-Rehabilitation Fund, whose mission is "The Violence and Injury Prevention Program is a trusted and comprehensive resource for data related to violence and injury. Through education, this information helps promote partnerships and programs to prevent injuries and improve public health." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: Percentage of children that had an increase in functional activity (Target = 70%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Local Health Departments program, whose mission is "To prevent sickness and death from infectious diseases and environmental hazards; to monitor diseases to reduce spread; and to monitor and respond to potential bioterrorism threats or events, communicable disease outbreaks, epidemics and other unusual occurrences of illness." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: reduce the number of cases of pertussis among children under 1 year of age, and among adolescents aged 11 to 18 years (Target = 395 or less).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Vaccine Commodities program, whose mission is "The mission of the Utah Department of Health and Human Services Immunization Program is to improve the health of Utah's citizens through vaccinations to reduce illness, disability, and death from vaccine-preventable infections. We seek to promote a healthy lifestyle that emphasizes immunizations across the lifespan by partnering with the 13 local health departments throughout the state and other community partners. From providing educational materials for the general public and healthcare providers to assessing clinic immunization records to collecting immunization data through online reporting systems, the Utah Immunization Program recognizes the importance of immunizations as part of a well-balanced healthcare approach." The department shall report				

to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Increase the number of providers reporting vaccine administrations to the Utah Statewide Immunization Information System (USIIS) by 2% over the previous year (Target = staff to work with agency); 2) Vaccination rates among teens age 13-15 with one Tdap (Tetanus, Diphtheria, Pertussis), two Varicella, one Meningococcal conjugate (Target = 80%); and 3) Percentage of Utah children age 24 months who have received all recommended vaccines (Target = 75%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Spinal Cord and Brain Injury Rehabilitation Fund, whose mission is "The Violence and Injury Prevention Program is a trusted and comprehensive resource for data related to violence and injury. Through education, this information helps promote partnerships and programs to prevent injuries and improve public health." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: Percentage of those receiving Medicaid/Medicare at intake that are no longer using Medicaid/Medicare 12 months after discharge (Target = 50%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health report on the following performance measures for the Traumatic Brain Injury Fund, whose mission is "The Violence and Injury Prevention Program is a trusted and comprehensive resource for data related to violence and injury. Through education, this information helps promote partnerships and programs to prevent injuries and improve public health." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measure: The percentage of Traumatic Brain Injury Fund clients referred for a neuro-psych exam or MRI that receive an exam (Target = 100%).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Developmental Center Patient Account. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Developmental Center Long-Term Sustainability Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Developmental Center Miscellaneous Donation Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations				

bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Developmental Center Workshop Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Hospital Patient Trust Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report performance measures for the State Hospital Unit Fund. The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022 the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) Number of internal reviews completed for compliance with statute, federal regulations, and other requirements (Target = 1).				
Under Subsection 62A-5-102(7)(a) of the Utah Code, the Legislature intends that the Division of Services for People with Disabilities (Services for People with Disabilities) use Fiscal Year 2022 beginning nonlapsing funds to provide services for individuals needing emergency services, individuals needing additional waiver services, and individuals court ordered into Services for People with Disabilities services, to provide increases to providers for direct care staff salaries, and for facility repairs, maintenance, and improvements to provide services to eligible individuals waiting for services, limited one-time services including respite care, service brokering, family skill building and preservation classes, after school group services, and other professional services. The Legislature further intends Services for People with Disabilities report to the Office of Legislative Fiscal Analyst by October 15, 2022 on the use of these nonlapsing funds.				

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.
- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%

[redacted]

before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).			
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin	
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?	
HB 341 - "Before October 1,	HB 341	Linda	

2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."		Wininger
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)

[redacted]

Marc B. Watterson
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mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Tyler Fisher (DHHS)" <tfisher@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: Heather Borski <hborski@utah.gov>, Taylor Hoj <thoj@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
DATE: 19/09/2022 14:32

Marc,

I see the report my program is responsible for is complete and referenced in the Google Link column, which is wonderful. I wanted to let you know that we have now hired our Epidemiology Manager for the HEART Program. This position will be responsible for this and future reports. Our Epi Manager is Taylor Hoj. I have copied Taylor on this message and he may also be reached directly at THoj@Utah.gov.

I am, of course, always happy to help however I can. Please let me know if you have any questions or if you need anything further from me.

Thank you!

Tyler

Tyler Fisher
Manager, HEART Program
HIV/STD Elimination, Analysis, Response, and Treatment
O: 801.538.6353
tfisher@utah.gov
dhhs.utah.gov

[redacted]

Utah Department of Health & Human Services
Population Health

Office Hours: 7:00 AM to 3:00 PM M-F

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>, "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>
DATE: 19/09/2022 14:57

Hi Marc,

Bree Barbeau should be listed for the Hep C report. A draft is complete and she is currently routing to her program/office leadership.

Please let me know if you have any questions.

Thanks!
Janae

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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Marc B. Watterson
Director
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C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

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--
Janae Duncan
Division Director
C: 385.280.0312
janaeduncan@utah.gov

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Taylor Hoj (DHHS)" <thoj@utah.gov>
TO: "Tyler Fisher (DHHS)" <tfisher@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Heather Borski <hborski@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
DATE: 19/09/2022 15:23

Hi Marc,

As Tyler mentioned, I will be responsible for these performance measure items in the future. I reached out to DHHS Budget last month regarding this legislative item and provided them with the performance measure information. I've also taken the liberty of adding it to column L of the IMPLEMENTATION sheet in the DHHS Legislative Items Due_2022 Google Sheet document.

I will also forward to you the exchange I had with DHHS Budget about this performance measure last month, and please let me know if you have any questions or need any additional information.

Thanks,

Taylor

On Mon, Sep 19, 2022 at 2:33 PM Tyler Fisher (DHHS) <tfisher@utah.gov> wrote:

> Marc,
>
> I see the report my program is responsible for is complete and referenced in the Google Link column, which is wonderful. I wanted to let you know that we have now hired our Epidemiology Manager for the HEART Program. This position will be responsible for this and future reports. Our Epi Manager is Taylor Hoj. I have copied Taylor on this message and he may also be reached directly at THoj@Utah.gov.
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> Thank you!
>
> Tyler
>
> **Tyler Fisher**
> Manager, HEART Program
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> O: 801.538.6353
> tfisher@utah.gov
> dhhs.utah.gov

[redacted]

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Taylor Hoj, MPH, CPH
Epidemiology Manager
HIV/STD Elimination, Analysis, Response, and Treatment (HEART) Program
O: 801-538-6670 F: 801-538-9913
thoj@utah.gov

[redacted]

dhhs.utah.gov

Work Schedule
Monday–Thursday: 8:00 am–5:00 pm
Friday: 8:00 am–12:00 pm

Utah Department of Health & Human Services
Population Health

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FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Nate Winters (DHHS)" <natewinters@utah.gov>, Shari Watkins <swatkins@utah.gov>
DATE: 19/09/2022 15:38

Marc,
I should maybe know this better than I do.... Do all of these items require written reports? Or is a report out to the committee sufficient, if a report out is scheduled? (thinking about the item on the Culture Audit, as an example).

Thank you,
HB

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dhhs.utah.gov

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Nate Winters (DHHS)" <natewinters@utah.gov>, Shari Watkins <swatkins@utah.gov>
DATE: 19/09/2022 16:16

It seems like we have submitted a report and then used that to guide our presentation.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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On Mon, Sep 19, 2022 at 3:39 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

Marc,
I should maybe know this better than I do.... Do all of these items require written reports? Or is a report out to the committee sufficient, if a report out is scheduled? (thinking about the item on the Culture Audit, as an example).

Thank you,
HB

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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2. Responsible for reviewing a report

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Marc B. Watterson
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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tyler Fisher (DHHS)" <tfisher@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
CC: Heather Borski <hborski@utah.gov>, Taylor Hoj <thoj@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
DATE: 19/09/2022 16:19

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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Marc,

I see the report my program is responsible for is complete and referenced in the Google Link column, which is wonderful. I wanted to let you know that we have now hired our Epidemiology Manager for the HEART Program. This position will be responsible for this and future reports. Our Epi Manager is Taylor Hoj. I have copied Taylor on this message and he may also be reached directly at THoj@Utah.gov.

I am, of course, always happy to help however I can. Please let me know if you have any questions or if you need anything further from me.

Thank you!

Tyler

Tyler Fisher
Manager, HEART Program
HIV/STD Elimination, Analysis, Response, and Treatment
O: 801.538.6353
tfisher@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Population Health

Office Hours: 7:00 AM to 3:00 PM M-F

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Taylor Hoj (DHHS)" <thoj@utah.gov>
CC: "Tyler Fisher (DHHS)" <tfisher@utah.gov>, Heather Borski <hborski@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
DATE: 19/09/2022 16:19

Taylor and Tyler -

Thank you for letting us know about EPI performance measures. It seems like this one might have accidentally been assigned to OLA as all other performance measures seem to be coordinated by DFA. I have Cc'd Taylor Kauffman, the new Budget Director for DHHS, so he is aware.

Marc B. Watterson
Director
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C: 385.321.6473
mwatterson@utah.gov

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On Mon, Sep 19, 2022 at 3:24 PM Taylor Hoj (DHHS) <thoj@utah.gov> wrote:

Hi Marc,

As Tyler mentioned, I will be responsible for these performance measure items in the future. I reached out to DHHS Budget last month regarding this legislative item and provided them with the performance measure information. I've also taken the liberty of adding it to column L of the IMPLEMENTATION sheet in the DHHS Legislative Items Due_2022 Google Sheet document.

I will also forward to you the exchange I had with DHHS Budget about this performance measure last month, and please let me know if you have any questions or need any additional information.

Thanks,

Taylor

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The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?	
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or	HB 341	Linda Wininger	

significantly reduce birth certificate fees."			
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?	
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)	

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
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--

Taylor Hoj, MPH, CPH
Epidemiology Manager
HIV/STD Elimination, Analysis, Response, and Treatment (HEART) Program
O: 801-538-6670 F: 801-538-9913
thoj@utah.gov
dhhs.utah.gov

Work Schedule
Monday–Thursday: 8:00 am–5:00 pm
Friday: 8:00 am–12:00 pm

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[redacted]

CC: "Tyler Fisher (DHHS)" <tfisher@utah.gov>, Heather Borski <hborski@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
DATE: 19/09/2022 16:29

Okay, thank you! Taylor, please let me know if you need any additional information.

Best,

Taylor

On Mon, Sep 19, 2022 at 4:19 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Taylor and Tyler -

Thank you for letting us know about EPI performance measures. It seems like this one might have accidentally been assigned to OLA as all other performance measures seem to be coordinated by DFA. I have Cc'd Taylor Kauffman, the new Budget Director for DHHS, so he is aware.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Sep 19, 2022 at 3:24 PM Taylor Hoj (DHHS) <thoj@utah.gov> wrote:

Hi Marc,

As Tyler mentioned, I will be responsible for these performance measure items in the future. I reached out to DHHS Budget last month regarding this legislative item and provided them with the performance measure information. I've also taken the liberty of adding it to column L of the IMPLEMENTATION sheet in the DHHS Legislative Items Due_2022 Google Sheet document.

I will also forward to you the exchange I had with DHHS Budget about this performance measure last month, and please let me know if you have any questions or need any additional information.

Thanks,

Taylor

On Mon, Sep 19, 2022 at 2:33 PM Tyler Fisher (DHHS) <tfisher@utah.gov> wrote:

Marc,

I see the report my program is responsible for is complete and referenced in the Google Link column, which is wonderful. I wanted to let you know that we have now hired our Epidemiology Manager for the HEART Program. This position will be responsible for this and future reports. Our Epi Manager is Taylor Hoj. I have copied Taylor on this message and he may also be reached directly at THoj@Utah.gov.

I am, of course, always happy to help however I can. Please let me know if you have any questions or if you need anything further from me.

Thank you!

Tyler

Tyler Fisher
Manager, HEART Program
HIV/STD Elimination, Analysis, Response, and Treatment
O: 801.538.6353
tfisher@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human Services
Population Health

Office Hours: 7:00 AM to 3:00 PM M-F

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

[redacted]

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.
- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%

[redacted]

disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).			
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin	
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant	HB 7	Nate Checketts?	

Management Process of the Department of Health to the Social Services Appropriations Subcommittee.		
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury
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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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Taylor Hoj, MPH, CPH
Epidemiology Manager
HIV/STD Elimination, Analysis, Response, and Treatment (HEART) Program
O: 801-538-6670 F: 801-538-9913
thoj@utah.gov
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[redacted]

Utah Department of Health & Human Services
Population Health

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[redacted]

[redacted]

SUBJECT: It's National Voter Registration Day!
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 20/09/2022 07:44

View in browser

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RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

.Situational Analysis | Sept 20, 2022

It's Tuesday and National Voter Registration Day. Who can you sign up today??

Be in the Know

- Wow. An anonymous donor pledges nearly $100k to cover meals at Manila Elementary in Pleasant Grove, both breakfast and lunch, for the entire student body all year. The principal, Rachelle Spencer, said the secret donor saw the positive impact of free school meals during the pandemic and wanted to continue it so that students don't have to worry about food. ❤️

Rapid Roundup

- Happy National Hispanic Heritage Month! Here's how you can celebrate this year; a little shake-up in southern Utah (a 4.4 earthquake); the Oliverson family files a lawsuit against Little League Baseball and a bunk bed maker; Britain Covey had to park with tailgaters after a parking lot attendant refused to believe he was on the Philadelphia Eagles team

On the Hill today

[redacted]

- 9:00 am: Federalism Commission
- 11:00 am: Criminal Code Evaluation Task Force
- 1:30 pm: Executive Appropriations
- 3:30 pm: Digital Wellness, Citizenship, and Safe Technology Commission

The Hinckley Report, PBS Utah's weekly political roundtable, airs Fridays at 7PM. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- Goodbye, charcuterie boards. Hello butter boards? Butter is spread on a board and topped with herbs, spices and other garnishes - what's not to like? (Deseret News)
- Man arrested after 'random' stabbings of 2 Salt Lake City homeless people (Salt Lake Tribune)
- Custody ruling of intimate photos in Utah divorce case 'violating,' ex-wife says (KSL)
- 'Wrap Ukraine with Quilts' to teach sewing skills in Poland (KSL TV)
- Utah veterans share experiences of war during Honor Flight journey to D.C. (KUTV)

Politics

- Study: Latter-day Saint missions change political views on immigration (Deseret News)
- Longtime volunteer launches write-in campaign for Utah County clerk (Daily Herald)
- Poll: Lee is the lone Utah GOP candidate getting under 50% of votes (KSL TV)
- North Ogden's Jennie Taylor wades into US Senate race, backs Lee (Standard-Examiner)
- Activist high school student beats incumbent to win Boise school board election. Shiva Rajbhandari turned 18 just days before the election and is likely the only student in state history to serve on the school board (Deseret News)
- Toquerville mayor steps down after divulging potential conflict of interest (Salt Lake Tribune)
- After backlash, Utah sheriffs cancel polarizing ex-sheriff's speech to law enforcement officers (Salt Lake Tribune)

- Utah Rep. Blake Moore has cleared $1 million in campaign donations in 2022 — his challenger hasn't raised $5k (Salt Lake Tribune)
- Lisa R. Halverson: Make sure you are registered to vote and informed on the issues (Salt Lake Tribune)

Business

- New report ranks hardest-working states. On average, Utah has the shortest work week in the country, but ranks No. 2 for employment rate (Deseret News)

Education

- Utah ranks No. 2 best state for teachers nationwide, WalletHub study says. But study also ranks Utah 51st and 50th for for pupil-teacher ratio and public school spending per student (Deseret News)
- University of Utah updating climate action plan as it sets new goal to reach net-zero emissions (KSL)
- No longer a college, Westminster gains university distinction (KSL)
- Students get back to the basics, reduce technology use on 'Mindful Monday' (KSL TV)
- Utah authors, librarians and teachers call for more open minds rather than more banned books (KUER)

Environment

- Get paid to get rid of turf and switch to water-saving tech (Fox13)
- How a network in Salt Lake City is bringing experts together to address climate change issues in Utah (Business Insider)
- Study shows wildfire smoke is rising higher, likely traveling further (UPR)

Family

- The history and magic of the great American family road trip (Deseret News)

Health

- Heartbreaking story. Utah State's Blake Anderson reveals son died by suicide in February, stresses importance of mental health (Deseret News)
- 4 in 5 pregnancy-related deaths in U.S. are preventable, CDC says. (ABC4)

Housing

- Housing recession deepens: Homebuilder confidence falls, homes sell below list price (Deseret News)
- $66 million in COVID relief for Utah homeowners remains unspent. Utah has not accepted applications from homeowners and is the only state in the nation that has not rolled out this program. (KUTV)
- Who's feeling the pain in Utah as mortgage rates climb? (Fox13)

National Headlines

General

- Ross Douthat: Elizabeth's strength is Putin's weakness. The queen, without power, has legitimacy. Putin, without legitimacy, has power. (Salt Lake Tribune)
- Adnan Syed, featured in the 'Serial' podcast, ordered released (Deseret News)

- 5 years on, failures from Hurricane Maria loom large as Puerto Rico responds to Fiona (NPR)
- Puerto Rico has lost more than power. The vast majority of people have no clean water (NPR)
- Fiona barrels toward Turks and Caicos as Cat. 3 hurricane (AP)

Politics

- For the first time in 230 years, Congress has full U.S. Indigenous representation, with Native American, Native Alaskan and Native Hawaiian members (NPR)
- What the conversations about Martha's Vineyard left out. Charities run by faith groups provide the invisible infrastructure for migrants, but we need meaningful reform (Deseret News)
- Criminal investigation is opened after migrant flights to Martha's Vineyard. The sheriff of Bexar County, Texas, said it was clear that many of the 48 migrants flown to Massachusetts had been misled and lured away to score political points. (New York Times)
- Who will voters punish more in November — Republicans or Democrats? (Deseret News)
- Video appears to undercut Trump elector's account of alleged voting-data breach in Georgia (Washington Post)
- Trump lawyers acknowledge Mar-a-Lago probe could lead to indictment (Washington Post)
- Trump team resists special master's request to explain declassification of Mar-a-Lago documents (The Hill)
- For the first time, arrests of undocumented immigrants on the southwestern U.S. border exceeded two million in a year. (New York Times)
- Dems' voter registration surge isn't a midterm cure-all (Politico)

Ukraine UA

- A war with recurring themes: Russian blunders, Ukrainian ingenuity (NPR)
- 'We have nothing': Izium's trauma after Russian occupation (AP)
- Baltic nations close borders to Russians over Ukraine war (AP)
- Russia may have lost four combat jets in Ukraine in last 10 days, UK says (Reuters)
- Top U.S. general urges vigilance as Russia weighs Ukraine setbacks (Reuters)
- Russia moves to tighten grip on occupied lands as Ukraine presses offensive (Wall Street Journal)
- Separatist regions push to join Russia as war effort falters (Washington Post)

World News

- Pelosi, in Armenia, condemns Azerbaijan over clashes. Fighting last week, the deadliest between the two countries since 2020, was "initiated by the Azeris," Speaker Nancy Pelosi said, while also calling for a negotiated settlement. (New York Times)

Guest opinion: Accountability is more than a political slogan

The role of the District Attorney is to faithfully execute the law and to secure justice for the community. The DA is a public safety official and must accept accountability for any decision not to faithfully execute the law. The DA's office has only screened 35% of sexual assault cases referred to the office. A recent investigative report found the DA's office had declined to charge domestic violence offenders with felonies in the "interest of justice."

The current DA has implemented several de-prosecution policies while in office. De-prosecution is the decision of a DA not to prosecute crimes regardless of the crime having actually been committed. Within his internal policies, Gill instructs prosecutors to dismiss a case when the prosecutor subjectively "believes the defendant is innocent, regardless of the evidence presented." Increased homicide rates are strongly correlated with de-prosecution policies. Salt Lake County has seen a 46% increase in homicide since 2019, that's 16% above the national average during that same time.

In the case of a wayward DA, the governor cannot hold the office accountable, and neither can any other elected or appointed official. The duty of holding the DA accountable falls squarely on the shoulders of the voters. (**Read More**)

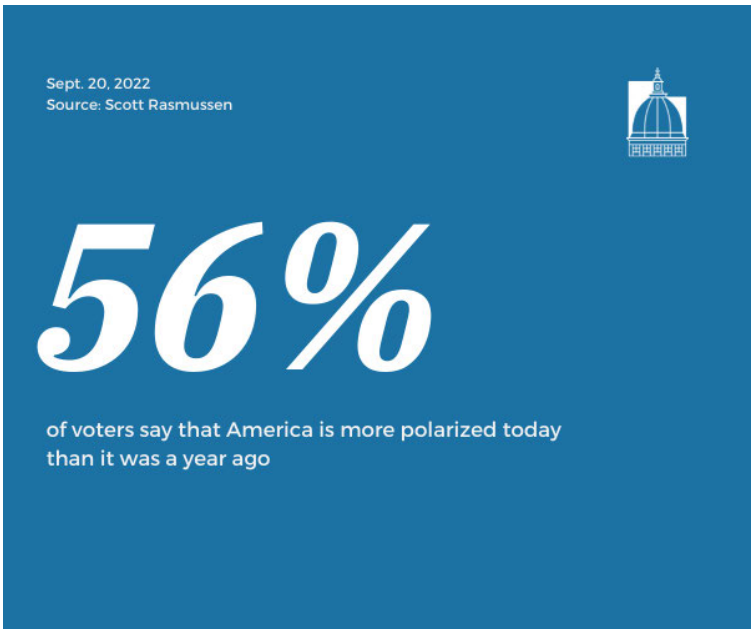
News Releases

Lee leads letter calling for clean Continuing Resolution

Sen. Mike Lee (R-UT) led a letter addressed to his Senate colleagues urging them to adopt a "clean" Continuing Resolution (CR) free of additional spending and extraneous policy riders. The letter also calls for the CR to carry over into the 118th Congress.

The letter reads in part, "*Failure to stand strong against lame-duck spending and caving to the Democrats will likely worsen inflation, prolong the current economic recession, and advance policies contained in the Biden administration's progressive wish list*." (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Interim Days** — Sept. 20-22, **le.utah.gov**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**strong>
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**strong>
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here

- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1519** - Spanish expedition led by Portuguese navigator Ferdinand Magellan sets off on the 1st successful circumnavigation of the globe.
- **1664 -** Maryland passes 1st anti-amalgamation law to stop intermarriage of English women & black men
- **1777** - Nearly 5000 redcoats kill sleeping American soldiers with bayonets and swords in the Paoli Massacre.
- **1850** - The slave trade is abolished in DC
- **1881** - Chester Arthur becomes president, the 3rd in one year, after James Garfield dies
- **1899** - Anna Strauss is born. She was the League of Women Voters national president from 1944 to 1950 and believed in simplicity, brevity, and consensus building. Truman named her to the Commission on Internal Security and Individual Rights in 1951.
- **1963** - President John F. Kennedy proposes a joint mission to the moon between the US and the Soviet Union.
- **1973** - Billie Jean King triumphs in “Battle of the Sexes” after beating Bobby Riggs, the former #1 male tennis player who had announced “no broad can beat me.”
- **1988** - Greg Louganis wins Olympic gold the day after nearly knocking himself unconscious and requiring 5 stitches when he hit his head on the diving springboard.
- **2001** - President George W. Bush declares a ‘war on terror’ in a joint session of Congress
- **2011** - The US ends its "Don't Ask, Don't Tell" policy, allowing gay men and women to serve openly for the first time.
- **2017** - Hurricane Maria makes landfall on Puerto Rico as a category 4 hurricane, knocking out all power and killing 25
- **2021** - First edition of Mary Shelley's 1818 novel "Frankenstein" sells for $1.17 million, setting new world record for a printed work by a woman

Wise Words

"Beware; for I am fearless, and therefore powerful."

—Mary Shelley

The Punny Side

Fun fact: Australia's biggest export is boomerangs.

It's also their biggest import

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>
TO: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>
DATE: 20/09/2022 13:21

Hi all,

Here is a link to the legislative report for the Hepatitis C Outreach Pilot Program: [redacted]

It has also been posted in the DHHS Legislative Items spreadsheet that Marc shared with me.

Let me know if you have any questions or need any additional information.

Thanks,
Bree

On Mon, Sep 19, 2022 at 2:57 PM Janae Duncan (DHHS) <janaeduncan@utah.gov> wrote:

Hi Marc,

Bree Barbeau should be listed for the Hep C report. A draft is complete and she is currently routing to her program/office leadership.

Please let me know if you have any questions.

Thanks!
Janae

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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1. Responsible for writing a report; or
2. Responsible for reviewing a report

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

[redacted]

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Division Director
C: 385.280.0312
janaeduncan@utah.gov

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Population Health

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Bree Barbeau, MPH
Viral Hepatitis Manager
Vaccine-Preventable Disease Epidemiologist
C: 385.321.1823 O: 801.538.6191
bbarbeau@utah.gov

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SUBJECT: Document shared with you: "Legislative Report Drinking While PregnantPrevention Media and Education Campaign FY2022"
FROM: "Al Romeo (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: mwatterson@utah.gov
DATE: 20/09/2022 13:28

[redacted]

Al Romeo (DHHS) shared a document

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because alromeo@utah.gov shared a document with you from Google Docs.

Google Workspace

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, Sam LeFevre <slefevre@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>
DATE: 20/09/2022 14:00

Thank you Bree!

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Sep 20, 2022 at 1:22 PM Bree Barbeau (DHHS) <bbarbeau@utah.gov> wrote:

Hi all,

Here is a link to the legislative report for the Hepatitis C Outreach Pilot Program: [redacted]

It has also been posted in the DHHS Legislative Items spreadsheet that Marc shared with me.

Let me know if you have any questions or need any additional information.

Thanks,
Bree

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Hi Marc,

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Al Romeo (DHHS)" <alromeo@utah.gov>
CC: Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 14:00

Thank you Al!

Marc B. Watterson
Director
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C: 385.321.6473
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Please let me know if you have questions.
Thanks.
Al

Alfred Romeo, RN PhD
Senior Registered Nurse, Teratogen Information Specialist
O: 801-273-4127
alromeo@utah.gov
dhhs.utah.gov
mothertobaby.utah.gov

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FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Al Romeo (DHHS)" <alromeo@utah.gov>, Noel Taxin <ntaxin@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Nickee Andjelic <npalacios@utah.gov>
DATE: 20/09/2022 14:06

Marc, I have reviewed and edited this report.
HB

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Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)	

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473

[redacted]

mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Kyle Lunt (DHHS)" <kylelunt@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 20/09/2022 15:47

THe HB0341 report is ready for EDO. I have emailed it to Nate and Amanda separately. Here is the link:
[redacted]

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

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Marc B. Watterson
Director
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C: 385.321.6473
mwatterson@utah.gov

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--

Kyle Lunt (he/him)
Director, Data, Systems & Evaluation
385.332.1578
kylelunt@utah.gov
https://hio.health.utah.gov/

Utah Department of
Health & Human Services
Data, Systems & Evaluation

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Cindy Burnett (DHHS)" <cburnett@utah.gov>
TO: "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Sam LeFevre <slefevre@utah.gov>
DATE: 20/09/2022 18:20

Thanks Bree. Wow - 27% positive and all linked to care!

You all did an amazing job.

Cindy Burnett
Manager - Disease Response, Evaluation, Analysis & Monitoring Program
Office of Communicable Diseases
O: 801.538.6692 C: 385.249.0195
cburnett@utah.gov
https://epi.health.utah.gov/

Utah Department of
Health & Human Services
Population Health

On Tue, Sep 20, 2022 at 1:22 PM Bree Barbeau (DHHS) <bbarbeau@utah.gov> wrote:

Hi all,

Here is a link to the legislative report for the Hepatitis C Outreach Pilot Program: [redacted]

[redacted]

It has also been posted in the DHHS Legislative Items spreadsheet that Marc shared with me.

Let me know if you have any questions or need any additional information.

Thanks,
Bree

On Mon, Sep 19, 2022 at 2:57 PM Janae Duncan (DHHS) <janaeduncan@utah.gov> wrote:

Hi Marc,

Bree Barbeau should be listed for the Hep C report. A draft is complete and she is currently routing to her program/office leadership.

Please let me know if you have any questions.

Thanks!
Janae

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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[redacted]

Janae Duncan
Division Director
C: 385.280.0312
janaeduncan@utah.gov

Utah Department of
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Population Health

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Bree Barbeau, MPH
Viral Hepatitis Manager
Vaccine-Preventable Disease Epidemiologist
C: 385.321.1823 O: 801.538.6191
bbarbeau@utah.gov

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SUBJECT: On International Peace Day, Putin mobilizes 300,000 reservists
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 21/09/2022 07:15

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RAISING OUR POLITICAL IQ

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Situational Analysis | Sept 21, 2022

It's Wednesday and both International Day of Peace and World Gratitude Day. They go well together.

Be in the Know

- Ironically, on this International Day of Peace, Putin ordered a partial mobilization of reserve troops with relevant combat and service experience, in an escalation of the war he is losing in Ukraine. Additionally, professional soldiers will no longer be allowed to terminate their contracts. It is the first mobilization of troops in Russia since WWII. Putin also threatened (again) to use nuclear weapons and announced his support for the referendums to "annex" four regions of Ukraine. Pro-Kremlin analysts and officials have said that if the territories are formally annexed, any further Ukrainian military action on those areas could be considered an attack on Russia itself.

Rapid Roundup

- Best drives to see fall leaves in Utah; Spotify has audiobooks now - here's how to access over 300,000 titles; no longer the happiest state in the Union 😞; Zion, Bryce Canyon, other local national parks having a "fee-free" day to encourage volunteering; Utah is in the top five states with the highest percentage of eligible student loan borrowers who could see $20K wiped off their debt; and "Up Close" with Shawn Bradley.

On the Hill today

- **8:30 am:** Economic Development and Workforce Services; Judiciary; Law Enforcement and Criminal Justice; Natural Resources, Agriculture, and Environment; Revenue and Taxation; Transportation
- **1:15 pm:** Business and Labor; Education; Government Operations; Health and Human Services; Political Subdivisions; Public Utilities, Energy, and Technology
- **4:00 pm**: Senate floor time

The Hinckley Report, PBS Utah's weekly political roundtable, airs Fridays at 7PM. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- Driver caught going 115 mph in a 55 zone in Utah County, not far from local elementary school (Fox13)
- She killed her rapist and must pay $150,000 in restitution. Could it happen in Utah? (Deseret News)
- Salt Lake City reaches $3M settlement with parents of unarmed, autistic child shot by police (Salt Lake Tribune)
- Sandy man searching for mystery woman who saved his life (Fox13)

Politics

- An audit being presented to the Utah legislature yesterday afternoon found some problems with the inland port's contracts and no-bid spending on some projects (Fox13)
- Will Mike Pence run for president in 2024? His answer to a Utah Valley University student: I'll keep you posted (Deseret News)
- Pence touts accomplishments, praises Utahns in UVU speech 9
- Take 2 Podcast: Darlene McDonald (KUTV)
- Bill on same-sex marriage needs a 'Utah compromise'. Romney is leading the way. Ensuring religious freedom for all is the only way forward in our divided nation and world (Deseret News)

Economy

- What will another jumbo rate hike from Federal Reserve mean for beleaguered consumers? (Deseret News)

Education

- Weber State hires new official to help bolster Latino enrollment (Standard-Examiner)
- Utah's online schools boomed during the height of the pandemic. What's happening now? (Salt Lake Tribune)

Environment

- Romney weighs in on big lift for Utah wildfire resilience efforts (Deseret News)
- Scott Beckstead: Wild horses deserve a home in the West (Salt Lake Tribune)
- Salt Lake City meets water conservation goal, saving 2.9B gallons of water (KSL)
- Wildfires 'no longer seasonal': New federal task force meets in Utah, aims to combat changing fire risk. The commission met for the first time in Salt Lake City last week and is due to deliver its first report to Congress in January. (Salt Lake Tribune)

Family

- Blake Moore: Connecting forever families by removing barriers to adoption (Deseret News)
- Utahns worry about loved ones following massive earthquake in Mexico (Fox13)

Health

- Monkeypox affecting Latino and Pacific Islander populations disproportionately in Utah (KSL)
- Don't cook your chicken in NyQuil, FDA says - even if it *is* a TikTok challenge (Deseret News)
- Night owls vs. early birds: Who lives longer? (Deseret News)
- Love Hard Foundation making positive difference in Utah teens' mental health (KSL TV)

- Contraceptives are still in high demand in Utah 3 months after Supreme Court's Roe decision (KUER)
- For the first time, U.S. health panel recommends screening for adult anxiety (Washington Post)

National Headlines

General

- These trailblazers were the only women in the room where it happened. A new book spotlights 100 historical photographs of lone women hidden among groups of men (Smithsonian Magazine)
- The Justice Department has charged 48 people with stealing $240 million from pandemic aid programs intended to feed children in Minnesota. (New York Times)
- Migrants flown to Martha's Vineyard have filed a lawsuit against Gov. DeSantis (NPR)
- 'Our world is in peril': At UN, leaders push for solutions (NPR)
- FEMA tells a skeptical Puerto Rico that this time won't be like Hurricane Maria (Washington Post)
- Schumer blasts Puerto Rico's utility, grid manager for power failures (Politico)

Politics

- The 'cost' of voting in America: A look at where it's easiest and hardest (Utah is the 8th easiest) (New York Times)
- Midterm elections could set another turnout record this year (Roll Call)
- Judge asks Trump's lawyers if he declassified records in FBI search (AP)
- "You can't have your cake and eat it, too": Special master prods Trump lawyers for answers, speed (Washington Post)
- Poll: Kemp widens lead over Abrams to 8 points in Georgia governor race (The Hill)
- Prominent election deniers are facing growing legal trouble (NPR)
- McConnell-linked super PAC pulls out of Arizona Senate race. The spending cuts are another blow to Blake Masters, a GOP candidate who has been significantly outraised by his Democratic opponent (Washington Post)
- Migrants flown to Martha's Vineyard file class-action suit against DeSantis (The Hill)

Ukraine UA

- The ragtag army that won the Battle of Kyiv and saved Ukraine. Citizen volunteers teamed up with soldiers to turn the tide in the most consequential European battle since World War II (Wall Street Journal)
- Kharkiv children went to summer camp in Russia. They never came back. (Washington Post)
- OSCE Ukrainian staff members sentenced in Russian-separatist kangaroo court (Politico)
- Putin is cornered. The West faces a simple choice: reduce aid to Ukraine and deliver Russia a victory, or else finish the job it has begun. (The Atlantic)
- 'Walls full of pain': Russia's torture cells in Ukraine (BBC)
- Russian discontent with the war, and Vladimir Putin, is growing (The Economist)

- Biden aims to rally world leaders behind Ukraine in U.N. remarks (NBC News)
- UK defence minister: Putin's mobilisation an admission 'invasion is failing' (Reuters)

World News

- Protests erupted in cities across Iran in response to a 22-year-old woman's death in the custody of the country's morality police. Security forces fired on crowds in the northwest and killed four men, according to three human rights organizations. (New York Times)

News Releases

Gov. Cox appoints Paul Tsosie to Colorado River Authority board

Utah Gov. Spencer J. Cox has appointed Paul Tsosie to the board of the Colorado River Authority of Utah. A member of the Navajo Nation, Tsosie fills the newly-created seat designated to ensure representation for Utah's Native American Tribes in policy decisions related to the Colorado River.

Tsosie is an attorney who specializes in representing various Native American Tribes in issues ranging from hunting and fishing law to economic development and law enforcement. He previously served as the U.S. Department of the Interior Indian Affairs Chief of Staff and has owned his own law practice for 20 years. He has also practiced law as a prosecutor, defense counsel and judge. (**Read More**)

Nominees announced for 3rd District Juvenile Court vacancy

The Third District Judicial Nominating Commission has selected nominees for a vacancy on the Third District Juvenile Court. This position results from the retirement of Judge Renee M. Jimenez on Dec. 15, 2022.

The nominees for the vacancy are: **Laina Arras**, Attorney, Salt Lake Legal Defender Association; **Frank Call**, Attorney, Frank N. Call; **Aaron Flater**, Assistant Attorney, United States Attorney's Office; **Heath Haacke**, Guardian ad Litem, Utah Office of the Guardian ad Litem; **Aliisa Leon**, Associate Attorney General, Utah Attorney General's Office. (**Read More**)

Romney welcomes $5.5 million investment from bipartisan infrastructure bill to advance wildfire resilience in Utah

U.S. Senator Romney (R-UT) today welcomed an announcement from the Department of the Interior that it has invested more than $5.5 million in fiscal year 2022 funding from the *Infrastructure Investment and Jobs Act* to advance wildfire resilience work and support fuels management projects in Utah on 24,490 acres of land across the state. This is part of $103 million allocated by the Department earlier this year to reduce wildfire risk, mitigate impacts, and rehabilitate burned areas. The additional funding will help complete fuels treatments on nearly 2 million acres nationwide this fiscal year, a substantial increase over the prior year. (**Read More**)

USBE seeks feedback on Student Health and Risk Prevention (SHARP) survey

The Utah State Board of Education is asking Utah residents to respond to a short survey focused on the state's Student Health and Risk Prevention

(SHARP) survey, which is given every two years, to students in grades 6, 8, 10, and 12.

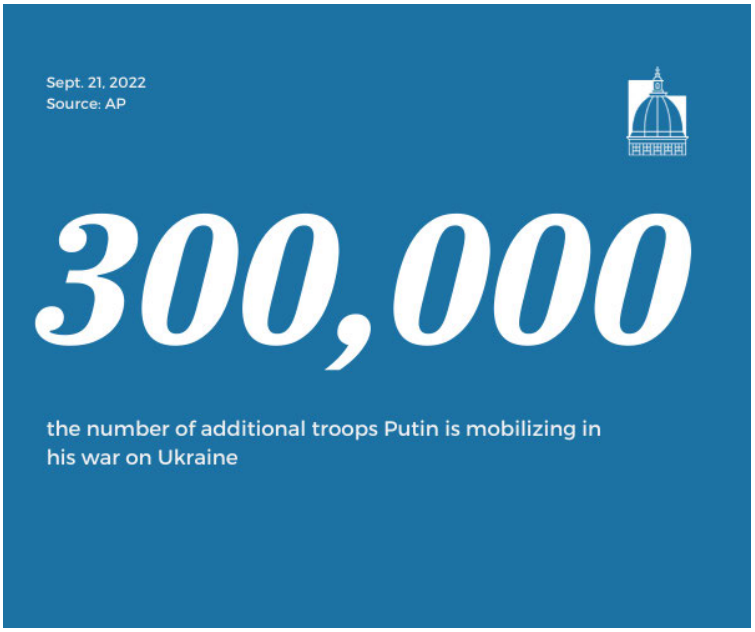
Information from the survey will be used to help inform the October 6 Utah State Board of Education meeting where the board will be determining whether to support the 2023 SHARP survey administration. (**Read More**)

Western members of Congress convene working group to discuss RECA

Tuesday, several western senators and representatives convened a working group to discuss the next steps for the *Radiation Exposure Compensation Act (RECA)*, critical legislation to provide healthcare and compensation to aging uranium miners who were exposed to toxic radiation.

Rep. Blake Moore, along with Sens. Cynthia Lummis (R-WY) and Mitt Romney (R-UT) and Reps. Yvette Herrell (R-AZ), Burgess Owens (R-UT), John Curtis (R-UT), and Ken Buck (R-CO), met to discuss RECA reauthorization and their priorities to ensure constituents negatively impacted by uranium mining receive the care and compensation they have earned. (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **Interim Days** — Sept. 20-22, **le.utah.gov**

- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**strong>
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**strong>
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1776** - Nathan Hale is arrested by the British and is hung as a spy the next day. *"I only regret that I have but one life to lose for my country."*
- **1780** - Benedict Arnold commits treason when he gives British Major John André plans to West Point
- **1823** - Moroni first appears to Joseph Smith
- **1897** - The NY Sun runs the famous "*Yes, Virginia there is a Santa Claus*" editorial
- **1907** - Helen Foster Snow is born in Cedar City, UT. She was an American journalist who reported from China in the 1930's.
- **1922** - US President Warren G. Harding signs a joint resolution of approval to establish a Jewish homeland in Palestine.
- **1937** - J. R. R. Tolkien's *'The Hobbit'* is published
- **1950** - George Marshall sworn in as the 3rd Secretary of Defense of the United States
- **1970** - *"Monday Night Football"* premieres on ABC
- **2016** - Migrant boat carrying 450-600 people capsizes off the Egyptian coast, only 163 rescued

Wise Words

"One can judge a civilization by the way it treats its women."

—Helen Foster Snow

The Punny Side

I warned my daughter about using her whistle inside and gave her one last chance.

Unfortunately, she blew it.

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
TO: "Cindy Burnett (DHHS)" <cburnett@utah.gov>
CC: "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Sam LeFevre <slefevre@utah.gov>
DATE: 21/09/2022 09:15

Thank you Bree! The report looks great and is ready for EDO review. Great work!

Janae

On Tue, Sep 20, 2022 at 6:21 PM Cindy Burnett (DHHS) <cburnett@utah.gov> wrote:
Thanks Bree. Wow - 27% positive and all linked to care!

You all did an amazing job.

Cindy Burnett
Manager - Disease Response, Evaluation, Analysis & Monitoring Program
Office of Communicable Diseases
O: 801.538.6692 C: 385.249.0195
cburnett@utah.gov
https://epi.health.utah.gov/

Utah Department of
Health & Human Services
Population Health

On Tue, Sep 20, 2022 at 1:22 PM Bree Barbeau (DHHS) <bbarbeau@utah.gov> wrote:
Hi all,

Here is a link to the legislative report for the Hepatitis C Outreach Pilot Program: [redacted]

It has also been posted in the DHHS Legislative Items spreadsheet that Marc shared with me.

Let me know if you have any questions or need any additional information.

Thanks,
Bree

On Mon, Sep 19, 2022 at 2:57 PM Janae Duncan (DHHS) <janaeduncan@utah.gov> wrote:
Hi Marc,

Bree Barbeau should be listed for the Hep C report. A draft is complete and she is currently routing to her program/office leadership.

[redacted]

Please let me know if you have any questions.

Thanks!
Janae

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.
- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%

[redacted]

communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).			
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin	
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third	HB 7	John Curless	

party match providers in participating.			
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?	
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?	
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)	

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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--
Janae Duncan
Division Director
C: 385.280.0312
janaeduncan@utah.gov

Utah Department of
Health & Human Services
Population Health

[redacted]

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--
Bree Barbeau, MPH
Viral Hepatitis Manager
Vaccine-Preventable Disease Epidemiologist
C: 385.321.1823 O: 801.538.6191
bbarbeau@utah.gov

Utah Department of
Health & Human Services
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--
Janae Duncan
Division Director
C: 385.280.0312
janaeduncan@utah.gov

Utah Department of
Health & Human Services
Population Health

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[redacted]

[redacted]

SUBJECT: How You Can Use Data to Improve Health Equity
FROM: "Public Health Weekly" <pr@astho.org>

[redacted]

TO: mwatterson@utah.gov
DATE: 22/09/2022 08:23

View this email in your browser.

PUBLIC HEALTH WEEKLY

September 22, 2022

Improving Health Equity With Data

Health equity is a top priority for many health agencies. Public health leaders can use performance management systems to advance health equity goals by systematically collecting and monitoring data to track results and identify opportunities for improvement.

On the latest episode of the Public Health Review podcast, ASTHO senior executive consultant Nicole Alexander-Scott (alumni-RI), Harry Chen (alumni-VT), and Montana's state health improvement coordinator, Anna Bradley, discuss how the current equity efforts can integrate with established performance management practices. Listen to the episode to learn more.

LISTEN

State and Territorial Health Policies Strengthening Emergency Preparedness Efforts

Public health has been grappling with an onslaught of challenges, such as COVID-19, monkeypox, increasing firearm homicide, and widespread heat waves. In the wake of such emergencies, public health preparedness is more critical than ever.

State and territorial preparedness policy priorities could indicate potential areas of focus for federal agencies as they work to re-invigorate preparedness and better meet current challenges. Check out those priorities in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

SepticSmart Week 2022 | Each third week of September, EPA's **Decentralized Wastewater Management Memorandum of Understanding Partnership** commemorates SepticSmart Week, an opportunity for health agencies at all jurisdictional levels to share educational resources about onsite wastewater treatment system upkeep. This year, ASTHO has commemorated the 10th anniversary of the occasion by signing a proclamation. **Read the proclamation** and learn more about septic care and safety.

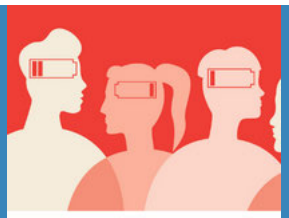
New Healthy Aging Learning Module | ASTHO has a new module available designed to support public health agencies in integrating healthy aging into public health frameworks and support partners that serve older adults. Take advantage of this self-paced resource and **register here**.

First Issue of the DELPH Magazine | In honor of the inaugural cohort of the Diverse Executives Leading in Public Health (DELPH) program, ASTHO has a new publication available. The DELPH Magazine features detailed profiles of the cohort and insightful think pieces from leaders at ASTHO and Satcher Health Leadership Institute at Morehouse School of Medicine. Check out the full issue of **the DELPH Magazine** now.

Insight and Inspiration | ASTHO has a new upcoming webinar as part of Insight and Inspiration, a series designed to motivate public health professionals and develop their leadership skills. **Stephen Shedletzky**, executive coach and one of Simon Sinek's master trainers, will present Sinek's Golden Circle framework and help attendees identify the WHY that drives their work. **Learn more and register here.**

LATEST ASTHO RESOURCES AND EVENTS

[redacted]



Blog

Building a Culture of Care: Leadership in Public Health Agencies

READ

Blog

Promoting Successful Wastewater Treatment Programs

READ

Podcast

Revitalizing Public Health Through Connection

LISTEN NOW

Video

Partnering with the Autism Community on Inclusive Emergency Preparedness

WATCH HERE

Blog

State Primary Care Offices Expand Access to Care and Improve Health Equity

READ

Blog

Men and Firearms: Proven Public Health Interventions to Curb Violence

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **ACEs Legislative Scan** | Jonathan Purtle, New York University School of Global Public Health
- **Managing Septic Grants** | Lance Gregory, Virginia Department of Health
- **ASTHO's New President-Elect** | Steven Stack (SHO-KY)
- **Maternal Health Crisis Blueprint** | Jamila Perritt, Physicians for Reproductive Health
- **New PH Job Website** | Joanne Pearsol, ASTHO

LISTEN

PUBLIC HEALTH REVIEW PODCAST

astho

PUBLIC HEALTH REVIEW

- **Improving Health Equity With Data** | Nicole Alexander-Scott (alumni-RI) | Harry Chen (alumni-VT) | Anna Bradley, MS, Montana Department of Public Health and Human Services
- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network

LISTEN

ASTHO IN THE NEWS

- **Assessing the Global COVID-19 Response: Hard Lessons for the U.S.** | *Governing* | Michael Fraser, ASTHO CEO
- **Lack of Data Still Blunts US Response to Outbreaks.** | *The New York Times* | Anne Zink (SHO-AK), ASTHO president

- **FDA releasing millions of Moderna boosters as states warn of shortages.** | *The Washington Post* | Marcus Plescia, ASTHO CMO
- **Parents hesitate to give kids under 5 COVID-19 vaccine, worrying health officials.** | *The Washington Post* | Kimberlee Wyche-Etheridge, ASTHO staff
- **COVID-19 testing providers scale back despite worries of another winter surge.** | *NBC News* | Marcus Plescia, ASTHO CMO

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higher logic

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SUBJECT: Utah Senate race tightening
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 23/09/2022 07:57

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 23, 2022

It's Friday and National Great American Pot Pie Day. Great dinner choice while watching the Hinckley Report tonight.

Congratulations and best wishes to SUU President Mindy Benson on her inauguration today.

Condolences to the family and friends of former legislator David Cox, who passed away yesterday. Funeral details will be forthcoming.

Be in the Know

- New polling by the Deseret News and Hinckley Institute of Politics shows a tightening Senate race with Senator Mike Lee at 36%, challenger Evan McMullin at 34%, and 16% undecided. 45% of Utah voters disapprove of the job Lee is doing, while 40% approve. The survey also showed that Lee has higher support among men and voters over age 40 while McMullin has more support among women and voters under age 40. In the meantime, as the campaigns enter the final weeks, the attack ads are ramping up.

Rapid Roundup

- Hanna Seariac at the Deseret News has the secret to making the best pumpkin chocolate chip cookies; you can access Utah's national parks for free Saturday in celebration of National Public Lands Day; Hurricane Fiona could be Canada's strongest-ever storm and finally, an ancient burial cave found on a beach in Israel "looks like an 'Indiana Jones' film set"

Polls, Campaigns and Political Cash

New polls and campaign filings suggest how candidates are faring ahead of the midterms. Plus, Utah has a billion-dollar surplus. Dennis Romboy, Michelle

Quist, and Marty Carpenter join host Jason Perry on The Hinckley Report this Friday at 7:00 pm to discuss how the economy will influence spending.

Utah Headlines

General

- BYU to honor 'Black 14' football players kicked off Wyoming's 1969 team (Deseret News)
- Vernal Middle School student brought gun to school with a plan and target, police say (KSL)
- Lao-Americans celebrate the largest Buddhist temple newly constructed in Utah (Fox13)

Politics

- Brigham City councilmember Tom Peterson sworn in to House seat vacated by new DNR head (KUTV)
- Why are we so afraid of immigrants and refugees? Anti-immigration proponents are using fear to convince us that immigrants and refugees should not be allowed into our country (Deseret News)
- Semifinalists for Utah's new state flag are now displayed outside the Capitol — and there's still time to pick your favorite (Salt Lake Tribune)
- GOP candidate Trevor Lee ran a secret Twitter account that attacked LGBTQ people and Utah Gov. Cox. Now he's been rebuked by Republican leadership. (Salt Lake Tribune)

Business

- Space industry taking giant leaps in St. George, host rare meet-up with active astronaut free to public (St. George News)

Education

- Investigation finds teacher's classroom 'built for nonwhite students' doesn't violate law, policy (Deseret News)
- Utah school districts facing child aftercare crisis due to shortage of qualified employees (KUTV)
- 'It's a mess': Dog poop on school grounds a growing problem in Murray District (KSL)

Environment

- U.S. becomes 137th nation to agree to phase down super-pollutants (Deseret News)
- Utah's Lila Canyon coal mine is burning underground (Salt Lake Tribune)
- Salt Lake City is dependent on water from our canyons. How long can it keep growing while using them for recreation? (Salt Lake Tribune)
- Great Salt Lake managers raise causeway berm in effort to stave off rising salinity (Salt Lake Tribune)
- Stanford researchers find wildfire smoke is unraveling decades of air quality gains, exposing millions of Americans to extreme pollution levels (Standford.edu)

Health

- 'More people than ever' are surviving cancer, according to U.S. study (Deseret News)
- Cannabis use during pregnancy could hurt baby into the teenage years. Researchers continue to learn more about the adverse mental effects to

babies from cannabis use during pregnancy (Deseret News)
- BYU study says that wearing a step tracker may increase steps even if you don't look at it much (Deseret News)
- COVID-19 in Utah: 3 graphs show the latest on case counts, hospitalizations and deaths (Salt Lake Tribune)

Housing

- Housing market needs 'difficult correction' to balance out, Fed says. In Utah, it's already happening (Deseret News)
- Editorial Board: The Utah approach to homelessness — We see human beings in need of help (Deseret News)
- SLC's proposed tiny-house village draws vocal support, but not everyone is sold (Salt Lake Tribune)
- Salt Lake City leaders switch gears as housing crisis worsens (Salt Lake Tribune)
- New Utah housing data: Home sales fall while days on market jump (KUTV)

National Headlines

General

- The heartbreak and cost of losing a baby in America 😟 (NPR)
- Hurricane Fiona has left hundreds of thousands in Puerto Rico without power or water (NPR)
- A defiant Alex Jones says he's 'done saying I'm sorry' at Sandy Hook trial (Washington Post)
- The online incel movement is getting more violent and extreme, report says
  The Center for Countering Digital Hate analyzed more than 1 million posts showing a rise in advocacy of rape, including child rape, and mass killings (Washington Post)

Politics

- Democrats may nix filibuster if they retake the Senate (Deseret News)
- Stop thinking just about Election Day. We're in voting *season* now (NPR)
- Trump's legal woes mount without protection of presidency (AP)
- Dearie asks Trump lawyers whether they believe FBI lied about seized documents (Washington Post)
- Jan. 6 Twitter witness: Failure to curb Trump spurred 'terrifying' choice (Washington Post)
- Biden blasts Graham on proposed abortion ban: 'My church doesn't even make that argument' (The Hill)
- Democratic firms prevail in suit against Project Veritas (Politico)

Ukraine UA

- World opinion shifts against Russia as Ukraine worries grow (AP)
- UN rights experts present evidence of war crimes in Ukraine (AP)
- U.S. has sent private warnings to Russia against using a nuclear weapon (Washington Post)
- Ukraine war comes home to Russians as Putin imposes draft. As Vladimir Putin's "special military operation" enters a new chapter, Russians are being plucked from villages around the country for training and military service. (New York Times)

- Staged voting is happening in Ukraine amid international condemnation. (New York Times)
- 'One man chose this war.' Harsh words fly at a U.N. Security Council meeting. (New York Times)

World News

- Global stocks slide for 3rd day on economic growth fears (AP)
- War, Inflation Knock World Economy Off Balance (Wall Street Journal)
- Backbreaking work for kids - even very young kids - in Afghan brick kilns (AP)

News Releases

Utah ranks among top states in delivering digital government services

The state of Utah has been a leader in delivering online government services and information for many years. That position was reinforced by the most recent rankings for state digital government services.

The Center for Digital Government ranked Utah second overall in the 2022 State Government Experience Awards. The Awards recognize progress and innovation in the delivery of online services in government at the state and local level. Utah has finished in the top three of the Center's rankings every year the state has been eligible since 2006, and even claimed the top ranking in 2007, 2009, 2017, and 2018. (Read More)

USBE: Two Davis Catalyst Center programs win 2022 Utah CTE Excellence in Action award

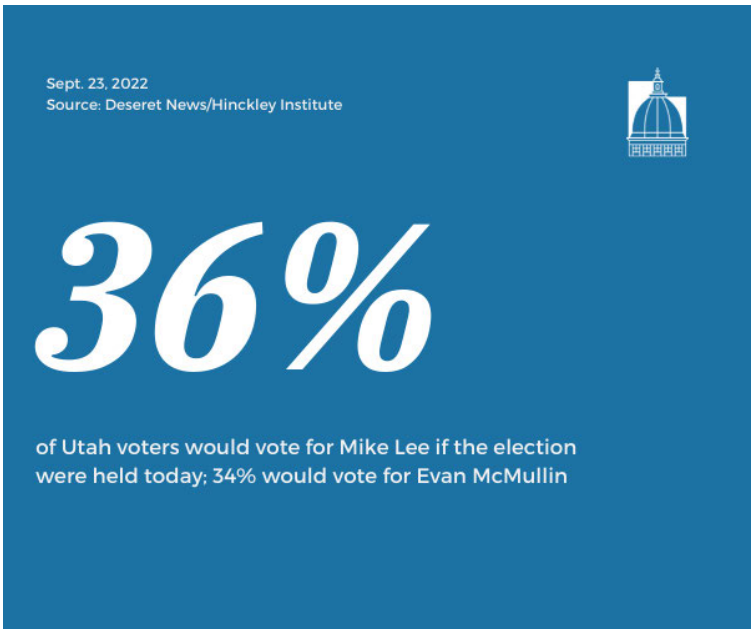
Utah State Board of Education Utah Career and Technical Education (CTE) recently announced the Davis Catalyst Center Entertainment and Digital Media program and the Unmanned Aerial Systems program as the winners of the 2022 Utah CTE Excellence in Action award. These programs were selected based their uniquely inventive and effective approaches to stimulating student learning, offering extensive work-based learning experiences, maintaining strong partnerships with higher education institutions, industry, and community organizations, while preparing students for postsecondary education and career success. (**Read More**)

Smith's celebrates Zero Hunger | Zero Waste achievements

Smith's Food & Drug Stores, a division of The Kroger Co. (NYSE: KR) today announced its latest milestones and results for Zero Hunger | Zero Waste, the company's bold vision to end hunger in the communities it serves and eliminate waste across the company by 2025.

"Zero Hunger | Zero Waste is shaping the local discussion around how to end hunger and eliminate waste across America," said Aubriana Martindale, Smith's corporate affairs manager. "At Smith's, we are intently focused on using our scale for good and
we encourage our customers, associates and other businesses to join us." (**Read More**)

Number of the Day



Tweet of the Day

Upcoming

- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**

- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**
- **Senate debate between Mike Lee and Evan McMullin** — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1838** - Victoria Woodhull is born. She became the first woman candidate for U.S. President (1872) for the Equal Rights Party, and with her sister Tennessee, became the first women members of the NY Stock Exchange (1870's)
- **1846** - Planet Neptune is discovered
- **1863** - Mary Church Terrell is born. An outstanding speaker, she became the first president of the National Association of Colored Women. She was one of the first African-American women to earn a college degree, and became known as a national activist for civil rights and suffrage. She was also the first African-American woman in the United States to be appointed to the school board of a major city, serving in the District of Columbia until 1906.
- **1906** - Harriet Hardy is born. She was an American pioneer in occupational medicine and the first woman professor at Harvard Medical School. Her main points of study were toxicology and environmental related illness.
- **1923** - "The Prophet," by Lebanese-American poet-philosopher Kahlil Gibran, is published
- **1933** - Standard Oil geologists arrive in Saudi Arabia, after the discovery of a massive oil field in Ghawar a couple of months earlier.
- **1955** - An all-white jury finds Roy Brant and John William Milam not guilty of the brutal murder of black teenager Emmett Till in Sumner, Mississippi.
- **2019** - Climate activist Greta Thunberg scolds world leaders "How Dare You" for not addressing climate change at the UN Climate Action Summit in New York

- **2020** - President Donald Trump refuses to commit to a peaceful transfer of power after the US November election at a White House press conference

Wise Words

"Some of you say, "Joy is greater than sorrow," and others say, "Nay, sorrow is the greater."
But I say unto you, they are inseparable.
Together they come, and when one sits alone with you at your board,
remember that the other is asleep upon your bed."
— Kahlil Gibran, The Prophet

The Punny Side

What's it called when four Spanish ships sink?

Cuatro cinco

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
DATE: 23/09/2022 17:14

Hi Marc and Happy Friday!

I just reviewed the SUID report from Teresa. It will be coming your way after the program has had a chance to review my comments. It is looking good!

Thank you,

Janae

On Mon, Sep 19, 2022 at 12:40 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.
- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link	A

The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%

12 who are current vape product users (Target = 7% or less).			
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin	
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?	
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?	
Violent incidents and fatalities	26-7-	Teresa	

[redacted]

involving substance abuse; drug overdose deaths; and recommendations for prevention	14(2)	Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)	

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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--

Janae Duncan
Division Director
C: 385.280.0312
janaeduncan@utah.gov

Utah Department of
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Population Health

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SUBJECT: Re: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
CC: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
DATE: 23/09/2022 17:17

Thanks Janae. We are also waiting for the following report:

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Fri, Sep 23, 2022 at 5:14 PM Janae Duncan (DHHS) <janaeduncan@utah.gov> wrote:
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The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden	[redacted]

[redacted]

source for tobacco cessation efforts based on new cost allocation methodology.		Ainsworth support)	
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The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to	HB 7	John Curless	

expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.			
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Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?	
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)	

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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janaeduncan@utah.gov

Utah Department of
Health & Human Services
Population Health

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SUBJECT: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
CC: "Paul Ray (DHHS)" <pray@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 23/09/2022 17:41

EDO -

Below is a table of the latest batch of Legislative Required Reports. Please conclude your review by COB next Friday (September 30th) so I can turn them into the legislature on time.

We are still waiting for the links to three reports. I have Cc'd those staff and their immediate supervisors so they can reply to this thread with those links once they are ready for EDO review. The three reports are:

- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.
- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.
- Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention

Here are the reports ready for your review:

Report	Code	Who is Writing	Current Status	Approved?
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	8/1/2022 [redacted] August SSA)
Suicide technical assistance program--technical assistance to health care organizations in the preceding year	62A-15-121(5)	Brent Kelsey (Carol Ruddell)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
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The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Winters/Kendall Woffinden	[redacted]
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker	[redacted]
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Bree Barbeau	[redacted]
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	[redacted]
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	(Guy reports [redacted] oluntary data from provider
Psychotropic medication oversight	80-2-503.5	Tonya Myrup	[redacted]
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 24/09/2022 14:47

Thanks Teresa

On Fri, Sep 23, 2022, 11:51 PM Teresa Brechlin (DHHS) <tbrechlin@utah.gov> wrote:
SUID Legislative Report

[redacted]

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention
The legislative report under 26-7-14 is required every other year starting in 2021. The last report was for 2021 so the next report is not due until 2023. Additionally, there is no new information to provide from the last report. I have attached the report that was submitted last year, below.

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
DATE: 24/09/2022 18:28

Teresa, thank you. Can you please grant edit access to this document?
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FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 24/09/2022 18:38

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 25/09/2022 07:35

Same. Please grant access to these reports so we can do the necessary review as quickly as possible given the timeline.

Have these reports gone through PAE for review for editing? There are several line edits I find myself making. It would be good to have a line editor review these reports. If they don't have that capability, let me know. We may need to find an editor in the department.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Shanah Tovah to our friends celebrating Rosh Hashanah
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 26/09/2022 07:39

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RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 26, 2022

[redacted]

It's Monday and National Family Day. 😊

Shanah Tovah to our friends who are celebrating Rosh Hashanah.

Rapid Roundup

- 8 places to view Utah's colorful foliage this fall; a new baby giraffe at Hogle Zoo (mama was pregnant 15 months....); Albert Pujols hits his 700th home run; Jupiter is coming its closest to Earth in decades and will be big and bright tonight; and fall allergies are here (ugh).

Monday Musings

The fourth quarter of 2022 begins on Saturday. It barely seems possible that we've arrived here so quickly. I swear, the years seem to be going faster and faster.

Fall is a really great time to make goals, and, somewhat counter-intuitively, it can be a season of growth. Fall is the season for planting bulbs that will be nourished underground during the winter. Trees may drop their leaves in the colder temperatures, but growth and regeneration are occurring within the tree and deep within their roots. Maybe there's something we can learn from trees and bulbs. Sometimes growth and change are not visible, especially to the casual observer.

From businesses to football to our personal lives, the 4th quarter can have a big impact. What are you workin on this quarter? (**Read More**)

The Hinckley Report, PBS Utah's weekly political roundtable, airs Fridays at 7PM. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- 'Never again' — using memories of Japanese internment to build a better future (Deseret News)
- Five unsolved Utah mysteries that you should know about (Deseret News)
- Utah woman says she feels violated after judge orders her to give edited boudoir books to her ex (Salt Lake Tribune)

Politics

- Jim Nielson: Proposed Utah state flag design is comic-book substitute. Members of a made-up profession shouldn't take our history away from us. (Salt Lake Tribune)

- New Cache County assessor specially elected (Herald Journal)
- U.S. risks war with Russia unless President Biden defines success in Ukraine, Rep. Stewart says (Deseret News)
- America's 'single-greatest legal mind' is fascinated by Latter-day Saints and fond of the Constitution. Does he believe they can help protect one another? (Deseret News)
- Natalie Gochnour: Gov. Cox goes to Israel: Can we learn from the Dead Sea to save the Great Salt Lake? (Deseret News)
- Natalie Gochnour: A ticket to the future: Utah visits Dubai (Deseret News)
- Natalie Gochnour: What the Startup State can learn from the Startup Nation (Deseret News)
- Natalie Gochnour: What do vultures have to do with the Utah trade mission in the Middle East? (Deseret News)
- Natalie Gochnour: Utah's Middle East trade mission: interfaith magic and collaboration (Deseret News)
- Robert Gehrke on the midterm election and third-party candidates (ABC4)
- The IUP Panel on the race for U.S. Senate and Mike Pence's visit to Utah (ABC4)

Business

- Influencers aren't new — how this marketing trend has been around for centuries (Deseret News)
- Utah ranks in top 10 best states for working in tech industry, new research says (KSL)
- Is Utah really the 44th-worst state for workers? Analyzing employee protections. State does OK with pregnancy safeguards, but it falls short on a range of commonsense issues. (Salt Lake Tribune)

Economy

- Poll: Ongoing inflation and lurking recession a top worry for Utahns (Deseret News)

Education

- 'The right person at the right time': Mindy Benson inaugurated as Southern Utah University's 17th president (St. George News)
- Students upset after nearly 60 girls kicked out of homecoming dance at American Leadership Academy in Spanish Fork over dress code (KUTV)
- Utah parents rally for better inclusion of students with intellectual disabilities (KUTV)
- Weber State students, staff continue 100-year tradition of climbing Mount Ogden (KUTV)
- Gadson resigns from Salt Lake City School District superintendent position (Fox13)
- Utah teacher dedicates career, new business to helping students learn English (Fox13)
- Local officials join SUU climate forum, focusing on impacts to business, water and policy (St. George News)

Environment

- Historic community in Parleys Canyon expresses concern over proposed gravel pit (Fox13)
- The toxic death cap mushroom has made it to the Mountain West. Now what? (KUER)

- The Bureau of Reclamation plans to temporarily buy water from farmers (UPR)

Family

- Whether you call it 'grooming' or not, what's happening to our children is not acceptable. Boundaries around children and sex are more fragile than we might think, and parents are right to guard them (Deseret News)
- My child started college and is feeling homesick. What should I do now? (Deseret News)
- Natural mentoring: the unique role coaches play in a child's future success (Deseret News)

Health

- How light therapy is breaking through the fog of brain injuries (Deseret News)

Housing

- Housing market pressurizes rent prices: Utah rents rose faster over 2 years than the last decade (Deseret News)
- These are the most expensive states to buy homes in this year Utah ranks No. 9 (Deseret News)

National Headlines

General

- Move over, Bruce Willis: NASA is shoving an asteroid to test planetary defense (NPR)
- How social-emotional learning became a frontline in the battle against CRT (NPR)
- Ian strengthens into a hurricane, heads toward Cuba, Florida (AP)
- David Brooks: How do you handle a wounded Putin? (New York Times)

Politics

- In GOP legislatures, a gender divide emerges over abortion (AP)
- GOP path to Senate majority narrows (The Hill)
- Special master asks Trump for proof that the FBI planted documents at Mar-a-Lago. Trump's legal team will have to provide an official declaration saying that documents were planted in the home (Deseret News)
- Arizona outlook turns bleak for Masters, GOP (The Hill)
- From Yale to jail: Oath Keepers founder Stewart Rhodes' path (AP)
- Top state judges make a rare plea in a momentous Supreme Court election case. In a surprising filing, state chief justices opposed an argument pressed by Republicans — that state legislatures may set federal election rules unconstrained by state constitutions. (New York Times)
- Pollsters fear they're blowing it again in 2022 (Politico)
- The Biden-Trump rematch, in many ways, has already begun (Washington Post)
- Riggleman says Mark Meadows text messages reveal 'roadmap to an attempted coup' (The Hill)

Ukraine UA

- Ukrainians scared by Russia's preordained referendums (AP)
- Drone attack hits Ukraine; US vows 'consequences' over nukes (AP)

- Russian Orthodox Church leader says Russian soldiers dying in Ukraine will be cleansed of sin (Reuters)
- Zelenskiy says two more burial sites found in liberated Izium (Reuters)
- Pushing east of Kupyansk, Ukrainian forces expand offensive (Wall Street Journal)
- Russian mobilization blasted for rounding up sick, disabled and elderly (Washington Post)
- Gunman attacks draft office as Russian unrest over call-ups deepens (New York Times)
- Top Russian lawmakers slam 'excesses' of Putin's war mobilization (The Hill)

World News

- Lights out, ovens off: Europe preps for winter energy crisis (AP)
- Swastika-wearing gunman kills 13 at Russian school (Reuters)
- British pound hits record low against the dollar (Wall Street Journal)
- A volcano in Tonga birthed a new island. Consider it limited edition. (Washington Post)
- Italy expected to have first far-right government since Mussolini, election projections show (Washington Post)
- Death of Iranian woman ignites fury among fellow Kurds. The protests that have swept Iran following the death of a woman in police custody have been especially intense in the country's minority Kurdish population. (New York Times)

News Releases

Curtis backs plan on energy independence, strengthen economy

Following the unveiling of the "Commitment to America" by House Republican leadership in Washington County, Pennsylvania, Congressman Curtis (UT-03) issued the following statement:

"If there is anything we have learned in the past few years here in Washington, particularly since the invasion of Ukraine, it's that we cannot spend our way out of our problems and we must come together to find solutions," said Rep. Curtis. "We must lead as a country through energy independence and innovation to help meet our needs and reduce worldwide emissions. Utahns know the value of forward-thinking policy and this commitment emphasis that value."

Read more about the House Republicans' Commitment to America here.

Owens applauds the Republican "Commitment to America"

Today, Rep. Burgess Owens (UT-04) released the following statement celebrating the rollout of the House Republican Commitment to America.

"Nearly three-quarters of Americans believe our country is on the wrong track.

*"Instead of answering to We the People and working to solve 40-year high inflation, 3 million illegal border crossings, skyrocketing violent crime, crushing learning loss, and other kitchen table issues, Democrat-controlled Washington has continued to pass policies that make life harder and less affordable. (**Read More)*

Utah Democratic Party statement on Utah Supreme Court ruling

On Thursday, the Utah Supreme Court denied the Utah Democratic Party and candidate Josh Hardy's request for an emergency ruling removing Joel Ferry from the ballot in House District 1.

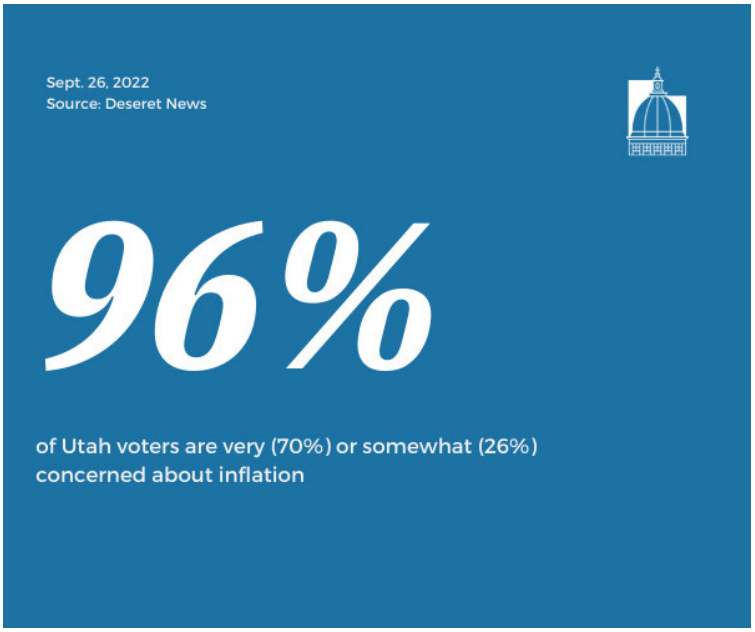
Mr. Hardy and the Utah Democratic Party have voluntarily dismissed their federal lawsuit and await a ruling from the Utah Supreme Court on their petition for extraordinary writ, as well as an opinion on the Supreme Court's denial of motion for emergency relief that was filed with the petition. (Read More)

Utah Bankers Association President & CEO Howard Headlee joins Sutherland Institute Board of Directors

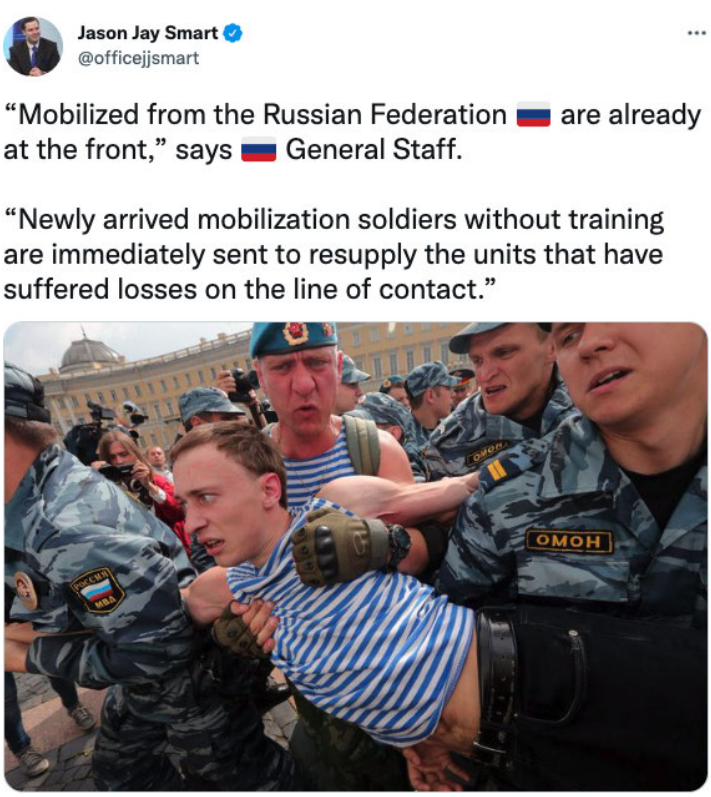
Sutherland Institute announced today the addition of Howard M. Headlee to its Board of Directors. Headlee will draw from his leadership experience in the private sector to enhance Sutherland's work supporting free enterprise and the institutions of civil society.

Headlee is the current President & CEO of the Utah Bankers Association, where he has served faithfully for over 25 years. As leader of the Utah Bankers Association, Headlee has successfully launched several national initiatives to improve efficiencies in the banking industry, increase accountability, and provide better services for consumers. (**Read More**)

Number of the Day



Tweet of the Day



Upcoming

- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**strong>
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**strong>
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation’s 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1181** - St. Francis of Assisi is born
- **1665** - Height of the Great Plague of London, as 7,165 people die the previous week
- **1783** - Johnny Appleseed is born
- **1789** - Thomas Jefferson appointed 1st US Secretary of State; John Jay becomes 1st US Chief Justice
- **1820** - Frontiersman Daniel Boone dies at age 86
- **1856** - The first handcart pioneers enter the Salt Lake Valley
- **1955** - BYU-Hawaii opens
- **1957** - "West Side Story" opens on Broadway
- **1960** - Nixon and JFK participate in the first nationally televised debate
- **1971** - Rep. Shirley Chisholm (D-New York) announces she will enter the Democratic presidential primaries
- **1978** - NY District Court Judge Constance Baker Motley rules that women sportswriters cannot be banned from locker rooms
- **2020** - President Donald Trump nominates Judge Amy Coney Barrett for the US Supreme Court to replace Ruth Bader Ginsburg

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Wise Words

"Lord, make me an instrument of your peace;
where there is hatred, let me sow love;
when there is injury, pardon;
where there is doubt, faith;
where there is despair, hope;
where there is darkness, light;
and where there is sadness, joy."

—St. Francis of Assisi

The Punny Side

What did Rudolph say to his wife?

"It looks like it's gonna reindeer."

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 26/09/2022 13:36

My apologies. I thought when I sent the original email that it had a pop-up to give everyone access. I'll go through and do that now.

Tracy, to your question, it is my understanding that the assigned Comms team members should also be part of the OU review process. We will build that into the PowerDMS system once we get that up and going. I'll also emphasize that with ELT.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Sat, Sep 24, 2022 at 6:38 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

Marc, I tried to get into and would like to make edits in several of these reports, and they aren't set up to provide edit or comment access---are you able to fix this? (like the SUID report, the first tobacco item (compliance checks), the birth certificate report, and the AI/AN report---there may be others that I didn't try)

Thank you,
HB

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

EDO -

Below is a table of the latest batch of Legislative Required Reports. Please conclude your review by COB next Friday (September 30th) so I can turn them into the legislature on time.

We are still waiting for the links to three reports. I have Cc'd those staff and their immediate supervisors so they can reply to this thread with those links once they are ready for EDO review. The three reports are:

- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.
- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.
- Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention

Here are the reports ready for your review:

Report	Code	Who is Writing	Current Status	Approve
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	8/1/202 August
Suicide technical assistance program--technical assistance to health care organizations in the preceding year	62A-15-121(5)	Brent Kelsey (Carol Ruddell)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the	HB 7	Andreas Rohrwasser	[redacted]	

[redacted]

states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.		(DHHS) and Chris Otto (DEQ)	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless and Ashley Moretz?	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Winters/Kendall Woffinden	[redacted]
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker	[redacted]
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Bree Barbeau	[redacted]
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	[redacted]
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	(Guy rep [redacted] oluntar from pro
Psychotropic medication oversight	80-2-503.5	Tonya Myrup	[redacted]
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]

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SUBJECT: Document shared with you: "Legislative Report Drinking While PregnantPrevention Media and Education Campaign FY2022"
FROM: "Marc Watterson (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: rebeccab@utah.gov
CC: aslater@utah.gov, mhofmann@utah.gov, natechecketts@utah.gov, natewinters@utah.gov, thales@utah.gov
DATE: 26/09/2022 13:46

Marc Watterson (DHHS) shared a document

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[redacted]

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SUBJECT: Document shared with you: "Legislative Report Drinking While PregnantPrevention Media and Education Campaign FY2022"
FROM: "Marc Watterson (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: aslater@utah.gov
CC: mhofmann@utah.gov, natechecketts@utah.gov, natewinters@utah.gov, rebeccab@utah.gov, thales@utah.gov
DATE: 26/09/2022 13:46

[redacted]

Marc Watterson (DHHS) shared a document

Marc Watterson (DHHS) (mwatterson@utah.gov) has invited you to **edit** the following document:

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because mwatterson@utah.gov shared a document with you from Google Docs.

Google Workspace

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 26/09/2022 15:42

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> dhhs.utah.gov
>
> Utah Department of
> Health & Human Services
> Legislative Affairs

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[redacted]

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Marc B. Watterson
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C: 385.321.6473
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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>

[redacted]

CC: "Heather Borski (DHHS)" <hborski@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 27/09/2022 05:27

Thank you!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Sep 26, 2022 at 3:43 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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SUBJECT: Veteran suicides more than double VA reports, says new study
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 27/09/2022 07:25

[redacted]

View in browser

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 27, 2022

Good Tuesday morning to ya. It's National Day of Forgiveness, a practice that can go a long way in solving the problem of contempt.

Be in the Know

- Veteran suicides may be higher than federal estimates, according to a new study done by America's Warrior Partnership in partnership with the University of Alabama and Duke University. They reviewed census death data from eight states over a 4-yr period and found *thousands* of "suspected or confirmed suicides not included in federal calculations." AWP hopes to expand the research to more states and records in the next few years as part of its Operation Deep Dive initiative. Almost simultaneously, the VA released its annual report on veteran suicide and found that the rates dropped to the lowest level since 2006, to an average of 17 suicides per day. AWP's numbers are 24 per day. Additionally, when including "self-injury mortality" (SIM), attributed predominately to overdose deaths, the rate jumps to 44 per day, more than double the what the VA reports. Both organizations agree that the goal of reducing suicides is critically important.

- Hurricane Ian hit Cuba early this morning and Florida is bracing for a Category 4 storm by tomorrow. There is a "100% chance" of damaging winds and water along Florida's west coast. Tampa and St. Petersburg could get their first direct hit by a major hurricane in 100 years.

Rapid Roundup

- Snowden gets Russian citizenship; lumber prices are (finally!) back to pre-COVID levels; VP Harris will travel to Korea's DMZ; overnight officer-involved shooting leaves suspect dead and South Salt Lake officer injured; and James Earl Jones is retiring - who will voice Darth Vader now??

The Hinckley Report, PBS Utah's weekly political roundtable, airs Fridays at 7PM. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- In marriage, politics and cultural clashes, this is the root of conflict: dignity or the lack thereof (Deseret News)
- Utah has a Netflix obsession, study finds, taking second place for most hours watched per person (Deseret News)
- Utes' Brant Kuithe suffers season-ending leg injury against Arizona State (KUTV)
- Family, friends reflect on 1st anniversary of Utah football player Aaron Lowe's death (Fox13)
- UHP arrests driver near Cedar City after reportedly finding 116 pounds of meth inside truck (St. George News)
- After BYU racism allegations, experts say a more robust conversation about fan behavior still needs to take place (Salt Lake Tribune)

Politics

- Exclusive poll: Anti-Trump voters would pay over $5,000 to guarantee he doesn't run (Deseret News)
- Why Utah Attorney General Sean Reyes faces ethics complaint (Deseret News)
- Opinion: I'm endorsing Mike Lee. Not caucusing is a dangerous gamble (Deseret News)
- Take 2 Podcast: Glenn Wright for Congress in Utah's 3rd Congressional District (KUTV)
- Some of the races to watch in the Utah State Legislature (Fox13)
- Want to combat election misinformation? Davis County meets with voters face-to-face (KUER)

Business

- Demand for in-person dining hasn't let up as downtown businesses anticipate LDS General Conference traffic (Salt Lake Tribune)
- Ever wondered why Utah doesn't have a single Fortune 500 company? Idaho has three, Arizona has eight. Is Utah lacking in ambition — or do we understand something others don't? (Read More)
- Companies statewide invited to take part in new initiative 'to promote Utah's women in business' (St. George News)

- Here's what would persuade Utah parents to work more. A new survey shows working Utah parents say it's not just about the money — they want work-life balance. (Salt Lake Tribune)

Education

- Utah County teachers training to survive, save lives during school shootings (Daily Herald)
- Safety remains main priority after two guns confiscated at Highland High School (KUTV)
- Utah mom organizing 'bike bus' as new way for kids to get to school (Fox13)

Environment

- Timed entry soon ending at Arches National Park (KUTV)
- Draper takes Geneva Rock to court over Point of the Mountain quarry expansion (Salt Lake Tribune)
- Key takeaways from the failed sale of Utah's Tabby Mountain (Salt Lake Tribune)

Family

- Utah moms rally behind Fairness for Pregnant Workers Act (KSL Newsradio)
- Parent advocacy group celebrates kids with special needs (KSL TV)
- Advocates encourage victims, perpetrators to seek help as domestic violence increases (KSL TV)

Health

- Why did more Utah kindergarteners get vaccine exemptions last year? (Deseret News)
- Flu season and COVID-19: Here's how to avoid infections this fall (KSL)
- Five covid questions scientists still can't answer — and why it matters (Washington Post)

Housing

- Why are house prices so high? Blame remote work, not 'speculative bubble,' Fed study says (Deseret News)
- Utah's apartment building spree isn't satiating its hunger for housing (KUER)
- How to prevent large homeless camps: Get 'em when they're small, says SLC (Salt Lake Tribune)

National Headlines

General

- U.S. whistleblowers aiding migrant children feared retaliation, watchdog report says (Reuters)
- The Dow is officially in a bear market. Here's what to know. The Dow is more than 20% below its record, falling into a bear market for the first time in more than two years (Wall Street Journal)
- NASA crashes spacecraft into asteroid, passing planetary defense test (Washington Post)

Politics

- In a big Jan. 6 case, 5 Oath Keepers go on trial for seditious conspiracy today (NPR)

- Lawmakers propose measure to avert government shutdown this week (New York Times)
- Five things to know about Congress's spending showdown (The Hill)
- As more states create election integrity units, Arizona is a cautionary tale. Over three years, a high-profile investigation team found little fraud, sapped government resources and deepened suspicions (Washington Post)
- White House releases strategy for ending hunger in US by 2030 (The Hill)
- Freedom Caucus poised to pull its hardest McCarthy punch (Politico)
- McConnell works to box out Manchin (Politico)

Ukraine UA

- Journalists are being trained to gather evidence of war crimes — starting in Ukraine (NPR)
- Ukraine refugees push German population to all-time high (Reuters)
- Russia issues new nuclear warning as it wraps up contested Ukraine referendums (Reuters)
- Ukraine's internet army fights Russian trolls (Wall Street Journal)
- Photos show miles of cars at Russian border as many flee mobilization (Washington Post)
- US faces bleak options as Putin turns bellicose on nukes (The Hill)

World News

- European natural-gas prices jumped after authorities said they were investigating mysterious leaks on two shuttered Russian pipelines. (Wall Street Journal)
- China reins in its Belt and Road program, $1 trillion later (Wall Street Journal)
- Women have been casting off their head scarves, taking center stage in the antigovernment protests shaking Iran. (New York Times)
- Giorgia Meloni: Italy's far-right wins election and vows to govern for all (BBC)

Guest Opinion: Business community outlines federal priorities

by Derek Miller

Utah's congressional delegation ranks among the best when it comes to turning legislative priorities into policy. Our representatives secure important committee assignments in Congress and are known for working together to serve all Utahns. Most importantly, they listen to their constituents and let that input guide the work they do for Utah in the halls of Congress.

Each year, the Salt Lake Chamber goes through a collaborative process to distill down a set of business priorities built around advancing opportunity and securing prosperity for our state. Business leaders are once again traveling to Washington, D.C. to present these priorities to our congressional leaders and discuss ways to bring Utah solutions to benefit the country.

As our nation comes out of the pandemic we stand at a crossroads between pursuing prosperity or mitigating decline. Inflation continues to rattle markets and consumers, with renewed supply chain disruptions exacerbated by

international conflict. The need for congressional leadership has never been more important. (**Read more** to learn about the business community's priorities regarding inflation, energy, cybersecurity, AI, immigration reform and fair trading practices.)

News Releases

SL Chamber to present business community's federal priorities to congressional delegation

The Salt Lake Chamber is leading a delegation of business executives and community leaders to our nation's Capitol. The Chamber will meet with members of Utah's congressional delegation to discuss the business community's federal priorities for the next year. The annual trip resumed last year after a hiatus due to the pandemic, executives and leaders are excited to attend events and in-person meetings and connect with federal staff.

"The Salt Lake Chamber and our federal delegation remain committed to promoting the values and collaboration that make Utah an economic success," said Derek Miller, president and CEO of the Salt Lake Chamber and Downtown Alliance. "These priorities cover a range of critical issues around energy reliability and sustainability, housing affordability, infrastructure, taming inflation, and other topline business priorities to make our state stronger. We look forward to working with elected officials to be responsive to challenges and committed to securing greater prosperity for our communities." (**Read More**)

Republican Senators urge House Republicans to support antitrust reform package

Sen. Mike Lee (R-UT), joined by Sens. Tom Cotton (R-AR), and Chuck Grassley (R- IA), urged their colleagues in the House to support passage of an antitrust reform package consisting of the State Antitrust Enforcement Venue Act, the Merger Filing Fee Modernization Act, and the Foreign Merger Subsidy Disclosure Act. The bills would protect antitrust enforcement by state attorneys general, modernize the Hart-Scott-Rodino merger filing fees, and require merging parties to disclose subsidies from certain foreign governments, respectively. (**Read More**)

Curtis & Lowenthal celebrate National Clean Energy Week

Today, Rep. John Curtis (R-UT) and Rep. Alan Lowenthal (D-CA) submitted a resolution declaring the week of September 26 through September 30, 2022, as "National Clean Energy Week." The bipartisan resolution kicks off a weeklong of activities highlighting clean energy innovation and help solve the world's most pressing challenges.

"It is an honor to be working with Rep. Lowenthal and recognize Congress role in harnessing the power of free market and government collaboration to create jobs, expand our economy, strengthen America's national security, and preserve our environment," said **Congressman Curtis**. "Regardless of party, we can all agree that less emissions are better than more emissions." (**Read More**)

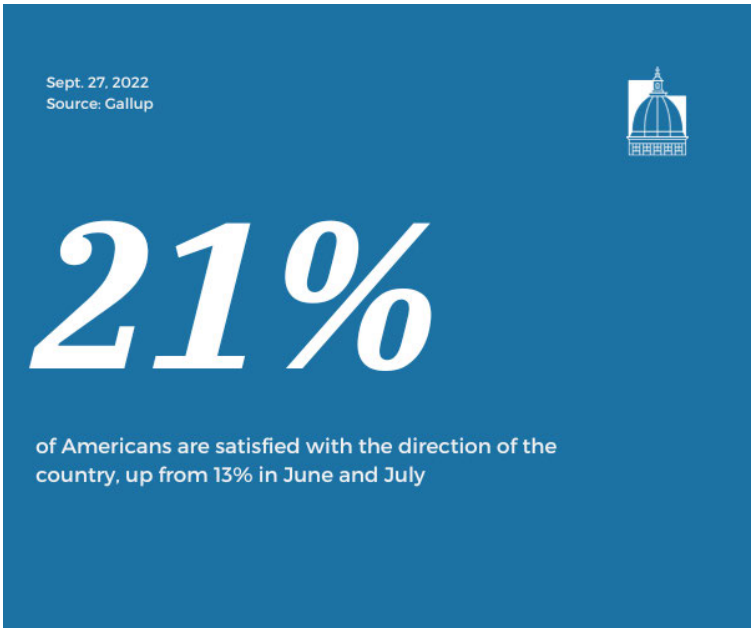
Events for Utah Climate Week

Check out this post for a number of events this week. Most events are today, Tuesday, but the events continue through Sunday. Events include:

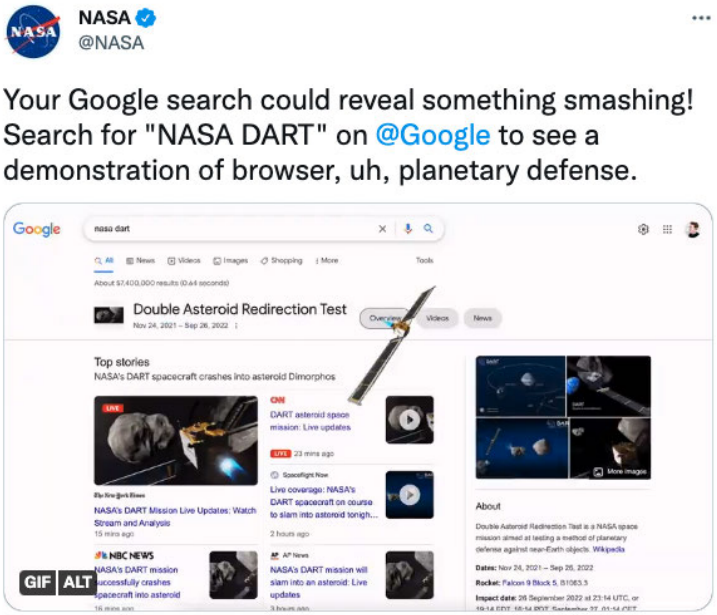
- Climate Change and Migration: Utah's Opportunity to Lead, Tomorrow at 11:30AM MT (virtual). This panel will discuss how climate changes are driving migration patterns and how we as Utahns can respond. It will feature speakers from Utah Clean Energy, the engineering firm Brendle Group, and the University of Utah's Program for Global, Rural, and Underserved Children. Participants can register here: https://utahcleanenergy.zoom.us/meeting/register/tZ0sfuuqrD4rEtAXsgfDv9tzAlFe_ohW1wic
- Former Congressman Bob Inglis, who runs the free-market climate solutions organization "republicEN" will be at events around the state today and tomorrow. Bob will be at the University of Utah tomorrow at 2:30 and then at Weber State University for an evening event at 5:30PM. Event information is at https://utahclimateactionnetwork.com/event/discussions-with-former-congressman-bob-inglis-r-sc/.

(**Read More**)

Number of the Day



Tweets of the Day



Upcoming

- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**strong>
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**strong>
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1722** - Samuel Adams is born. He was an American revolutionary (Boston Massacre-Tea Party) and politician (Lt Gov-Mass, 1789-94).
- **1779** - John Adams appointed to negotiate peace terms with British

- **1817** - Hiram R. Revels is born. He became the 1st African American US Senator.
- **1905** - E=mc^2 is introduced in an Albert Einstein paper published in a German physics journal
- **1908** - The first Model T leaves the Piquette Plant in Detroit.
- **1909** - US President William Howard Taft sets aside some 3 million acres of oil-rich public land (including Teapot Dome, Wyoming) for conservation purposes
- **1939** - Warsaw falls to German forces, who then begin a systematic program of terror, murder and cruelty, executing members of Poland's middle and upper classes.
- **1962** - Rachel Carson's *Silent Spring* is published
- **1966** - Stephanie Wilson is born. The NASA astronaut flew three Space Shuttle missions and was the second African American woman in space.
- **1998** - The day Google celebrates its birthday
- **2016** - Amy Schumer becomes the first woman to hit the *Forbes* highest paid comedians list
- **2018** - US Securities and Exchange Commission files lawsuit accusing Elon Musk of securities fraud

Wise Words

"Technology will never replace great teachers, but technology in the hands of a great teacher can be transformational."

,—Stephanie Wilson, astronaut

The Punny Side

I saw a man at the store today buy a single cherry and a microphone.

He bought a bing, bought a boom

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SUBJECT: Thinking Outside The Medicaid Redetermination Box
FROM: "Jack Lewis" <jack.lewis@intellaegis.com>
TO: "Marc Watterson" <mwatterson@utah.gov>
DATE: 28/09/2022 05:30

Hi Marc,

We have the ***Medicaid Redetermination solution*** you've been looking for!

In March 2022, CMS issued the guidelines linked below for Medicaid eligibility redetermination once the PHE ends.

CMS requirements specifically state the following:

A state must make a reasonable effort to locate the beneficiary for purposes of confirming state residency and determining continuing eligibility.

"***A state may not*** terminate coverage if the state does not receive a response to the request for confirmation of a new address received through return mail" (Exhibit C graphic 1)

"During the 12-month unwinding period, ***all states must*** begin the renewal process by checking available information and ***data sources*** to attempt to redetermine eligibility without contacting the beneficiary and requesting documentation to obtain reliable information when eligibility cannot be renewed based on available information, as appropriate." (CMS, pg. 9, sec. C)

"States may expand the number and type of data sources used during the ex parte process as well as create a data source hierarchy to prioritize sources that provide the most recent and reliable data" (pg. 34 paragraph 2)

https://www.medicaid.gov/federal-policy-guidance/downloads/sho22001.pdf

masterQueue is a contact management system that integrates multiple data sources that help states easily meet these requirements by checking off the CMS mandates and suggestions above, and more, all in one cost-effective platform.

Find out how we are helping the state of Colorado meet CMS guidelines by visiting our website and listening to an interview with the COO from the state of Colorado, or visit the link below and schedule a 15-minute phone call with us.

outlook.office365.com

https://intellaegis.com/medicaid/

Regards,

Jack Lewis

Medicaid Redetermination Specialist

530.570.9405

Intellaegis
1162 Suncast Ln #112
El Dorado Hills, CA 95762

masterQueue® is a database application designed for collections,
skip tracing, recovery, law enforcement, and investigations.

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SUBJECT: Hurricane Ian roars ashore
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 29/09/2022 07:48

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UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Sept 29, 2022

It's Thursday and VFW Day. It is the nation's oldest combat veterans service organization and was started in 1899 by 13 Spanish-American war veterans.

Be in the Know

- Hurricane Ian came ashore near Fort Meyers, Florida as a Category 4 storm, lashing the coast with heavy winds, rain and flooding. Ian was downgraded to a tropical storm overnight. A hospital in Port Charlotte had its roof ripped off while the bottom floor flooded. Currently, 2.5 million are without power. The only bridge connecting Sanibel Island, a barrier island that is home to approximately 6500 people, has collapsed. At least one death has been reported. A still dangerous Ian is now headed towards Georgia and South Carolina. Nick Underwood, an aerospace engineer has flown into the eye of a hurricane 76 times. His roughest flight so far? Ian.

Rapid Roundup

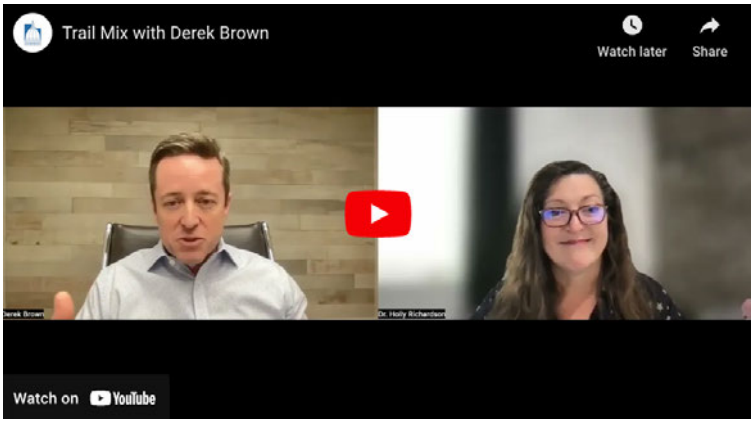
- A wagon wheel on the line as BYU vs USU kicks off tonight at 6 pm; 'Gangsta's Paradise' rapper Coolio has died at age 59; purple is the new M&M color; our collective personalities changed during the pandemic (which reminds me of a great book: *"Personality Isn't Permanent"* - worth the read).

Trail Mix with Derek Brown

Derek Brown, currently lobbying with Lincoln Hill Partners, began his working life as a pianist for an evangelical church. Along the *trail* to his current position,

[redacted]

he became an attorney, worked in DC, become a Utah legislator and was the volunteer chair of the Utah Republican Party. And more…..



Voter Motivation and Key Endorsements

With the November election approaching, new polling reveals the biggest issues motivating Utah voters. Kate Bradshaw and Frank Pignanelli join host Jason Perry on The Hinckley Report this Friday at 7:00 pm to discuss how these numbers and new endorsements could impact the U.S. Senate race.

Utah Headlines

General

- 'The work is never completed': Utah arts leader talks about fostering diversity and equity. Jean Tokuda Irwin, who creates arts education programs for the state, receives national award for supporting DEI. (Salt Lake Tribune)
- Utah County Sheriff's Office makes arrest in ritualistic sex abuse investigation (Salt Lake Tribune)
- In a major move, UTA to sharply cut back bus service in three counties, and it's going to affect skiers (Salt Lake Tribune)

Politics

- Maury Giles: 5 reasons why I believe Evan McMullin is the senator Utah needs (Deseret News)
- Utah Governor Spencer Cox named a 'rising star' by TIME Magazine (ABC4)
- Father of Orem Mayor calls schools 'evil' during prayer at city council meeting (KUTV)
- In effort to attract 'respectful visitors,' Southern Utah wins big piece of state's tourism funds pie (St. George News)

Business

- Park City Mountain will send ski lifts caught in red tape to another resort (Salt Lake Tribune)
- Utah clothing company creates swimwear for breast cancer survivors (KSL TV)
- Local refugee organization honors the owner of iconic Logan restaurant (Cache Valley Daily)

Education

- Jay Evensen: Are student loans making college more expensive? (Deseret News)
- BYU '2ft Prosthetics' club develops low-cost prosthetics (The Daily Universe)
- Bill Crim and Jennifer Blatz: Building a civic infrastructure for Utah children (Salt Lake Tribune)
- Racist comments made at Utah high school girls soccer game under investigation (Fox13)

Environment

- Perspective: What does bad energy policy look like? Look at California and Germany (Deseret News)
- Shrinking Lake Mead: Dead bodies, sunken boats and now volcanic ash (Deseret News)
- Redge Johnson: Monuments are too big to manage and violate the Antiquities Act (Salt Lake Tribune)

Family

- Princess Pageant gives young girls who use wheelchairs 'a time to shine' (KUTV)

Health

- Had COVID-19? Here's how long to wait before getting the updated booster shot (Deseret News)
- There's a new experimental drug to treat Alzheimer's disease, and it's showing breakthrough results (Deseret News)
- Are we underreporting veteran suicides? A new study reveals that veteran suicides may be higher than federal estimates. Why the discrepancy in reporting? (Deseret News)
- Utah doctors use new AI technology to fight cancer (KUTV)
- University of Utah 'confused' by a federal law that was supposed to cover life-or-death cancer treatment. The Clinical Treatment Act went into effect on January 1, 2022... but patients were still denied coverage for approximately eight months (Fox13)

Housing

- Buying a house? Here's what volatile mortgage rates are doing to your purchasing power (Deseret News)
- 'So much volatility': Homebuyers further squeezed as mortgage rates exceed 7% (KUTV)

National Headlines

General

- Millions without power as Ian cuts a soggy path across Florida (NPR)

- The only bridge linking Sanibel Island to the mainland has collapsed (NPR)
- Migrant deaths at the U.S.-Mexico border hit a record high, in part due to drownings (NPR)

Politics

- No Biden? Here's who experts say could run for the Democrats instead (Deseret News)
- Why voters aren't as polarized as they seem. Arizona voters say they're flustered with the narrative of the state being polarized and divided. Recent polls show voters want candidates who are willing to compromise (Deseret News)
- Democrats' Political Gains Create Tight Race for Nebraska GOP Rep. Don Bacon. Abortion ruling and Capitol riot by Trump supporters have nudged some voters in Democrats' direction (Wall Street Journal)
- Trump-McConnell feud takes new turn with Electoral Count Act (The Hill)
- Marjorie Taylor Greene's husband files for divorce (The Hill)
- DeSantis-appointed county commissioner resigns after alleged Ku Klux Klan picture emerges (Politico)
- Democrats brace for a national security brain drain. A combination of retirements and vulnerable seats could mean big changes on defense committees in the House. (Politico)

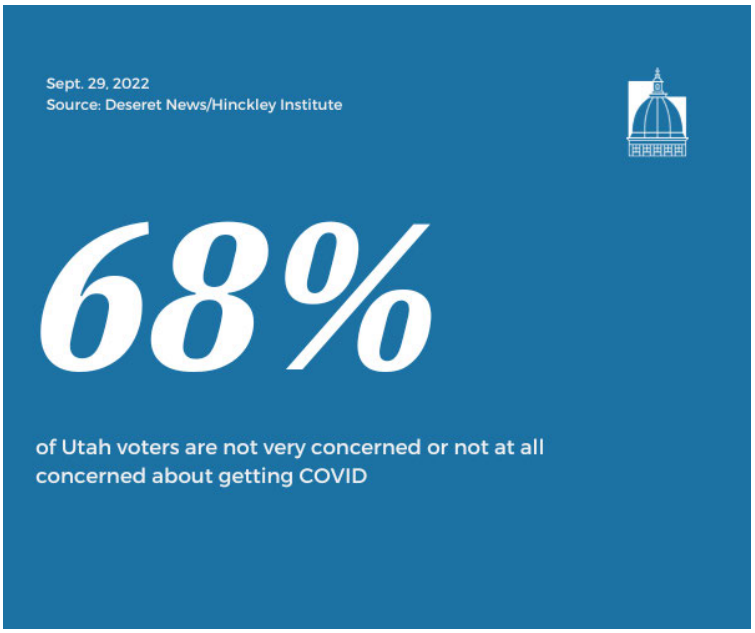
Ukraine UA

- Kremlin to "annex" 4 regions of Ukraine on Friday. World leaders refuse to recognize the sham (AP)
- Hundreds of kids from east Ukraine stranded in Russian camps (AP)
- NATO believes Baltic Sea gas leaks were sabotage (AP)
- How Russia Ran a Detention Camp in Occupied Ukraine. The facility in Vovchansk is one of at least 18 such torture chambers that Ukrainian officials say they discovered after ousting Russian forces from the one-third of the Kharkiv region that Moscow occupied for nearly seven months (Wall Street Journal)

World News

- Rohingya seek reparations from Facebook for role in massacre (AP)
- India's top court legalises abortion regardless of marital status (Reuters)

Number of the Day



Tweet of the Day

Better Days
@BetterDays2020

We recently participated in a @UTWomenLeaders summit discussing how to elevate women in every aspect of society. While there are great challenges, there is also great power in working together. Utah has a strong legacy of women's leadership to build on! #UtahWomenLead #utpol

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- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1789** - US War Department establishes a regular army
- **1839** - Francis Willard is born. As president of the Woman's Christian Temperance Union (WCTU), the largest organization of women in the U.S. in the 19th century, she turned the organization into a political force working on a broad array of social reforms including women's rights, social justice, and world peace.
- **1913** - Inventor Rudolf Diesel vanishes from a steamship traveling from Belgium to England. His body is found Oct. 10. While his death is officially ruled a suicide, many believed then and now that he was murdered.
- **1914** - U.S. patent No. 1111999 is granted to Thomas Edison for the phonograph record.
- **1916** - American oil tycoon John D. Rockefeller becomes the world's first billionaire
- **1941** - The two-day Babi Yar massacre of nearly 34,000 Jewish men, women and children begins on the outskirts of Kiev in the Nazi-occupied Ukraine.
- **1962** - JFK authorized use of federal troops to integrate U of Mississippi
- **1982** - Cyanide-laced Tylenol kills seven
- **1983** - US Congress authorizes President Reagan to keep 1,600 US Marines in Lebanon
- **1988** - Stacy Allison becomes the first American woman to reach the summit of Mt. Everest.
- **2006** - US Representative Mark Foley resigns after allegations of inappropriate emails to house pages were introduced
- **2021** - Britney Spears' father, Jamie Spears suspended as her conservator by a judge in Los Angeles

Wise Words

"Only when we accept full responsibility for our lives will we have the confidence and courage to risk."

—Stacy Allison

The Punny Side

What would you get if you crossed a parrot with a centipede?

A walkie-talkie.

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SUBJECT: ASTHO Invited to the White House
FROM: "Public Health Weekly" <pr@astho.org>
TO: mwatterson@utah.gov
DATE: 29/09/2022 09:00

View this email in your browser.

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PUBLIC HEALTH WEEKLY

September 29, 2022

Improving School Workforce Capacity to Address Youth Mental Health

The youth mental health crisis has created a need for state public health officials to work collaboratively to improve workforce capacity and strengthen prevention systems for youth.

ASTHO's School Behavioral Health Advisory Committee explored ways to improve youth mental health outcomes and found that the school system offers opportunities to strengthen systems of care. Learn more about the committee's conclusions in this new blog article.

READ

Legislative Alert: Summary of FY23 Continuing Resolution

This past Tuesday, Congressional leaders released the text of the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 (H.R. 6833), which is expected to be approved and signed into law before the end of the month. This continuing resolution provides funding for the federal government through Dec. 16—avoiding government shutdown—as well as several critical programs like home visitation for at-risk children and the 988 Lifeline.

Check out ASTHO's latest legislative alert for more details about the act and its impact on public health.

READ

THIS WEEK'S HIGHLIGHTS

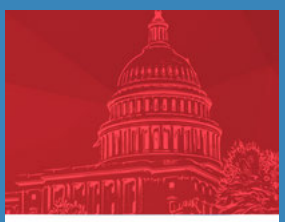
ASTHO Visits White House for Recovery Month Summit | In honor of National Recovery Month, the White House held a summit on Sept. 23 where the administration introduced new actions and funding to address the overdose epidemic and support recovery. ASTHO's Carolyn Mullen, senior vice president of government affairs and public relations, and Jeffrey Ekoma of the government affairs team **were in attendance**. You can **hear more about their experience in this episode** of ASTHO's daily newscast.

ASTHO Attends White House Conference on Hunger, Nutrition, and Health | ASTHO CEO Michael Fraser attended yesterday's White House Conference on Hunger, Nutrition, and Health, a unique convening of advocates, lawmakers, and experts to end hunger, improve nutrition and physical activity, and reduce disparities. Learn more about the event and ASTHO's work to promote healthier eating policies in **our latest press release**.

Staying in Gear this Fall | Immediate Past ASTHO President Nirav Shah (SHO-ME) joined **Maine Calling**, a local Maine radio station, to provide an update on COVID-19, boosters, the flu, and more. While Shah understands that many folks are over the pandemic, he reminded his audience that "from a public health perspective, we are not taking our foot off the gas."

Insight and Inspiration | Join ASTHO on Oct. 23 for our upcoming Insight and Inspiration webinar with **Stephen Shedletzky**, executive coach and one of Simon Sinek's master trainers. Don't miss Shedletzky present Sinek's Golden Circle framework and help attendees identify the WHY that drives their work. **Learn more and register here.**

LATEST ASTHO RESOURCES AND EVENTS



New Resource

Legislative Alert - Federal Home Visiting Reauthorization Bill Moves Forward

READ

Report

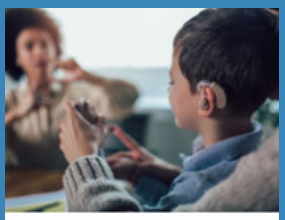
Going Beyond Regulatory Compliance for Lead Testing in Water

READ

Video

Building Innovative Public Health Internship Programs: A Q&A with Laura Parajón

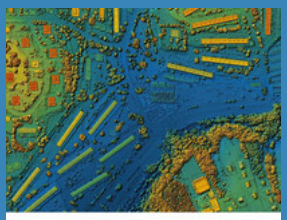
WATCH HERE



Blog

Embedded: COVID-19 Vaccination and the d/Deaf Community

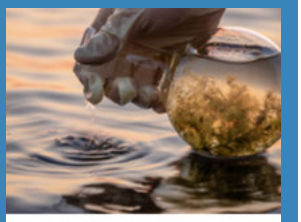
READ



Blog

States Use Data Visualization Tools to Address Health Concerns

READ



Report

Strategies for Messaging about Harmful Algal Blooms: Lessons from State Listening Sessions

READ

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Classroom Mental Health** | Sharon Hoover, National Center for School Mental Health
- **Oregon's Regional Health Equity Coalitions** | Jeffrey Ekoma, ASTHO
- **Minnesota Eyes Maternal Disparities** | Brooke Cunningham, Minnesota Department of Health
- **Tracking Polio in New York** | James McDonald (SHO Designee-NY)

• **Urging COVID-19 Booster Uptake** | Steven Stack (SHO-KY), ASTHO president-elect

LISTEN

PUBLIC HEALTH REVIEW PODCAST

astho PUBLIC HEALTH REVIEW

• **Improving Health Equity With Data** | Nicole Alexander-Scott (alumni-RI) | Harry Chen (alumni-VT) | Anna Bradley, MS, Montana Department of Public Health and Human Services
• **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
• **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
• **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network

LISTEN

ASTHO IN THE NEWS

• **'Shocking' Rise in STIs During COVID Alarms Health Workers.** | *The Pews Charitable Trust* | Kate Heyer, ASTHO
• **The United States is prepared for terrorists, not anti-vaxxers.** | *Raw Story* | Marcus Plescia, ASTHO CMO
• **Is COVID 'Under Control' in the US? Experts Say Yes.** | *Kaiser Health News* | Marcus Plescia, ASTHO CMO
• **Moderna Covid-19 Booster Shortage Leads to Fewer Appointments at Pharmacies.** | *The Wall Street Journal* | Marcus Plescia, ASTHO CMO

BE IN THE KNOW

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Please share this with anyone who would love to hear more about the latest and greatest in public health! Was this forwarded to you? **Click here** to subscribe.

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higher logic

SUBJECT: Re: Family policies
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 03/10/2022 10:11

Tracy -

Aside from the Medicaid items (pregnancy and postpartum) I'm not sure a clear list of items has been communicated to us. At least, not that I can remember or find in messages (IM, text, or email). Would it be helpful for the three of us to touch base to make sure we have a clear understanding of next steps? Happy to work with Trudy to get that scheduled.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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On Mon, Oct 3, 2022 at 8:00 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Good morning.

Do we have any updates on the package of bills we are working on? Let's touch base so I have an update on the bill drafting and progress with sponsors.

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 801-538-4001
tracygruber@utah.gov

Utah Department of Health & Human Services

********** IMPORTANT MESSAGE **********
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SUBJECT: Re: Family policies
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 03/10/2022 20:43

Krisann and I touched base tonight. She has all of the information but I'm happy to connect.

Tracy

Tracy S. Gruber
Executive Director
O: 801-538-4001
tracygruber@utah.gov

Utah Department of Health & Human Services

On Mon, Oct 3, 2022 at 10:11 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Tracy -

Aside from the Medicaid items (pregnancy and postpartum) I'm not sure a clear list of items has been communicated to us. At least, not that I can remember or find in messages (IM, text, or email). Would it be helpful for the three of us to touch base to make sure we have a clear understanding of next steps? Happy to work with Trudy to get that scheduled.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Mon, Oct 3, 2022 at 8:00 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Good morning.

Do we have any updates on the package of bills we are working on? Let's touch base so I have an update on the bill drafting and progress with sponsors.

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 801-538-4001
tracygruber@utah.gov

Utah Department of Health & Human Services

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SUBJECT: Fwd: Family policies
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 04/10/2022 04:41

If it works for you I'm just going to schedule a quick touch base at 2 and fill you in?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

--------- Forwarded message ---------
From: **Tracy Gruber (DHHS)** <tracygruber@utah.gov>
Date: Mon, Oct 3, 2022 at 8:44 PM
Subject: Re: Family policies
To: Marc Watterson (DHHS) <mwatterson@utah.gov>
Cc: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Krisann and I touched base tonight. She has all of the information but I'm happy to connect.

Tracy

Tracy S. Gruber
Executive Director

O: 801-538-4001
tracygruber@utah.gov

Utah Department of Health & Human Services

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SUBJECT: 2022 American Family Survey is out
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 04/10/2022 07:52

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PBS UTAH

UTAH POLICY

RAISING OUR POLITICAL IQ

The Utah Policy newsletter is your one-stop source for political and policy-minded news. We scour the news so you don't have to! Send news tips or feedback to Holly Richardson at editor@utahpolicy.com.

Situational Analysis | Oct. 4, 2022

It's Tuesday and National Taco Day. The ultimate Taco Tuesday.

Yom Kippur, the holiest day in Judaism, begins this evening.

Be in the Know

- The 2022 American Family Survey has been released. This year's survey has 3 important stand-outs: rising economic tension, the "nuance and complexity" of abortion attitudes and the interplay between school policy and parental roles. The American Family Survey is an annual nationwide survey between the Deseret News and the Center for the Study of Elections and Democracy at Brigham Young University. Principal investigators are Christopher F. Karpowitz & Jeremy C. Pope.

Rapid Roundup

- That's a lot of pumpkin pie! A new US record has been set for heaviest pumpkin grown: 2554 pounds; Fat Bear Week has arrived; The Onion files an amicus brief (no, really); a shortage of butter just as "butter boards" gain in popularity; more 80° weather on the way;

The Hinckley Report, PBS Utah's weekly political roundtable, airs Fridays at 7PM. Hosted by Jason Perry and produced in partnership with the Hinckley Institute of Politics on the University of Utah campus, the program provides insight and analysis of the most pressing political issues facing our state.

Utah Headlines

General

- Pandemic restrictions decimated volunteer work nationwide. Here's how — and why — Utah is bouncing back (Deseret News)
- Utah Shakespeare Festival sees another top official resign (Salt Lake Tribune)
- 😟 Draper's $1.6M all-abilities playground damaged before opening (KSL TV)
- Clearfield, Utah named #6 best place to live for families in America (ABC4)

Politics

- American Family Survey: When it comes to abortion, there are the extremes — and then everybody else. New findings show that most Americans hold nuanced views on abortion that could help states craft policy (Deseret News)
- Who's in — and is anyone out — for congressional, Senate debates ahead of midterm election? (Deseret News)
- Trial begins for animal activists accused of stealing 2 piglets from Utah factory farm (Fox13)

Education

- American Family Survey: Are public schools the battlefield for the nation's culture wars? (Deseret News)
- How weightlifting and a brush with death motivated a Utah teacher to help her students never give up (Salt Lake Tribune)
- Can a place to decompress at high school really help prevent suicides? (KSL)
- New Latina dean hopes to help the University of Utah in efforts to become Hispanic serving institution (KSL TV)
- Advocate offers advice in light of reported sexual assault near U of U campus (KUTV)
- Some Utah school districts will cut personnel once federal COVID funds run dry (KUER)

Environment

- The underdiscussed victims of Utah's drought (Deseret News)
- Romney calls for 'aggressive' water conservation in Utah's drought (Fox13)

Family

- American Family Survey: Is marriage dying? Poll ponders pressure points in finance and relationships. The eighth annual survey finds American divided politically, but loving their own families in similar ways (Deseret News)

- American Family Survey: Support for monthly payments to families drops, despite inflation woes (Deseret News)
- American Family Survey: What worries American families. Inflation and how other people discipline their kids are big concerns in national survey (Deseret News)

Housing

- Wasatch Front areas once considered affordable saw biggest rent increases (KUTV)

National Headlines

General

- California wells run dry as drought depletes groundwater (AP)
- See aerial pictures that show Hurricane Ian's toll (NPR)
- Florida faced a housing crisis. Ian has made it worse. (Washington Post)
- Emotional, sexual abuse were 'systemic' in women's soccer, new report finds (NBC News)

Politics

- Herschel Walker paid for girlfriend's abortion in 2009, report says (AP)
- Trump files $475 million defamation lawsuit against CNN (AP)
- Trump's lawyer refused his request in February to say all documents returned. After initial return of 15 boxes, attorney Alex Cannon thought there might be more records at Mar-a-Lago, people familiar with the matter said (Wall Street Journal)
- The landmark Voting Rights Act faces further dismantling at the Supreme Court (NPR)
- Oath Keepers planned an armed rebellion, prosecutor tells jury in sedition case (NPR)
- UN calls on Fed, other central banks to halt interest-rate increases (Wall Street Journal)
- Three huge Supreme Court cases that could change America. The justices will soon hear major cases on voting rights, affirmative action and partisan gerrymandering. Here's a preview. (New York Times)
- Supreme Court declines to hear Utah gun rights activist's appeal to overturn bump stock ban (KSL)

Ukraine UA

- Russian losses evident in key liberated Ukrainian city (AP)
- Ukraine forces break through Russian defences in south, advance in east (Reuters)
- Ukrainian Advance Outstrips Russian Efforts to Mobilize Reinforcements (Wall Street Journal)
- Three months after a defeat, Ukraine is poised at the doorstep of Donbas. (New York Times)
- Frustration with Ukraine war spills out on Russian state TV (AP)
- U.S. to send Ukraine more advanced rocket systems, officials say. The systems have become a key tool in Ukraine's ability to strike bridges that Russia has used to supply its troops. (Politico)

World News

- North Korea sends missile soaring over Japan in escalation (AP)

- Motorcycle-riding gunmen killed a longtime radio commentator in metropolitan Manila in the latest attack on a member of the media in the Philippines, considered one of the world's most dangerous countries for journalists. He had been a prominent critic of President Marcos. (AP)
- UN flood aid appeal jumps amid disease surge in Pakistan (AP)

News Releases

Romney names Mandee Grant as new Utah State Director

U.S. Senator Mitt Romney (R-UT) has named Mandee Grant to serve as his next Utah State Director. Grant previously served as Senator Romney's Business Outreach Director, where she worked closely with business owners, economic development directors, chamber presidents, and business and community leaders throughout the state.

Prior to her position as Business Outreach Director with Senator Romney's team, Grant spent more than 25 years in the private sector working as a strategy consultant to Fortune 100 companies. A California native, she received her Master's Degree in Public Administration from the University of Southern California. (**Read More**)

Owens co-sponsors legislation to help veterans secure VA home loans

Yesterday, Rep. Burgess Owens (UT-04) co-sponsored the VA Loan Informed Disclosure (VALID) Act of 2022, bipartisan legislation to help ensure America's veterans have the tools and resources to access home loans and attain homeownership.

"America's veterans and their families have sacrificed so much to preserve our freedoms," said Rep. Owens. "Unfortunately, these brave men and women face far too many hurdles to access the benefits and care they have earned. I am proud to support the VALID Act of 2022 to keep veterans informed of their loan options and do all we can to help these heroes after they return home from service." (**Read More**)

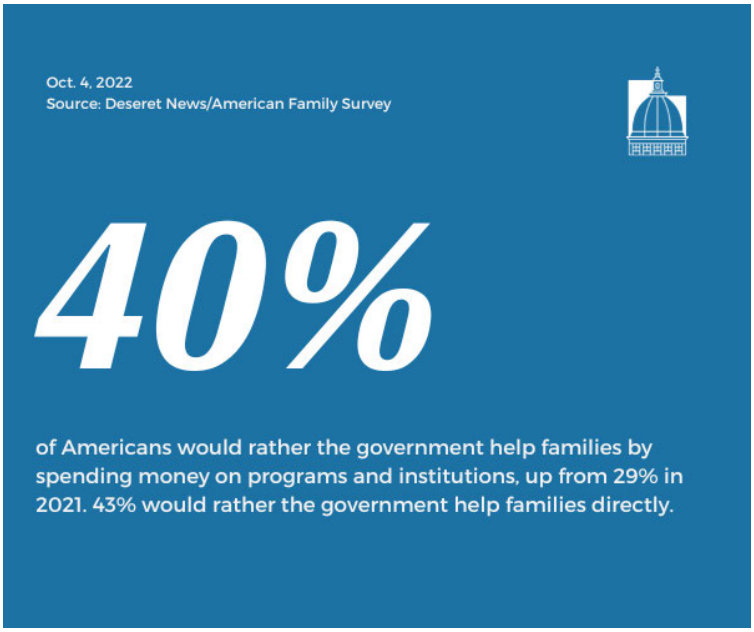
Utah Taxpayers Association statement on Proposition 2 in Orem: Vote YES

After extensive research and analysis, the Utah Taxpayers Association wanted to provide the taxpayers of Orem with accurate information that will hopefully inform them as they vote on Proposition 2. The Association has gathered information from the Utah County Assessor, the Utah State Tax Commission, the Utah State Board of Education and the Office of the Legislative Fiscal Analyst...

With the proper taxable property values in the proposed district and conservative estimates of state funding and federal funding, it is reasonable to conclude that an Orem school district would very likely have sufficient revenue to support itself without the need for a property tax increase. In fact, an independent feasibility study was conducted that came to this conclusion. By our own calculations, if higher taxes were needed, any near term increase would be very modest. If the cities of Lindon and Vineyard were added to the new district eventually as well, the tax base would be even stronger. Finally, in a smaller district that was Orem-centric, Orem taxpayers could better hold the new school board accountable for any proposed bonds or changes in tax

rates...Orem taxpayers are justified in seeking more local control over their contribution to education, and the Utah Taxpayers Association urges Orem taxpayers to vote in favor of Proposition 2. (**Read More**)

Number of the Day

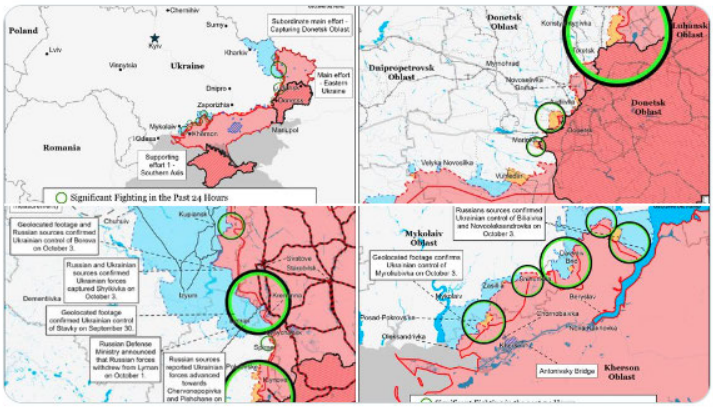


Tweet of the Day

ISW
@TheStudyofWar

NEW: Ukrainian forces have made substantial gains around #Lyman and in northern #Kherson Oblast over the last 24 hours. The Russian units defeated on these fronts were previously considered to be among #Russia's premier conventional fighting forces.

isw.pub/RusCampaignOct3



Upcoming

- **Why it Matters** international conference — Oct 5-7, UVU, **Register here**

- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1822** - Rutherford B. Hayes is born. He became the 19th US President (Republican: 1877-81)
- **1854** - Abraham Lincoln makes his 1st political speech at the Illinois State Fair
- **1896** - Dorothy Lawrence, the only woman to serve on the front lines in WWI, is born
- **1908** - Eleanor Flexner is born. An influential author and historian, she wrote *Century of Struggle: The Women's Rights Movement in the United States* and *Mary Wollstonecraft: A Biography*.
- **1915** - Dinosaur National Monument is established
- **1927** - Work begins on Mount Rushmore
- **1944** - General Eisenhower warns of the risk of "shell shock"
- **1957** - Sputnik launched by the USSR, inaugurating the Space Age
- **1976** - Barbara Walters becomes the first woman co-anchor of the evening news (at ABC)
- **1988** - Televangelist Jim Bakker is indicted on federal charges
- **1993** - Ruth Bader Ginsburg joins the U.S. Supreme Court as its second woman Justice
- **1993** - Troops and tanks of President Boris Yeltsin shell and occupy the Russian "White House" in Moscow, the Russian Parliament building. (Fun fact - I was on a plane to Moscow the next day, headed to Kazakhstan where our daughter became international adoptee #5 and saw the burned out building myself.)
- **2006** - WikiLeaks is launched

- **2008** - Sheryl Sandberg becomes the COO of Facebook

Wise Words

"politics ... is the hottest, most dangerous subject in the land. It's not only a conversation-wrecker, it's a friendship-wrecker, a family-wrecker, a job-wrecker, a future-wrecker."

—Barbara Walters

The Punny Side

Where do boats go when they're sick?

To the dock.

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SUBJECT: RE: DHHS Legislatively Required Reports
FROM: Seth Anderson <sanderson@le.utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Mark Andrews<markandrews@le.utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "AlRomeo (DHHS)" <alromeo@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>,"Bree Barbeau (DHHS)" <bbarbeau@utah.gov>, "Colin Kingsbury (DHHS)"<ckingsbury@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>,"John Curless (DHHS)" <jcurless@utah.gov>, "Carol Ruddell (DHHS)"<cgruddell@utah.gov>, Brent Kelsey <bkelsey@utah.gov>, "Linda Wininger(DHHS)" <lindaw@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, JillParker <jparker@ualhd.org>
DATE: 04/10/2022 14:06

Thanks, Marc – much appreciated!

-Seth

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Friday, September 30, 2022 6:12 PM
To: Seth Anderson <sanderson@le.utah.gov>; Mark Andrews <markandrews@le.utah.gov>
Cc: DHHS_EDO <dhhsedo@utah.gov>; Guy Dansie (DHHS) <gdansie@utah.gov>; Al Romeo (DHHS) <alromeo@utah.gov>; Cindy Burnett (DHHS) <cburnett@utah.gov>; Bree Barbeau (DHHS) <bbarbeau@utah.gov>; Colin Kingsbury (DHHS) <ckingsbury@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>; John Curless (DHHS) <jcurless@utah.gov>; Carol Ruddell (DHHS) <cgruddell@utah.gov>; Brent Kelsey <bkelsey@utah.gov>; Linda Wininger (DHHS) <lindaw@utah.gov>; Kyle Lunt (DHHS) <kylelunt@utah.gov>; Jill Parker <jparker@ualhd.org>
Subject: DHHS Legislatively Required Reports

HHS Staff -

Attached are the following DHHS legislatively required reports due by October 1st, 2022:

- DHHS | LHD Recommendations on Birth Certificate Fees (HB 341, 2022)
- Suicide Prevention Technical Assistance Report
- Health Coverage Improvement Program Report
- Adult Autism Treatment Program Advisory Committee
- Hepatitis C Outreach Pilot Program
- Drinking While Pregnant Prevention Media and Education Campaign
- Air Ambulance Rates Report

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

SUBJECT: Re: Family policies
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 04/10/2022 14:38

Tracy -

From my conversation with Krisann, I understand that the LG has had initial conversations with select lawmakers and our next steps for each items are as follows:

- Postpartum
  - Continue to follow up with Kennedy (Paul)
- Caregiver Compensation
  - Follow up DHHS staff (Angie Pinna and Tonya Hales) and Harper on needed changes to code
- Data Privacy
  - Wait to hear back from the LG on whether McCay or Cullimore will take this on
  - Follow up with them once she has decided (Marc)
- Health Care Coverage in Child Support Orders
  - Follow up with Weiler (Marc)

Please let me know if this is correct.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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O: 801-538-4001
tracygruber@utah.gov

Utah Department of Health & Human Services

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SUBJECT: Job openings drop in August, layoffs tick up
FROM: Utah Policy <info@utahpolicy.com>
TO: mwatterson@utah.gov
DATE: 05/10/2022 07:47

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Situational Analysis | Oct. 5, 2022

[redacted]

It's Wednesday and World Teachers' Day. 🍎 A huge thanks to them for the work they do.

Be in the Know

- Job opening in the US fell by 10% in August, in a sign that the labor market is starting to cool. Layoffs were up slightly and the percentage of workers who quit last month held steady at 2.7%.
- New York Yankees' Aaron Judge hit his 62nd home run of the season last night, surpassing Roger Maris' record for month home runs in a single season in American League history, and the seventh most in MLB history.

Rapid Roundup

- Loretta Lynn dead at age 90; the national debt passed $31 trillion, a new record; he investigation into the disappearance of 19-year-old Dylan Rounds is now being considered a "possible homicide;" the SLC downtown Hilton has 40,000 bees on its roof - on purpose; Blair Jensen, a welding teacher in Riverton, won a $50,000 national teaching prize 👏 👏 ; Logan City School District votes to cover student lunches; OPEC plans to cut oil production to boost prices. I guess they aren't high enough yet.

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Utah Headlines

General

- Perspective: Why do so few people care about what is true anymore? (Deseret News)
- Meet the Utah poet long-listed for a national award for her collection on Black pioneerism. Rio Cortez is from Salt Lake City and says growing up as a Black woman, particularly as a teenager, in the state was isolating. (Deseret News)
- A Conversation with Poet Rio Cortez (RadioWest)
- Utah food prices continue to rise despite slowdown in overall inflation (KUTV)

Elections

- Editorial Board: After 'the big lie,' this is how we protect our elections (Deseret News)
- Evan McMullin sues Club for Growth, Utah TV stations over attack ad. Independent Senate candidate says ad is false and wants a judge to block it from airing (Deseret News)
- Fact check: Attack ad dishonestly edits 2017 comments from Utah candidate Evan McMullin (KSL TV)
- Utah advertising agency president says McMullin attack ad lawsuit may be uphill battle (KUTV)
- In Ogden stop, Lee puts focus of reelection bid on regaining GOP majority (Standard-Examiner)
- Republican Salt Lake County clerk candidate walks back social media posts claiming the 2020 election was 'stolen' (Salt Lake Tribune)
- A competitive house race in Weber County? (UTPOL Underground)
- On Message with Marty Carpenter: Seal of approval (UTPOL Underground)

Politics

- Malin Moench: The fatal flaw in Utah's Inland Port idea. The inland port attempts to help a supply chain crisis, but it would be counterproductive to send goods to Salt Lake City and then backhaul them for distribution. (Deseret News)
- Salt Lake County narrowly passes resolution condemning the Little Cottonwood gondola. Though the resolution has little sway over the project, some Council members say it sends a cautionary message to state lawmakers (Deseret News)
- Adam Lenhard resigns as St. George city manager (Salt Lake Tribune)
- Former Toquerville mayor denies conflict of interest in contract with developer. Keen Ellsworth was actively involved in the proposed Toquerville Athletic Recreation Complex, or ARC. (Salt Lake Tribune)
- New Utah state flag designs advance — with changes (Fox13)

Business

- Chatbots and virtual assistants: the future of customer service (Deseret News)
- 'The future is here': Intermountain launches drone delivery service, first of its kind in the West (Deseret News)
- Homie CEO steps down amid employee layoffs (KSL)
- Tupper*where*? A 76-year-old staple of door-to-door sales is now selling at Target (KSL)
- Arizona and Utah lead the way on legal industry change (Reuters)

Education

- Perspective: Parents are right to be concerned about what kids read. The adults in the room — if any are left — need to figure out how to talk about controversial books (Deseret News)
- Samantha Hutchinson: After pandemic upheaval, we can't let food insecurity interrupt learning (Deseret News)
- New interim superintendent chosen for Salt Lake City School District. Martin Bates, a former superintendent of Granite School District, will begin leading the district Wednesday. (Salt Lake Tribune)
- Some say process wasn't transparent as SLC School District appoints interim superintendent (KUTV)

- Orem, Alpine School District split debate centers on whose math you believe (KSL TV)
- U of U celebrates new digital database honoring Utah's Black history (KUTV)
- Parent-sponsored dance organized for students turned away over dress code violations (KUTV)
- SLC School Board votes to raise extracurricular travel fees by $300 (Fox13)
- Utah Tech University to induct alumni Sydnee Dickson, Steven Snow into Hall of Fame (St. George News)
- Here's what this year's Clery crime reports say about Utah State and Southern Utah universities (KUER)

Environment

- Waterfowl hunters warned to avoid toxic algal blooms (Fox13)
- They're back: Grasshoppers once again invade southern Utah and Nevada (St. George News)
- Utah leaders ask businesses to contribute to water conservation amid Colorado River shortage (KSL Newsradio)
- Statewide campaign sets out to 'Clean the Darn Air' (UPR)

Health

- Heading overseas? Here's why travel advisories about COVID-19 aren't being updated: CDC says ability to asses risk is 'limited' (Deseret News)
- SafeUT app sees big increase in tips on threats, chat use (KSL TV)
- Utah may add more cannabis dispensaries while some patients opt for out-of-state, black market (Fox13)

Housing

- Unaffordable Utah: Mortgage rates climb again as buyers look for price reductions (KSL)
- Who's responsible for fixing Utah homes riddled with problems? (KUTV)

National Headlines

General

- After all the talk about concussions, how did NFL let this happen? In looking at the Tua Tagovailoa situation, there was a breakdown in common sense (Deseret News)
- Police have linked several shootings to a possible serial killer in Stockton, Calif. (NPR)
- The father who helped his son cross the finish line at the Olympics has died (NPR)
- OPEC+ is expected to cut oil production as it seeks to boost the price (NPR)
- Musk says he wants Twitter again and will pay $44B price (AP)
- WTO sees sharp slowdown in global trade, pointing to possible recession, lower inflation. Slowing demand in the West and the travails of the Chinese economy are weighing on imports and exports of goods (Wall Street Journal)

Politics

- Ranked-choice voting: Will it lead to Sarah Palin's political comeback? (Deseret News)

- The religion cases to watch in the Supreme Court's new term (Deseret News)
- Republicans have edge on crime, immigration ahead of U.S. midterms - Reuters/Ipsos poll (Reuters)
- Walker's team knew of an abortion allegation months before it surfaced. His team was aware and had time to prepare. They just hoped it wouldn't come out before the election. (Politico)

Ukraine UA

- What happens if Putin decides to cut his losses in Ukraine? (NPR)
- Putin signs annexation of Ukrainian regions as losses mount (AP)
- Ukraine's new offensive is fueled by captured Russian weapons. Tanks, howitzers and ammunition left behind by retreating Russian forces are now being used against their former owners (Wall Street Journal)
- Russians fleeing the draft find an unlikely haven in Kyrgyzstan (New York Times)
- Putin faces limits of his military power as Ukraine recaptures land (Washington Post)

World News

- The distant famine: How Covid-19 and war in Ukraine are leaving Sudan on the brink (Deseret News)
- 'So many children dying': Somalia drought brings famine near (AP)
- Swedish MEP cuts hair during speech in solidarity with Iranian women (Reuters)

Utah's educational gender gap

by Holly Richardson

New research and a resulting policy brief from the Utah Women and Leadership Project looked at Utah's educational achievement gender gap. According to the U.S. Census Bureau, women are earning more bachelor's degrees than men across the country, 20.6% to 19.8%. Our overall rates are higher in Utah, and nearly even between men and women, with 23.0% of Utah women earning a bachelor's degree and 22.6% of Utah men. Nationally, 12.4% of men are earning graduate degrees, while 13% of women earn graduate degrees. Utah inverts the national trend of women earning more graduate degrees than men, with only 9.3% of Utah women and 14.1% of Utah men earning graduate degrees.

It matters. In Utah, "at every educational level, men earn more than women who have achieved a higher level of education: men with a high school diploma earn more than women with an associate's degree, men with a bachelor's earn more than women with a graduate degree, and men's prospective postgraduate salaries are higher than women's." Education level and income are both tied to rates of domestic abuse in Utah — the higher the education level and/or the higher the income, the lower the reported rates of domestic abuse. (**Read More**)

News Releases

Gov. Cox appoints John Luthy to the Utah Court of Appeals

Utah Gov. Spencer J. Cox has appointed John D. Luthy to the Utah State Court of Appeals. Judicial appointments are subject to confirmation by the Utah Senate.

Luthy is a Cache Valley native and has been practicing law since 2003. Currently, Luthy serves as Cache County Attorney, overseeing criminal prosecution in Cache County. Prior to that, he served as chief civil deputy county attorney in Cache County and was an attorney in private practice at Peck Hadfield Baxter & Moore in Logan and Suitter Axland in Salt Lake City. In addition, Luthy taught legal research, analysis and writing and advanced legal writing at the University of South Carolina School of Law. (**Read More**)

Utah Senate requests public comment on Utah Court of Appeals nominee

The Utah Senate Judicial Confirmation Committee is seeking public comment on John D. Luthy, who Gov. Spencer J. Cox nominated to serve as a Utah State Court of Appeals judge.

Those who desire to comment should contact the Utah Senate Judicial Confirmation Committee electronically or by mail at the Office of Legislative Research and General Counsel by 4:00 p.m. Wednesday, October 19, 2022. Electronic comments can be emailed to senatejudicialnominees@le.utah.gov. Written comments can be mailed to the Utah Senate Judicial Confirmation Committee at the Utah State Capitol, Suite W210, PO Box 145210, Salt Lake City, Utah 84114-5210. All statements should include the respondent's name, telephone number and mailing address. (**Read More**)

Gov. Spencer J. Cox presents Award for Excellence to state employees

Twenty-three state employees were recipients of the Governor's Award for Excellence. Gov. Spencer J. Cox presented the awards during a ceremony Tuesday afternoon at the Kearns Mansion. The awards are an annual event designed to recognize the contributions of state employees in the categories of innovation and efficiency, energy and environment, heroism, leadership, and outstanding public service. The award recipients were selected as examples of distinguished service and dedication to the citizens of Utah.

The Governor's Award for Excellence was created in 2007 as a way to recognize the outstanding work of state employees and honor their achievements. (**Read More**)

Salt Lake County Mayor and Council pass joint resolution opposing gondola in favor of common-sense solutions

Salt Lake County Mayor Wilson and the County Council passed a joint resolution recommending that the Utah Department of Transportation (UDOT) eliminate the gondola from consideration and instead adopt the Common-Sense Solutions Approach, citing it as the more fiscally conservative and environmentally sound option.

Dozens of Salt Lake County residents spoke against the gondola at the Salt Lake County Council work meeting.

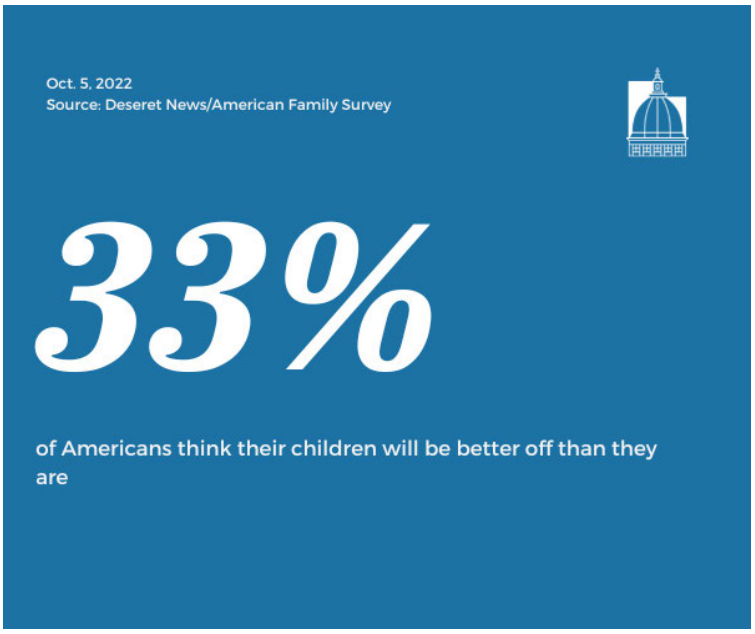
"Instead of constructing 23 sky-scraper-sized gondola towers that will devastate the majestic views of the canyon, UDOT should pursue common-sense solutions that invest in more practical, adaptable, and less invasive transportation strategies," said Salt Lake County Mayor Wilson. (**Read More**)

Owens backs legislation to make Republican tax cuts permanent

Rep. Burgess Owens (UT-04) co-sponsored the TCJA Permanency Act,legislation to make permanent tax cuts for individuals and small businesses originally enacted as part of the Tax Cuts and Jobs Act (TCJA) of 2017.

Without Congressional action, 23 different provisions of the 2017 Republican tax law are set to expire after 2025. According to the Tax Foundation, "most taxpayers will see a tax hike unless some or all provisions are extended." (**Read More**)

Number of the Day



Tweet of the Day

The New York Times
@nytimes

UN investigators in Ukraine say they are receiving accounts of Russian forces torturing civilian and military prisoners — sometimes to the point of death. At the same time, people are disappearing frequently in areas controlled by Russia and its proxies.

Upcoming

- **Why it Matters** international conference — Oct 5-7, UVU, **Register here**
- **ULCT Annual Convention** — Oct 5-7, Salt Palace Convention Center, **Register here**
- **UWLP Book Club: How Women Rise By Sally Helgesen & Marshall Goldsmith —**Oct. 6 & Nov. 10, 12:00pm-1:00pm or 7:30pm-8:30pm; Virtual, **Register here**
- **One Utah Summit** — Oct 11-13, Southern Utah University, **Register here**
- **Breakfast Briefing: The New Look of Transportation in the 2020s** with the Utah Foundation — Oct. 13, 8:30 am, Zions Bank Founders' Room, **Register here**
- **Senate debate between Mike Lee and Evan** McMullin — Oct. 17, 6 pm, at UVU
- **Interim Days** — Oct 18-20, **le.utah.gov**
- **Effecting Societal Change for Child Sexual Abuse** — Oct. 26, 8:00am-11:30am; Virtual and in-person at Saprea in Lehi, UT, **Register here**
- **General election –** Nov 8
- **Hacks to Help Women Maximize Income and Minimize Expenses** — Nov. 9, Noon-1:00pm; Virtual, Register here
- **Utah Foundation's 2022 Annual Luncheon** — Nov. 16, noon, Salt Lake Marriott Downtown at City Creek, Register here
- **Utah Economic Outlook and Public Policy Summit** with the Salt Lake Chamber — Jan. 12, 2023, Salt Lake City Marriott, 8 am - noon, **Register here**

On This Day In History

- **1789** - Nearly seven thousand women march on Versailles
- **1818** - Nancy Hanks Lincoln, mother of Abraham Lincoln, dies at 34
- **1829** - Chester Arthur is born. He became the 21st president of the US
- **1902** - Ray Kroc is born.
- **1942** - 5,000 Jews of Dubno, Russia massacred
- **1947** - Harry Truman delivers first-ever presidential speech on TV
- **1959** - Maya Lin is born. An artist, she was the architect of the Vietnam Memorial in Washington D.C. and other public sculptures.
- **1970** - PBS begins broadcasting
- **1989** - Dalai Lama wins Nobel Peace Prize
- **2011** - Apple founder Steve Jobs dies of pancreatic cancer
- **2017** - "The New York Times" publishes an investigation into sexual harassment behavior by Hollywood producer Harvey Weinstein
- **2018** - Mormon Tabernacle Choir name changed to The Tabernacle Choir at Temple Square

Wise Words

"People think focus means saying yes to the thing you've got to focus on. It means saying no to the hundred other good ideas that there are. You have to pick carefully."

—Steve Jobs

The Punny Side

I can't believe someone broke into my house and stole all of my fruit.

I am peachless.

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SUBJECT: Top Stories: Avenues 'cottages' rezone approved despite heavy pushback
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 24/06/2022 07:01

View this email in your browser

sltrib.com

TOP STORIES

Friday, June 24, 2022

By Jeff Dempsey

Top News

Rezone for Avenues 'cottages' gets thumbs-up

The decision comes despite heavy neighborhood pushback. [Read more]

Here's how this app incentivizes kids to prep for higher ed

Students can win Chick-fil-A, movie passes and more through the program. [Read more]

Undercover video attempts to paint Becky Edwards as pro-abortion

The candidate has consistently said she respects the sanctity of life. [Read more]

Project Veritas inserts itself in Utah's Republican primary

Robert Gehrke writes that it should give all Utahns pause. [Read more]

Federal officials want to remove 750 wild horses from southwestern Utah

Officials say the booming population is a problem, while critics say the horses are being scapegoated. [Read more]

Here's how to play The Tribune's Utah Arts Festival scavenger hunt

Play the game and win prizes! [Read more]

Jan. 6 hearing: Several House GOP members requested pardons

One asked for pardons for a group of lawmakers that included Utah Reps. Chris Stewart and Burgess Owens. [Read more]

Quick Hits

• Watts in the wild: Utah has plans for electrifying its scenic highways.

• Attorneys for transgender students are seeking to block the school sports ban from taking effect.

• Why was Utah Attorney General Sean Reyes at a party with Jazz center Rudy Gobert?

• Hill Air Force Base air show: How to get there, and how to park (or not).

• Ten more Utahns died of COVID-19 in the past week.

• Left Fork Fire update: The wildfire outside Bryce Canyon National Park has grown to 4,600 acres and remains only 5% contained.

• Behind the Headlines: New details from Utah County, the Little Cottonwood Canyon "boondoggle" and more.

• Goblin Valley State Park just tripled in size. What changed?

• A Utah theater troupe is reaching out to a new audience: People experiencing homelessness.

• People from around the country flock to Great Salt Lake for a swim.

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Salt Lake City, Utah 84101

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No longer want to receive any emails from us? Unsubscribe here.

SUBJECT: (P) COVID Dashboard Aggregate Daily File
FROM: USIIS@utah.gov
TO: usiis@utah.gov, ktsuyuki@utah.gov, hecurtin@utah.gov, mhofmann@utah.gov, jessicapayne@utah.gov, jsurkis@utah.gov, cdcimmnaa1@utah.gov, jdemeny@utah.gov, tpotvien@utah.gov
DATE: 24/06/2022 07:03

State of Utah USIIS Program - Emailed Attachment.

SUBJECT: DRAFT - DHHS Abortion FAQs
FROM: "Joe Dougherty DHS (via Google Docs)" <drive-shares-noreply@google.com>
TO: mhofmann@utah.gov
CC: aslater@utah.gov, brittanyhuff@utah.gov, bdorff@utah.gov, carmenrichins@utah.gov, chaley@utah.gov, crmeaders@utah.gov, cmeaders@utah.gov, davidlitvack@utah.gov, hborski@utah.gov, jnp@utah.gov, jstrohecker@utah.gov, jennyjohnson@utah.gov, katieengland@utah.gov, kristigrimes@utah.gov, lbaksh@utah.gov, lindaw@utah.gov, lpnilson@utah.gov, mwatterson@utah.gov, natechecketts@utah.gov, ntaxin@utah.gov, pray@utah.gov,

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

sbolivar@utah.gov, stephaniesaperstein@utah.gov, tonypatterson@utah.gov, thales@utah.gov, tracygruber@utah.gov
DATE: 24/06/2022 08:29

Joe Dougherty DHS shared a document

Joe Dougherty DHS (joedougherty@utah.gov) has sent a message regarding the following document:

The Supreme Court has overturned Roe v. Wade.
[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because joedougherty@utah.gov shared a document with you from Google Docs.

SUBJECT: Out-of-Office Re: DRAFT - DHHS Abortion FAQs
FROM: "Michelle Hofmann" <mhofmann@utah.gov>
TO: 3Wsq1YhQKCOEGULYH-VKDUHV-QRUHSObJRRJOH.FRPPKRIPDQQXWDK.JRY@doclist.bounces.google.com
DATE: 24/06/2022 08:29

I am out of the office until June 24, 2022 with no cell phone or email access. For urgent needs related to the Clinical Services Section please contact Rebecca Brown at rebeccab@utah.gov or 385-227-9672. For urgent needs related to the Executive Director's Office please contact Tonya Merton at tmerton@utah.gov or 385-266-0510.

Thank you,
Michelle

--
Michelle Hofmann
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://health.utah.gov
https://hs.utah.gov

Beginning July 1, 2022, we will be the Utah Department of Health and Human Services

Utah Department of Health & Human Services

SUBJECT: Security at DHHS Facilities
FROM: Nate Winters DHS <natewinters@utah.gov>
TO: DHHS ELT <DHHS_ELT@utah.gov>
CC: "Tyson Walker (DHS)" <tysonwalker@utah.gov>
DATE: 24/06/2022 08:32

Good Morning ELT,

[redacted]

Please let me know if you have any questions.

Thanks,

Nate

Nate Winters
Deputy Director
C: 801.450.2098
natewinters@utahg.gov
hs.utah.gov
health.utah.gov

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: WATCH: President Biden to Deliver Remarks on Dobbs v. Jackson Women's Health Organization
FROM: White House Intergovernmental Affairs <IGA46@who.eop.gov>
TO: <mhofmann@utah.gov>
DATE: 24/06/2022 09:34

THE WHITE HOUSE
WASHINGTON

June 24, 2022

WATCH: President Biden Remarks on the Supreme Court's Decision in Dobbs at 12:30 PM ET

This afternoon, the President will deliver remarks on the Supreme Court decision on Dobbs v. Jackson Women's Health Organization to overturn Roe v. Wade.

WATCH HERE: https://www.whitehouse.gov/live/
Today at 12:30 PM ET

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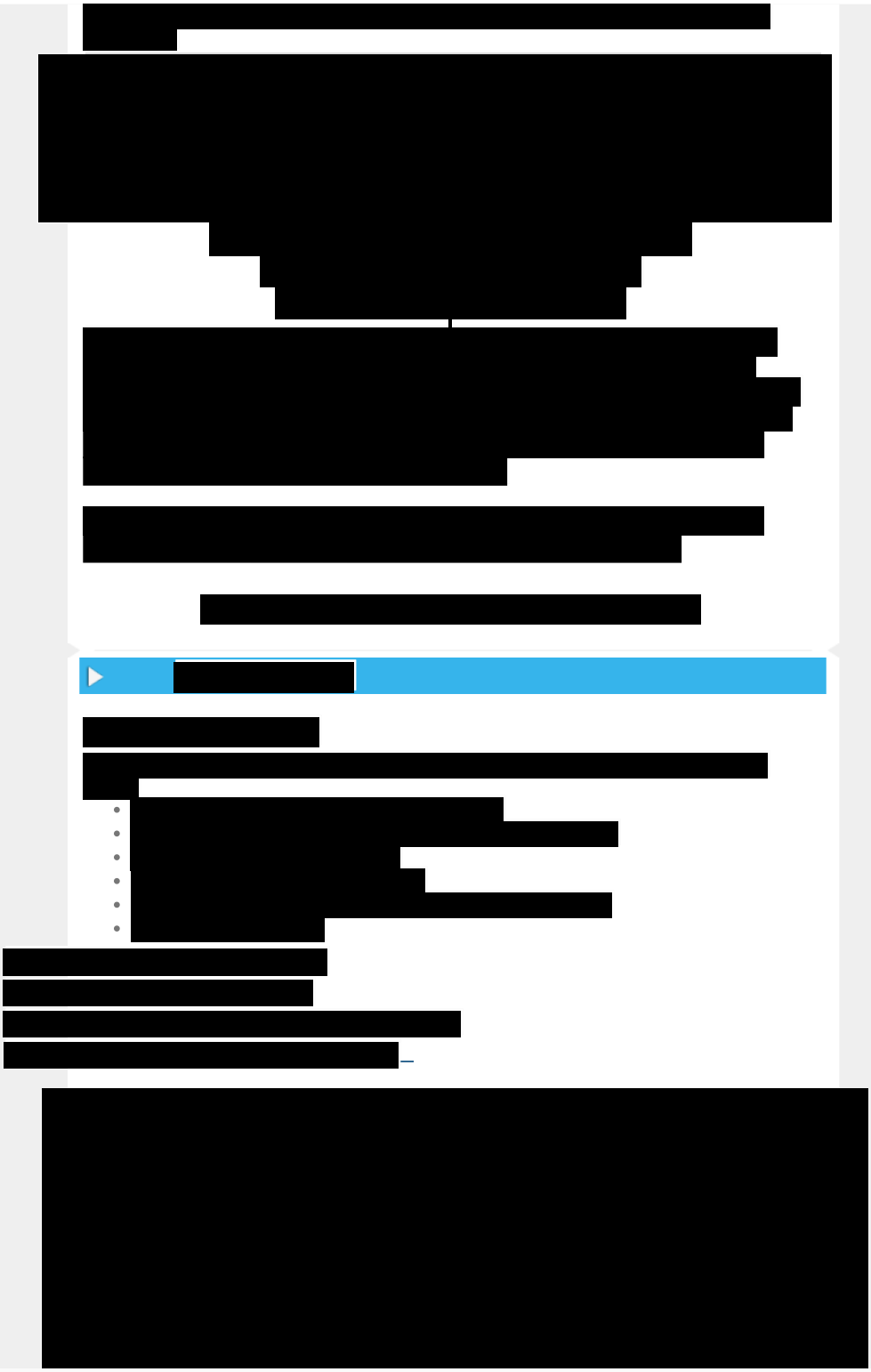
[redacted]

[redacted]

[redacted]

[redacted]



[redacted]

SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 24/06/2022 09:47

Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Utah State Board of Pharmacy

State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

ption/Agenda:

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve May 24, 2022, Meeting Minutes
3. Investigation Report - Camille Farley
4. CSD Update - Jeff Henrie
5. Advisory Pharmacy Compounding Education Committee Update
APPOINTMENTS:
9:05 am Compliance Report-Bernice Palama
9:15 am Super Drug & Herbal Store, Educational Interview
9:30 am Christopher Young, Probationary Interview
9:45 am Hopewell Pharmacy, Stipulation Review
10:00 am Varduhi Aleksanyan, Intern Extension Request
10:10 am Hyrum Nichols, Intern Extension Request
DISCUSSION ITEMS:
- Birth Control Standing Order
- Drug Purchasing Fraud Alert
- Foreign Pharmacy Students
- Amphetamines & Pregnancy
- Cyber Security HB 80
NEXT SCHEDULED MEETING: Tuesday, July 26, 2022
2022 Board Meetings Tentatively Scheduled
Aug 23, Sept 27, Oct 25, Nov 29, Dec 20
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Uta 84115, 801-530-6628 or toll-free in Utah only 866-275-3675. Posted to Public Website: June 24, 2022

of Special Accommodations:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Division ADA Coordinator at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Utah 84115, (801) 530-6628 or toll-free in Utah only (866) 275-3675.

of Electronic or telephone participation:

Electronic participation is planned for this meeting.

nformation:

on:

160 East 300 South - 4th floor, Salt Lake City, 84111

ct information:

Jennifer Falkenrath , jzaelit@utah.gov, (801)530-6628

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SUBJECT: DRAFT - DHHS Abor... - Assigned to: @mhofmann@utah.gov @jstr...
FROM: "Brook Dorff (DHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: mhofmann@utah.gov
DATE: 24/06/2022 10:18

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Tonya Hales (thales@utah.gov) mentioned you in a comment in the following document

[redacted]

1 comment

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google Docs sends you. You can reply to this email to reply to the discussion.

SUBJECT: Utah reacts to Supreme Court abortion ruling
FROM: The Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 24/06/2022 11:49

View this email in your browser

The Salt Lake Tribune

[redacted]

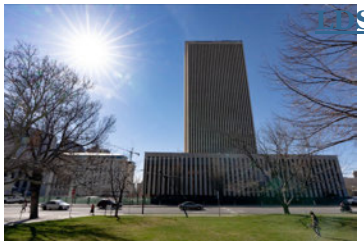
[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Supreme Court clears way for Utah's abortion trigger law

Utah will likely ban abortions, except in a few limited circumstances. [Read more]

Utahns cheer, jeer the end of Roe v. Wade

Some Utahns are celebrating the court's decision, while others decried it. [Read more]



LDS Church, Catholics, other faith leaders react to end of Roe v. Wade

The LDS Church says its position on abortion "remains unchanged." [Read more]

- Here is what 4 women wish Utahns knew about abortion.
- Here is where Utahns can go if abortions are banned in the Beehive State.
- What you need to know about the Utah Abortion Fund.

Continuing coverage

For further coverage on the overturn of Roe v. Wade, local reactions, protests and more, visit The Salt Lake Tribune on Facebook, Instagram and Twitter.

To support our ongoing coverage of abortion news affecting our local community, subscribe today.

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The Salt Lake Tribune

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Salt Lake City, Utah 84101

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SUBJECT: TODAY 3PM ET: Call with Senior White House Officials on the Supreme Court Decision in Dobbs v. Jackson
FROM: White House Intergovernmental Affairs <IGA46@who.eop.gov>
TO: <mhofmann@utah.gov>
DATE: 24/06/2022 12:14

THE WHITE HOUSE
WASHINGTON

[redacted]

June 24, 2022

TODAY at 3 PM ET White House Call on the Dobbs v. Jackson Women's Health Organization Decision

Partners,

Today, the Supreme Court expressly took away a Constitutional right from the American people.

Join Administration officials for a call at 3pm ET TODAY to hear more about the Supreme Court's ruling and the fight ahead.

- **DATE:** TODAY, Friday 6/24/22
- **TIME:** 3pm ET
- **REGISTRATION:** https://pitc.zoomgov.com/webinar/register/WN_aiGU4ScyQwahxYLHRv2X0A

This call is closed to the press, and this invitation is non-transferable.

Earlier today, the President and Attorney General made clear that the Administration will defend a woman's bedrock right to travel from her home to a state that allows abortion. In addition, the President directed the Department of Health and Human Services to ensure critical abortion medications are available to the fullest extent possible.

Key Links:

- President Biden's Remarks on the Supreme Court Decision
- Attorney General Garland's Statement
- Secretary Becerra's Statement

Thank you,

White House Intergovernmental Affairs

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[redacted]

[redacted]

[redacted]

SUBJECT: DHHS EDO
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: "Heather Barnum (DHS)" <reply-106989973896876856555@profiles.google.com>,Michelle Hofmann <mhofmann@utah.gov>,Trudy Ellis DHS

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

<trudyellis@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Rebecca Brown <rebecca.b@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Nate Checketts <natecheckettsutah@gmail.com>, Lori Erickson DHS <lerickson@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Tony Merton <tmerton@utah.gov>
DATE: 24/06/2022 12:28

Joe Dougherty DHS, 2022-06-24 11:28:24
If you want to watch the LCC's interview, Brian Mullahy designed it here: https://www.facebook.com/BrianMullahyKSLTV/videos/502515521929971&vh%3De&gl=US&ved=2ahUKEwiOgOr9hOH4AhUZFlkFHbqGCHcQtwJ6BAgBEAI&usg=AOvVaw0Sq0r9hOH4UoZHLJ66gh

About 1:13 into the video, she's discussing one that Utah is a family friendly state and that we should be more family friendly. She said that doesn't just mean pro-life, but it can include making contraceptives easier to obtain.

David Litvack (DHS), 2022-06-24 11:31:28
Thanks Joe!

Joe Dougherty DHS, 2022-06-24 12:05:22
One other update from the team on July 1 the new website will have a soft launch and be live on Monday. Not for the general public, but for [redacted] people.

Joe Dougherty DHS, 2022-06-24 12:05:39
Sorry, not for the general public to know...just this group for now.

SUBJECT: Spreadsheet shared with you: "State Resources for Mothers and Families"
FROM: "Paul Ray DHS (via Google Sheets)" <drive-shares-dm-noreply@google.com>
TO: mhofmann@utah.gov
CC: amorelz@utah.gov, brettmarkpeterson@utah.gov, ddiez@utah.gov, dmoore@utah.gov, janaeduncan@utah.gov, jstrohecker@utah.gov, mwatterson@utah.gov, ntaxin@utah.gov, tracygruber@utah.gov
DATE: 24/06/2022 13:41

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Paul Ray DHS shared a spreadsheet

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EARN [redacted] BOOK

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Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

SUBJECT: FWD: FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
FROM: Tonya Hales <thales@utah.gov>
TO: Carmen Richins <carmenrichins@utah.gov>, Charla Haley <chaley@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Clover Meaders <crmeaders@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Jenny Johnson <jennyjohnson@utah.gov>, Joel Hoffman <jhoffman@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>, Kristi Grimes <kristigrimes@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Linda Wininger <lindaw@utah.gov>, Lynne Nilson <lpnilson@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Nate Checketts <natecheckettsutah@gmail.com>, Nate Taxin <ntaxin@utah.gov>, Paul Ray DHS <pray@utah.gov>, Tony Patterson <tonypatterson@utah.gov>
DATE: 24/06/2022 15:09

Many may have already received this - but sending as FYI

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

VACATION RENTALS, CLUB RESORTS & CONDOS
CAESARS REWARDS

---------- Forwarded message ---------
From: **'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF** <medicaiddirector@utah.gov>
Date: Fri, Jun 24, 2022 at 2:51 PM
Subject: FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
To: <medicaiddirector@utah.gov>

To view this email as a web page, click here. June 24, 2022

HHS IEA
Office of Intergovernmental and External Affairs

FACT SHEET:
President Biden Announces Actions In Light of Today's Supreme Court Decision on *Dobbs v. Jackson Women's Health Organization*

Today, President Biden announced actions that his Administration is taking to protect women who will face the grave consequences of today's Supreme Court decision. This decision expressly took away a Constitutional right from the American people that it had recognized for nearly 50 years – a woman's right to choose, free from government interference.

This decision will have devastating consequences in the lives of women around the country.

The President made clear that the only way to secure a woman's right to choose is for Congress to restore the protections of *Roe* as federal law. Until then, he has announced two actions the Administration is taking to protect women.

Protecting the Right to Seek Medical Care

As the Attorney General made clear, women must remain free to travel safely to another state to seek the care they need.

A person has the right to travel between states for whatever reason they want – it is no one else's business – especially the government's. If a woman lives in a state that restricts abortion, the Supreme Court's decision does not prevent her from traveling from her home to a state that allows it.

If any state or local official tries to interfere with women exercising this basic right, the Biden Administration will fight that deeply un-American attack.

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The President directed the Secretary of Health and Human Services to protect women's access to critical medications for reproductive health care that are approved by the Food and Drug Administration—including essential preventive health care like contraception and medication abortion.

More than 20 years ago, the FDA approved mifepristone to safely end an early pregnancy; this drug is also commonly used to treat miscarriages. The American Medical Association and the American College of Obstetricians and Gynecologists wrote to President Biden and Vice President Harris, asking the federal government to protect access to this care. In the face of threats from state officials saying they will try to ban or severely restrict access to medication for reproductive health care, the President

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[3]**More Information about Points Expiration:**
Go Free awards at participating hotels require 7,500 - 30,000 points & apply to standard rooms; at participating vacation club resorts and vacation rentals, 15,000 - 30,000 points per bedroom are required. Award is subject to availability & Member must have enough points for all bedrooms in desired accommodation to book. **Resort fees may apply (even for award nights); points can't be used to pay them.** Cancellation policies vary by property. Most properties: applies to room rate only, including taxes. Blackout dates/rates, minimum length of stay requirements & other restrictions apply; see wyndhamrewards.com/terms for more information.

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[redacted]

directed the Secretary of Health and Human Services to identify all ways to ensure that mifepristone is as widely accessible as possible in light of the FDA's determination that the drug is safe and effective—including when prescribed through telehealth and sent by mail.

Find more information here.

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Twitter

[redacted]

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This email was sent by: U.S. Department of Health and Human Services
200 Independence Avenue, S.W., Washington, DC, 20201 US

[redacted]

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SUBJECT: Biden-Harris Administration Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
FROM: White House Intergovernmental Affairs <IGA46@who.eop.gov>
TO: <mhofmann@utah.gov>
DATE: 24/06/2022 16:15

THE WHITE HOUSE
WASHINGTON

June 24, 2022

Biden-Harris Administration Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization

President Biden
@POTUS
United States government official

Today is a very solemn moment for the United States.

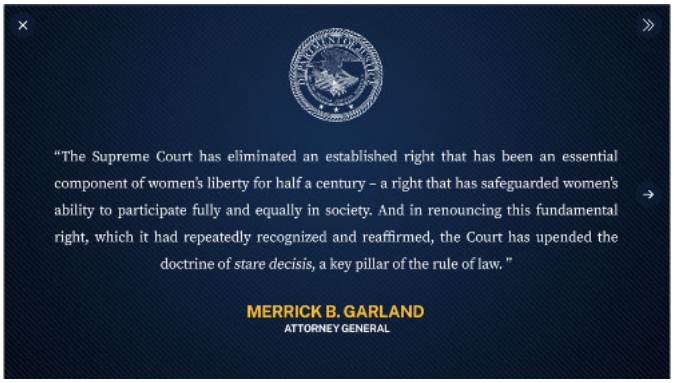
The Supreme Court expressly took away a Constitutional right from the American people that it had already recognized. They simply took it away. That's never been done to a right that is so important to so many Americans.

[redacted]

Vice President Kamala Harris on the Dobbs v. Jackson Women's Health Organization Decision

Video - Vice President Harris's Remarks on the Supreme Court Decision

Attorney General Merrick Garland



DOJ Statement**: Attorney General Merrick B. Garland Statement on Supreme Court Ruling in Dobbs v. Jackson Women's Health Organization**

Secretary Xavier Becerra

FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization

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###

Additional Resources:

- **POTUS Tweet Thread** - Amply here
- **Video**: President Biden's Remarks on the Supreme Court Decision
- **Remarks:** Remarks by President Biden on the Supreme Court Decision to Overturn Roe v. Wade
- **Fact Sheet:** President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization

Additional Cabinet Members

- Secretary Austin, Department of Defense
- Secretary Raimondo, Department of Commerce | Tweet
- Secretary Haaland, Department of the Interior
- Secretary Buttigieg, Department of Transportation
- Secretary Walsh, Department of Labor | Tweet
- Secretary Fudge, Department of Housing
- Secretary Vilsack, Department of Agriculture | Tweet
- Surgeon General Vivek Murthy | Tweet

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[redacted]

[redacted]

Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: RE: Board of Rx - Discussion Item
FROM: Carrie Dunford <Carrie.Dunford@imail.org>
TO: Mark Steinagel <msteinagel@utah.gov>, Dave Davis <ddavis@utfood.com>
CC: "Jen Zaelit (jzaelit@utah.gov)" <jzaelit@utah.gov>, Lisa Martin<lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn<deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, "MargaretBusse" <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov> "Chris P. Sheard"<CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 24/06/2022 17:10

[redacted]

Hello,

Thank you Dave. It's certainly a timely question. We had a meeting to discuss the agenda for Tuesday. Our main focus is to discuss whether ulipristal (Ella) emergency contraceptio be included in the oral contraceptive orders that were approved earlier. I believe it fits in the definition from Utah Code 26-64 or we could certainly discuss the possibility of includ separate protocol. Plan B is available without a prescription while ulipristal is prescription only. There are some advantages to ulipristal in that it can be taken up to 5-days after unprotected intercourse vs. 3-days for Plan B. There is some information that indicates ulipristal is a better option for pediatric patients but I'm not sure the specific reason.

I added Dr. Hoffman to the email (but I believe she is out of town) because the DOH was involved in creation of the current protocol.

Let me know if you believe there is more that the Board of Pharmacy should discuss regarding this topic.

Best,

Carrie

From: Mark Steinagel <msteinagel@utah.gov>
Sent: Friday, June 24, 2022 4:57 PM
To: Dave Davis <ddavis@utfood.com>
Cc: Carrie Dunford <carrie.dunford@imail.org>; Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>; Lisa Martin <lmartin@utah.gov>; Larry Marx <lmarx@utah.gov>; Deborah Blackb <deborahblackburn@utah.gov>; Jenna Mayne <jennamayne@utah.gov>; Margaret Busse <mbusse@utah.gov>; Jacob Hart <jfhart@utah.gov>
Subject: Re: Board of Rx - Discussion Item

External Sender: Be aware! Read with care!

Thank you, Dave.

I am realizing that I have done a poor job of informing you that Jennifer has left DOPL and Lisa Martin was recently hired to take her place. Lisa is copied, as is Larry Marx. We sho have you meet her soon, as we should also do with Adam and the UPhA. I am sorry that we haven't yet done this. This is one of many areas where I can work to improve our training as for Lisa, she is excellent and has our full confidence.

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When physicians apply for a license, they are required to indicate whether they perform abortions and if so, where they are performed. In accordance with state law, information is shared with the Utah Department of Health and Human Services to aid in their licensing of facilities.

In terms of enforcement, the abortion statute is in the criminal code. UDOH is (and would still be) required to report any violation of state law to DOPL. However, the Division relies on the court system for a criminal conviction in order to decide what disciplinary action (if any) is necessary. Often, arrests are reported to us by law enforcement or prosecutors. In those cases, DOPL will work with the licensed professional on a limitation order, which would order the professional to cease certain professional practices pending the resolution of their criminal charge(s).

Thank you for raising this issue, Dave, both with us and the Board. You have always been a great partner in our work.

Please let us know if you have any questions. And let's set up a time for you to visit with Lisa soon.

Best,

Mark Steinagel | Division Director
UTAH DEPARTMENT OF COMMERCE
Division of Professional Licensing
O: 801-530-6292 | msteinagel@utah.gov

On Fri, Jun 24, 2022 at 2:15 PM Dave Davis <ddavis@utfood.com> wrote:

> Carrie and Jen,
>
> With the Supreme Court ruling overturning Roe v. Wade today it may be worthwhile to discuss, in Tuesday's board meeting, Utah's abortion law (SB 174 – passed in the 2020 Ge Session https://le.utah.gov/~2020/bills/sbillenr/SB0174.pdf) and the possible implications for pharmacists / pharmacies that dispense Plan B type drugs. While the was passed in 2020, it is only triggered once the Supreme Court (or the 10th Circuit COA) overturn Roe (well this just happened). I don't believe it was the intent of the Utah legi to place liability on pharmacists / pharmacies but I do think the law, as drafted, is ambiguous. I am planning to be in attendance at the board meeting and ask you both know I a shy about offering my two cents. Thanks for all you both do to keep the board operating like a well oiled machine.
>
> *Dave Davis*
> *President & Chief Legal Officer*
> *Utah Food Industry Association*
> *Utah Retail Merchants Association*
> *4286 South Main Street*
> *Murray, Utah 84107*
> *Phone: (801) 262-5001*
>
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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

To: Dave Davis <ddavis@utfood.com>
Subject: Documents Updated for Utah State Board of Pharmacy

ah Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM

Utah State Board of Pharmacy

h State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

cription/Agenda:

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve May 24, 2022, Meeting Minutes
3. Investigation Report - Camille Farley
4. CSD Update - Jeff Henrie
5. Advisory Pharmacy Compounding Education Committee Update
APPOINTMENTS:
9:05 am Compliance Report-Bernice Palama
9:15 am Super Drug & Herbal Store, Educational Interview
9:30 am Christopher Young, Probationary Interview
9:45 am Hopewell Pharmacy, Stipulation Review
10:00 am Varduhi Aleksanyan, Intern Extension Request
10:10 am Hyrum Nichols, Intern Extension Request
DISCUSSION ITEMS:
- Birth Control Standing Order
- Drug Purchasing Fraud Alert
- Foreign Pharmacy Students
- Amphetamines & Pregnancy
- Cyber Security HB 80
NEXT SCHEDULED MEETING: Tuesday, July 26, 2022
2022 Board Meetings Tentatively Scheduled
Aug 23, Sept 27, Oct 25, Nov 29, Dec 20
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meetin

ce of Special Accommodations:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during meeting should notify the Division ADA Coordinator at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East South, Salt Lake City, Utah 84115, (801) 530-6628 or toll-free in Utah only (866) 275-3675.

ce of Electronic or telephone participation:

Electronic participation is planned for this meeting.

er information:

ation:

160 East 300 South - 4th floor, Salt Lake City, 84111

tact information:

Jennifer Falkenrath , jzaelit@utah.gov, (801)530-6628

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: Re: Board of Rx - Discussion Item
FROM: Dave Davis <ddavis@utfood.com>
TO: Carrie Dunford <Carrie.Dunford@imail.org>, Mark Steinagel<msteinagel@utah.gov>
CC: "Jen Zaelit (jzaelit@utah.gov)" <jzaelit@utah.gov>, Lisa Martin<lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn<deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, MargaretBusse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov>, "Chris P. Sheard"<CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 24/06/2022 17:26

[redacted]

I think the question my members have and would be interested in the BoP's opinion is…

Based on the current language contained in SB 174 (from the 2020 session) – which will now be triggered by the overruling of Roe v. Wade – Could a pharmacist / pharmacy be sub discipline from DOPL and/or criminal penalties if they dispense an abortifacient pursuant to a prescription written by a licensed physician. Drugs that induce an abortion are clearly covered by the statute but who will ultimately be responsible if a drug is given to an individual, who does not meet all of the requirement of the statute, is a bit ambiguous. I think clear that the physician would be "on the hook". I think it is less clear how a pharmacist / pharmacy would be handled. My thought is that if DOPL and the Board feel like there is so potential liability for pharmacists / pharmacies that our organization would work to clarify the statute to exempt pharmacists / pharmacies from liability provided they dispensed t as written by the physician.

I think a discussion with the board would be timely based on today's events. Let me know your thoughts.

Dave Davis
President & Chief Legal Officer
Utah Food Industry Association
Utah Retail Merchants Association
4286 South Main Street
Murray, Utah 84107
Phone: (801) 262-5001

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From: Carrie Dunford <Carrie.Dunford@imail.org>
Date: Friday, June 24, 2022 at 5:11 PM
To: Mark Steinagel <msteinagel@utah.gov>, Dave Davis <ddavis@utfood.com>
Cc: Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn <deborahblackburn@utal Jenna Mayne <jennamayne@utah.gov>, Margaret Busse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov>, Chris P. Sheard <CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
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Mark Steinagel | Division Director

O: 801-530-6282 | msteinagel@utah.gov

On Fri, Jun 24, 2022 at 2:15 PM Dave Davis <ddavis@utfood.com> wrote:

Carrie and Jen,

With the Supreme Court ruling overturning Roe v. Wade today it may be worthwhile to discuss, in Tuesday's board meeting, Utah's abortion law (SB 174 – passed in the 2020 Ge Session https://le.utah.gov/~2020/bills/sbillenr/SB0174.pdf) and the possible implications for pharmacists / pharmacies that dispense Plan B type drugs. While the was passed in 2020, it is only triggered once the Supreme Court (or the 10th Circuit COA) overturn Roe (well this just happened). I don't believe it was the intent of the Utah legi to place liability on pharmacists / pharmacies but I do think the law, as drafted, is ambiguous. I am planning to be in attendance at the board meeting and ask you both know I a shy about offering my two cents. Thanks for all you both do to keep the board operating like a well oiled machine.

Dave Davis
President & Chief Legal Officer
Utah Food Industry Association
Utah Retail Merchants Association
4286 South Main Street
Murray, Utah 84107
Phone: (801) 262-5001

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From: support@utah.gov <support@utah.gov>
Date: Friday, June 24, 2022 at 9:47 AM
To: Dave Davis <ddavis@utfood.com>
Subject: Documents Updated for Utah State Board of Pharmacy

ah Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM

Utah State Board of Pharmacy

h State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

cription/Agenda:

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve May 24, 2022, Meeting Minutes
3. Investigation Report - Camille Farley
4. CSD Update - Jeff Henrie
5. Advisory Pharmacy Compounding Education Committee Update
APPOINTMENTS:
9:05 am Compliance Report-Bernice Palama
9:15 am Super Drug & Herbal Store, Educational Interview
9:30 am Christopher Young, Probationary Interview
9:45 am Hopewell Pharmacy, Stipulation Review
10:00 am Varduhi Aleksanyan, Intern Extension Request
10:10 am Hyrum Nichols, Intern Extension Request
DISCUSSION ITEMS:
- Birth Control Standing Order
- Drug Purchasing Fraud Alert
- Foreign Pharmacy Students
- Amphetamines & Pregnancy
- Cyber Security HB 80
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er information:

ation:

160 East 300 South - 4th floor, Salt Lake City, 84111

tact information:

Jennifer Falkenrath , jzaelit@utah.gov, (801)530-6628

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: RE: Board of Rx - Discussion Item
FROM: Carrie Dunford <Carrie.Dunford@imail.org>
TO: Dave Davis <ddavis@utfood.com>, Mark Steinagel <msteinagel@utah.gov>
CC: "Jen Zaelit (jzaelit@utah.gov)" <jzaelit@utah.gov>, Lisa Martin<lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn<deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, "MargaretBusse" <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov> "Chris P. Sheard"<CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 24/06/2022 17:41

[redacted]

Hello,

Thank you Dave. I'll ask for additional guidance from Mark, Margaret, or Deborah regarding how much authority the Board has to weigh in on the determination of whether a pharmacist/pharmacy could be subject to discipline from SB 174 or do we need to seek an official opinion from the AG.

To my untrained eye, so much depends on when we could attest to knowing that the administration of the abortifacient is "after implantation of a fertilized ovum".

(1) (a) "Abortion" means:
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I think a discussion with the board would be timely based on today's events. Let me know your thoughts.

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Let me know if you believe there is more that the Board of Pharmacy should discuss regarding this topic.

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When physicians apply for a license, they are required to indicate whether they perform abortions and if so, where they are performed. In accordance with state law, information is shared with the Utah Department of Health and Human Services to aid in their licensing of facilities.

In terms of enforcement, the abortion statute is in the criminal code. UDOH is (and would still be) required to report any violation of state law to DOPL. However, the Division relies on the court system for a criminal conviction in order to decide what disciplinary action (if any) is necessary. Often, arrests are reported to us by law enforcement or prosecutors. In those cases, DOPL will work with the licensed professional on a limitation order, which would order the professional to cease certain professional practices pending the resolution of their criminal charge(s).

Thank you for raising this issue, Dave, both with us and the Board. You have always been a great partner in our work.

Please let us know if you have any questions. And let's set up a time for you to visit with Lisa soon.

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O: 801-530-6292 | msteinagel@utah.gov

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Utah State Board of Pharmacy

h State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

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Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone [redacted] Pin [redacted]
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er information:

ation:

160 East 300 South - 4th floor, Salt Lake City, 84111

tact information:

Jennifer Falkenrath , jzaelit@utah.gov, (801)530-6628

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
DATE: 24/06/2022 18:19

---------- Forwarded message ---------
From: **Aundrea Peterson** <aundreapeterson@le.utah.gov>
Date: Fri, Jun 24, 2022 at 6:13 PM
Subject: S.B. 174 Abortion Prohibition Amendments Now in Effect
To: Aundrea Peterson <aundreapeterson@le.utah.gov>
CC: Alexa Roberts <aroberts@le.utah.gov>

UTAH STATE LEGISLATURE
STATE CAPITOL • SALT LAKE CITY, UTAH 84114
WWW.LE.UTAH.GOV

For Immediate Release
June 24, 2022

Contac
Aundrea Peters
Utah Sena
801-791-3365 | aundreapeterson@le.utah.g

Alexa Robe
Utah House of Representativ
801-865-5882 | aroberts@le.utah.g

S.B. 174 Abortion Prohibition Amendments Now in Effect

SALT LAKE CITY – In accordance with state statute, the Legislative Branch's general counsel determined S.B. 174 *Abortion Prohibition Amendments* meets the legal requirements to take effect, following the U.S. Supreme Court's ruling regarding abortion.

In 2020, the Utah Legislature passed S.B. 174, prohibiting all elective abortions in Utah, except in rare circumstances involving rape, incest or medical emergency, contingent on the U.S. Supreme Court ruling.

On June 24, 2022, the U.S. Supreme Court issued a ruling that overturned Roe v. Wade, giving states the right to choose their abortion regulations. The U.S. Supreme Court's official opinion was sent to the Legislature's general counsel to determine if Utah's statute may take effect.

Members of the Legislative Management Committee (LMC) have been notified and the bill is now in effect. Utah code is updated to reflect the changes.

Attached is the official communication from the legislative general counsel informing LMC that the bill is in effect. The letter also addresses H.B. 166 (2019) *Down Syndrome Nondiscrimination Abortion Act*.

###

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FROM: Mark Steinagel <msteinagel@utah.gov>
TO: Carrie Dunford <Carrie.Dunford@imail.org>
CC: Dave Davis <ddavis@utfood.com>, "Jen Zaelit (jzaelit@utah.gov)" <jzaelit@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn <deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, Margaret Busse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov>, "Chris P. Sheard" <CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 24/06/2022 19:11

Our position is that we would only take action after someone is criminally convicted (including a plea, no contest, etc)

The reason is that Utah's abortion law is a criminal law, not a civil/administrative law. DOPL and the Board have no rule making authority to determine the elements of the crime. Prosecutors and defense attorneys will argue their points in front of a judge. Then DOPL will likely only consider the outcome of a criminal process.

I don't think that DOPL or the Board are in an appropriate position to opine on the applicability of criminal law to specific situations. When I read Dave's email, I didn't understand that the Board would be opining on the law, but simply hearing from concerned stakeholders about the issue generally and whether any licensing issues exist.

Is this your understanding? I want to ensure we listen to you and others and consider possible issues that we have not considered. Everyone is obviously experiencing the effects of change on a significant issue.

Mark

On Fri, Jun 24, 2022, 5:41 PM Carrie Dunford <Carrie.Dunford@imail.org> wrote:
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[redacted]

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External Sender: Be aware! Read with care!

Thank you, Dave.

I am realizing that I have done a poor job of informing you that Jennifer has left DOPL and Lisa Martin was recently hired to take her place. Lisa is copied, as is Larry Marx. We should have you meet her soon, as we should also do with Adam and the UPhA. I am sorry that we haven't yet done this. This is one of many areas where I can work to improve our training! E

as for Lisa, she is excellent and has our full confidence.

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From: support@utah.gov <support@utah.gov>
Date: Friday, June 24, 2022 at 9:47 AM
To: Dave Davis <ddavis@utfood.com>
Subject: Documents Updated for Utah State Board of Pharmacy

tah Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM

Utah State Board of Pharmacy

tah State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

escription/Agenda:

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve May 24, 2022, Meeting Minutes
3. Investigation Report - Camille Farley
4. CSD Update - Jeff Henrie

[redacted]

5. Advisory Pharmacy Compounding Education Committee Update
APPOINTMENTS:
9:05 am Compliance Report-Bernice Palama
9:15 am Super Drug & Herbal Store, Educational Interview
9:30 am Christopher Young, Probationary Interview
9:45 am Hopewell Pharmacy, Stipulation Review
10:00 am Varduhi Aleksanyan, Intern Extension Request
10:10 am Hyrum Nichols, Intern Extension Request
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- Birth Control Standing Order
- Drug Purchasing Fraud Alert
- Foreign Pharmacy Students
- Amphetamines & Pregnancy
- Cyber Security HB 80
NEXT SCHEDULED MEETING: Tuesday, July 26, 2022
2022 Board Meetings Tentatively Scheduled
Aug 23, Sept 27, Oct 25, Nov 29, Dec 20
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting s

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In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during th meeting should notify the Division ADA Coordinator at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 3(South, Salt Lake City, Utah 84115, (801) 530-6628 or toll-free in Utah only (866) 275-3675.

tice of Electronic or telephone participation:

Electronic participation is planned for this meeting.

her information:

cation:

160 East 300 South - 4th floor, Salt Lake City, 84111

ntact information:

Jennifer Falkenrath , jzaelit@utah.gov, (801)530-6628

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SUBJECT: Re: Board of Rx - Discussion Item
FROM: Dave Davis <ddavis@utfood.com>
TO: Mark Steinagel <msteinagel@utah.gov>, Carrie Dunford<carrie.dunford@imail.org>
CC: "Jen Zaelit (jzaelit@utah.gov)" <jzaelit@utah.gov>, Lisa Martin<lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn<deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, MargaretBusse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov>, "Chris P. Sheard"<CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 24/06/2022 19:24

That's correct Mark. I am primarily wanting to see if the BoP sees any potential licensing issues and I also just generally think there are a bunch of really smart people on the BoP a would be curious if they think there is ambiguity in the current law.

Dave Davis
President & Chief Legal Officer
Utah Food Industry Association
Utah Retail Merchants Association
4286 South Main Street
Murray, Utah 84107
Phone: (801) 262-5001

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From: Mark Steinagel <msteinagel@utah.gov>
Date: Friday, June 24, 2022 at 7:11 PM
To: Carrie Dunford <carrie.dunford@imail.org>
Cc: Dave Davis <ddavis@utfood.com>, Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn <deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, Margaret Busse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov>, Chris P. Sh <CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
Subject: Re: Board of Rx - Discussion Item

Our position is that we would only take action after someone is criminally convicted (including a plea, no contest, etc)

The reason is that Utah's abortion law is a criminal law, not a civil/administrative law. DOPL and the Board have no rule making authority to determine the elements of the crime. Prosecutors and defense attorneys will argue their points in front of a judge. Then DOPL will likely only consider the outcome of a criminal process.

I don't think that DOPL or the Board are in an appropriate position to opine on the applicability of criminal law to specific situations. When I read Dave's email, I didn't understand Board would be opining on the law, but simply hearing from concerned stakeholders about the issue generally and whether any licensing issues exist.

Is this your understanding? I want to ensure we listen to you and others and consider possible issues that we have not considered. Everyone is obviously experiencing the effects o change on a significant issue.

Mark

On Fri, Jun 24, 2022, 5:41 PM Carrie Dunford <Carrie.Dunford@imail.org> wrote:

> Hello,
>
> Thank you Dave. I'll ask for additional guidance from Mark, Margaret, or Deborah regarding how much authority the Board has to weigh in on the determination of whether a pharmacist/pharmacy could be subject to discipline from SB 174 or do we need to seek an official opinion from the AG.
>
> To my untrained eye, so much depends on when we could attest to knowing that the administration of the abortifacient is "after implantation of a fertilized ovum".
>
> (1) (a) "Abortion" means:
> (i) the intentional termination or attempted termination of human pregnancy after implantation of a fertilized ovum through a medical procedure carried out by a physician or through a substance used under the direction of a physician;
> (ii) the intentional killing or attempted killing of a live unborn child through a medical procedure carried out by a physician or through a substance used under the direction of a physician; or
> (iii) the intentional causing or attempted causing of a miscarriage through a medical procedure carried out by a physician or through a substance used under the direction of a physician.
>
> Best,
>
> Carrie
>
> **From:** Dave Davis <ddavis@utfood.com>
> **Sent:** Friday, June 24, 2022 5:27 PM
> **To:** Carrie Dunford <Carrie.Dunford@imail.org>; Mark Steinagel <msteinagel@utah.gov>
> **Cc:** Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>; Lisa Martin <lmartin@utah.gov>; Larry Marx <lmarx@utah.gov>; Deborah Blackburn <deborahblackburn@utah.gov>; Jenna Mayne <jennamayne@utah.gov>; Margaret Busse <mbusse@utah.gov>; Jacob Hart <jfhart@utah.gov>; Chris P. Shea <CPSheard@afstores.com>; Michelle Hofmann <mhofmann@utah.gov>
> **Subject:** Re: Board of Rx - Discussion Item
>
> I think the question my members have and would be interested in the BoP's opinion is…
>
> Based on the current language contained in SB 174 (from the 2020 session) – which will now be triggered by the overruling of Roe v. Wade – Could a pharmacist / pharmacy be s to discipline from DOPL and/or criminal penalties if they dispense an abortifacient pursuant to a prescription written by a licensed physician. Drugs that induce an abortion are c covered by the statute but who will ultimately be responsible if a drug is given to an individual, who does not meet all of the requirement of the statute, is a bit ambiguous. I thi clear that the physician would be "on the hook". I think it is less clear how a pharmacist / pharmacy would be handled. My thought is that if DOPL and the Board feel like there is potential liability for pharmacists / pharmacies that our organization would work to clarify the statute to exempt pharmacists / pharmacies from liability provided they dispense drug as written by the physician.
>
> I think a discussion with the board would be timely based on today's events. Let me know your thoughts.
>
> *Dave Davis*
> *President & Chief Legal Officer*
> *Utah Food Industry Association*
> *Utah Retail Merchants Association*
> *4286 South Main Street*
> *Murray, Utah 84107*
> *Phone: (801) 262-5001*

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From: Carrie Dunford <Carrie.Dunford@imail.org>
Date: Friday, June 24, 2022 at 5:11 PM
To: Mark Steinagel <msteinagel@utah.gov>, Dave Davis <ddavis@utfood.com>
Cc: Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn <deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, Margaret Busse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov> P. Sheard <CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
Subject: RE: Board of Rx - Discussion Item

Hello,

Thank you Dave. It's certainly a timely question. We had a meeting to discuss the agenda for Tuesday. Our main focus is to discuss whether ulipristal (Ella) emergency contracept could be included in the oral contraceptive orders that were approved earlier. I believe it fits in the definition from Utah Code 26-64 or we could certainly discuss the possibility including a separate protocol. Plan B is available without a prescription while ulipristal is prescription only. There are some advantages to ulipristal in that it can be taken up to 5 after unprotected intercourse vs. 3-days for Plan B. There is some information that indicates ulipristal is a better option for pediatric patients but I'm not sure the specific reason

I added Dr. Hoffman to the email (but I believe she is out of town) because the DOH was involved in creation of the current protocol.

Let me know if you believe there is more that the Board of Pharmacy should discuss regarding this topic.

Best,

Carrie

From: Mark Steinagel <msteinagel@utah.gov>
Sent: Friday, June 24, 2022 4:57 PM
To: Dave Davis <ddavis@utfood.com>
Cc: Carrie Dunford <carrie.dunford@imail.org>; Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>; Lisa Martin <lmartin@utah.gov>; Larry Marx <lmarx@utah Deborah Blackburn <deborahblackburn@utah.gov>; Jenna Mayne <jennamayne@utah.gov>; Margaret Busse <mbusse@utah.gov>; Jacob Hart <jfhart@utah.
Subject: Re: Board of Rx - Discussion Item

External Sender: Be aware! Read with care!

Thank you, Dave.

I am realizing that I have done a poor job of informing you that Jennifer has left DOPL and Lisa Martin was recently hired to take her place. Lisa is copied, as is Larry Marx. We s have you meet her soon, as we should also do with Adam and the UPhA. I am sorry that we haven't yet done this. This is one of many areas where I can work to improve our train But as for Lisa, she is excellent and has our full confidence.

As for the ruling, we have also been dealing with this matter today and this week with a couple of media and other requests. I am copying Margaret Busse and Deputy Director Ja Hart, since your issue is another that I did not consider.

Below is included what we said to the media, as it related to those who perform abortions. My best guess is that similar principles would apply with pharmacists, not relating to g liability, but licensing requirements:

Thank you for reaching out. From a professional licensing perspective, there is not a change expected based on the SCOTUS decision. According to state law, ar abortion can only be performed when certain requirements are met, by a licensed physician, and at a licensed facility.

When physicians apply for a license, they are required to indicate whether they perform abortions and if so, where they are performed. In accordance with state la information is shared with the Utah Department of Health and Human Services to aid in their licensing of facilities.

In terms of enforcement, the abortion statute is in the criminal code. UDOH is (and would still be) required to report any violation of state law to DOPL. However, t Division relies on the court system for a criminal conviction in order to decide what disciplinary action (if any) is necessary. Often, arrests are reported to us by law enforcement or prosecutors. In those cases, DOPL will work with the licensed professional on a limitation order, which would order the professional to cease certa professional practices pending the resolution of their criminal charge(s).

Thank you for raising this issue, Dave, both with us and the Board. You have always been a great partner in our work.

Please let us know if you have any questions. And let's set up a time for you to visit with Lisa soon.

Best,

Mark Steinagel | Division Director
Error! Filename not specified.
O: 801-530-6292 | msteinagel@utah.gov

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On Fri, Jun 24, 2022 at 2:15 PM Dave Davis <ddavis@utfood.com> wrote:

> Carrie and Jen,
>
> With the Supreme Court ruling overturning Roe v. Wade today it may be worthwhile to discuss, in Tuesday's board meeting, Utah's abortion law (SB 174 – passed in the 2020 Session https://le.utah.gov/~2020/bills/sbillenr/SB0174.pdf) and the possible implications for pharmacists / pharmacies that dispense Plan B type drugs. While t was passed in 2020, it is only triggered once the Supreme Court (or the 10th Circuit COA) overturn Roe (well this just happened). I don't believe it was the intent of the Utah legislature to place liability on pharmacists / pharmacies but I do think the law, as drafted, is ambiguous. I am planning to be in attendance at the board meeting and ask you know I am never shy about offering my two cents. Thanks for all you both do to keep the board operating like a well oiled machine.
>
> *Dave Davis*
> *President & Chief Legal Officer*
> *Utah Food Industry Association*
> *Utah Retail Merchants Association*

Phone: (801) 262-5001

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Date: Friday, June 24, 2022 at 9:47 AM
To: Dave Davis <ddavis@utfood.com>
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tah Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM

Utah State Board of Pharmacy

tah State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

escription/Agenda:

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
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[redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
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4. CSD Update - Jeff Henrie
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- Cyber Security HB 80
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2022 Board Meetings Tentatively Scheduled
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Jennifer Falkenrath , jzaelit@utah.gov, (801)530-6628

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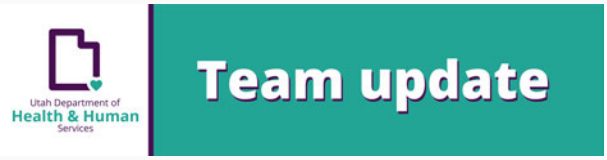
[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: A very late team update for (6.24.2022) Supreme Court ruling, meetMartha, learn about Recovery Services, plus some great awards and resourcesfor your mental health
FROM: "Utah Dept of Health and Human Services (DHS)" <dhhs@utah.gov>
TO: undisclosed-recipients:;
BCC: HS_ALLDHS@utah.gov
DATE: 24/06/2022 19:34



Team:

Today, the Supreme Court of the United States released a 213-page opinion overturning the 1973 Roe v. Wade decision. With its opinion today, the Supreme Cou says that there is no longer a fundamental right to abortion. Decisions about what is and isn't allowed is now up to the states.

Quoting from the intro to the opinion: *Abortion presents a profound moral issue on which Americans hold sharply conflicting views. Some believe fervently that a huma person comes into being at conception and that abortion ends an innocent life. Others feel just as strongly that any regulation of abortion invades a woman's right to control her own body and prevents women from achieving full equality. Still others in a third group think that abortion should be allowed under some but not all circumstances, and those within this group hold a variety of views about the particular restrictions that should be imposed.*

Abortion is by no means a simple issue. Please remember that your co-workers have a range of feelings and personal opinions about this. We need to be extra cautious in the workplace about expressing our personal opinions because there are differing beliefs. As a reminder, you may not use official state resources to express personal views on this decision.
Please be extra sensitive to the thoughts of others, including co-workers. We will continue to monitor employee and building safety.

In official capacities, if you are contacted about the law by partners or the public, please direct inquiries to DHHS@utah.gov. Until we can provide further clarification, please do not engage with the general public about how the law is going to be interpreted.

We are continuing to analyze the potential impacts from the Supreme Court's decision.

Here are the facts we know right now as they pertain to Utah and the Utah Department of Health and Human Services:

- In the 2020 General Session, the Utah Legislature passed SB 174, which we were notified this evening, is now in effect, following a report from legislative general counse to the Legislative Management Committee.
  The bill lists some specific responsibilities of DHHS.

And now... the rest of this fabulous, and very late, email!

- Thank you to the 530+ of you who tuned in live to our **All Hands Q&A on Thursday**. If you missed it, you can watch the replay here.

- This week, we'd also like to make your acquaintance with the Office of Recovery Services, led by the trusty Liesa Stockdale. You might know them as the "child support office," b that's not all they do: https://youtu.be/Q2imWsc7btk

- **Martha is on the move!**

  We are so excited to host a traveling exhibit on Dr. Martha Hughes Cannon at our MASOB and Cannon Health buildings over the next 2 weeks. The exhibit starts this Friday, June 24, through June 30. Then, the exhibit will be moved to the Cannon Health building on July 1, **which also happens to be the 165th anniversary of Dr. Cannon's birth AND our new agency's birthday**!

  The exhibit will be at the Cannon building until July 8. We will also be holding a media event honoring the life of Dr. Cannon and celebrating the birth of our new agency on July 1 at the Utah Capitol. We are thrilled to begin this new journey with each of you and honor those who have come before us.

[redacted]

- **Nate Checketts… thank you!**

  With the upcoming merger, comes a handful of leadership changes, including a new role for Utah Department of Health Executive Director Nate Checketts. Under DHHS, Nate wil become a department deputy director over our Health Administration section. Recently, Gov. Cox and Lt. Gov. Henderson, recognized Nate for his work to lead the pandemic response while maintaining effective leadership to oversee the management of the Department of Health's responsibilities. They said he is a model public servant reflecting the values of humility, selflessness and steady leadership. Nate is pictured here with his wife, Ginger.

- Congratulations are also in order to Caitlyn Jasumback and Rachelle Boulton! Both were recognized at the Council of State and Territorial Epidemiologists conference. **Caitlyn w a finalist** for the Robert Wood Johnson Foundation Award for Outstanding Epidemiology Practice in Addressing Racial and Ethnic Disparities for her work "Does Discrimination Influence Prevention Healthcare Among Under Served Population?" Rachelle was awarded **CSTE's Distinguished Leader Award**. This is a huge honor for both of them!! People from around the nation are envious of our data systems and informatics

- **Mental and physical health**

  During our all-hands call and during Gov. Cox's employee town hall this week, we received questions about the leave hours that are available for taking care of our mental health. Please take advantage of these benefits.

  As of Jan. 1, 2022, Gov. Cox granted 4 hours of admin leave to address mental health issues, to be used during the calendar year.

  Starting July 1, our department will make 4 hours available for the next fiscal year, ending June 30, 2023.

  We have also worked with Blomquist Hale to hire an individual who can be available to be a mental health resource.

  Keep in mind that you may also use 4 hours of leave for wellness and health checkups. Please talk to your supervisor before using this leave.

  Tracy also reminded us that we can use any accumulated sick leave for mental or physical health time off.

- **ECO Passes**
  We're conscious of the cost of fuel. We make UTA ECO Passes available for free to all employees. If you apply, you need to use them at least 15 times per quarter. Please contact your finance officer to sign up. Please see our FAQ document to get started:ECO Pass FAQs

P.S.
Tracy's Open Door hours are most Fridays, for all staff from 1 p.m. to 3 p.m. Please reach out to Trudy Ellis (trudyellis@utah.gov) to request time on Tracy's schedule.

SUBJECT: The Morning: The end of Roe
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 25/06/2022 05:26

View in browser | nytimes.com

The New York Times
The Morning

June 25, 2022

Today I'm handing The Morning to my colleagues to break down the Supreme Court decision striking down Roe v. Wade. I'll be back next Saturday. — Melissa Kirsch

By Ian Prasad Philbrick

Good morning. The Supreme Court's abortion ruling will transform American life and politics.

Anti-abortion advocates celebrate outside the Supreme Court yesterday. Shuran Huang for The New York Times

‘No such right’

The Supreme Court has overturned the constitutional right to an abortion in America.

The court’s decision issued yesterday is the culmination of a generational conservative campaign to strike down Roe v. Wade, the 1973 Supreme Court ruling that established abortion rights. The three conservative justices whom Donald Trump appointed to the court supplied the votes to finally do so.

“The Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision,” Justice Samuel Alito wrote for the majority.

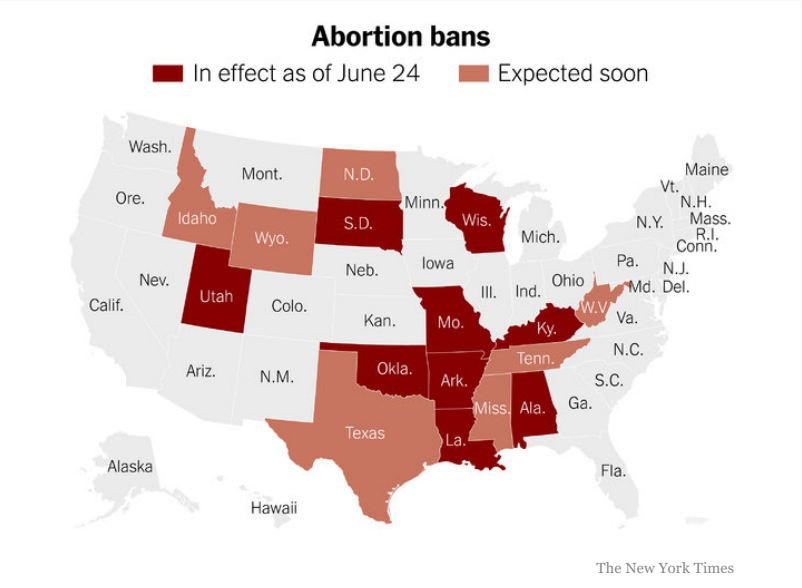
Roe’s fall is a political and social earthquake, one that Americans alternately celebrated and mourned. “I cannot think of a precedent for this in our modern history, where you have an individual civil right that people depend on that has been rolled back after 50 years,” said my colleague Emily Bazelon, who writes about abortion access and the court.

Yesterday’s ruling won’t end the abortion debate, but it will fundamentally alter it. Today’s newsletter explains what the decision means, and what may follow.

Immediate impact

The ruling promptly shifted the political fight over abortion to the state level. That was, Alito wrote, one of the court’s aims: “The authority to regulate abortion must be returned to the people and their elected representatives.” (Here’s an annotated version of the ruling, which largely tracked the draft that leaked to Politico last month.)

Roe’s fall immediately triggered abortion bans in Kentucky, Louisiana and South Dakota. Missouri, Arkansas and other states did the same within hours. In total, more than 20 states appear set to outlaw all or nearly all abortions. (This tracker shows the status of abortion access in all 50 states.)



The New York Times

For the roughly half of Americans who live in those states, getting an abortion will become even more difficult. For women in Mississippi, for example, Illinois may become the closest state in which to legally obtain one.

More liberal states began moving in the opposite direction. In Massachusetts, Gov. Charlie Baker, a moderate Republican, signed an executive order

protecting medical providers who perform abortions for out-of-state residents. The Democratic governors of California, Oregon and Washington issued a joint statement promising to protect access to abortion and contraception.

The ruling may have a less dramatic effect on overall abortion rates. Some experts estimate that overturning Roe could reduce the number of legal abortions in the U.S. by as little as 13 percent. That's because abortion was already heavily restricted in red states and more people living in them oppose the practice, as The Times's Claire Cain Miller and Margot Sanger-Katz have explained.

But Roe's fall will likely reduce abortion access most for lower-income women and Black and Hispanic women, many of whom lack the resources to travel out of state to obtain one.

The next fronts

The ruling is also likely to send the abortion debate into new territory. "There are all these knock-on ramifications, which we don't know the answer to yet," Emily said.

One is the question of medical abortion pills. About half of legal abortions in the U.S. occur by medication, which is generally safe and effective, rather than a surgical procedure. Texas and Louisiana have made it a crime to mail the pills in the states, and other states could follow. "Then the question is, what kind of penalties are they imposing, and how are they going to enforce that law?" Emily said. "Do they want to open people's mail and start surveilling people?"

Abortion rights supporters in Knoxville, Tenn., yesterday. Jessica Tezak for The New York Times

States that ban abortion could also seek to punish medical providers in other states who perform abortions for women who live in states where abortion is illegal, or who instruct patients remotely about how to obtain or take abortion pills. President Biden said that his administration would act to protect access to the pills, which the F.D.A. regulates, and to protect women who want to travel to get an abortion.

The ruling could also reverberate to other precedents grounded in the same right to privacy that reinforced Roe. Though Alito cautioned that the ruling should not be seen as going beyond abortion, one justice in the majority — Clarence Thomas — wrote separately that the court should also overturn protections on access to contraception, same-sex relations and same-sex marriage.

"We have no idea how many votes there are for that," Emily said. "Thomas was the only one ready to come out and say it today, but that doesn't mean there aren't five votes."

For more

- Your questions about the ruling's impact, answered.
- The ruling prompted confusion and closures at abortion clinics.
- Senators Joe Manchin and Susan Collins, who voted to confirm Neil Gorsuch and Brett Kavanaugh, accused the justices of misleading them.
- "This is no longer John Roberts's court."
- The ruling roiled several midterm races.
- Donald Trump has privately said that overturning Roe would anger suburban voters and be "bad for Republicans."
- Most Americans did not want Roe overturned, polls show, but many also favor abortion restrictions.
- Century-old bans could determine whether abortion is legal in some states.
- See scenes of protest and celebration from around the country.
- "Why did I think I had a right to have an opinion on this subject?" Men share their abortion experiences.
- A special episode of "The Daily" explains how the court reached its decision.
- The Times's front page this morning:

"All the News That's Fit to Print"

The New York Times

Late Edition

VOL. CLXXI .... No. 59,465 NEW YORK, SATURDAY, JUNE 25, 2022

ROE OVERTURNED

A 6-to-3 Ruling Ends 50 Years of Federal Abortion Rights

We therefore hold that the Constitution does not confer a right to abortion. Roe and Casey must be overruled, and the authority to regulate abortion must be returned to the people and their elected representatives.

Justice Samuel A. Alito Jr., in the majority opinion

ANTI-ABORTION VICTORY Outside the Supreme Court on Friday. The ripple was felt across the country, with state bans taking effect.

A STINGING DEFEAT The pain was severe for much of the country. President Biden called it "the realization of extreme ideology."

By ADAM LIPTAK

NEWS ANALYSIS

A Conservative Supermajority May Be Just Getting Started

Sign of Shaky Ground for Other Rights

By CHARLIE SAVAGE

Ending One Fight and Starting Another in a Polarized America

By KATE ZERNIKE

Digging In on Each Side for Bitter Struggle at the State Level

For Collins, Decision Is a Betrayal by Kavanaugh Was Assured That He Respected Precedent

By CARL HULSE

In an Instant, Midterm Contests Are Scrambled

Swing Voters' Focus: Inflation or Abortion

By KATIE GLUECK

Retreat From a Battered City — INTERNATIONAL A4-9

Aftershock Shakes Afghanistan — INTERNATIONAL

Bipartisan Gun Bill Approved — NATIONAL A10-11, 24

Looking Past the Controversy — ARTS C1-7

Mary Ziegler — OPINION A22-23

Commentary

- Roe is gone, but the fight has just begun, Senators Elizabeth Warren and Tina Smith write in Times Opinion.
- Michelle Goldberg, Lauren Kelley and Leah Libresco Sargeant discussed the ruling with Lulu Garcia-Navarro.
- The pro-life movement should seek the "abolition of abortion through both law and culture," Alexandra DeSanctis Marr and Ryan Anderson write in National Review.

THE LATEST NEWS

- Congress gave final approval to a bipartisan gun safety bill. Biden is expected to sign it.
- Here's how the gun legislation came together behind the scenes.
- A gunman opened fire near a gay nightclub in Oslo, killing two and seriously wounding at least 10.
- Ukrainian forces will retreat from the key eastern city of Sievierodonetsk.
- Congress passed a bill extending free meals for children, sending it to Biden.
- An appeals court granted a temporary reprieve that will allow Juul to keep selling e-cigarettes.
- The shock has yet to wear off for the survivors of last year's deadly Florida condo collapse.

THE WEEK IN CULTURE

Beyoncé in 2020. Imago images/Brigani-Art, via Reuters

- Beyoncé's new single has "an attitude that equates defiant self-determination with salvation," The Times's Jon Pareles wrote.
- Broadway theaters will be allowed to drop their mask mandates starting Friday.
- A Columbia University professor became the first L.G.B.T.Q. studies scholar to win the Library of Congress's Kluge humanities prize.
- Top prospects dressed to impress at the N.B.A. draft.

- The F.B.I. seized 25 paintings from a Basquiat exhibit at a Florida museum.

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CULTURE CALENDAR

By **Gilbert Cruz**
Culture Editor

📺 **"Only Murders in the Building" (Tuesday):** One of last fall's joys was the first season of this hit Hulu mystery-comedy, which starred Steve Martin, Martin Short and Selena Gomez as residents of a fancy Manhattan apartment building who start a true-crime podcast in an attempt to solve a neighbor's murder. The trio's chemistry was delightful and the supporting cast (Tina Fey, Nathan Lane) equally star-studded. I'm delighted that Season 2 is here just in time for summer.

RECIPE OF THE WEEK

Dane Tashima for The New York Times. Food Stylist: Barrett Washburne.

By **Tejal Rao**

Edna Lewis's Peach Cobbler

A summer run-in with perfectly ripe, still-somewhat-firm peaches is reason enough to make this juicy peach cobbler from Edna Lewis. The key to its crust, particularly if you're baking in a hot kitchen, is freezing the fat you choose to work with, whether it's lard or vegetable shortening, and chilling the dough between steps. Save the trimmings: Tucking dough scraps into the mix of ripe peaches and grated nutmeg means the fruit thickens and takes on more flavor as it bubbles in the oven. I happen to think it's best once it's cooled to room temperature, but it's almost impossible to wait that long.

Tejal Rao writes the Veggie newsletter. A selection of New York Times recipes is available to all readers. Please consider a Cooking subscription for full access.

REAL ESTATE

Clockwise from left: Via top two, Stephen Eisenbaum/Fotosold, bottom two, Rachel and Tyler Reinhardt/PDX Listing Photos

What you get for $625,000: a Tudor Revival in Portland, Ore.; a bungalow in Baton Rouge, La.; or a two-family home in Savannah, Ga.

The hunt: She wanted a West Village rental. Which one did she choose? Play our game.

The rental market: Renters are facing the return of evictions, soaring inflation and record-high rents. Some couples are moving in together to split the costs. Does living in New York mean renting forever? Even some homeowners are renting now, selling before the market cools but waiting to buy again.

LIVING

Vue Orleans offers tech-forward presentations of history and culture. Sara Essex Bradley for The New York Times

What's nouveau?: A Mexican tasting menu, a "tropical roadhouse" and a Four Seasons hotel are among the new attractions in New Orleans.

All about aroids: Fans of Monstera and Philodendron are getting to know other plants in the Arum family.

Wash your hands: Yes, there are germs in public restrooms, but there are simple ways to protect yourself.

Chillable reds: White wines and rosés aren't the only options when it's hot.

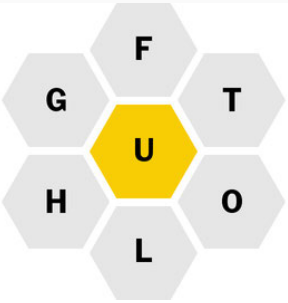
GAME OF THE WEEKEND

Los Angeles Dodgers vs. Atlanta Braves, M.L.B.: Two of the best teams in the National League meet this weekend. The Dodgers, a perennial World Series contender, have slipped in recent weeks, while the Braves went on a 14-game winning streak. Freddie Freeman, the Dodgers' new first baseman, spent 12 years with the Braves and led them to a World Series win last year. This will be his first time back in Atlanta. *7 p.m. Eastern tomorrow on ESPN.*

For more

- The Dodgers lost most of their elite pitching rotation from last season. They're just as good this year.
- For fans of New York's teams, this season has the potential to be the best ever.

NOW TIME TO PLAY



The pangram from yesterday's Spelling Bee was *pavement*. Here is today's puzzle.

Take the news quiz to see how well you followed this week's headlines.

Here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your weekend with The Times.

Matthew Cullen, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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SUBJECT: Top Stories: Thousands of Utahns protest Roe reversal
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 25/06/2022 08:00

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TOP STORIES

Saturday, June 25, 2022

By Jeff Dempsey and Gabrielle Baquero

Top News

Thousands in Utah rally to protest Supreme Court's reversal of Roe v. Wade

Utah's law banning abortions except in limited circumstances went into effect Friday evening after a review by legislative lawyers. [Read more]

Utah's abortion trigger law is now in effect

[redacted]

Planned Parenthood Utah said it will continue to provide abortions as long as it can. [Read more]

Utah's faith leaders react to the end of Roe v. Wade

Faith leaders in Utah have mixed reactions to Supreme Court's decision to end the right to an abortion. [Read more]

Documentary series follows two LDS women who fall in love and get married

The four-part documentary, "Mormon No More," is also about a variety of people who left the church. [Read more]

'A great day for the babies,' says conservative activist after 50-year fight

Gayle Ruzicka said Friday that she's very supportive of Utah's trigger law. "I couldn't be happier," she said. "Today is a great day." [Read more]

Commentary: Thoughts from your resident feminist on the end of Roe v. Wade

Let's process what has happened and work together in the battles to come, Tribune columnist Marina Gomberg writes in her latest piece. [Read more]

Quick Hits

• Republican lawmakers and Utah politicos celebrate Roe V, Wade reversal, with one lawmaker saying she trusted Utah women "to control [their] intake of semen."

• Despite intense opposition from residents and elected officials, proponents of a controversial quarry in Utah's Parleys canyon intend to begin mining limestone in July.

• Tourists and park rangers rescued from flash flooding in Capitol Reef National Park.

• Plane crash in Cache County leaves two dead.

• Left Fork Fire: The wildfire burning outside Bryce Canyon National Park grows to 4,200 acres.

• The Salt Lake Tribune wins an award to pursue a document-driven reporting project.

• Utah State forward Justin Bean says the Clippers' offer on NBA Draft night was a "no-brainer."

• The Supreme Court's abortion ruling has exposed a deep chasm on the issue in the U.S.

• President Joe Biden calls the end of Roe v. Wade a "sad day" for the country.

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The Salt Lake Tribune

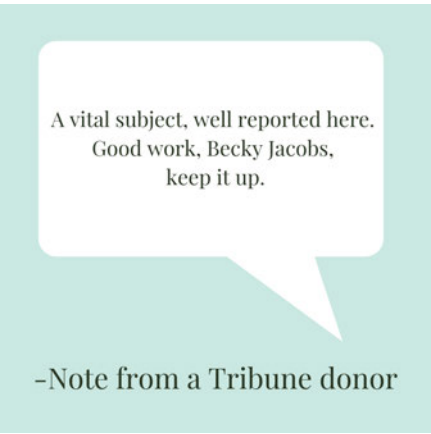
This week's Supreme Court decision to overturn Roe v. Wade put policies made at the state level in hyperfocus.

The Tribune had you covered on Friday, from what happened at the state capitol to how faith leaders in Utah responded to which rights women in Utah now have and do not have.

The Salt Lake Tribune is providing free access to critical stories about abortion as a resource.

In the weeks ahead, we'll focus on helping you understand how a woman in Utah can receive an abortion that is legal, on potential recruiting ramifications for businesses in need of tech sector employees and on who our state supreme court judges are, as their influence continues to grow in the wake of recent U.S. Supreme Court decisions.

We'll continue to elevate perspectives of Utah women, sharing stories that many find comfort and inspiration in.



The Tribune is fortunate to have reporter Becky Jacobs, who focuses on women's issues in Utah, on our team. And we know this decision is important to many people. We will continue reporting on how decisions made by public officials impact Utahns.

If you want more Utahns to have access to credible, fact-based local journalism, please consider donating to our nonprofit newsroom.

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TO: mhofmann@utah.gov
DATE: 26/06/2022 05:30

The New York Times

The Morning

June 26, 2022

By Ian Prasad Philbrick

Good morning. For many people on Capitol Hill, the Jan. 6 hearings are personal.

Rioters storm the Capitol during the Jan. 6 attack. Erin Schaff/The New York Times

In the room

The House Jan. 6 committee's hearings have revealed unseen footage, unheard

testimony and new details about Donald Trump's efforts to overturn the 2020 presidential election. They've also stirred painful memories for those who experienced the attack firsthand. I asked my colleague Emily Cochrane, who's covered Congress since 2018 and was inside the Capitol on Jan. 6, about how the hearings have landed.

How did Jan. 6 change Capitol Hill?

The Capitol is like a little city. It doesn't matter if you're a lawmaker, a staff member, a police officer, a reporter, someone who works in the cafeteria or the person who delivers the mail: You end up spending a good portion of your life there. And to see it breached in that manner, to see this mob come in, to see the violence, to see them disrespect a place you've come to respect, is difficult. A lot of people are wrestling with that as these hearings go on, publicly and privately.

How do these hearings differ from others you've covered?

Obviously, the substance is extraordinary. But they're also produced in a way that congressional hearings normally aren't: the videos, the tightly worded statements, the teasers of what's to come. They're structured like television episodes.

They also present much more of a seamless narrative because the Republicans aren't participating, with the exception of two handpicked by Speaker Nancy Pelosi. Most congressional hearings are so polarized, with questions designed to tease out political points rather than information. Here, there's none of that partisan bickering. They're just dropping new information and speeding right along.

Emily Cochrane, front, in glasses, and other reporters interview Senator John Cornyn of Texas at the Capitol. Jason Andrew for The New York Times

We've all seen big congressional hearings on TV. What's it like to be in the room?

The hearings are generally somber. The videos of the attack were hard to watch during the first hearing, particularly for people who were in the House chamber on Jan. 6. The hearing I attended, about the behind-the-scenes efforts to tell Trump he'd lost the election, wasn't as visceral, but when Liz Cheney made the reference to "an apparently inebriated Rudy Giuliani," there was some chuckling.

During breaks, particularly after emotional testimony, people who are in the back watching often make a point of thanking the witnesses and checking in with each other.

Who's been there watching?

Lawmakers, police officers, aides, people who want to witness history,

essentially, or who experienced the riot personally. The House chaplain has been there regularly. There's the "Gallery Group" — they're Democratic House members who were trapped in the upper gallery of the House chamber during the attack. At least a couple have been at every hearing. Their presence is a reminder of how personal this is.

You hid with them during the attack, right?

I was on the opposite side of the chamber. At one point, I was behind a chair with other reporters because they had stopped the evacuation, and I wasn't sure if the chamber was going to be breached. We could see rioters on the other side of the door.

Eventually, Capitol Police resumed the evacuation. I'm still not sure why — I think they felt they had stopped enough rioters for lawmakers to leave safely — but all of a sudden, the people in front of me started moving again, climbing over chairs and banisters, so I did the same.

We were eventually able to leave the chamber, and, as we did, we merged into one evacuation line with the lawmakers across from us.

It must be difficult to watch videos and hear testimony that dredge up memories of the attack.

The hearings are bringing many people back to the rawness of the day. People have found coping mechanisms — they've talked to therapists, they've checked in with others. The Gallery Group lawmakers stay in touch. An informal Capitol Hill support group started meeting more frequently. I've had people ask me how I'm doing, and I've reached out to a couple others. These aren't the easiest hearings to cover, but then you compartmentalize and do your job.

You and your colleagues have written about how the attack prompted a spike in threats against lawmakers, led some congressional staffers to quit and caused others to push for a union. How did it bring about these big changes?

Capitol Hill has never been an easy place to work. It's unpredictable. The hours are long. The workload is intense. When you layer on the pandemic, the mad dash to get legislation through and everything that happened on the 6th, they all put the jobs in perspective for lawmakers and their aides. For them, there are now questions like, do you want to stay on Capitol Hill where you had this traumatic experience? Can you work with the Republicans in Congress who have downplayed what happened that day?

Congressional staffers keep Capitol Hill running. When someone picks up a phone to threaten a lawmaker, the person on the other end is not the lawmaker. It's a staff member, probably a junior staff member, sitting on the phone, listening to threats and reporting them to police. It's not a part of the job you sign up for. Unionization has been batted around for a while, but Jan. 6 helped push it to the forefront. People are more open to it.

More about Emily: She grew up in Miami and studied journalism at the University of Florida. She lives in Washington, where she likes to listen to musicals and take her two majestic Siberian cats, Hercules and Yuzu, on walks.

For more

- The Jan. 6 committee has redefined congressional hearings.
- Join Times reporters for a live online event with Representative Jamie Raskin, a member of the Jan. 6 committee, tomorrow at 11 a.m.

NEWS

Abortion Ruling

Protesters demonstrated Saturday in front of the Supreme Court. Haiyun Jiang/The New York Times

- Abortion providers began canceling appointments out of fear of prosecution a day after the Supreme Court overturned Roe v. Wade.
- Demand for abortion pills quickly soared.
- Conservative Christians celebrated the decision as a political and spiritual victory.
- Samuel Alito laid out a strategy decades ago to overturn Roe.
- The beginning of the end of Roe came 12 years ago.

War in Ukraine

- Russian forces fired missiles across Ukraine in one of their most widespread aerial assaults in weeks.
- American and allied commandos and spies are providing weapons and training to Ukrainian troops.
- During a break from the war, a Ukrainian couple got married in 11 minutes.

Other Big Stories

- President Biden signed the gun safety bill into law.
- A devastating earthquake was the latest blow to one of Afghanistan's poorest regions.
- A judge's order widened the scope of deportations from the U.S., leaving millions of people vulnerable to removal.

FROM OPINION

- The end of Roe is the result of men gaining power by trading away women's rights, **Maureen Dowd** writes.
- You might have forgotten how to vacation, **Jenni Avins** writes. That's OK.

- "I'm not completely free": **Isvett Verde** spoke to participants of the 10-year-old DACA program that protects undocumented immigrants from deportation.

The Sunday question: With Roe gone, what should activists on both sides do now?

Abortion rights activists should appeal to political moderates and covertly help women get abortions, says The Atlantic's Helen Lewis. The anti-abortion movement should seek policies that support families so women can flourish without abortion, Karen Swallow Prior argues in The Times.

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MORNING READS

The Brodess Farm, part of the Harriet Tubman Underground Railroad tour. Tony Cenicola/The New York Times

Eastern Shore pilgrimage: Climate change is quickly remaking the terrain that was the site of Harriet Tubman's earliest exploits.

Sleep debt: Late nights and early mornings may cause lasting damage to your brain.

A Times classic: The mysterious interior world of exercise.

Sunday routine: The artistic director of the Moth finds inspiration in "American Ninja Warrior."

Advice from Wirecutter: This $28 garden tool cut our weeding time in half.

BOOKS

Raphaelle Macaron

Literary guide: Read your way through Stockholm.

By the Book: Patrick Radden Keefe insists "The Hard Sell" is like a Scorsese film.

Our editors' picks: Ada Calhoun's new memoir, "Also a Poet," and nine other books.

Times best sellers: Ibram X. Kendi is a best seller in hardcover nonfiction, combined nonfiction and children's picture books. See all our lists here.

The Book Review podcast: Ed Yong discusses his new book, "An Immense World."

THE SUNDAY TIMES MAGAZINE

Marie Brown, a longtime publishing industry employee. Wayne Lawrence for The New York Times

On the cover: Inside the push to diversify the book industry.

Advice from Judge John Hodgman: A woman's fiancé wants to drag her along to a Phish show. Must she go?

Tip: How to imprint ducklings.

Eat: A crispy won-ton chicken salad inspired by a shuttered all-you-can-eat buffet.

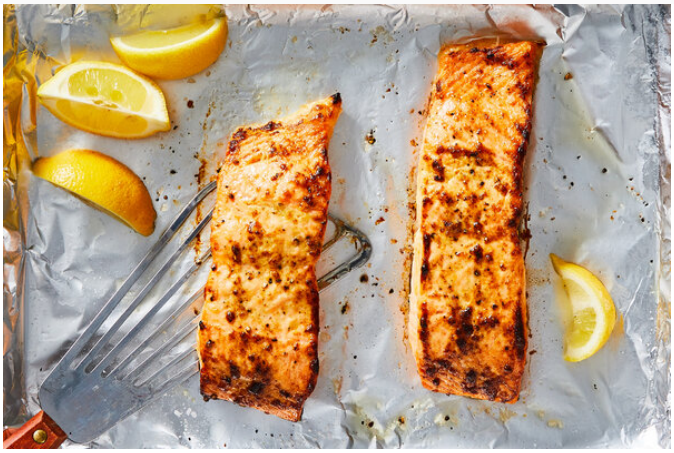
Read the full issue.

THE WEEK AHEAD

What to Watch For

- The Supreme Court will soon rule on the final cases of its term, including a major climate decision.
- President Biden will meet with other Group of 7 leaders in Germany early this week, then travel to Spain for a NATO summit.
- Colorado, Illinois, New York, Oklahoma and Utah will hold primary elections on Tuesday.
- Ghislaine Maxwell, the former companion to the disgraced financier Jeffrey Epstein, will be sentenced on Tuesday.
- White House aides are weighing whether to ban new oil and gas drilling off U.S. coasts. A decision was promised by Thursday.
- Broadway theaters will be allowed to drop their mask mandates on Friday.
- Wimbledon begins tomorrow.
- The Olympic Committee will vote today on the slate of contests for the 2026 games. Nordic combined is facing elimination.

What to Cook This Week



Julia Gartland for The New York Times. Food Stylist: Monica Pierini.

"Who doesn't like having simple dishes and brilliant techniques at their fingertips?," Emily Weinstein asks. She offers weeknight dinner options for beginner cooks and pros alike: broiled salmon with mustard and lemon, vegetable tofu curry or a crispy-edged quesadilla.

NOW TIME TO PLAY

Here's a clue from the Sunday crossword:

90 Across: *It's a small world*

Take the news quiz to see how well you followed the week's headlines.

Here's today's Spelling Bee. Here's today's Wordle. After, use our bot to get

better.

Thanks for spending part of your weekend with The Times. — Ian

Claire Moses, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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SUBJECT: Top Stories: Pro-choice protesters share rally in Provo
FROM: The Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 26/06/2022 08:14

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TOP STORIES

Sunday, June 26, 2022

By Gabrielle Baquero

[redacted]

Top News

Pro-choice protesters share stories, fears at Saturday's Provo rally

Attendees hope Saturday's rally is a sign that the traditionally conservative city is ready for change. [Read more]

Is it too soon for the TV movie about Gabby Petito that's now filming in Utah?

The telefilm, likely to air this fall, will be part of Lifetime's Stop Violence Against Women initiative. [Read more]

Robert Gehrke: Goodbye Roe v. Wade. Hello, minority rule.

"Because a minority in the Senate can block practically anything they want, we're left to the whims of the Utah Legislature, which has made itself impervious to the will of the people." [Read more]

Is Will Hardy at the top of the ladder among Utah Jazz coach possibilities?

In the widest coaching search in recent NBA memory, the Jazz has interviewed at least 15 candidates for the job once held by Quin Snyder. [Read more]

Editorial: The most important and easiest way to protect democracy? Vote.

American democracy is under attack just about everywhere you look. If you're worried, the answer is really very simple, writes the Editorial Board. [Read more]

In Case You Missed It

• Planned Parenthood Association of Utah files a lawsuit to block Utah's trigger law on abortion.

• Utah Tech University's name change has become a cultural flashpoint, pitting some in the community against the Black student-athletes who represent the school.

• Salt Lake City will turn its focus to hosting the 2034 Olympics after concerns that winning the 2030 bid may be less likely.

• U.S. Women's National Soccer Team star Megan Rapinoe speaks out against the Supreme Court's overturning of Roe v. Wade.

• Acknowledging the West's crippling drought, the LDS Church seeks to reduce its water use in all its buildings and facilities in the region.

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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DATE: 26/06/2022 15:29

THE WHITE HOUSE
WASHINGTON

June 26, 2022

President Biden Signs the Bipartisan Safer Communities Act into Law

Yesterday, President Biden signed into law the Bipartisan Safer Communities Act, historic legislation that will reduce gun violence and save lives.

The President has worked on this issue his entire career, and knows both how hard it is and what it takes – he was there 30 years ago, the last time this country passed meaningful gun safety laws.

We have lost too many to gun violence. When the President traveled to Uvalde, he heard a clear message: do something. Yesterday, we did.

[redacted]

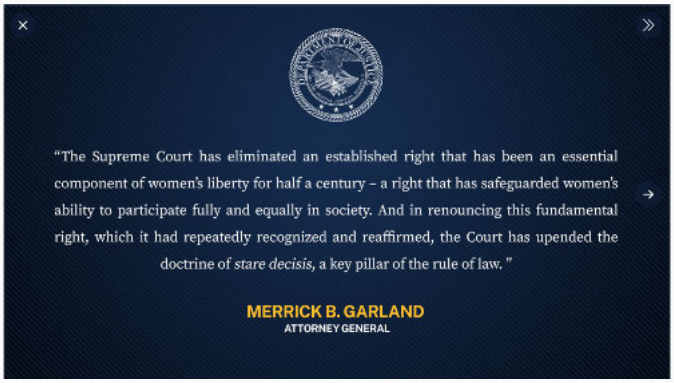
This bill doesn't do everything the President wanted want it to, but it does include actions he has long called for and that will save lives:

- It funds crisis intervention, including red flag laws to keep guns out of the hands of people who are a danger to themselves and to others.
- It finally closes what's known as the "boyfriend loophole," so if you assault your girlfriend or boyfriend you can't buy or own a gun.
- It requires young people aged 18-21 to undergo enhanced background checks.
- It includes the first federal law that makes gun trafficking and straw purchases distinct federal crimes.
- It clarifies who needs to register as a federally licensed gun dealer and run background checks before selling a gun.
- And it provides historic funding to address the youth mental health crisis in this country, especially the trauma experienced by survivors of gun violence.
- And it invests in anti-violence programs to work directly with people who are most likely to commit gun crimes or become victims of gun crimes.

At a time when it seems impossible to get anything done in Washington, bipartisan lawmakers and President Biden delivered for the American people.

And the President believes that if we can reach a compromise on guns, we ought to be able to reach compromise on other critical issues, from veteran's health care to cutting-edge American innovation and more.

Remarks on the Supreme Court Decision to Overturn Roe v. Wade



The Supreme Court expressly took away a Constitutional right from the American people. New extreme state laws will jeopardize the health of millions of women without exceptions for rape or incest.

The President and his administration will use its lawful powers to protect women's right to travel and access medication.

The Supreme Court of the United States expressly took away a Constitutional right from the American people that it had already recognized. It's never been done. And as a result, the health and lives of women are now at risk. The Administration will use its lawful power, but Congress must act. And the American people can have the final word and act with their vote.

Remarks by President Biden on the Supreme Court Decision to Overturn Roe v. Wade

Remarks by Vice President Harris on the Supreme Court Decision to Overturn Roe V. Wade

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President Biden Calls for a Three-Month Federal Gas Tax Holiday

The price of gas is up dramatically around the world, and by almost $2 per gallon in America, since Putin began amassing troops on the border of Ukraine. President Biden understands that high gas prices pose a significant challenge for working families. That's why he has taken action in recent months to boost the supply of oil and gas, including an historic release from the Strategic Petroleum Reserve, and encouraging oil companies and refiners to boost capacity and output to get more supply on the market.

President Biden has called on Congress and states to take additional legislative action to provide direct relief to American consumers who have been hit with Putin's Price Hike. Specifically, he is calling on Congress to suspend the federal gas tax for three months, through September, without taking any money away from the Highway Trust Fund. And he is calling on states to take similar action to provide some direct relief, whether suspending their own gas taxes or helping consumers in other ways.

Federal Gas Tax Holiday

Right now, the federal government charges an 18 cent tax per gallon of gasoline and a 24 cent tax per gallon of diesel. Those taxes fund critical highways and public transportation, through the Highway Trust Fund. But in this unique moment, with gas prices near $5 a gallon on average across the country, President Biden is calling on Congress to suspend the gas tax for three months – until the end of September – to give Americans a little extra breathing room as they deal with the effects of Putin's war in Ukraine.

The President is also calling on Congress to make sure that a gas tax holiday has no negative effect on the Highway Trust Fund. With our deficit already down by a historic $1.6 trillion this year, the President believes that we can afford to suspend the gas tax to help consumers while using other revenues to make the Highway Trust Fund whole for the roughly $10 billion cost. This is consistent with legislation proposed in the Senate and the House to advance a responsible gas tax holiday.

President Biden understands that a gas tax holiday alone will not, on its own, relieve the run up in costs that we've seen. But the President believes that at this unique moment when the war in Ukraine is imposing costs on American families, Congress should do what it can to provide working families breathing room.

State and Local Action

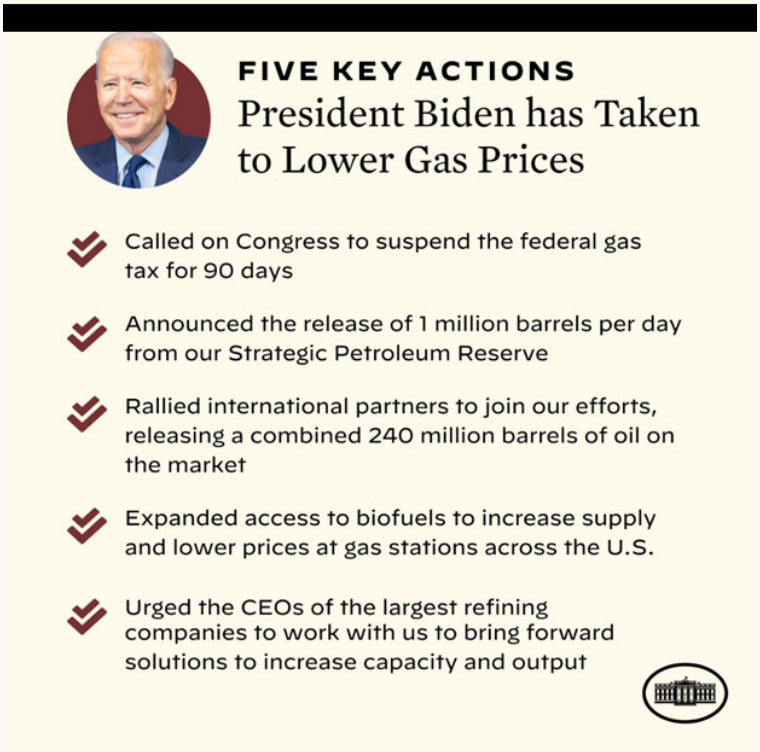
In addition to federal gas tax relief, the President is calling on state and local governments to provide additional consumer relief. Already, some states and local governments have acted: for example, in Connecticut and New York, governors temporarily suspended their gas taxes, and in Illinois and Colorado, governors delayed planned tax and fee increases. And, around the country, in states like Michigan and Minnesota, states and local leaders are considering a number of forms of consumer relief – from temporary suspensions and pauses on state sales tax on gas to consumer rebates and relief payments. The President believes more states and local governments should do so.

Ongoing Actions to Blunt the Impact of the Putin Price Hike

These announcements follow a series of actions the President has taken to lower gas prices for American families.

- The President announced the release of a record 1 million barrels per day from our Strategic Petroleum Reserve, which just last week a leading oil market analyst confirmed has been critical to keeping prices from rising even more.
- He rallied international partners to join us, releasing a combined 240 million barrels of oil on the market.
- He expanded access to biofuels like E15—gasoline that uses a 15 percent ethanol blend—to increase supply and lower prices at thousands of gas stations across the country.
- He and his Administration are engaging with oil and refining companies to ask them to work with the Administration to bring forward concrete solutions that increase refinery capacity and output. Secretary Granholm is meeting with these CEOs this week.

Already, the United States produced more oil under the first year of this Administration than it did under the first two years of the prior Administration, and is on track to set new records next year. At the same time, the President understands that our efforts to increase energy production in the near-term must be coupled with medium- and long-term efforts to transition our economy away from fossil fuels produced by autocrats and to clean energy.



Biden Administration Launches New Federal-State Offshore Wind Partnership to Grow American-Made Clean Energy

This week, the White House joined with eleven governors from up and down the East Coast to launch a new Federal-State Offshore Wind Implementation Partnership that will accelerate the growing offshore wind industry. The partnership will support efforts to provide Americans with cleaner and cheaper energy, create good-paying jobs, and make historic investments in new American energy supply chains, manufacturing, shipbuilding, and servicing.

As a first step of this Partnership, the White House and governors are announcing commitments to collaborate on expanding key elements of the offshore wind supply chain, from manufacturing facilities to port capabilities to workforce development. The Administration is also announcing steps to advance a National Offshore Wind Supply Chain Roadmap and designating offshore wind vessels as Vessels of National Interest to facilitate more offshore wind construction.

After years of Americans facing energy uncertainty, President Biden has taken decisive action to jumpstart the American offshore wind industry. He set a bold goal of deploying 30 gigawatts (GW) of offshore wind by 2030, enough to power 10 million homes with clean energy, support 77,000 jobs, and spur $12 billion per year in private investment in offshore wind projects. Since then, the Biden Administration has approved the first large-scale projects, established new wind energy areas, and held record-breaking wind auctions—signature achievements that advance the President's commitment to tackle the climate crisis and strengthen American energy security.

These bold actions have unleashed historic private sector investments to expand an American-made wind energy supply chain. In 2021 alone, investors **announced** $2.2 billion in new funding, including commitments to develop nine major manufacturing facilities to produce the foundations, towers, cables, and blades of offshore wind turbines. Supplier contracts to provide

materials and services to offshore wind projects more than doubled. And **historic project labor agreements** are helping to grow a diverse union workforce and support training programs.

More opportunities are ahead, including an estimated $109 billion revenue opportunity across the offshore wind supply chain this decade, and East Coast Governors are laying the groundwork to seize them. Having already set commitments to procure nearly 40 GW of offshore wind, these states are providing a strong demand signal for clean energy that will lower energy costs for American families while protecting them from volatile fossil fuel price spikes. Collaboration between state and federal governments already is helping to create good-paying jobs and establish a durable domestic supply chain to facilitate the responsible development of America's world-class offshore wind resource. The Biden-Harris Administration is committed to further partnering with states to maximize benefits to American workers and communities.

Read more here: **FACT SHEET: Biden Administration Launches New Federal-State Offshore Wind Partnership to Grow American-Made Clean Energy**

Biden-Harris Adminsitration Announces New Part Raises & Supports for Wildland Firefighter Workforce From Bipartisan Infrastructure Law

Our nation's wildland firefighters safeguard vital benefits for communities across the nation: protecting our nation's critical infrastructure, defending lives and private property from the risk of catastrophic wildfire, preserving forests so they can help us combat climate change, and protecting landscapes that contain cultural and natural resources of significance and value to Tribes, provide habitat to fish and wildlife, and serve as a source of drinking water for more than 60 million people. Investing in our wildland firefighting workforce is a matter of national security as there are more than 460 million acres of land at moderate to very high risk from wildfire this year, and the number of acres burned in 2021 is the highest on record.

For decades, Federal wildland firefighters have faced the challenges of longer, more severe fire years with pay that has lagged behind their counterparts. Shifting development patterns, land and fire management decisions, and climate change have turned fire "seasons" into fire "years" in which increasingly destructive fires are exceeding available Federal firefighting resources. Federal firefighters also lack an official, uniform occupational series and a clear path for career advancement through the Federal government.

The Biden-Harris Administration has announced a series of bold steps to increase pay, create new mental wellness and health supports, and establish a new wildland fire management job series for federal firefighters. These unprecedented actions on behalf of the wildland firefighter workforce are funded by $600 million from President Biden's Bipartisan Infrastructure Law. These measures are a significant step forward that will deliver an immediate, temporary pay raise to Federal wildland firefighters across the nation, and sets Federal agencies on a path to continue working with stakeholders towards an updated, competitive, and equitable pay structure, along with a support system that will address the many challenges that have plagued our wildland firefighter workforce for decades.

INCREASING PAY

Under **President Biden's 2021 initiatives** to support federal wildland firefighters and ensure they receive a minimum of $15 per hour, more than 11,300 firefighters received pay increases last year at a cost of $24.3 million. This increase in the minimum wage was a critical first step for the dignity and respect of all Federal employees. Over the coming summer months, the Administration is implementing a new set of temporary pay increases that will put retroactive pay (from October 1, 2021) into wildland firefighter pockets increasing their bi-weekly pay, up to the lesser of $20,000 or 50% of their annual base salary through September 2023. The Federal agencies will begin processing these payments in the coming weeks, with additional payments to occur throughout July and into August. The $600 million in the Bipartisan Infrastructure Law serves as a bridge for two years as the Administration works with Congress on longer-term reforms.

CREATING NEW SUPPORTS FOR FIREFIGHTERS

During a visit to the National Interagency Fire Center (NIFC) last week, Secretary of the Interior Deb Haaland announced the establishment of an interagency wildland firefighter health and wellbeing program. Wildland firefighters work in incredibly stressful environments that can take a significant toll on their overall health and wellbeing, as well as on those who love them. Standing up a targeted interagency effort to provide trauma-informed mental health care is critical. The Bipartisan Infrastructure Law directs the Departments of the Interior (DOI) and Agriculture (USDA) to increase focus on wildland firefighters' physical and mental wellbeing. The newly established joint DOI- U.S. Forest Service program will address mental health needs, including post-traumatic stress disorder care for permanent, temporary, seasonal and year-round wildland firefighters at both agencies, along with addressing environmental hazards to minimize on-the-job exposure for wildland firefighters. The joint program will also connect existing efforts and establish year-round prevention and mental health training for wildland firefighters and create critical incident stress management staffing response.

The Forest Service along with each of DOI's wildland fire management bureaus — the Bureau of Indian Affairs, Bureau of Land Management, U.S. Fish and Wildlife Service, and National Park Service — will also add staffing capacity specifically to focus on mental health and employee support efforts for firefighters.

The Bipartisan Infrastructure Law also provides increased support to the Joint Fire Science Program, an interagency partnership with USDA's U.S. Forest Service that funds wildfire science research projects. A total of $3.1 million will be used to support research towards a better understanding of firefighter mental health, landscape resiliency, and other climate-related studies on the beneficial uses of prescribed fire, carbon storage, and greenhouse gas and smoke emissions.

IMPROVING RECRUITMENT AND RETENTION

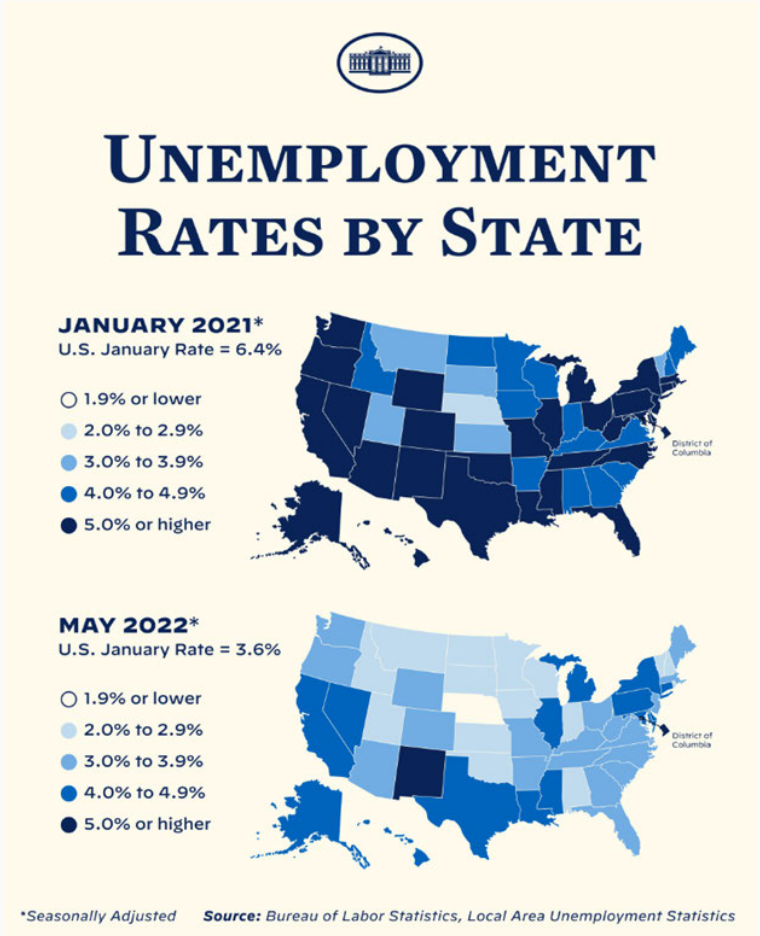
Because the pay increase under the Bipartisan Infrastructure Law is temporary, the Biden-Harris Administration supports a new firefighter pay structure that is both sufficiently competitive and equitable to address longstanding nationwide recruitment and retention challenges and consider the longer work shifts, pressures and risks associated with these jobs. The Administration is committed to working with Congress to secure much needed investments and to grow this critical workforce. The costs in firefighter turnover brought about by not having an adequately compensated and supported firefighting workforce will far exceed the amount needed to invest in them.

ESTABLISHING NEW WILDLAND FIRE MANAGEMENT OCCUPATIONAL SERIES

The U.S. Office of Personnel Management (OPM) has taken the necessary step of creating the Wildland Fire Management occupational series established under the Bipartisan Infrastructure Law. No such series has existed for 50 years. The new occupational series better identifies Federal firefighters with the work they do. It defines the duties of wildland firefighters and is responsive to the calls of firefighters and their unions to provide opportunities for career advancement. It also gives a boost to recruiting, as agencies can now post clear job opportunity announcements that specifically target people interested in wildland firefighting jobs. And it will help with retention, as our wildland firefighter workforce will benefit from a clear career path with detailed requirements for advancement, providing wildland firefighters with a job title and description that more accurately reflects their contributions.

Agencies will implement the new series in the coming months, though current Federal firefighters will be able to choose whether to opt-in to the new Wildland Fire Management series or stay in their current occupations. Once fully implemented, the series will provide a solid foundation for recruitment and retention, further strengthening our wildland firefighter workforce and contributing to the fire safety of communities across our Nation.

Lowest Unemployment Rates on Record



Surfside Remembrance Event

Jill Biden
@FLOTUS
United States government official

Today, we gathered in Surfside to remember the 98 lives lost to tragedy one year ago. Joe and I feel deep gratitude for this community for coming together and wrapping their arms around those grieving.

Our hearts have never left Surfside — we stand with you today and always.

President Biden's Maternal Health Blueprint Delivers for Women, Mothers, and Families

On Friday, the White House released the Biden-Harris Administration's **Blueprint for Addressing the Maternal Health Crisis**, a whole-of-government approach to combatting maternal mortality and morbidity. For far too many mothers, complications related to pregnancy, childbirth, and postpartum can lead to devastating health outcomes — including hundreds of deaths each year. This maternal health crisis is particularly devastating for Black women, Native women, and women in rural communities who all experience maternal mortality and morbidity at significantly higher rates than their white and urban counterparts.

Under President Biden and Vice President Harris's leadership, this Administration is now taking the next step towards a future where the United States will be the best country in the world to have a baby. The Biden-Harris Administration is committed to cutting the rates of maternal mortality and morbidity, reducing the disparities in maternal health outcomes, and improving the overall experience during and after pregnancy for people across the country. This commitment will require bold, unprecedented action through a whole-of-government strategy.

To start, the Administration is calling on Congress to improve and expand coverage by closing the Medicaid coverage gap and requiring continuous Medicaid coverage for 12 months postpartum, as well as making the significant investments included in the President's FY23 budget to reduce maternal morbidity and mortality.

The Administration also recognizes that addressing the maternal health crisis in the United States requires immediate action. That is why, in addition to urging Congressional action, the White House has mobilized over a dozen federal agencies to develop the White House Blueprint for Addressing the Maternal Health Crisis. The Blueprint outlines five priorities to improve maternal health and outcomes in the United States:

• Increasing access to and coverage of comprehensive high-quality maternal health services, including behavioral health services.
• Ensuring women giving birth are heard and are decisionmakers in accountable systems of care.
• Advancing data collection, standardization, harmonization, transparency, and research
• Expanding and diversifying the perinatal workforce.

• Strengthening economic and social supports for people before, during, and after pregnancy.

Read more here: **FACT SHEET: President Biden's Maternal Health Blueprint Delivers for Women, Mothers, and Families**

Title IX 50th Anniversary

Statement by President Joe Biden on the 50th Anniversary of Title IX

"Over the last fifty years, our nation has made monumental progress in advancing equity and equality for all students, including by narrowing gender gaps in sports, expanding opportunities in science and technology fields, and protecting students from sex discrimination, including sex-based harassment and sexual violence.

This is what America is all about: possibilities. Millions of women and girls have benefited from the change that Title IX helped make possible. More women and girls are participating and excelling in countless fields—from professional sports, to science, math, and technology than ever before. Their leadership, achievements, and success bear out the legacy of countless women throughout history who fought hard for a place at the table and for equal opportunity in all fields.

Yet there is more work to do. As we look to the next fifty years, I am committed to protecting this progress and working to achieve full equality, inclusion, and dignity for women and girls, LGBTQI+ Americans, all students, and all Americans.

My Administration will continue to fight tirelessly to realize the promise of Title IX—that every person deserves an opportunity to pursue their education free from discrimination and realize their full potential."

U.S. Department of Housing and Urban Development (HUD) Announces Notice of Funding Opportunity to Address Unsheltered Homelessness

The Biden Administration through the U.S. Department of Housing and Urban Development (HUD) released a first-of-its-kind package of resources to address unsheltered homelessness and homeless encampments, including funds set aside specifically to address homelessness in rural communities.

The $365 million package includes grant funds along with additional vouchers that will enhance communities' capacity to humanely and effectively address unsheltered homelessness by connecting vulnerable individuals and families to

housing, health care, and supportive services. This Initiative for Unsheltered and Rural Homelessness being made available by HUD strongly promotes partnerships with health care organizations, public housing authorities and mainstream housing providers, and people with lived experience and expertise of homelessness.

Specifically, the package includes:

- $322 million in Continuum of Care Program grants through a Special Notice of Funding Opportunity to fund homeless outreach, permanent housing, supportive services, and other costs as part of a comprehensive community approach to solve unsheltered homelessness, including a set-aside of $54.5 million specifically for rural communities. These grants will fund projects for three-years, after which they will be eligible for renewal through the annual Continuum of Care program competition.
- $43 million to fund approximately 4,000 new incremental vouchers will be allocated via a separate notice to public housing authorities with a priority to those that are partners in comprehensive community approaches to solve homelessness. These vouchers can serve households experiencing or at-risk of homelessness; those fleeing or attempting to flee domestic violence, dating violence, sexual assault, and stalking; and veterans and families that include a veteran family member that meets one of the proceeding criteria. Congress has provided HUD with waiver authorities to facilitate lease-up for vulnerable households.

Read more here: **Continuum of Care Supplemental to Address Unsheltered and Rural Homelessness (Special NOFO) | HUD.gov / U.S. Department of Housing and Urban Development (HUD)**

Pediatric COVID-19 Vaccines

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

President Biden
@POTUS
United States government official

We've been planning and preparing for this historic moment.

Yesterday, Jill and I met with families and young children who were waiting for their vaccine shots – and others who had just received it.

Weekly IGA Call

Tune in weekly for Administration updates Thursdays at 4 PM ET.

When: Every Thursday at 4 PM ET
Register here:
https://pitc.zoomgov.com/webinar/register/WN_2fN1C5oHQ0Wuz06br1PbVw

See you next week!

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SUBJECT: Re: Pharmacy Meeting Discussion
FROM: Michelle Hofmann <mhofmann@utah.gov>
TO: Lisa Martin <lmartin@utah.gov>, Laurie Baksh <lbaksh@utah.gov>
DATE: 26/06/2022 21:47

Hi Lisa,

I am at a leadership conference in Colorado Springs but can step out of meetings at about 10:45. Can we also include Laurie Baksh if she is available?

Michelle

On Thu, Jun 23, 2022 at 4:33 PM Lisa Martin <lmartin@utah.gov> wrote:
Dr. Hofmann,
Would you be able to attend the pharmacy meeting on Tuesday 6-28 for a discussion on the hormonal contraception standing order?
Any time between 10:20-12:00 would be great.

[redacted]

--
Lisa Martin | Bureau Manager
O: 801-530-6632 | lmartin@utah.gov

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Michelle Hofmann
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://health.utah.gov
https://hs.utah.gov

Beginning July 1, 2022, we will be the Utah Department of Health and Human Services

SUBJECT: The Salt Lake Tribune for 27 Jun 2022 has been released
FROM: "The Salt Lake Tribune E-edition"<thesaltlaketribuneeedition@directmail.newspaperdirect.com>
TO: mhofmann@utah.gov
DATE: 27/06/2022 03:44

The Salt Lake Tribune

Dear Michelle Hofmann
Your latest edition of The Salt Lake Tribune E-edition has just been released online. Happy reading!
Here are the highlights for this issue:

In This Issue:

Court asked to block abortion ban

The Planned Parenthood Association of Utah has filed a lawsuit to block Utah's trigger law on abortion, the organization announced Saturday. Utah's trigger law, banning abortions in the...

REFILL LAKE POWELL?

House boats are docked on a thin stretch of Lake Powell earlier this month. As states on the Colorado River basin and federal officials negotiate cuts to water use in the region a coalition...

Read all stories...

The Salt Lake Tribune 20220627

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SUBJECT: The Morning: After the abortion ruling, what next?
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 27/06/2022 04:20

View in browser | nytimes.com

The New York Times
The Morning

June 27, 2022

SUPPORTED BY Airtable

By David Leonhardt

Good morning. After abortion, how is the Supreme Court likely to change American society next?

The impatient, ambitious five

Protesting for abortion rights in Brooklyn last month. Gabriela Bhaskar/The New York Times

My colleague Adam Liptak, who covers the Supreme Court, describes the five Republican-appointed justices besides Chief Justice John Roberts as "an impatient, ambitious majority."

They have largely rejected Roberts's more cautious approach of deciding cases narrowly and shifting the law slowly. The five instead prefer to set American law as they believe it should be set, even when they must overrule longstanding precedent. To do otherwise, they believe, is dishonest.

After the court overturned Roe v. Wade on Friday, one obvious question was: What other legal changes might soon be coming? Initial attention has focused on the possibility that the court may soon restrict L.G.B.T. rights, contraception access or interracial marriage. All those issues involve some of the same logic that led to the abortion decision, as both Justice Clarence Thomas and the three liberal justices pointed out in their writings accompanying the decision.

But those are not actually the hot-button issues that the court is likely to consider next. In today's newsletter, I want to focus on the divisive decisions that are more likely to come soon. One of those rulings could happen today; the court is scheduled to announce some of its final rulings of the term shortly after 10 a.m. Eastern.

Kavanaugh's position

The first reason to doubt that the court is on the verge of overturning the constitutional right to same-sex marriage, interracial marriage or contraception access comes straight from Friday's abortion ruling. In a separate concurrence

explaining his vote, Justice Brett Kavanaugh — one of the impatient, ambitious five — explicitly signaled that those other rights were safe.

In his 12-page concurrence, Kavanaugh wrote that he wanted to address "how this decision will affect other precedents involving issues such as contraception and marriage." He then listed four cases dealing with those issues, including the 2015 ruling establishing a right to same-sex marriage. "Overruling Roe does *not* mean the overruling of those precedents, and does *not* threaten or cast doubt on those precedents," Kavanaugh explained.

Unless Kavanaugh changes his mind — or Roberts decides to overturn those precedents — there is no majority to do so. For now, only Thomas has said that he favors revisiting the earlier cases. "I don't think there are five votes for overturning any of those decisions," Adam Liptak said on a weekend episode of "The Daily."

The second reason to think that other divisive issues will come first is that the court has already announced many of the cases it will hear next year. They tend to involve other topics — namely affirmative action, election laws and business regulation.

Affirmative action

It's an issue that seems likely to define the court's next term in the way that abortion did this term. The court has agreed to hear two cases, one challenging the use of race in admissions at a public university (the University of North Carolina) and one at a private university (Harvard).

I have been writing about this subject for the past two decades, and university officials I've spoken with are far more worried that the court will outlaw their current admissions approach than they were during the run-up to previous Supreme Court cases. If that happens, the number of Black students at selective colleges seems especially likely to decline.

The Harvard campus in March. Kayana Szymczak for The New York Times

The core argument for affirmative action is simple: In a society where racism and racial inequities remain defining problems, ignoring race in admissions or hiring decisions is fundamentally unfair.

Yet affirmative action — at least as it has typically been practiced in the U.S. — tends to be unpopular. When the policy appears on the ballot in state referendums, it usually loses, even in liberal states like California. (Poll questions, depending on their wording, point in contradictory directions.)

One problem may be that traditional affirmative action has put nearly all of its focus on race, with little to no weight on economic class. That approach has probably hurt the policy's support among many white, Asian and even Latino

voters. Its thin popular support, in turn, would make it easier for conservative justices to ban a policy they have long opposed.

“The way to stop discrimination on the basis of race is to stop discriminating on the basis of race,” Roberts once wrote.

Is there any chance the court will stop short of outlawing affirmative action? Sure. Many corporate executives and military leaders support the policy, and they could plausibly sway the justices. But most court watchers consider that outcome improbable.

In a 2003 ruling upholding affirmative action, Justice Sandra Day O’Connor — a more moderate Republican appointee — suggested that she thought the policy might no longer be necessary “25 years from now.” If the court scraps the policy in 2023, the current impatient, ambitious majority would be only five years ahead of O’Connor’s timetable.

And two more

Two other contentious subjects on the court’s docket are election law and business regulation. On both, the court — including Roberts — has recently leaned strongly to the political right.

Election laws. The court has already agreed to hear a case about whether Alabama can draw a congressional map that packs many Black voters into a single congressional district, effectively diluting their political power. About 27 percent of Alabama’s residents are Black, and the state has seven House districts.

The court may also decide to hear a case that could limit the ability of state courts to review how state legislatures draw districts and otherwise oversee elections. Adam Liptak recently wrote an article that explains why the issue is so important — especially when many Republican legislators have signaled a willingness to overturn election results.

Business regulation. Even before President Donald Trump’s three appointees shifted the court to the right, it tended to take a laissez-faire approach, limiting Congress’s ability to regulate corporate behavior. The current court may go even further, especially on climate policy, and rule that federal agencies cannot limit pollution unless Congress has given them specific authority to do so.

The court will hear one case involving the Clean Water Act in October and will likely issue a ruling involving the E.P.A. this week. I’ll go into more detail on this subject once that ruling is announced.

More on abortion

- Anti-abortion activists are pushing more states to adopt bans and prohibit traveling for abortions, while opponents have pledged to fight so-called trigger laws in court.
- The Jackson Women’s Health Organization, the only clinic in Mississippi, was at the center of the case that overturned Roe. It will close in a few days.
- In Opinion, **Pamela Paul** writes that America’s most exceptional trait is its lack of mercy. And **Ross Douthat** argues that abortion opponents have a longer-term battle to win.

A MESSAGE FROM AIRTABLE

Do great work, your way

See how teams connect their people, data, and workflows to transform the way they work.

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Airtable

THE LATEST NEWS

War in Ukraine

The site of a missile strike in Kyiv, Ukraine, yesterday. Mauricio Lima for The New York Times

- Russian forces rained missiles on Kyiv for the first time in weeks, shattering the Ukrainian capital's sense of security.
- Leaders of G7 nations are close to an agreement to impose price caps on Russian oil, among other new economic penalties, Biden administration officials said today.
- The war has hampered the fight against climate change as countries focus on finding fossil fuels to make up for lost Russian oil.

Primary Elections

- In New York, the Democratic candidates for governor are focusing on two Supreme Court rulings — on abortion and guns — ahead of Tuesday's primary.
- A far-right candidate could win the Republican primary for Illinois governor, thanks to a Trump-loving base — and Democrats' cash.

Other Big Stories

- In China, police technology uses vast surveillance data to predict crime before it happens, targeting people whose behavior an algorithm deems suspicious.

- At a meeting of the Proud Boys before Jan. 6, the far-right group's leaders stressed obeying police lines and keeping away from ordinary protesters. Those instructions were later ignored.
- Fifty years ago, girls' soccer became an easy way to comply with the new Title IX law. Now the U.S. is a women's soccer powerhouse.
- The Colorado Avalanche won their first Stanley Cup since 2001, ending the Tampa Bay Lightning's bid for a third consecutive title.

Opinions

China's economic expansion is winning over small countries that the U.S. ignores, writes **Dorothy Wickham**, a journalist from the Solomon Islands.

Gail Collins and **Bret Stephens** discuss last week's Supreme Court decisions.

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MORNING READS

Jeneda Benally and her dog, Mr. Happy Face. Josh Edelson/Agence France-Presse — Getty Images

Mr. Happy Face: This Chihuahua mix with a mohawk was crowned World's Ugliest Dog.

Supercars: Would you buy an electric Ferrari?

Quiz time: The average score on our latest news quiz was 8.9. Try to beat it.

A Times classic: Where decision fatigue comes from.

Advice from Wirecutter: How to apply sunscreen for maximum effect.

Lives Lived: Baxter Black was America's cowboy poet (some dubbed him the "Poet Lariat"), celebrating life on the range in books, speeches and frequent NPR appearances. Black died at 77.

ARTS AND IDEAS

Cheerios stands out across today's streaming series, including "Grace and Frankie" on Netflix. Netflix

The brands on your screen

Advertising has become easier to avoid, thanks to commercial-free streaming services, skippable YouTube ads and more. Companies and marketers are responding with an increase in product placement.

When done well, a bit of product placement can seem natural; after all, real kitchens are stocked with branded products. But the repeated appearance of certain items can start to look odd. Why is it that so many TV characters are drinking that one blue-capped water? And why do they keep referring to the same real estate app?

Read more about the trend — including examples from your favorite shows.

A MESSAGE FROM AIRTABLE

Do great work, your way

See how teams connect their people, data, and workflows to transform the way they work.

LEARN MORE

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PLAY, WATCH, EAT

What to Cook

Julia Gartland for The New York Times. Food Stylist: Monica Pierini.

This recipe for roasted vegetables is easy to make, but good enough to become a go-to when fresh veggies are around.

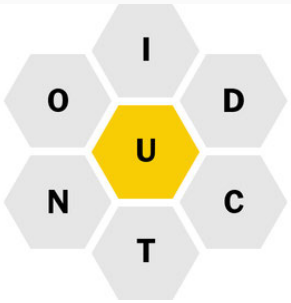
The Rosé Lifestyle

An owner of Wölffer Estate has turned pink wine into a symbol of the Hamptons life that she epitomizes.

World Through a Lens

A photographer documents the ornamental birdhouses of India, known as chabutras.

Now Time to Play



The pangram from yesterday's Spelling Bee was *bilingual*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Cheesy dip (5 letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. Megha Rajagopalan and Justin Scheck are joining The Times's international investigations team.

Here's today's front page.

"The Daily" is about the abortion ruling. "Sway" features Andrew Ross Sorkin.

Ian Prasad Philbrick, Tom Wright-Piersanti, Ashley Wu and Chris Stanford contributed to The Morning. You can reach the team at themorning@nytimes.com.

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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[redacted]

SUBJECT: Re: Board of Rx - Discussion Item
FROM: Mark Steinagel <msteinagel@utah.gov>
TO: Dave Davis <ddavis@utfood.com>
CC: Carrie Dunford <carrie.dunford@imail.org>, "Jen Zaelit (jzaelit@utah.gov)" <jzaelit@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn <deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, Margaret Busse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov>, "Chris P. Sheard" <CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 27/06/2022 07:46

Dave's approach may be the best thesis for your discussion tomorrow. What do you think, Carrie?

This may be one of those times where it could help you to receive advice from the AG's Office after you delineate questions and concerns.

Mark Steinagel | Division Director

UTAH DEPARTMENT OF COMMERCE
Division of Professional Licensing

O: 801-530-6292 | msteinagel@utah.gov

On Fri, Jun 24, 2022 at 7:25 PM Dave Davis <ddavis@utfood.com> wrote:

That's correct Mark. I am primarily wanting to see if the BoP sees any potential licensing issues and I also just generally think there are a bunch of really smart people on the BoP and I would be curious if they think there is ambiguity in the current law.

Dave Davis
President & Chief Legal Officer
Utah Food Industry Association
Utah Retail Merchants Association
4286 South Main Street
Murray, Utah 84107
Phone: (801) 262-5001

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From: Mark Steinagel <msteinagel@utah.gov>
Date: Friday, June 24, 2022 at 7:11 PM
To: Carrie Dunford <carrie.dunford@imail.org>
Cc: Dave Davis <ddavis@utfood.com>, Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn <deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, Margaret Busse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov>, Chris P. Sheard <CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
Subject: Re: Board of Rx - Discussion Item

[redacted]

Our position is that we would only take action after someone is criminally convicted (including a plea, no contest, etc)

The reason is that Utah's abortion law is a criminal law, not a civil/administrative law. DOPL and the Board have no rule making authority to determine the elements of the crime. Prosecutors and defense attorneys will argue their points in front of a judge. Then DOPL will likely only consider the outcome of a criminal process.

I don't think that DOPL or the Board are in an appropriate position to opine on the applicability of criminal law to specific situations. When I read Dave's email, I didn't understand tha the Board would be opining on the law, but simply hearing from concerned stakeholders about the issue generally and whether any licensing issues exist.

Is this your understanding? I want to ensure we listen to you and others and consider possible issues that we have not considered. Everyone is obviously experiencing the effects of change on a significant issue.

Mark

On Fri, Jun 24, 2022, 5:41 PM Carrie Dunford <Carrie.Dunford@imail.org> wrote:

> Hello,
>
> Thank you Dave. I'll ask for additional guidance from Mark, Margaret, or Deborah regarding how much authority the Board has to weigh in on the determination of whether a pharmacist/pharmacy could be subject to discipline from SB 174 or do we need to seek an official opinion from the AG.
>
> To my untrained eye, so much depends on when we could attest to knowing that the administration of the abortifacient is "after implantation of a fertilized ovum".
>
> (1) (a) "Abortion" means:
> (i) the intentional termination or attempted termination of human pregnancy after implantation of a fertilized ovum through a medical procedure carried out by a physician or through a substance used under the direction of a physician;
> (ii) the intentional killing or attempted killing of a live unborn child through a medical procedure carried out by a physician or through a substance used under the direction of a physician; or
> (iii) the intentional causing or attempted causing of a miscarriage through a medical procedure carried out by a physician or through a substance used under the direction of a physician.
>
> Best,
>
> Carrie
>
> **From:** Dave Davis <ddavis@utfood.com>
> **Sent:** Friday, June 24, 2022 5:27 PM
> **To:** Carrie Dunford <Carrie.Dunford@imail.org>; Mark Steinagel <msteinagel@utah.gov>
> **Cc:** Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>; Lisa Martin <lmartin@utah.gov>; Larry Marx <lmarx@utah.gov>; Deborah Blackburn <deborahblackburn@utah.gov>; Jenna Mayne <jennamayne@utah.gov>; Margaret Busse <mbusse@utah.gov>; Jacob Hart <jfhart@utah.gov>; Chris P. Sheard <CPSheard@afstores.com>; Michelle Hofmann <mhofmann@utah.gov>
> **Subject:** Re: Board of Rx - Discussion Item
>
> I think the question my members have and would be interested in the BoP's opinion is…
>
> Based on the current language contained in SB 174 (from the 2020 session) – which will now be triggered by the overruling of Roe v. Wade – Could a pharmacist / pharmacy be subject to discipline from DOPL and/or criminal penalties if they dispense an abortifacient pursuant to a prescription written by a licensed physician. Drugs that induce an abortion are clearly covered by the statute but who will ultimately be responsible if a drug is given to an individual, who does not meet all of the requirement of the statute, is a bit ambiguous. I think it is clear that the physician would be "on the hook". I think it is less clear how a pharmacist / pharmacy would be handled. My thought is that if DOPL and the Board feel like there is some potential liability for pharmacists / pharmacies that our organization would work to clarify the statute to exempt pharmacists / pharmacies from liabilit provided they dispensed the drug as written by the physician.
>
> I think a discussion with the board would be timely based on today's events. Let me know your thoughts.
>
> *Dave Davis*
> *President & Chief Legal Officer*
> *Utah Food Industry Association*
> *Utah Retail Merchants Association*
> *4286 South Main Street*
> *Murray, Utah 84107*
> *Phone: (801) 262-5001*
>
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From: Carrie Dunford <Carrie.Dunford@imail.org>
Date: Friday, June 24, 2022 at 5:11 PM
To: Mark Steinagel <msteinagel@utah.gov>, Dave Davis <ddavis@utfood.com>
Cc: Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, Deborah Blackburn <deborahblackburn@utah.gov>, Jenna Mayne <jennamayne@utah.gov>, Margaret Busse <mbusse@utah.gov>, Jacob Hart <jfhart@utah.gov>, Chris P. Sheard <CPSheard@afstores.com>, Michelle Hofmann <mhofmann@utah.gov>
Subject: RE: Board of Rx - Discussion Item

Hello,

Thank you Dave. It's certainly a timely question. We had a meeting to discuss the agenda for Tuesday. Our main focus is to discuss whether ulipristal (Ella) emergency contraception could be included in the oral contraceptive orders that were approved earlier. I believe it fits in the definition from Utah Code 26-64 or we could certainly discuss the possibility of including a separate protocol. Plan B is available without a prescription while ulipristal is prescription only. There are some advantages to ulipristal in that it can be taken up to 5-da after unprotected intercourse vs. 3-days for Plan B. There is some information that indicates ulipristal is a better option for pediatric patients but I'm not sure the specific reason.

I added Dr. Hoffman to the email (but I believe she is out of town) because the DOH was involved in creation of the current protocol.

Let me know if you believe there is more that the Board of Pharmacy should discuss regarding this topic.

Best,

Carrie

From: Mark Steinagel <msteinagel@utah.gov>
Sent: Friday, June 24, 2022 4:57 PM
To: Dave Davis <ddavis@utfood.com>
Cc: Carrie Dunford <carrie.dunford@imail.org>; Jen Zaelit (jzaelit@utah.gov) <jzaelit@utah.gov>; Lisa Martin <lmartin@utah.gov>; Larry Marx <lmarx@utah.gov>; Deborah Blackburn <deborahblackburn@utah.gov>; Jenna Mayne <jennamayne@utah.gov>; Margaret Busse <mbusse@utah.gov>; Jacob Hart <jfhart@utah.gov>
Subject: Re: Board of Rx - Discussion Item

External Sender: Be aware! Read with care!

Thank you, Dave.

I am realizing that I have done a poor job of informing you that Jennifer has left DOPL and Lisa Martin was recently hired to take her place. Lisa is copied, as is Larry Marx. We should have you meet her soon, as we should also do with Adam and the UPhA. I am sorry that we haven't yet done this. This is one of many areas where I can work to improve our training! But as for Lisa, she is excellent and has our full confidence.

As for the ruling, we have also been dealing with this matter today and this week with a couple of media and other requests. I am copying Margaret Busse and Deputy Director Jacol Hart, since your issue is another that I did not consider.

Below is included what we said to the media, as it related to those who perform abortions. My best guess is that similar principles would apply with pharmacists, not relating to gene liability, but licensing requirements:

Thank you for reaching out. From a professional licensing perspective, there is not a change expected based on the SCOTUS decision. According to state law, an abortion can only be performed when certain requirements are met, by a licensed physician, and at a licensed facility.

When physicians apply for a license, they are required to indicate whether they perform abortions and if so, where they are performed. In accordance with state law, this information is shared with the Utah Department of Health and Human Services to aid in their licensing of facilities.

In terms of enforcement, the abortion statute is in the criminal code. UDOH is (and would still be) required to report any violation of state law to DOPL. However, the Division relies on the court system for a criminal conviction in order to decide what disciplinary action (if any) is necessary. Often, arrests are reported to us by law enforcement or prosecutors. In those cases, DOPL will work with the licensed professional on a limitation order, which would order the professional to cease certain professional practices pending the resolution of their criminal charge(s).

Thank you for raising this issue, Dave, both with us and the Board. You have always been a great partner in our work.

Please let us know if you have any questions. And let's set up a time for you to visit with Lisa soon.

Best,

Mark Steinagel | Division Director
Error! Filename not specified.
O: 801-530-6292 | msteinagel@utah.gov
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On Fri, Jun 24, 2022 at 2:15 PM Dave Davis <ddavis@utfood.com> wrote:

Carrie and Jen,

With the Supreme Court ruling overturning Roe v. Wade today it may be worthwhile to discuss, in Tuesday's board meeting, Utah's abortion law (SB 174 – passed in the 2020 General Session https://le.utah.gov/~2020/bills/sbillenr/SB0174.pdf) and the possible implications for pharmacists / pharmacies that dispense Plan B type drugs.

While the law was passed in 2020, it is only triggered once the Supreme Court (or the 10th Circuit COA) overturn Roe (well this just happened). I don't believe it was the intent of the Utah legislature to place liability on pharmacists / pharmacies but I do think the law, as drafted, is ambiguous. I am planning to be in attendance at the board meeting and as you both know I am never shy about offering my two cents. Thanks for all you both do to keep the board operating like a well oiled machine.

Dave Davis
President & Chief Legal Officer
Utah Food Industry Association
Utah Retail Merchants Association
4286 South Main Street
Murray, Utah 84107
Phone: (801) 262-5001

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From: support@utah.gov <support@utah.gov>
Date: Friday, June 24, 2022 at 9:47 AM
To: Dave Davis <ddavis@utfood.com>
Subject: Documents Updated for Utah State Board of Pharmacy

Utah Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM

Utah State Board of Pharmacy

Utah State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

Description/Agenda:

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve May 24, 2022, Meeting Minutes
3. Investigation Report - Camille Farley
4. CSD Update - Jeff Henrie
5. Advisory Pharmacy Compounding Education Committee Update
APPOINTMENTS:
9:05 am Compliance Report-Bernice Palama
9:15 am Super Drug & Herbal Store, Educational Interview
9:30 am Christopher Young, Probationary Interview
9:45 am Hopewell Pharmacy, Stipulation Review
10:00 am Varduhi Aleksanyan, Intern Extension Request
10:10 am Hyrum Nichols, Intern Extension Request
DISCUSSION ITEMS:
- Birth Control Standing Order
- Drug Purchasing Fraud Alert
- Foreign Pharmacy Students
- Amphetamines & Pregnancy
- Cyber Security HB 80
NEXT SCHEDULED MEETING: Tuesday, July 26, 2022
2022 Board Meetings Tentatively Scheduled
Aug 23, Sept 27, Oct 25, Nov 29, Dec 20
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meetin

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Notice of Electronic or telephone participation:

Electronic participation is planned for this meeting.

Other information:

Location:

160 East 300 South - 4th floor, Salt Lake City, 84111

Contact information:

Jennifer Falkenrath , jzaelit@utah.gov, (801)530-6628

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SUBJECT: The Impact of Overturning Roe v. Wade on Health Centers
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: mhofmann@utah.gov
DATE: 27/06/2022 09:30

Industry Update:
The Impact of Overturning *Roe v. Wade* on Health Centers
Wednesday, June 29 at 1 PM ET

Last week's Supreme Court decision in *Dobbs v. Jackson Women's Health Organization* has left many health care providers, including health centers, with questions surrounding their responsibilities to patients while also anticipating new laws and legal cases. With this

uncertainty, how should health center leadership and staff move forward to continue to provide the best care to patients and stay in compliance?

In this industry update webinar this **Wednesday, June 29 at 1 PM ET**, join FTLF attorneys **Molly Evans**, **Rosie Dawn Griffin**, **Dianne Pledgie**, and **Carrie Riley** as they discuss:

- The Supreme Court case and decision
- Providing voluntary family planning to clients, including Title X grant considerations
- Impacts on malpractice and FTCA coverage concerns
- Compliance and risk management strategies

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This industry update webinar is complimentary for Premium Plan subscribers. Please contact us for your code.

FTLF has designed this webinar for the following audience:

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- Medical Directors and Clinical Staff
- Risk Managers/Compliance Officers
- Grants Managers
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SUBJECT: Re: Pharmacy Meeting Discussion
FROM: Lisa Martin <lmartin@utah.gov>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 27/06/2022 09:50

Thank you for your reply; however, as Friday's ruling came out after this request we will be pushing this discussion for another month.

On Sun, Jun 26, 2022 at 9:48 PM Michelle Hofmann <mhofmann@utah.gov> wrote:
Hi Lisa,

I am at a leadership conference in Colorado Springs but can step out of meetings at about 10:45. Can we also include Laurie Baksh if she is available?

Michelle

On Thu, Jun 23, 2022 at 4:33 PM Lisa Martin <lmartin@utah.gov> wrote:
Dr. Hofmann,
Would you be able to attend the pharmacy meeting on Tuesday 6-28 for a discussion on the hormonal contraception standing order?
Any time between 10:20-12:00 would be great.

--
Lisa Martin | Bureau Manager
O: 801-530-6632 | lmartin@utah.gov

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

--
Michelle Hofmann
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://health.utah.gov
https://hs.utah.gov

Beginning July 1, 2022, we will be the Utah Department of Health and Human Services

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--
Lisa Martin | Bureau Manager
O: 801-530-6632 | lmartin@utah.gov

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: DHHS EDO
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: "Heather Barnum (DHS)" <reply-106989973896876856555@profiles.google.com>,Michelle Hofmann <mhofmann@utah.gov>,Trudy Ellis DHS <trudyellis@utah.gov>,"David Litvack (DHS)" <davidlitvack@utah.gov>,Heather Borski <hborski@utah.gov>, Rebecca Brown <rebeccab@utah.gov>,Amanda Slater DHS <aslater@utah.gov>,"Tracy Gruber (DHS)" <tracygruber@utah.gov>,Nate Checketts <natecheckets@utah.gov>,Lori Erickson DHS <llerickson@utah.gov>,Nate Winters DHS <natewinters@utah.gov>,Tonya Hales <thales@utah.gov>, Tony Merton <tmerton@utah.gov>
DATE: 27/06/2022 10:51

Joe Dougherty DHS, 2022-06-27 09:51:18
We have had requests from our program that works with the abortion module to put out some factual information. They've been asked for it by partners. Brook has put together a nice explanatory post we'd like to put on Instagram.

Joe Dougherty DHS, 2022-06-27 09:52:02
Here are the graphics we'd like to [redacted]

Joe Dougherty DHS, 2022-06-27 09:52:09
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:21
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:27
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:34
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:40
I shared [redacted]

Joe Dougherty DHS, 2022-06-27 09:53:26
Basically a user would swipe through these images on our Instagram post. Request is coming from Lynn and Laurie

Tonya Hales, 2022-06-27 09:59:42
Hi Joe - thanks for sharing this. One thing that I think may draw additional questions is the concept of "severe brain abnormality" and just wonder if it might help to add that extra bit about it excluding such conditions as Down Syndrome... just a thought

David Litvack (DHS), 2022-06-27 10:31:04
Thanks Joe! I think the information looks good. I just went back and looked over our FAQ document, but just want to confirm that all of the information being provided in the proposed instagram has been confirmed and finalized.

Joe Dougherty DHS, 2022-06-27 10:48:03
Hi David, yes, all information was verified and approved.

Tonya, at this time, we would like to leave out information about Down syndrome. I think there's a tim for it, but I think we would prefer to be reactive in case those questions come up.

David Litvack (DHS), 2022-06-27 10:51:17
Thank you Joe! I think it would be good to document the requests for information we are getting in case we get any questions from stakeholders on why we are putting this information out there now. I hope that makes sense.

Joe Dougherty DHS, 2022-06-27 10:53:10
Thank you! I will try to chase that down.

Michelle Hofmann, 2022-06-27 12:23:21
Joe...on the 5th graphic regarding contraception, can we anchor to the medical community and state law rather than the medical community alone? In general nothing prevents state law from diverging on recommnedations from the medical community and I think it is important to call out this alignment that currently exists.

[redacted]

Joe Dougherty DHS, 2022-06-27 12:27:53
Thanks, Michelle

David Litvack (DHS), 2022-06-27 12:29:15
Great suggestion Michelle!

Tonya Hales, 2022-06-27 12:31:05
Thanks Joe.

Joe Dougherty DHS, 2022-06-27 13:08:14
Hi friends!

We are gathering some $$ to send Jenny Johnson a Doordash gift card. If you did not hear, she had an emergency knee surgery, and will be at home fo the next few weeks. A few have asked if you could contribute to a gift.

There is no obligation to participate, but if you would like to, you can send Brook Dorff money via Venmo to contribute. We're hoping to gather all donations for her by Wednesday 5pm.

[redacted] Venmo is: [redacted]. If Venmo asks you the last 4 digits of her phone number, they are [redacted] Please indicate it's for Jenny in the memo

Rebecca Brown, 2022-06-27 14:40:12
Judge blocks Utah's abortion trigger law temporarily for 14 days https://kutv.com/news/local/judge-blocks-utahs-abortion-trigger-law-temporarily
https://kutv.com/news/local/judge-blocks-utahs-abortion-trigger-law-temporarily

David Litvack (DHS), 2022-06-27 14:50:39
Thanks Becky

Nate Checketts, 2022-06-27 14:51:51
The stay delays the need for the infographics. However, if they are needed later, here are my thoughts:

Nate Checketts, 2022-06-27 14:53:37
[redacted]

Nate Checketts, 2022-06-27 14:54:42
[redacted].

Nate Checketts, 2022-06-27 14:57:43
[redacted]

Joe Dougherty DHS, 2022-06-27 14:57:45
Thanks, Nate. Since infographics can get bogged down with code citations, we can definitely include the legal reference information in the post copy. Brook and I will continue to wordsmith based on your feedback.

Nate Checketts, 2022-06-27 14:58:46
A message was edited in Google Chat; view the updated message o [redacted]

Joe Dougherty DHS, 2022-06-27 14:59:55
[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: Re: Pharmacy Meeting Discussion
FROM: Laurie Baksh <lbaksh@utah.gov>
TO: Michelle Hofmann <mhofmann@utah.gov>
CC: Lisa Martin <lmartin@utah.gov>
DATE: 27/06/2022 14:07

I can make myself available at 10:45 as well.

Thanks,
Laurie

On Sun, Jun 26, 2022 at 9:48 PM Michelle Hofmann <mhofmann@utah.gov> wrote:

Hi Lisa,

I am at a leadership conference in Colorado Springs but can step out of meetings at about 10:45. Can we also include Laurie Baksh if she is available?

Michelle

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Dr. Hofmann,
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Lisa Martin | Bureau Manager
O: 801-530-6632 | lmartin@utah.gov

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Michelle Hofmann
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
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Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
health.utah.gov
hs.utah.gov

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SUBJECT: Re: (Invitation) Press Conference Tomorrow: HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, Dobbs v. Jackson Women's Health
FROM: Tonya Hales <thales@utah.gov>
TO: Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>
DATE: 27/06/2022 16:01

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Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

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HHS IEA

Office of Intergovernmental and External Affairs

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SUBJECT:
FROM: Michelle Hofmann <mhofmann@utah.gov>
TO: Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 27/06/2022 17:08

Michelle Hofmann, 2022-06-27 16:08:08
Just getting back in the saddle after vacation but am out of town until Thurs at ASTHO leadership institute. Can you catch me up on what you need help with in terms of th abortion materials? Also, prep for July 1 presser. Will Jenny be able to help with some remarks for me? I will definitely make a Venmo contribution! Thanks for helping m regroup.

SUBJECT: The Morning: Blue state blues
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 28/06/2022 04:20

View in browser | nytimes.com

The New York Times
The Morning

June 28, 2022

By David Leonhardt

Good morning. The governor's race in Oregon shows how Democrats could be in trouble in November.

[redacted]

President Biden's unpopularity is only one of his party's problems this year. T.J. Kirkpatrick for The New York Times

Unexpected losses

The midterm polls continue to look bad for the Democratic Party. Yes, it's possible that events — like, say, the overturning of Roe v. Wade — will help the party do better in November than analysts expect. For now, though, 2022 is looking like another wave election in which the president's party will suffer big losses.

In a wave election, major surprises are possible. In 2018, for example, Republicans lost every House seat in Orange County, Calif., which had long been a symbol of suburban conservatism. In 1994, the Democratic speaker of the House, Tom Foley, shockingly lost his own district to a political neophyte.

Unless the polls improve for Democrats, they could find themselves suffering similarly unexpected losses in November. By definition, it's hard to predict these surprises in advance. But even blue states and districts that are normally safe may not be this year.

[redacted]

Today, my colleague Reid Epstein offers a portrait of one such campaign: the governor's race in Oregon. It has its own characteristics, including a third-party candidate, but many of the political themes in Oregon are also present across the country.

Biden, crime, gas prices

By **Reid J. Epstein**

Almost nobody in Oregon seems to be happy.

In Portland, just 8 percent of residents think their city is on the right track, according to a May poll from Oregon Public Broadcasting. East of the Cascade Mountains, nine counties are so fed up with Democratic control of the state that they have voted to leave the state to join Idaho.

Only Democrats have served as Oregon's governor since 1987, but the party, weighed down by soaring gas prices, inflation and President Biden's unpopularity, is in so much trouble in this year's midterm elections that even deep-blue Oregon is suddenly competitive.

Portland, like many other cities in the U.S., has seen a rise in homelessness and violent crime. Visiting the city's downtown in recent years has been an exercise in navigating its sprawling homeless encampments — an issue that polling shows is top of mind for the state's voters. And homicides jumped to at least 90 last year, from 36 in 2019.

Gov. Kate Brown, a Democrat in her final term, is America's least-popular governor, according to Morning Consult polling. Biden's approval rating is 15 points under water, despite his having won the state by 16 percentage points.

In much of the country, that's all Republicans need to say to fire up their voters: Joe Biden, crime and gas prices.

An independent challenge

Amid their political headwinds, Oregon Democrats have doubled down.

For governor, the party nominated Tina Kotek, a former state House speaker widely seen as a status quo candidate who would maintain Oregon's progressive direction. Last year, she sponsored legislation that limited Oregon cities' ability to remove homeless people's tents from public spaces.

Tina Kotek, the Democratic candidate for Oregon governor. Craig Mitchelldyer/Associated Press

In typical lousy Democratic years, Oregon Democrats have overcome dissatisfaction with the party. But things are so bad now that the party has

splintered: Betsy Johnson, a veteran Democratic state legislator, quit the legislature and left her party to mount an independent campaign for governor.

Johnson, a helicopter pilot whose signature Liz Claiborne eyeglasses are embedded in her campaign logo, has raised far more money than both Kotek and the Republican nominee, Christine Drazan. Johnson has also earned an array of high-profile endorsements from members of both parties. Much of her fund-raising has come from Oregon's corporate moguls, including more than $1 million from the Nike founder Phil Knight.

Portland's homelessness crisis is animating Johnson's campaign. One of her TV ads shows her driving around the city's encampments. "No more tent cities," she says. When I spoke with her, Johnson didn't mince words: "You can see the deterioration of the beautiful City of Roses, now the city of roaches," she said.

Democrats say they believe Johnson will take more votes from the Republican base than from their own. But they are spending as if she is a real threat, creating a PAC to attack her as an obstacle to environmental progress and gun control. (Shortly after the Sandy Hook massacre, Johnson told a group of high school students that she owned a machine gun. She told me it was "a Cold War artifact" and said she still had it.)

The G.O.P. nominee, Drazan, is anti-abortion and pro-Trump, a change from the moderates Oregon Republicans have nominated for governor in recent years. Her campaign believes she could win the three-way race with just 40 percent of the vote — the same percentage Donald Trump took in 2020. Some Republicans in Washington, D.C., believe Drazan has a better shot of winning than their candidates in traditional battleground states like Michigan and Pennsylvania do.

Kotek and Johnson favor abortion rights — a position they both stressed following Friday's Supreme Court decision striking down Roe v. Wade. Johnson served on the board of the local Planned Parenthood chapter, while Kotek passed legislation in 2017 that expanded state-funded abortion access.

No sure thing

Kotek is still the favorite to win. Oregon Democrats have significant structural advantages — there are just more of them than anyone else. But it's not a sure thing, and Democrats are sweating the result for the first time in years.

When we spoke last week, Kotek tried to steer the discussion toward issues where she is aligned with Oregon's progressive voters: environmental protections, gun control and minimum wage increases, all of which Johnson has opposed. Kotek dismissed Johnson as an elected gadfly who accomplished little during her two decades in the Oregon Legislature.

But in doing so, she sounded an awful lot like another well-credentialed Democrat who seemed to be in a race the party couldn't lose.

"You could do what Donald Trump did and say, 'Trust me,' like Betsy Johnson," Kotek said. "Or you can vote for the person who actually has a track record of accomplishment to make sure people have what they need. So I think that at the end of day, people are going to go with that."

The next four months will determine whether she's right.

For more

- Biden insists that he plans to run again in 2024. He and top aides are stung by some Democrats' skepticism that he should.
- New York, Colorado and other states are holding primary elections today. Here's what to watch for.

THE LATEST NEWS

Abortion

Abortion rights supporters marched in Salt Lake City on Friday. Kim Raff for The New York Times

- Judges in Louisiana and Utah temporarily halted their states' trigger laws, allowing abortion clinics there to remain open for now.
- The initial response by Biden and other party leaders to the overturning of Roe struck many Democrats as painfully inadequate.
- Mitch McConnell told The Times that the fall of Roe was the culmination of his mission to reshape the Supreme Court.
- Yesli Vega, a Republican House candidate in Virginia, dismissed the need for abortions in cases of rape by falsely suggesting that rape rarely leads to pregnancy.

Politics

Joseph Kennedy coached at a public high school in Bremerton, Wash., near Seattle. Ruth Fremson/The New York Times

- The Supreme Court ruled that a Washington high school football coach had a right to lead prayers at the 50-yard line, extending a winning streak for religious groups.
- The House Jan. 6 panel abruptly scheduled a hearing for today to present "recently obtained evidence," though it offered no details.

- Federal agents seized the phone of John Eastman, a conservative lawyer who helped Trump try to overturn the 2020 election.

War in Ukraine

- The U.S. and its G7 allies will pledge to spend $5 billion this year to help ensure food security around the globe, a Biden administration official said today. It's an effort to counter shortages caused by the Russian invasion.
- The death toll from a Russian missile strike on a crowded mall in Kremenchuk, central Ukraine, rose to 18, the city's mayor said.
- The trial for Brittney Griner, the W.N.B.A. star detained in Russia, is to begin on Friday.

Other Big Stories

- The bodies of at least 46 people, believed to be migrants, were found in and around an abandoned tractor-trailer near San Antonio.
- An Amtrak train carrying more than 200 people collided with a dump truck in Missouri. Three people died.
- MSNBC has tapped Alex Wagner, a fixture of Washington journalism, to succeed Rachel Maddow, starting in August.

Opinions

Faced with Russian aggression and American turmoil, Europe needs to look after itself, **Emma Ashford** argues.

Women now count less in America than they did last week, **Tressie McMillan Cottom** writes.

"Two kids was enough for our working family." "I just made the wrong choice." Times readers shared abortion stories that defied clear-cut narratives.

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MORNING READS

Buck Ellison's "Betsy and Elissa, Ada, Michigan, 2018." Buck Ellison

Photography: Buck Ellison's images use fiction to reveal truths about the wealthy.

The Arconia: The building from "Only Murders in the Building" is real, and it has a wild history.

The Ethicist: Should I tell my sister that I know she sabotaged me?

A Times classic: How often should a man get a haircut?

Advice from Wirecutter: Revamp your backyard, and then have an outdoor movie night.

Lives Lived: New York's mostly white art world largely overlooked Sam Gilliam, a pioneering Black painter who hung his abstract canvases from ceilings, until late in his career. He died at 88.

ARTS AND IDEAS

What is America's sound?

Classical music is not a form native to the United States — much of the canon predates the country's existence — but American composers have found ways to make it their own. Often, that comes from fusing classical with America's great musical innovation, jazz.

In The Times, Seth Colter Walls reviews three new albums that merge classical and jazz to present their own vision of American music (each features some variation of "America" in the title). His favorite: "What Is American" by PUBLIQuartet, an experimental string quartet.

PLAY, WATCH, EAT

What to Cook

Julia Gartland for The New York Times. Food Stylist: Monica Pierini

This might be the easiest roast chicken and potato recipe out there.

What to Read

Sally Denton's ninth book pits polygamists against drug lords.

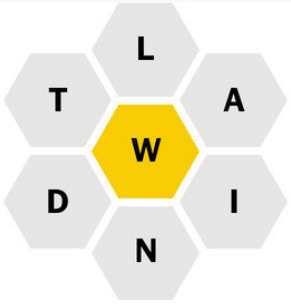
What to Watch

Stream "My Girl" and other movies before they leave Netflix next month.

Late Night

Filling in for Jimmy Kimmel, Chelsea Handler discussed the Supreme Court.

Now Time to Play



The pangrams from yesterday's Spelling Bee were *conduction, conduit* and *induction*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Green gemstone (4 letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. David Sanger, who covers the White House and national security, is celebrating 40 years at The Times.

Here's today's front page.

"The Daily" is about the states' different approaches to abortion.

Ian Prasad Philbrick, Tom Wright-Piersanti, Ashley Wu and Chris Stanford contributed to The Morning. You can reach the team at themorning@nytimes.com.

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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DATE: 28/06/2022 05:33

Thanks Tonya!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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DATE: 28/06/2022 05:37

Thank you.

Who is planning to listen?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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DATE: 28/06/2022 05:46

I had my 9 am slot open so I will be planning to listen to it.

On Tue, Jun 28, 2022 at 5:37 AM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
Thank you.

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Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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Rebecca A. Brown, LCSW
Assistant Deputy Director
She/Her/Hers
C: 385.227.9672
rebeccab@utah.gov

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FROM: USIIS@utah.gov
TO: usiis@utah.gov, ktsuyuki@utah.gov, hecurtin@utah.gov, mhofmann@utah.gov, jessicapayne@utah.gov, jsurkis@utah.gov, cdcimmnaa1@utah.gov, jdemeny@utah.gov, tpotvien@utah.gov
DATE: 28/06/2022 07:03

State of Utah USIIS Program - Emailed Attachment.

SUBJECT: Top Stories: Abortions can continue in Utah, for now
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 28/06/2022 07:07

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TOP STORIES

Tuesday, June 28, 2022

By Jeff Dempsey

Top News

Judge grants request to block Utah abortion trigger law from being enforced

The restraining order will last 14 days and went into effect immediately. [Read more] [Daily Buzz]

Rolling blackouts could come to southern Utah this summer

Should other areas of the state prepare for the same? [Read more]

Utah legislator floats conspiracy theory that election machines are changing votes

Phil Lyman erroneously claims that machines are changing votes from Mike Lee to his opponents. [Read more]

The Tribune is your home for primary election coverage

When the polls close we will have live results as the ballot counts are reported. [Read more]

What has Utah's trigger law meant for you?

The Tribune wants to hear from the people the Supreme Court's decision, and the Utah Legislature's trigger law, are affecting. [Read more]

Quick Hits

• On his HBO program "Last Week Tonight," John Oliver takes aim at Utah and Gov. Cox in a lengthy segment about water in the American west.

• Moren Binale worked to clean up sites contaminated with uranium in San Juan County. When he got sick, it took years to get compensation. Now advocates are working to change the process.

• Inland Port Authority's budget, of more than $40 million, includes lots of spending with little detail.

• "The Colony" revisits the 2019 La Mora massacre — and dives into Mormon history, Mexican politics and drug cartels.

• Tribune editorial: "It's on us," Utah women know, "to demand protection and the restoration of our rights."

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

90 S. 400 West, Suite 600
Salt Lake City, Utah 84101

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SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 28/06/2022 13:20

ı Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM
- Pharmacy_2022-06-28_Handouts.pdf - 6/28/22 1:20 PM

Utah State Board of Pharmacy

State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

ption/Agenda:

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
https: //[redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve May 24, 2022, Meeting Minutes
3. Investigation Report - Camille Farley
4. CSD Update - Jeff Henrie
5. Advisory Pharmacy Compounding Education Committee Update
APPOINTMENTS:
9:05 am Compliance Report-Bernice Palama
9:15 am Super Drug & Herbal Store, Educational Interview
9:30 am Christopher Young, Probationary Interview
9:45 am Hopewell Pharmacy, Stipulation Review
10:00 am Varduhi Aleksanyan, Intern Extension Request
10:10 am Hyrum Nichols, Intern Extension Request
DISCUSSION ITEMS:
- Birth Control Standing Order
- Drug Purchasing Fraud Alert
- Foreign Pharmacy Students
- Amphetamines & Pregnancy
- Cyber Security HB 80
NEXT SCHEDULED MEETING: Tuesday, July 26, 2022
2022 Board Meetings Tentatively Scheduled
Aug 23, Sept 27, Oct 25, Nov 29, Dec 20
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Uta 84115, 801-530-6628 or toll-free in Utah only 866-275-3675. Posted to Public Website: June 24, 2022

of Special Accommodations:

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of Electronic or telephone participation:

Electronic participation is planned for this meeting.

nformation:

ɔn:

160 East 300 South - 4th floor, Salt Lake City, 84111

ct information:

Jennifer Falkenrath , jzaelit@utah.gov, (801)530-6628

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Utah Department of Health & Human Services

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:
In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

To view this email as a web page, click here. June 27, 2022

HHS IEA
Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

LOGISTICAL INFORMATION
Details are subject to change.

WHO: HHS Secretary Xavier Becerra

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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SUBJECT: The Morning: What Trump knew
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 29/06/2022 04:10

The New York Times
The Morning

June 29, 2022

By **David Leonhardt** and **Ian Prasad Philbrick**

Good morning. Trump and his top aides knew that the Jan. 6 rally was likely to turn violent.

Cassidy Hutchinson, a former White House aide, during the hearing yesterday. Doug Mills/The New York Times

‘Let the people in’

How much did President Donald Trump and his top advisers know ahead of the Jan. 6 attack about the potential for violence? Until the past few weeks, the answer to that question had been unclear.

But the Jan. 6 committee hearings have removed much of the doubt: Trump and his aides knew that the rally he held near the White House that day was likely to escalate into an attack on the Capitol.

Yesterday, testimony from Cassidy Hutchinson — a former aide to the White House chief of staff — offered the clearest evidence yet that Trump knew violence was possible. He learned early on Jan. 6 that some rally attendees were armed, but wanted security to let them in, Hutchinson said. “They’re not here to hurt me,” she recalled him saying.

Hutchinson also said yesterday that:

- Mark Meadows, Trump’s chief of staff at the time and Hutchinson’s boss, told her on Jan. 2 that “things might get real, real bad on Jan. 6.”
- The White House knew that the Proud Boys, a far-right group with a recent history of political violence, planned to be in Washington on Jan.

6. Hutchinson heard the group discussed before Trump's rally, when Rudy Giuliani was present, and Giuliani said on Jan. 2 that Jan. 6 would be "a great day."

- Tony Ornato, another aide, told Meadows and Trump before the attack that some Trump supporters had come to hear his speech outside the White House armed with knives, bear spray and other weapons.
- Trump wanted the Secret Service to let armed supporters into his rally. "Take the f-ing mags away," Hutchinson overheard Trump say, referring to the magnetometers used to screen attendees. "They can march to the Capitol from here. Let the people in."
- Trump wanted to join the protesters at the Capitol after his speech. After learning he was instead being driven back to the White House, Hutchinson testified, Trump cursed at his security detail and tried to wrest the steering wheel from his driver. Trump denied the story yesterday, and Secret Service officials said agents would testify that he did not reach for the wheel.

(Here's a timeline of Hutchinson's account of Jan. 6, with videos from her testimony.)

President Donald Trump speaking to supporters on Jan. 6, 2021. Pete Marovich for The New York Times

Most of Hutchinson's testimony, which was under oath, referred to conversations she witnessed or to events that other Trump aides described to her. "Hutchinson is joining the lineup of explosive witnesses to appear at congressional hearings," The Times's Carl Hulse wrote, comparing her to Oliver North, who testified about the Iran-contra scandal, and John Dean, who testified about Watergate.

(Our colleague Maggie Haberman profiles Hutchinson here.)

The committee will hold more hearings in the coming weeks, and other details will no doubt emerge. But the fundamental story of Jan. 6 is clear: A United States president who lost re-election was aware of — and encouraged — a violent attack on the Capitol intended to prevent the transfer of power to his opponent, the election's victor. Afterward, most members of that defeated president's party decided not to hold him accountable for doing so. Instead, with rare exceptions, they largely ignored or even repeated his lies about the election.

There is also reason to believe that Trump or other Republicans may attempt to overturn a future election. Altogether, it represents the most serious threat to American democracy in many decades.

More on the hearing

- The committee described phone calls to witnesses, made by Trump allies, that it suggested were meant to intimidate the witnesses.
- Hutchinson testified that Trump, enraged by a denial from his attorney general that the election was stolen, threw his lunch against a White House wall. (The Times's Peter Baker catalogs Trump's rage in the final days of his presidency.)
- The committee played video of Mike Flynn, Trump's former national security adviser, taking the Fifth Amendment after Representative Liz Cheney asked him if he believed in the peaceful transfer of political power.
- Meadows and Giuliani sought presidential pardons for their role in Jan. 6.
- A lawyer for Ginni Thomas, the wife of Supreme Court Justice Clarence Thomas, said she would not testify to the committee.
- Yesterday's session played like the Watergate hearings as punched up by the writers' room of "24," our TV critic writes.
- Hutchinson reminds us that being a public servant means stepping up to do hard things, Times Opinion's Michelle Cottle writes. Bret Stephens asks if the hearings will finally bring down the cult of Trump.
- The case for prosecuting Trump just got stronger, David French of The Dispatch argues. (Legal experts told The Times that Hutchinson's testimony raised the likelihood that Trump would face criminal charges.)

THE LATEST NEWS

Election Night

Voting in Queens yesterday. Gabby Jones for The New York Times

- Kathy Hochul easily won the Democratic nomination for New York governor.
- Darren Bailey, a far-right Illinois state senator whose campaign Democrats boosted, won the Republican primary to challenge Gov. J.B. Pritzker.
- In the Republican Senate primary in Colorado, Joe O'Dea, a construction company owner who favors some abortion access, beat a rival who

attended Jan. 6.

- Representative Rodney Davis, an Illinois Republican, lost his primary to Mary Miller, a Trump-backed congresswoman who once spoke approvingly of Hitler.
- Mike Flood, a G.O.P. state senator, beat the Democratic candidate Patty Pansing Brooks in a Nebraska special House election to replace Jeff Fortenberry, a Republican who was convicted of lying to the F.B.I.
- Representative Sean Casten, a moderate, defeated Representative Marie Newman, a progressive, in the Democratic primary in a newly drawn House district in Illinois.
- Here are more results.

Abortion

- A federal court allowed Tennessee to ban abortions after about six weeks of pregnancy, while a Texas judge temporarily blocked a total statewide abortion ban.
- Wisconsin Democrats sued the state's Legislature seeking to remove an abortion ban from the 1800s.
- Xavier Becerra, President Biden's secretary of health and human services, said the administration would ensure women have access to abortion pills.
- "Disorienting": Women who support abortion rights reflected on the shock of the past few days.
- Illinois is set to become an island of abortion access. Can its clinics meet the demand?

War in Ukraine

Farmland after Russian bombings in the Donetsk region yesterday. Tyler Hicks/The New York Times

- Turkey dropped its opposition to NATO membership for Sweden and Finland, clearing the way for their entry. At a summit in Madrid today, the alliance will formally invite the two countries to join.
- Women attacked by Russian soldiers near Kyiv want justice. But Ukrainian officials face daunting challenges in prosecuting the crimes.
- Biden led his Group of 7 counterparts to agree to cap the price of Russian oil, a move that could prompt the Kremlin to further restrict supply.

The Virus

- An F.D.A. panel recommended that vaccine makers create shots targeting the Omicron variant.
- Two Omicron subvariants, BA.4 and BA.5, have become the dominant forms of the virus in the U.S.

Other Big Stories

Mourners placed memorials near the site where a tractor-trailer was found in Texas. Lisa Krantz for The New York Times

- An abandoned truck carrying migrants near San Antonio lacked a working cooling system. At least 51 people died.
- The Supreme Court reinstated a Republican-drawn Louisiana congressional map that a federal judge had said diluted Black voters' power.
- Ghislaine Maxwell was sentenced to 20 years in prison for helping Jeffrey Epstein recruit and abuse underage girls.
- Clinics nationwide will begin offering monkeypox vaccinations to anyone who might have been exposed.
- A nationwide lifeguard shortage led New York City to cancel its free swim lesson program.
- A German court sentenced a former Nazi concentration camp guard, now aged 101, to five years in prison for being an accessory to thousands of murders.
- Mortgage rates in the U.S. are at their highest levels since the 2008 financial crisis, cooling housing markets.
- Doctors detected C.T.E., a brain disease common to football players, in a retired American soccer player for the first time.
- Serena Williams lost in the first round of Wimbledon to Harmony Tan of France.

Opinions

Siamak Namazi, an Iranian American imprisoned in Iran, urges Biden to help free him.

Israeli politics is starting to mirror America's scorched-earth politics, says **Thomas Friedman**.

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MORNING READS

From left, Marlene Napp, Liliana Bernhardt, Jack Bernhardt, and Lisa Napp at home in Hillsborough, N.C. The family is trying to cut costs. Cornell Watson for The New York Times

Cutting corners: How are families adjusting to inflation? Downgraded vacations, less takeout.

Lost: USB sticks with data on 460,000 people were misplaced during a night of drinking.

Quench: Fruits and veggies are a great way to stay hydrated.

Short trips: These getaways are just 100 miles from Seattle, New York or Chicago.

Shopping guide: Invest in a tablecloth.

Advice from Wirecutter: The best beach umbrella.

Lives Lived: Margaret Keane painted images of sad, big-eyed children trapped in dystopian worlds. For years, her husband said he had painted them — false claims that a "paint-off" in court ultimately demolished. Keane died at 94.

ARTS AND IDEAS

Taika Waititi has a lot on his plate. Dana Scruggs for The New York Times

Constantly creating

Taika Waititi might be the busiest man in Hollywood. He was behind the camera of the new Marvel movie “Thor: Love and Thunder” as director and co-writer. He was in front of it for the HBO pirate comedy series “Our Flag Means Death,” playing Blackbeard. He’s a voice in the new Pixar film “Lightyear.” He is creating two projects for Netflix based on “Charlie and the Chocolate Factory.”

Waititi’s secret to managing the workload: not thinking about it. “If I was to step back and look at all of the things I’m doing, I’d probably have a panic attack,” he told The Times’s Dave Itzkoff. “I know there’s too many things. I know I’m doing a lot. I just have to keep pivoting every couple of hours.”

PLAY, WATCH, EAT

What to Cook

Andrew Scrivani for The New York Times

This crowd-pleasing potato cake takes on whatever seasoning or toppings you want.

What to Listen to

“The Tennis Podcast” started around a dining room table. Ten years later, it’s a major presence in the sport.

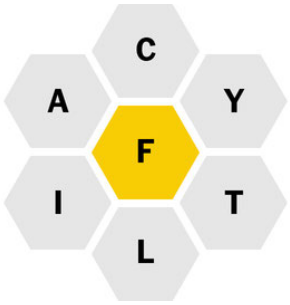
What to Read

Davey Davis’s new novel, “X,” is a queer noir set in a troubling near-future world.

Late Night

Late night hosts reacted to testimony from the latest Jan 6. hearings.

Now Time to Play



The pangram from yesterday's Spelling Bee was *tailwind*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: DNA sequences (5 letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. Tariro Mzezewa, a Times national correspondent, is leaving to join The Wall Street Journal.

Here's today's front page.

"The Daily" is about the explosive Jan 6. hearing.

Matthew Cullen, Natasha Frost, Isabella Kwai, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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The New York Times Company. 620 Eighth Avenue New York, NY 10018

SUBJECT: The Salt Lake Tribune for 29 Jun 2022 has been released
FROM: "The Salt Lake Tribune E-edition"<thesaltlaketribuneeedition@directmail.newspaperdirect.com>
TO: mhofmann@utah.gov
DATE: 29/06/2022 04:35

The Salt Lake Tribune

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Dear Michelle Hofmann
Your latest edition of The Salt Lake Tribune E-edition has just been released online. Happy reading!
Here are the highlights for this issue:

In This Issue:

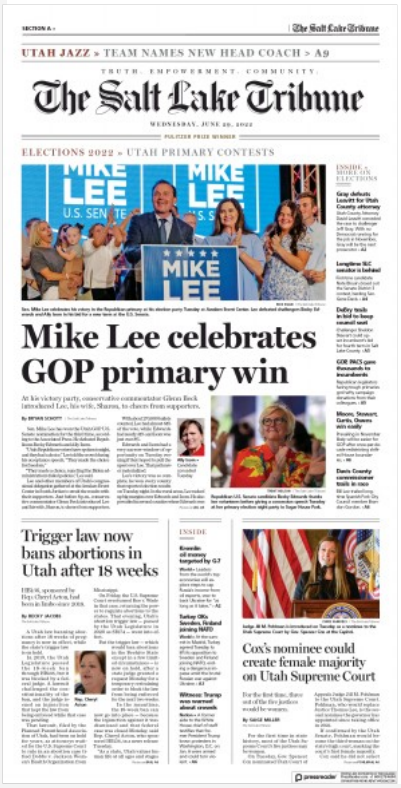
Mike Lee celebrates GOP primary win

Sen. Mike Lee has won the Utah GOP U.S. Senate nomination for the third time, according to the Associated Press. He defeated Republicans Becky Edwards and Ally Isom. "Utah Republican voters...

Trigger law now bans abortions in Utah after 18 weeks

A Utah law banning abortions after 18 weeks of pregnancy is now in effect, while the state's trigger law is on hold. In 2019, the Utah Legislature passed the 18week ban through HB136, but...

Read all stories...



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SUBJECT: Re: Brown & Peisch (Utah Medicaid's Contract Attorneys) StatesAdvisory 22-20: Supreme Court Overturns Roe v. Wade with PossibleImplications for Medicaid
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Tonya Hales <thales@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Michell
Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Tony Patterson <tonypatterson@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 29/06/2022 05:14

Thanks Tonya.

This is interesting. It doesn't address our exact legal issue with Medicaid but we will continue to evaluate it. I also did not see AG Garland's letter on medication so that link is alsc helpful.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Tue, Jun 28, 2022 at 4:24 PM Tonya Hales <thales@utah.gov> wrote:
Hello All,

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Just sharing as an FYI - Brown & Peisch (B&P) is Utah Medicaid's external consulting legal firm. One of the things B&P do as part of the contract we have with them, is to periodically send out general legal "advisories" about Medicaid-related issues.

Attached is the advisory we received from B&P today regarding the SCOTUS decision impact on state Medicaid programs.

Thanks,

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

On Tue, Jun 28, 2022 at 5:33 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:
Thanks Tonya!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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Assistant Deputy Director, Healthcare Administration
Executive Director's Office
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C: 801-349-5775
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Utah Department of Health & Human Services

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HHS IEA
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Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

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[redacted]

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

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FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 29/06/2022 07:00

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TOP STORIES

Wednesday, June 29, 2022

By Kelly Cannon and Jeff Dempsey

Top News

Sen. Mike Lee wins GOP primary against Edwards, Isom

With about 345,000 ballots counted, Lee had 62% of the vote, while Edwards was at 30% and Isom was just over 8%. [Read more]

Utah Reps. Moore, Stewart, Curtis and Owen win their primaries

All four were called early by the Associated Press. [Read more]

Here are the Utah Legislature results

Incumbent Sen. Derek Kitchen is narrowly leading challenger Jennifer Plumb in the Democratic primary in Utah's most progressive senate district. [Read more]

Challenger Jeff Gray takes lead over David Leavitt in Utah DA race

Leavitt said Tuesday evening that he plans to concede to Gray, saying he wasn't surprised by the early result. [Read more]

Salt Lake County incumbent trailing challenger

Sheldon Stewart, a Riverton City Council member, was leading Steve DeBry with 55% of the vote in the primary for District 5. [Read more]

Here are the results from Davis and Utah Counties

Most incumbent commissioners in deeply conservative Utah and Davis counties were surging as early unofficial returns trickled in. [Read more]

Quick Hits

• Utah now bans abortions after 18 weeks, as 2019 law goes into effect while trigger law is on hold

• Gov. Cox's Supreme Court nominee would be the third woman on the bench — a Utah first.

• A Utah lawmaker wants to expand where victims can report rapes in order to get an abortion.

• "Bar-a-palooza": Utah's liquor board handed out eight bar licenses Tuesday. See who got them.

• The Utah Jazz have selected Will Hardy, former Spurs and Celtics assistant, to be their next head coach and David Fizdale as associate general manager.

• Weather report: Utah will be hot, and there could be flash flooding. But July 4 is looking pretty good.

• Left Fork Fire update: The wildfire still burning near Bryce Canyon is now 40% contained thanks in part to widespread rainfall.

• Legislative Republicans and political action committees donated thousands to vulnerable incumbents leading up to yesterday's primary election.

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[redacted]

SUBJECT: How the Overturning of Roe v. Wade Impacts Health Centers
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: mhofmann@utah.gov
DATE: 29/06/2022 07:31

Industry Update:
The Impact of Overturning *Roe v. Wade* on Health Centers
Wednesday, June 29 at 1 PM ET

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Last week's Supreme Court decision in *Dobbs v. Jackson Women's Health Organization* has left many health care providers, including health centers, with questions surrounding their responsibilities to patients while also anticipating new laws and legal cases. With this uncertainty, how should health center leadership and staff move forward to continue to provide the best care to patients and stay in compliance?

In this industry update webinar **today at 1 PM ET**, join FTLF attorneys **Molly Evans**, **Rosie Dawn Griffin**, **Dianne Pledgie**, and **Carrie Riley** as they discuss:

- The Supreme Court case and decision
- Providing voluntary family planning to clients, including Title X grant considerations
- Impacts on malpractice and FTCA coverage concerns
- Compliance and risk management strategies

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FTLF has designed this webinar for the following audience:

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- Medical Directors and Clinical Staff
- Risk Managers/Compliance Officers
- Grants Managers
- In-house Legal Counsel
- Marketing/Communications Staff

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September 7 - 8, 2022
Register Now

Contract Essentials
September 13 - 15, 2022
Register Now

340B Contract Pharmacy
September 20 - 21, 2022
Register Now

Ryan White Program Income
September 28 - 29, 2022
Register Now

FTCA Academy
October 6 - 7, 2022
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SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 29/06/2022 10:08

Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM
- Pharmacy_2022-06-28_Handouts.pdf - 6/28/22 1:20 PM
- Pharmacy_2022-06-28_Audio.mp3 - 6/29/22 10:08 AM

Utah State Board of Pharmacy

State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

ption/Agenda:

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
https: [redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve May 24, 2022, Meeting Minutes
3. Investigation Report - Camille Farley
4. CSD Update - Jeff Henrie
5. Advisory Pharmacy Compounding Education Committee Update
APPOINTMENTS:
9:05 am Compliance Report-Bernice Palama
9:15 am Super Drug & Herbal Store, Educational Interview
9:30 am Christopher Young, Probationary Interview
9:45 am Hopewell Pharmacy, Stipulation Review
10:00 am Varduhi Aleksanyan, Intern Extension Request
10:10 am Hyrum Nichols, Intern Extension Request
DISCUSSION ITEMS:
- Birth Control Standing Order
- Drug Purchasing Fraud Alert
- Foreign Pharmacy Students
- Amphetamines & Pregnancy
- Cyber Security HB 80
NEXT SCHEDULED MEETING: Tuesday, July 26, 2022
2022 Board Meetings Tentatively Scheduled
Aug 23, Sept 27, Oct 25, Nov 29, Dec 20
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Uta 84115, 801-530-6628 or toll-free in Utah only 866-275-3675. Posted to Public Website: June 24, 2022

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Electronic participation is planned for this meeting.

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SUBJECT: The Morning: A powerful court
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 30/06/2022 04:25

The New York Times
The Morning

June 30, 2022

Today, we look at another example of American exceptionalism — this one involving the role that the courts play in shaping politics and society. — David Leonhardt

By German Lopez

Good morning. In other advanced democracies, the courts are more restrained.

[redacted]

The Supreme Court's structure allows for few checks on the justices' power. Pete Marovich for The New York Times

A global outlier

By now, most of us are used to U.S. Supreme Court rulings that bring big changes to American life — on abortion, guns, same-sex marriage and more. This morning may bring another sweeping ruling, on climate change.

But the Supreme Court's power is strange in a global context. The highest-level courts in other rich democracies tend to be less dominant. Elsewhere, courts can still overturn laws and restrict the government's reach, but they often face sharper limits on their decisions.

There are two major reasons that the U.S. Supreme Court is unusual, and today's newsletter will explain them. First, the court's structure allows for few checks on the justices' power: They have lifetime tenure, and other branches of government have few ways to overturn a ruling. Second, the dysfunction of the rest of the U.S. government, especially Congress, has created a vacuum that the Supreme Court fills.

Unchecked judges

Supreme Court justices remain on the bench for life or until they choose to retire. In other countries, there are term or age limits: Judges on Germany's

[redacted]

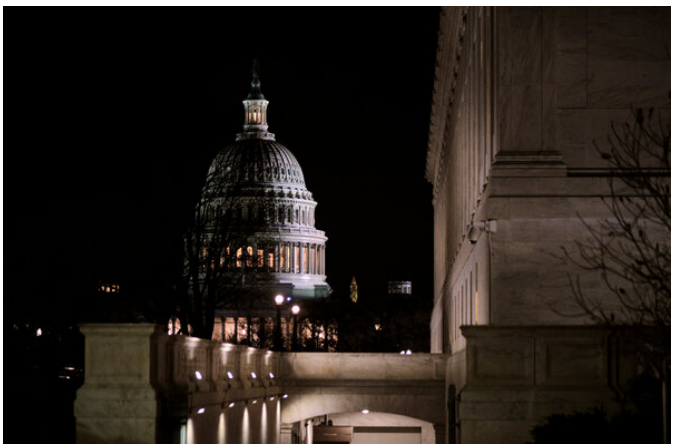
federal constitutional court, for example, serve for 12 years or until age 68, whichever is sooner.

The U.S. model means the current court's makeup of six conservatives and three liberals is likely to remain in place for years if not decades. And if justices are careful about timing their retirements to benefit their ideological side, it could last even longer. As a result, future elections and public opinion can end up having little influence on the court.

In other countries, limited terms and mandatory retirement ages create opportunities for more recently elected lawmakers to remake the highest courts and keep them in check. "There is some accountability," said Tom Ginsburg of the University of Chicago Law School. "If a court is too out of control, there is pressure to rein it back in."

The U.S. also makes it more difficult to overrule a court's decisions. A two-thirds vote from both the House and the Senate, or approval from two-thirds of state legislatures, initiates a constitutional amendment. Then three-fourths of the states must ratify the amendment. This has only been successfully done 17 times in the more than 230 years since the Constitution and the Bill of Rights were ratified — and never since 1992.

In other countries, legislators can more easily overrule the courts. Canada's Parliament can pass laws that ignore court rulings, although such laws must be reapproved every five years. British courts are so weak that their decisions act more as recommendations than orders, said Kim Lane Scheppele, a legal expert at Princeton University.



In the U.S., each part of the lawmaking process is a potential veto point for bills. T.J. Kirkpatrick for The New York Times

Political dysfunction

The U.S. Supreme Court is also empowered by the frequent gridlock across the rest of the federal government. For example, Congress could pass a federal law guaranteeing access to abortion in the first trimester, which most Americans favor. Or Congress could pass laws giving the E.P.A. clearer authority to deal with climate change. Neither has happened.

Congress's struggles demonstrate a broader problem: The U.S. has built so many checks into its political system that it has become what political scientist Francis Fukuyama calls a "vetocracy." Each part of the lawmaking process, from the House to the Senate to the White House, is a potential veto point for bills. Then there are additional barriers — like the Senate filibuster, which requires 60 of 100 senators to pass most legislation.

The many veto points make it difficult for even the party that controls both Congress and the White House, as the Democrats now do and the Republicans did in 2017 and 2018, to get much done. The courts fill the void.

Other advanced democracies tend to have simpler parliamentary systems. So when a political party or coalition wins an election, it can quickly pass laws to act on its promises.

“When courts wind up doing so much of the work, it is often precisely because the parliament is broken,” Scheppele said.

A conservative system

Many Republicans argue they are simply playing by the rules set by the Constitution, and that liberals complain because they don’t like the results. (Senator Mitch McConnell made a longer version of this case in a recent interview with The Times.)

But the rules do inherently favor McConnell’s side. The liberal vision for America requires passing laws to make major changes — already difficult in the political system. The Supreme Court adds another veto point, further bolstering a small-c conservative process. That is why much of the Democratic agenda now focuses on political and judicial reforms. (Jamelle Bouie, a Times Opinion columnist, goes into more detail here.)

Yet the conservative process also makes those political and judicial reforms difficult to enact. So for the foreseeable future, the Supreme Court is likely to play a sweeping role in American life.

For more

- The Supreme Court ruled yesterday that Oklahoma authorities could prosecute non-Indians who commit crimes on tribal lands, narrowing a 2020 decision about Native American rights.
- The court also said that states could be held liable for discriminating against employees who were injured in military service.
- Justice Stephen Breyer will formally retire today and help swear in Ketanji Brown Jackson.

THE LATEST NEWS

Abortion

Abortion rights protesters in Houston. Callaghan O'Hare/Reuters

- Dozens of Democratic prosecutors in conservative states said they would not bring charges against abortion providers.

- Banks collect customers' payment data. Those records could become evidence in abortion prosecutions.

Politics

Representative Liz Cheney on Capitol Hill this week. Haiyun Jiang/The New York Times

- Liz Cheney called Donald Trump "a domestic threat that we have never faced before."
- The Jan. 6 committee subpoenaed Pat Cipollone, Trump's former White House counsel.
- Missouri enacted a law requiring voters to present a photo ID and prohibiting drop boxes for absentee ballots.
- An Oregon politician's quote in Monday's edition of this newsletter — referring to Portland as the "city of roaches" — has stirred up the governor's race.

War in Ukraine

- NATO leaders announced a more muscular stance on Russia and moved thousands of troops to the alliance's eastern flank.
- Moscow is sending thousands more soldiers to eastern Ukraine to bolster its grinding campaign to control the last sovereign territory in Luhansk Province.
- Russia and Ukraine exchanged nearly 300 prisoners of war, the largest exchange to date.

International

- Xi Jinping, China's leader, is in Hong Kong to celebrate 25 years since the end of British rule. He hadn't left the mainland since the pandemic started.
- Israel's government collapsed, which means the country will hold its fifth election since April 2019.
- Twenty men were convicted in a 2015 Paris terrorist attack that killed 130 people.

Other Big Stories

- A gunman killed a 20-year-old woman who was pushing her 3-month-old in a stroller in Manhattan. The child was unhurt.

- R. Kelly was sentenced to 30 years in prison for sex trafficking and racketeering.
- A truck carrying 50 dead or dying migrants passed through a U.S. checkpoint without being inspected.
- The consulting firm McKinsey helped opioid makers target doctors, drive up sales and market pills twice as potent as OxyContin, documents show.
- Dr. Anthony Fauci, 81, tested positive again despite having taken Paxlovid, but emphasized that the drug had probably kept him from being hospitalized.

Opinions

Roe's fall gives Republican voters an excuse to move on from Trump, **Bonnie Kristian** argues.

Kara Swisher answers listener questions on the final episode of "Sway."

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MORNING READS

Wolf pups enjoying snack time. Andrew Spear for The New York Times

DNA: Modern dogs descended from two ancient wolf populations.

The Nile: Egypt is destroying houseboats that stood for over a century as sites of art and revelry.

A Times classic: Married to a mystery man.

Advice from Wirecutter: Clean your air-conditioner.

Lives Lived: Hershel Williams, who fought in the battle for Iwo Jima, was the last surviving World War II serviceman who received the Medal of Honor, and its oldest living recipient. He died at 98.

SPORTS NEWS FROM THE ATHLETIC

A programming note: Today, we introduce a new section to this newsletter — a sports section, written by the staff of The Athletic.

Freddie Freeman's tears: He left the champion Atlanta Braves for a $162 million contract with one of baseball's best teams, his hometown Los Angeles Dodgers. So why did Freeman fire his agent after a trip back to Atlanta? Ken Rosenthal has the official read on an odd situation.

A basketball falling star: Emoni Bates was a basketball prodigy by sixth grade, a Sports Illustrated cover at 15. Yesterday, he transferred to Eastern Michigan University. He is only 18. Can he revive a career that has barely begun?

The Beard means business: James Harden is passing up a $47.4 million 2022-23 salary so the Sixers can add help. Can Philly now catch the Boston Celtics?

The Athletic, a New York Times company, is a subscription publication that delivers in-depth, personalized sports coverage. Learn more about The Athletic.

ARTS AND IDEAS

Law enforcement outside the Orlando Museum of Art last week. Willie J. Allen Jr./Orlando Sentinel, via Associated Press

F.B.I. steps into an art case

In February, the Orlando Museum of Art opened a show featuring 25 never-before-seen paintings by Jean-Michel Basquiat. But a Times article by Brett Sokol cast doubt on their authenticity: One had been painted on a FedEx box with a typeface that hadn't been used until 1994, six years after Basquiat's death.

Last week, the F.B.I. raided the museum and seized the paintings. And on Tuesday night, the museum's board removed its director and chief executive, Aaron De Groft, who has publicly insisted the paintings are genuine.

According to an F.B.I. affidavit, De Groft threatened an expert who expressed qualms after assessing the artworks. "Shut up," De Groft allegedly wrote in an email. "Stop being holier than thou."

PLAY, WATCH, EAT

What to Cook

Ryan Liebe for The New York Times

Add a seaside flare to your grilled corn on the cob with Old Bay seasoning.

What to Read

A Portuguese novelist offers her favorite books to get to know Lisbon — and where in the city to read them.

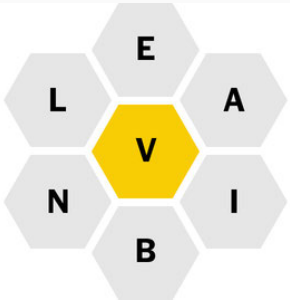
What to Watch

Here's how "Marcel the Shell With Shoes On," a short created in one person's bedroom, became a stop-motion feature film.

Late Night

The hosts discussed Cassidy Hutchinson's Jan. 6 testimony.

Now Time to Play



The pangram from yesterday's Spelling Bee was *facility*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: First ____ (wedding tradition) (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — German

P.S. The Senate confirmed former President William Howard Taft to be the Supreme Court's chief justice 101 years ago today.

Here's today's front page.

"The Daily" is about European support for Ukraine. On "First Person," a gay Republican wonders whether she belongs. "The Argument," is about the Jan. 6 hearings.

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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SUBJECT: Top Stories: Inland port prevails in Utah Supreme Court case
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 30/06/2022 07:03

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TOP STORIES

Thursday, June 30, 2022

By Jeff Dempsey

Top News

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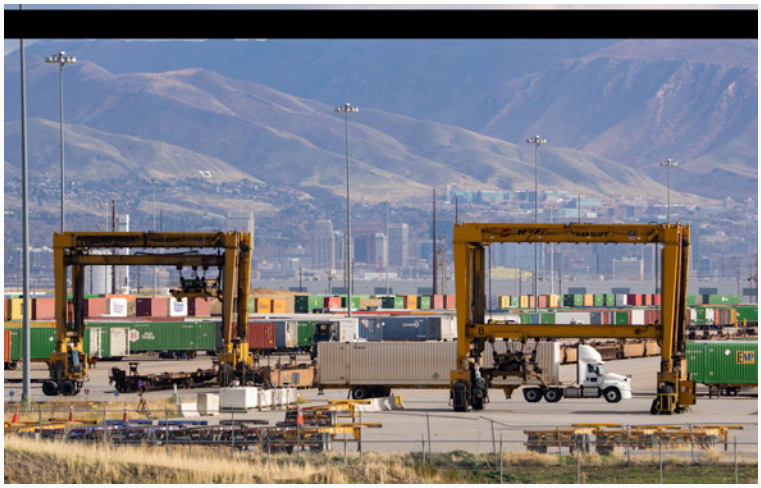

Inland port prevails in Utah Supreme Court ruling

Justices rejected Salt Lake City's argument that the facility's establishment is unconstitutional. [Read more]

Utah helped landlords, not renters. Here's how that is changing.

Utah was using federal funds to pay landlords' legal bills for evicting renters. [Read more]

BYU's Instagram has been flooded with pro-LGBTQ comments, rainbow emojis

The action is part of a push to get the school to allow gay students to date. [Read more]

Utah lawmaker wants to remove criminal penalties for doctors who perform abortions

Proposal would also protect those who provide other abortion-related services. [Read more]

DNA evidence helps solve Utah cold-case murder of 'Maidenwater victim'

Police believe they finally know who killed Lina Reyes Geddes in 1998. [Read more]

Quick Hits

• How Utah children have changed in the past 50 years, according to a retiring kindergarten teacher.

• Rep. Chris Stewart received a $1,000 donation from the NRA the same day he voted against gun legislation.

• A man was arrested in Salt Lake City after allegedly threatening Hindu yoga studio employees and the studio's owner.

• Utah now bans abortions after 18 weeks, as a 2019 law goes into effect while the trigger law is on hold.

• NBA free agent tracker: Who's signed? Who's available? And who might fit with the Utah Jazz?

• The Daily Buzz: The Utah Jazz have made it official — Will Hardy is the team's new head coach.

• Is Utah ready for a major earthquake? According to experts, its aqueducts are not.

• A man has been charged with crashing a stolen truck in the Navajo Nation, killing the girl he kidnapped in the back seat.

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SUBJECT: The Morning: The court vs. the climate
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 01/07/2022 04:15

View in browser | nytimes.com

The New York Times
The Morning

[redacted]

July 1, 2022

By David Leonhardt

Good morning. The Supreme Court seems unconcerned with climate change.

A coal-fired power plant in Thompsons, Texas. Tamir Kalifa for The New York Times

‘A blow’

The Supreme Court has made it harder for the country to fight the ravages of climate change.

In a 6-to-3 decision yesterday, the court limited the Environmental Protection Agency’s ability to prevent power plants from releasing climate-warming pollution. The court ruled that Congress had not given the agency the authority to issue the broad regulations that many climate experts believe could make a major difference — the kind of regulations that many Biden administration officials would have liked to implement.

Today’s newsletter will walk you through what the decision means — and also clarify what it does not mean (because some of the early commentary exaggerated the decision’s meaning). The bottom line is that the ruling is significant, but it does not eliminate the Biden administration’s ability to reduce greenhouse gas pollution.

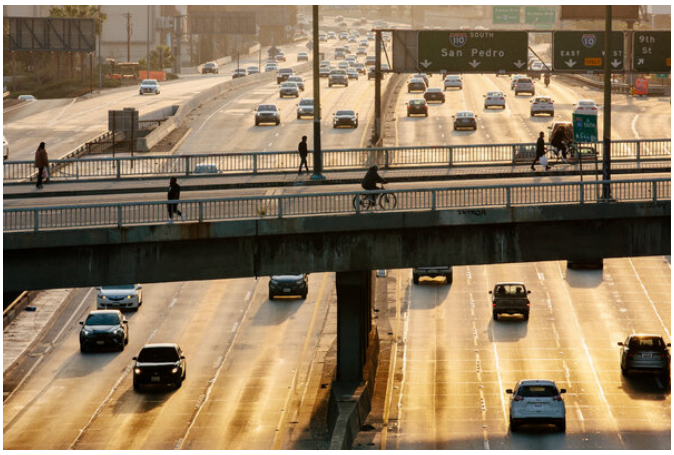
Amy Westervelt, a climate journalist, summarized the decision by writing: “Not good, but also not as bad as it could have been. It’s pretty narrow.” Romany Webb of the Sabin Center for Climate Change Law at Columbia University called the ruling “a blow, but it is nowhere near the worst-case scenario.”

The trouble, many scientists say, is that climate change presents such an enormous threat to the world — and the need to reduce the pace of warming is so urgent — that any ruling that makes the task harder is worrisome. Extreme storms, heat waves, droughts and wildfires are already becoming more common. Some species are facing potential extinction. Glaciers are melting, and sea levels are rising.

Yet the U.S. has made only modest progress combating climate change through federal policy in recent years. The Trump administration largely denied the problem and reversed Obama administration policies intended to slow global warming. The Biden administration has failed to pass its ambitious climate agenda because of uniform Republican opposition and Democratic infighting. Now the Supreme Court has made the job more difficult, too.

What's still possible

The Biden administration had hoped to issue a major rule requiring electric utilities to reduce carbon dioxide emissions, essentially forcing them to replace coal and gas-fired plants with clean forms of electricity, like wind, solar and nuclear. The justices ruled that when Congress passed the Clean Air Act in 1970, it did not intend to give the E.P.A. such broad authority.



The E.P.A. can still regulate greenhouse gases from vehicles. Kendrick Brinson for The New York Times

The E.P.A. can still regulate power plants after the ruling, but more narrowly than before: The agency can push power plants to become more efficient, for example. "The way to significantly reduce greenhouse emissions from power plants is to shut down the power plants — and replace them with something cleaner," my colleague Coral Davenport said. "And that's off the table."

After yesterday, the E.P.A.'s most significant policy tools appear to involve other industries. The agency can still regulate greenhouse gases from vehicles, the nation's largest source of such emissions — although the ruling and the potential for future lawsuits may make the agency more cautious than it otherwise would be.

On Twitter, Michael Gerrard, an environmental law expert at Columbia University, listed other ways that government agencies could continue to address climate change, including: federal rules applying to newly built power plants; federal rules on leakage from oil and gas production; state and local rules in many areas; and private sector efforts to become more energy efficient, often subsidized by the government.

"One battle is lost (unsurprisingly, given this Supreme Court)," Gerrard wrote, "but the war against climate change very much goes on."

Chief Justice John Roberts wrote the majority opinion. T.J. Kirkpatrick for The New York Times

More on the climate

The ruling is the latest sign that the Republican Party is unconcerned about climate change. The six justices in the majority were all Republican appointees; the three dissenters were all Democratic appointees.

Adam Liptak, The Times's Supreme Court correspondent, wrote: "Chief Justice John G. Roberts Jr., writing for the majority, only glancingly alluded to the harms caused by climate change. Justice Elena Kagan began her dissent with a long passage detailing the devastation the planet faces, including hurricanes, floods, famines, coastal erosion, mass migration and political crises."

The math just got harder. This decision made it less likely that the U.S. would reach the climate targets that Biden has set. And if the U.S. misses its targets, the world will likely miss its target, as The Times's Climate Forward newsletter explains. (Sign up here.)

Cities and states are trying to fill the gap. Local governments are accelerating their efforts to cut greenhouse gas emissions, in some cases bridging partisan divides.

More lawsuits may be coming. Many of the plaintiffs from this climate case have brought a case trying to keep the E.P.A. from moving the nation toward a greater use of electric vehicles.

The ruling may matter beyond climate policy. Corporations in other industries will likely use this ruling to argue that some of their own regulations should also be blocked.

More on the Court:

- The court agreed to hear a case that could reshape the 2024 election, potentially giving state legislatures the power to set voting rules that state courts can't overturn.
- In a 5-to-4 ruling, the justices said the Biden administration could end a Trump-era immigration program that required asylum seekers to await approval in Mexico.
- Here are the court's other major decisions this term.
- Ketanji Brown Jackson became the first Black woman to serve as a justice.
- The court's importance has overwhelmed the norms that used to insulate it from politics, Ezra Klein of Times Opinion argues.

THE LATEST NEWS

Abortion

Cason is among the first post-Roe babies in Texas. Erin Schaff/The New York Times

- In Texas, even anti-abortion adherents say the state is unprepared for a likely surge in post-Roe births among poor women.
- Biden said he would support bypassing the Senate's filibuster rules to protect abortion rights, but his party currently lacks the votes to do so.

War in Ukraine

- The W.N.B.A. star Brittney Griner is appearing in a Russian courtroom today for the start of a trial on drug charges.
- Overnight missile strikes on a residential tower and a recreational center in a coastal town killed at least 17 people.
- The war may have sent gas and food prices higher, but Biden said that the U.S. would support Ukraine for "as long as it takes."
- "The theater died. Long live the theater." A drama company in Mariupol is rehearsing a new show.

Other Big Stories

- Donald Trump's political action committee has paid legal fees for witnesses called in the Jan. 6 investigation, raising concerns that he is influencing their testimony.
- Xi Jinping, China's leader, defended a crackdown on dissent in Hong Kong and named the city's next chief executive.
- The past six months were Wall Street's worst start to a year since 1970.
- Some cities have canceled their Fourth of July fireworks over staffing and supply shortages.

Opinions

Plan A to protect abortion rights is for Democrats to win enough seats to codify Roe. There doesn't seem to be a Plan B, says **Michelle Goldberg**.

Laura Adkins is a New York liberal. She wants a gun.

It's reckless for Democrats to boost Trumpist candidates in G.O.P. primaries, **David Brooks** writes.

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MORNING READS

Trilobites: Who's got two pseudothumbs and loves to eat bamboo? This bear.

Vacation stress: How to handle this summer's air travel mess.

Modern Love: For $100, could he stop flirting with men when his mother was around?

A Times classic: A home-maintenance checklist.

Advice from Wirecutter: Campfire cooking tips.

Lives Lived: As the face of the Hells Angels, Sonny Barger turned the motorcycle club into a global phenomenon and an emblem of West Coast rebellion. He died at 83.

SPORTS NEWS FROM THE ATHLETIC

A programming note: This week, we are introducing a new section to this newsletter — a sports section, written by the staff of The Athletic.

An N.B.A. superstar wants out: Kevin Durant asked to be traded from the Brooklyn Nets yesterday, a fresh story line to pair with the league's free agency period kicking off. Where could Durant land? Here are the possible trade destinations.

U.C.L.A. and U.S.C. sow chaos: Two Pac-12 mainstays are leaving for the Big Ten. It's a move that shakes college football's foundation. Is the sport now down to just two power conferences?

Marla Hooch can still rake: It's been 30 years since she was launching home runs for the Rockford Peaches in "A League of Their Own." Turns out the actress Megan Cavanagh, now 61, can still hit 'em.

The Athletic, a New York Times company, is a subscription publication that delivers in-depth, personalized sports coverage. Learn more about The Athletic.

ARTS AND IDEAS

Natasha Lyonne, left, and Greta Lee in Season 2 of "Russian Doll." Netflix

Back for seconds

Maybe not all shows need second seasons — but many get one anyway. “The philosophy today is that if you *can* give people more of what they liked, then don’t waste time pondering whether you *should*,” the TV critic James Poniewozik writes.

“Only Murders in the Building,” which told a full story in its first season, returned this week. Other seemingly complete shows have also returned: “Big Little Lies,” “The Flight Attendant,” “Russian Doll.” The second season of “Only Murders” still delivers even if it lacks originality, James writes.

PLAY, WATCH, EAT

What to Cook

Johnny Miller for The New York Times

This baked spinach-artichoke pasta nixes cream cheese for salty Parmesan and heavy cream.

What to Watch

The documentary “Hallelujah” is illuminating for die-hard and casual fans of Leonard Cohen.

What to Read

Books coming in July include a biography of Vladimir Putin and a novel by Bolu Babalola.

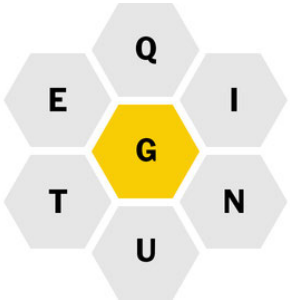
Late Night

The hosts discussed the Supreme Court.

Take the News Quiz

Find out how well you kept up with the headlines this week.

Now Time to Play



The pangram from yesterday's Spelling Bee was *enviable*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Push (oneself) (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. Nice choice of reading material, Mr. President (from the G7 meeting in Germany):

Kenny Holston for The New York Times

Here's today's front page.

"The Daily" is about abortion. On the Modern Love podcast, two adoption stories.

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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[redacted]

SUBJECT: Top Stories: Supreme Court rules against EPA, striking blow to climate change efforts
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 01/07/2022 07:07

View this email in your browser

sltrib.com

TOP STORIES

Friday, July 1, 2022

By Jeff Dempsey

Top News

Utah lauds, environmentalists lament Supreme

[redacted]

Court ruling that limits EPA

Critics say the decision means climate change will go largely unchecked. [Read more]

Read Utah Planned Parenthood's argument for continuing to block trigger law

The group argues the abortion trigger law violates the state's constitution. [Read more]

Utahn makes a U.S. map using wood from 50 state trees on TikTok

The project grew so popular at one point he said people were privately messaging him to send him wood from their states. [Read more]

Are you watering your yard wrong? Probably.

A visit from the Water Checkers can help. [Read more]

Races tighten for Utah GOP hopefuls in latest primary vote totals

Only 7 votes separate two candidates in a southern Utah House race. [Read more]

Quick Hits

• Salt Lake City won't launch fireworks on the Fourth of July this year. Here's why.

• 19 more Utahns died of COVID-19, and the number of cases is on the rise.

• The federal government canceled yet another oil and gas lease sale in Utah.

• The husband of Bluffdale's mayor was charged for allegedly harassing his wife's political opponent.

• Controversial candidate Kim DelGrosso conceded the Utah school board race to incumbent Cindy Davis.

• The Utah Jazz made some major roster moves Thursday, trading Royce O'Neal for a first-round draft pick, waiving Juancho Hernangomez and opting not to extend qualifying offers to Eric Paschall or Trent Forrest.

• The Daily Buzz: Tribune land and water reporter Leia Larsen joins the podcast to discuss the inland port's victory at the Utah Supreme Court.

• Abortion bans, inland port scores a victory and primary election results are the topics on this week's "Behind the Headlines."

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[redacted]

[redacted]

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: Fwd: Covid Vax info
FROM: Michelle Hofmann <mhofmann@utah.gov>
TO: Cindy Wynette <cwynette@utah.gov>
DATE: 01/07/2022 19:38

Is this something your team can respond to?

Sent from my iPhone

Begin forwarded message:

> **From:** Laura Munson <lauramunsonrn@gmail.com>
> **Date:** July 1, 2022 at 6:43:49 PM MDT
> **To:** mhofmann@utah.gov
> **Subject: Covid Vax info**
>
> Dear Michelle Hofmann;
>
> My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also been asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.
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>
> Thank you for your time and attention to this matter.
>
> Sincerely,
> Laura Munson RN

SUBJECT: The Morning: What to do this weekend
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 02/07/2022 04:30

View in browser | nytimes.com

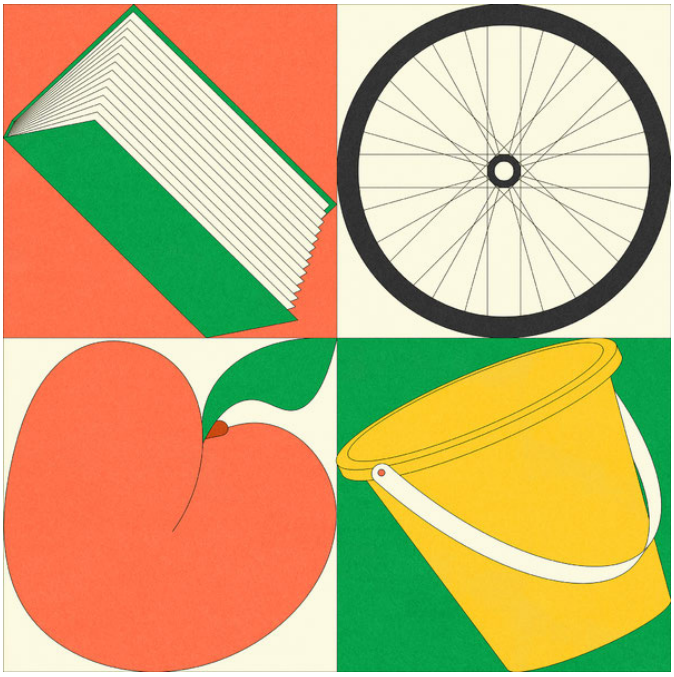
The New York Times
The Morning

July 2, 2022

By Melissa Kirsch

Good morning. It's a holiday weekend. Here are some ideas for how to spend it.

[redacted]



Allie Sullberg

Taking off

The most reliable way I've found to discover books I love is by seeking out the recommendations of writers whose work I admire. So when I saw that Patrick Radden Keefe, the author of the riveting "Empire of Pain," was discussing his favorite writers in The Times Book Review, I broke out my note-taking app to add Emmanuel Carrère's "The Adversary" to my ever-lengthening list of titles to read.

It's a holiday weekend here in the U.S., and I'll be spending at least part of it reading, outside if the weather permits, indoors before a fan if it doesn't. If you're lucky, you've been able to get away, perhaps to somewhere nearby that doesn't use too much gas, like our reporter who recently spent two days cycling around Shelter Island.

Wherever you find yourself, take advantage of the long days. I like to do two-in-ones in summer, days with two distinct chapters before nightfall. These are the days when you can arrive at the beach at noon and still have plenty of light by which to grill when you get home.

Here's your menu. Start with a rum punch or nimbu pani, move on to skirt steak and vegetables. Corn on the cob, obviously. Macaroni, pasta, potato salads. Edna Lewis's peach cobbler for dessert. Invite the neighbors, if you like. Ask them to bring the coleslaw.

I've been eagerly awaiting the film adaptation of Lawrence Osborne's "The Forgiven," about a couple who accidentally kill a stranger while driving to a lavish weekend-long party in Morocco. It opens this weekend. If you'd prefer something less intense, "Marcel the Shell With Shoes On" looks charming.

The last two episodes of the fourth season of "Stranger Things" just dropped, but if you're a fan, you've probably already watched them. You might not have seen "Naked Mole Rat Gets Dressed: The Underground Rock Experience," an animated musical special from the children's book author Mo Willems. And there's Wimbledon, even though Serena won't be playing.

I've been seeking podcast recommendations for when I'm doing chores and running errands, so this list of podcasts to make you feel good arrived right on time. "You Are Good," an exploration of movies through the feelings they

provoke, co-hosted by Sarah Marshall of the late “You’re Wrong About” podcast sounds right up my street. I’ll listen to it while I make the cobbler.

What new podcast have you loved recently? Tell me about it and we might feature your recommendation in The Morning. Be sure to include your full name and location.

THE WEEK IN CULTURE

Jonathan Michel (bass), Bendji Allonce (drums) and Axel Tosca (keys) at Cafe Erzulie in Brooklyn. Sinna Nasseri for The New York Times

- On this week’s “Popcast,”, a conversation about jazz, its historic venues and the new spaces it’s spilling into.
- Austin Butler, who plays Elvis Presley in a new biopic, isn’t the first to take on the role: The Times ranked the best Elvises on the silver screen. (And here’s a review of the new film.)
- In this season of “Stranger Things,” Eduardo Franco has carved out a role as the show’s addled but reliably hilarious tension-release valve.
- It’s all about looking like Barbie this summer, according to Vogue.
- Christina Ricci, who grew up in the public eye, has found the role she’s been looking for.
- Marc Jacobs held his fall 2022 fashion show at the New York Public Library, and streamed it over the Jumbotrons in Times Square.
- The Met Museum’s chief executive will step down next June.
- Airbnb is permanently banning parties at its properties worldwide.
- The Walt Disney Company extended the contract of its C.E.O., Bob Chapek, by three years.
- Germany began returning some of the priceless artifacts known as the Benin Bronzes to Nigeria.

THE LATEST NEWS

The U.S. has supplied Ukraine with High Mobility Artillery Rocket Systems. Tony Overman/The Olympian, via Associated Press

- President Biden pledged another $800 million in security aid to Ukraine, including ammunition for advanced artillery.
- Google will delete visits to abortion clinics, fertility clinics and other sensitive places from users' location history.
- The U.S. will block oil and gas drilling in the Atlantic, Pacific and Arctic Oceans but allow new leases in the Gulf of Mexico and off Alaska.
- Some activists on the fringe want to bring homicide charges against women who get abortions
- A landslide in India has killed at least 18 people. More are feared dead.
- It's going to be a hot and humid holiday weekend across much of the U.S.

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CULTURE CALENDAR

By **Gilbert Cruz**
Culture Editor

🎬 **"Thor: Love and Thunder" (July 8):** The most recent Marvel blockbuster, "Doctor Strange in the Multiverse of Madness," was weird and dark. This one, directed by the ascendant Taika Waititi, is funny and colorful. It really does take all kinds. A tip: You might want to rewatch the second Thor film, 2013's "The Dark World," to remind yourself why Natalie Portman is even in these movies.

📺 **Macy's 4th of July Fireworks Spectacular (July 4):** Oh, say, can you see a nearly half-century-old tradition celebrating America's birthday in over-the-top fashion? Why yes you can! Tune into NBC at 8 p.m. Eastern on Monday, and lower the volume if your dog's in the room.

📚 **"Girls They Write Songs About" (Out now):** The friends we make in our 20s — that formative decade when work and family life have yet to fully tame us — often see us at our most irresponsible moments. The two friends in this Carlene Bauer novel have many of those as they meet cute and hard in late '90s New York City before undergoing decades of, as the critic Molly Young writes, "enchantment, disenchantment and re-enchantment." Anyone with long-term friends can relate.

RECIPE OF THE WEEK

Andrew Scrivani for The New York Times

By **Melissa Clark**

Barbecued Chicken

Barbecued chicken may be a Fourth of July cliché, but only because it's pretty perfect, a crowd-pleaser with its mahogany, sticky-crisp skin and smoky, savory meat. And Sam Sifton's not-too-sweet version is the recipe I keep coming back to. He smartly calls for thinning the barbecue sauce with water before using it to baste the chicken on the grill. This keeps the sugars in the sauce from burning and the meat from drying out. While he suggests using chicken legs and thighs, I've added bone-in, skin-on breasts, and they've worked nicely. (Just be careful not to overcook them.) Then, break out your favorite icy beverage, and don't forget to look up — at fireworks, fireflies or the summer sky turning pinkish at dusk.

A selection of New York Times recipes is available to all readers. Please consider a Cooking subscription for full access.

REAL ESTATE

Gavin Preuss Photography

What you get for $1.4 million: An 1873 five-bedroom Victorian in Hudson, N.Y.; a townhouse in Chicago; or a 19th-century home with three bedrooms in Massachusetts.

The hunt: After stints in Florida, Arizona and Britain, a longtime renter fell in love with Southern California. Would $800,000 be enough for a single-family home?

The Belnord: The story behind the real “Only Murders” building, which has been making headlines for more than a century.

LIVING

Late nights and early mornings could cause lasting damage. Dolly Faibyshev for The New York Times

Get that shut-eye: The sleep debt collectors are coming.

Relationships: Are we still monogamous? And six other questions to ask your partner.

Pink wine: How rosé became a lifestyle.

Amber Rose, reconsidered: She’s resurrecting her SlutWalk, releasing a rap single and looking to cast off the labels of her past.

GAME OF THE WEEKEND

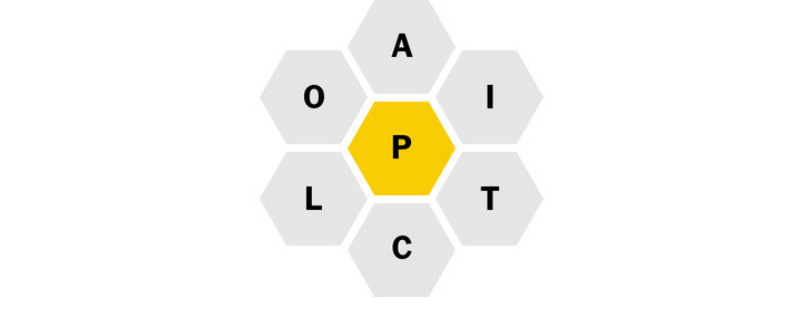
Chicago Sky forward Candace Parker last month. M. Anthony Nesmith/Icon Sportswire, via Getty Images

Phoenix Mercury vs. Chicago Sky, W.N.B.A.: This game is a rematch of last year’s W.N.B.A. finals. The Sky won that series, and this year they once again look like one of the league’s best teams. The veteran forward Candace Parker, who grew up near Chicago, recently recorded her third triple-double — the most in W.N.B.A. history. The Mercury’s season, meanwhile, has been defined by the absence of their all-star center Brittney Griner, who has been detained in Russia since February. *1 p.m. Eastern today, on ESPN.*

For more:

- The U.S. is loaded with women's basketball talent. But the W.N.B.A.'s small size — it has just 12 teams — makes it hard to go pro.
- The latest on Griner: Russia may seek a prisoner exchange for a notorious arms dealer known as the "Merchant of Death."

NOW TIME TO PLAY



The pangram from yesterday's Spelling Bee was *quieting*. Here is today's puzzle.

Take the news quiz to see how well you followed this week's headlines.

Here's today's Wordle. After, use our bot to get better.

Before you go …

- Check out this riveting story about a "communal-living experiment" on Staten Island.
- Pay a visit to the alpacas of Instagram.
- Listen to Lil Nas X covering "Jolene."

Thanks for spending part of your weekend with The Times. — Melissa

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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[redacted]

SUBJECT: Fwd: Covid vax info request
FROM: Erik Christensen <edchristensen@utah.gov>
TO: Rebecca Brown <rebeccab@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Janae Duncan <janaeduncan@utah.gov>
DATE: 02/07/2022 07:48

These questions are outside my sphere of influence. Who should this inquiry be sent to?
Thanks.

Begin forwarded message:

> **From:** Laura Munson <lauramunsonrn@gmail.com>
> **Date:** July 1, 2022 at 18:21:30 MST
> **To:** edchristensen@utah.gov
> **Subject: Covid vax info request**
>
> Dear Erik Christensen;
>
> My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also been asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.
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> Thank you for your time and attention to this matter.
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> Sincerely,
> Laura Munson RN

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SUBJECT: Re: Covid vax info request
FROM: Michelle Hofmann <mhofmann@utah.gov>
TO: Erik Christensen <edchristensen@utah.gov>
CC: Rebecca Brown <rebeccab@utah.gov>, Janae Duncan <janaeduncan@utah.gov>
DATE: 02/07/2022 08:46

Erik,

I received the same message and have forwarded to the Cindy Wynette with the COVID immunization program to respond.

Best,
Michelle

Sent from my iPhone

> On Jul 2, 2022, at 7:48 AM, Erik Christensen <edchristensen@utah.gov> wrote:
>
> These questions are outside my sphere of influence. Who should this inquiry be sent to?
> Thanks.
>
> Begin forwarded message:
>
> > **From:** Laura Munson <lauramunsonrn@gmail.com>
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[redacted]

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Sincerely,
Laura Munson RN

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If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.

SUBJECT: The Salt Lake Tribune for 3 Jul 2022 has been released
FROM: "The Salt Lake Tribune E-edition"<thesaltlaketribuneeedition@directmail.newspaperdirect.com>
TO: mhofmann@utah.gov
DATE: 03/07/2022 04:23

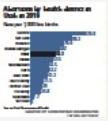
The Salt Lake Tribune

Dear Michelle Hofmann
Your latest edition of The Salt Lake Tribune E-edition has just been released online. Happy reading!
Here are the highlights for this issue:

In This Issue:

Reporting a rape? Utah's trigger law just isn't clear

Utah laws restricting access to abortion offer an exemption to the state's rape victims, allowing them to legally seek the procedure. But the law demands that their doctors first "verify"...



Abortions in Utah: What the data shows

If you do an internet search for information about abortion stats in Utah, you're likely to find an article by our women's issues reporter, Becky Jacobs, at or near the top of the list....

Read all stories...

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SUBJECT: The Morning: Inside the court
FROM: The New York Times <nytdirect@nytimes.com>

TO: mhofmann@utah.gov
DATE: 03/07/2022 05:30

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The New York Times
The Morning

July 3, 2022

By David Leonhardt

Good morning. At the end of a momentous Supreme Court term, we go behind the scenes.

[redacted]

Climate activists gathered at the Supreme Court on Thursday. Anna Rose Layden for The New York Times

An unhappy place

A few weeks ago, I asked Adam Liptak — The Times's Supreme Court correspondent — to preview the major cases that would make up the end of the court's term. Adam was prophetic, correctly forecasting every big ruling. Today, he returns to the newsletter, answering my questions about the behind-the-scenes atmosphere at the court.

David: The last few months have been among the most unusual in the Court's modern history — a major leak followed by an abortion decision that, as you've written, will change American life in major ways. Inside the court, do you think things also feel different?

Adam: The Supreme Court's building has been closed to the public since the beginning of the pandemic. Then, not long after the leak in early May of a draft of the opinion that overruled Roe v. Wade, the courthouse was surrounded by an eight-foot fence. Always cloistered and remote, the court is now impenetrable.

The release of the decision in the abortion case highlighted another way in which the court has withdrawn from public scrutiny. For unexplained reasons, the justices have stopped announcing their decisions from the bench, abandoning a tradition that is both ceremonial and illuminating. In the old days, the author of the majority opinion would give a quick and conversational summary of the ruling that could be extremely valuable for a reporter on deadline and, by extension, for members of the public trying to understand a decision.

[redacted]

More important yet were oral dissents, reserved for decisions that the justices in the minority believed were profoundly mistaken. In ordinary times, one or more of the three liberal justices who dissented in the abortion case would have raised their voices in protest. These days, the court makes do with posting PDFs of its decisions, robbing the occasion of ceremony, drama and insight.

The nine justices in 2021. Erin Schaff/The New York Times

So the lawyers who argued the cases and the reporters covering the court find out about decisions the same way everybody else does — by refreshing their browsers. But the justices have returned to the courtroom for arguments, haven't they?

Yes, they have taken a different approach with arguments. After hearing them by telephone for much of the pandemic, the justices returned to the bench in October. Reporters with Supreme Court press credentials were allowed to attend and the public could listen to live-streamed audio on the court's website. It is not clear why opinions could not be announced in similar fashion.

I haven't been to the courthouse since the last argument of the current term, on April 27, when Chief Justice John Roberts grew emotional in saying farewell to a retiring colleague, Justice Stephen Breyer. But there is every reason to think that the leak, the investigation it prompted, the controversy over Justice Clarence Thomas's failure to recuse himself from a case that intersected with his wife's efforts to overturn the election and the justices' very real security concerns have made the court an unhappy place.

In remarks in May, not long after the leak, Justice Thomas reflected on how things had changed at the court since an 11-year stretch without changes in its membership before the arrival of Chief Justice Roberts in 2005. "This is not the court of that era," Justice Thomas said, adding: "We actually trusted each other. We may have been a dysfunctional family, but we were a family."

A less collegial court seems like it could be especially problematic for the three liberal justices. There are now five Republican-appointed justices who are even more conservative than Roberts. If the court is a less collaborative place, I would imagine it gives the justices in the minority — both the liberals and, in some cases, Roberts — less ability to shape decisions.

Yes, though it's possible to overstate the power of collegiality. Justices cast votes based on the strength of the relevant arguments and the desired outcomes, not on how likable their colleagues are.

The justices say there is no vote-trading across cases, and I believe them. On the other hand, there are certainly negotiations within cases. It seems tolerably clear, for instance, that Justices Breyer and Elena Kagan shifted positions in one part of the 2012 case that upheld a key portion of the Affordable Care Act to make certain they would secure Chief Justice Roberts's vote on another part.

Justices may well be prepared to narrow or reshape a draft opinion that seeks to speak for a five-justice majority in exchange for a vote. But once the author has gotten to five, the value of another potential vote plummets. It is that dynamic that must worry the court's liberals.

Justice Ketanji Brown Jackson was sworn in on Thursday. U.S. Supreme Court Via Reuters

On Thursday, Justice Breyer officially retired and helped swear in his replacement, Justice Ketanji Brown Jackson. How do the justices typically welcome a new member?

When a new justice joins the Supreme Court, tradition requires the second-most junior justice to arrange a little party. In 2006, for instance, when Justice SamuelAlito came on board, that task fell to Justice Breyer, who knew his new colleague to be a Phillies fan. Before dessert was served, Justice Breyer introduced a special guest: the Phillie Phanatic, the team's mascot.

This year, Justice Amy Coney Barrett is the second-most junior justice and will presumably be in charge of the welcoming celebration for Justice Jackson.

And now that the court is on a break until October, what do the justices usually do?

They often teach courses in exotic places. In 2012, for instance, after voting to uphold the Affordable Care Act, Chief Justice Roberts left for Malta to teach a two-week class on the history of the Supreme Court. "Malta, as you know, is an impregnable island fortress," he said. "It seemed like a good idea."

More about Adam Liptak: He started his Times career as a copy boy in 1984, fetching coffee for editors and occasionally writing. After law school and a stint at a Wall Street law firm, he returned to the paper in 1992, joining its corporate legal department before moving to the newsroom as a reporter a decade later. He reads a lot and plays a lot of poker.

More on the court

- The Supreme Court's latest term was its most conservative since 1931, as these graphics by Alicia Parlapiano demonstrate.
- Dysfunction in Congress has given the court inordinate power, Adam writes.

NEWS

The Latest

Gravediggers at the Lychakiv military cemetery in Lviv, Ukraine. Emile Ducke for The New York Times

- Russia claimed to have seized Lysychansk, a prize city in Ukraine's east, and blamed Ukraine for explosions that rocked a Russian border town. Here's the latest.
- Ukrainian men volunteered to protect their homes. Now, many of these untrained soldiers are dying on the other side of the country.
- For months, Russia has pummeled Ukrainian civilians — and offered excuses to dodge responsibility.
- The investigation into Russian war crimes, by Ukrainian and international agencies, may be the largest in history.
- The rising price of fuel is hitting poorer countries especially hard, with many residents struggling to keep the lights on or cook food.

Other Big Stories

- The school police chief in Uvalde, Texas, resigned from the city council amid continued outrage over officers' slow response to the school shooting.
- A cohort of young women — many of them Christian, some of them progressive — are fighting against abortion.
- Holiday headache: Thousands of flights were delayed as travel reaches prepandemic levels.
- Tropical Storm Colin is bringing heavy rain to the Carolinas.

FROM OPINION

- Restricting abortion access will hurt rich women, too, says **Elizabeth Spiers**.
- The far right and far left both think women don't count, **Pamela Paul** argues.
- **Margaret Renkl** fears for American democracy. She's reclaiming the flag anyway.

The Sunday question: Is Roe's fall transforming the midterms?

Commentary's Noah Rothman has doubts, arguing that crime and inflation

remain voters' top concerns. CNN's Harry Enten thinks the ruling could lift Democrats in state-level races, whose winners will shape whether abortion is legal.

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MORNING READS

Hundreds of types of mangoes grow from a single tree. Saumya Khandelwal for The New York Times

Mango man: After 82 years, his days are spent taking care of the tree he loves.

Other worlds: The powerful new James Webb Space Telescope will search for signs of life in the universe.

Frozen: A baby woolly mammoth, preserved in the ground for more than 30,000 years.

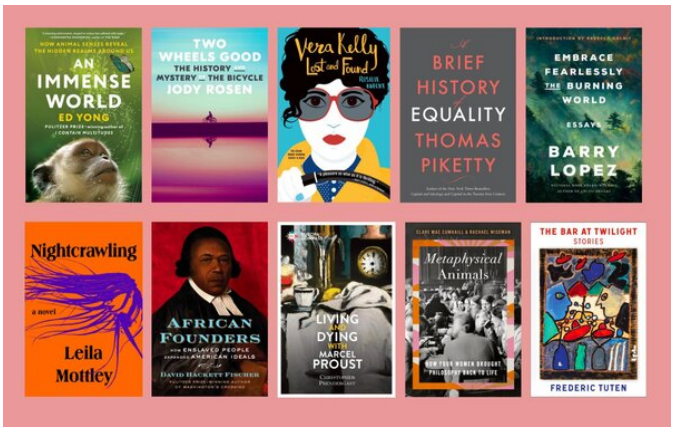
Culture wars: Solveig Gold is proud to be the wife of a "canceled" Princeton professor.

Sunday routine: Anthony Almojera, a paramedic, cooks a family meal at Station 40 in Sunset Park, Brooklyn.

Advice from Wirecutter: The best beach gear.

A Times classic: The un-divorced.

BOOKS



Fiction in the city: Contemporary authors shared their favorite New York City novels.

By the Book: Alice Elliott Dark ruins books by reading them in the bathtub.

Our editors' picks: The history of the bicycle, and nine other new books.

Times best sellers: Riley Sager's "The House Across the Lake" settles in this week on our hardcover fiction best-seller list. See all our lists.

The Book Review podcast: Gabrielle Zevin discusses her new novel, "Tomorrow, and Tomorrow, and Tomorrow," about two friends who design a video game.

THE SUNDAY TIMES MAGAZINE

On the cover: Moderate Democrats are going extinct.

Rituals: How do you prepare for a school shooting?

Recommendation: The Instagram account @b_a_l_l_h_a_u_s will change how you see basketball.

Diagnosis: He could barely walk and had to give up golf. What was wrong?

Eat: In Hawaii, mac salad isn't just a side dish; it's a condiment unto itself.

Read the full issue.

THE WEEK AHEAD

What to Watch For

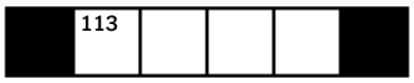
- A law banning nearly all abortions in Mississippi is set to take effect on Thursday. Here's our tracker of abortion laws across the country.
- President Biden will award the Presidential Medal of Freedom to 17 people on Thursday, including Simone Biles, Denzel Washington and John McCain.
- Much of the country is in for a hot and humid next couple days.
- Tomorrow Independence Day is celebrated in the U.S., and millions of Americans will be traveling. Expect delays.

What to Cook This Week

Beatriz Da Costa for The New York Times

If you've had your fill of burgers and hot dogs, Emily Weinstein recommends Pati Jinich's Sonoran carne asada tacos.

NOW TIME TO PLAY



Here's a clue from the Sunday crossword:

113 Across: *Space heater*

Take the news quiz to see how well you followed the week's headlines.

Here's today's Spelling Bee. Here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your weekend with The Times. — David

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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[redacted]

SUBJECT: Top Stories: Anti-abortion crowd celebrates Roe reversal
FROM: The Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 03/07/2022 08:14

View this email in your browser

sltrib.com

TOP STORIES

Sunday, July 3, 2022

By Gabrielle Baquero

Top News

Anti-abortion crowd celebrates Roe reversal at Utah Capitol

Abortion-rights protesters show up as well, resulting in some verbal clashes. [Read more]

Utah teen uses digital art and NFTs to raise money to end bullying

The 13-year-old Utahn said he's trying to use his knowledge for a good cause. [Read more]

Provo housing project years in the making offers hope for homeless community

The newly completed affordable housing complex in Provo also provides mental health services, dental and medical care. [Read more]

Editorial: As power flows back to the states, voters' attention should, too

"Voters in Utah, and in all the other states, need to start paying a lot more attention to what their Legislature is up to," writes the Editorial Board. [Read more]

Here are 5 places where you can find good food in Salt Lake City after midnight

Three friends create a ghost-kitchen business, adding to the list of higher-end eateries serving late-night cuisine. [Read more]

Salt City BEST
The Salt Lake Tribune
CLICK TO NOMINATE

In Case You Missed It

• Marcus Stevenson, the new mayor of Midvale, meets his younger constituents – on wheels.

• Abortions can resume in Utah for now, after judge blocks enforcement of trigger law.

• USC, UCLA leave for the Big Ten. What does that mean for Utah, BYU, Big 12 and the Pac-12?

• "Last Week Tonight" host John Oliver mocks Utah, Gov. Cox and the Jazz Bear in a segment about water.

• DNA evidence helps detectives solve the Utah cold-case murder of 'the Maidenwater victim' from 1998.

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Salt Lake City, Utah 84101

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No longer want to receive any emails from us? Unsubscribe here.

SUBJECT: Re: Spreadsheet shared with you: "State Resources for Mothers and Families"
FROM: Sarah Welliver DHS <swelliver@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>
CC: Marc Watterson <mwatterson@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Paul Ray DHS <pray@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Heather Borski <hborski@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 03/07/2022 08:20

Is this meant to be a complete list of available resources for pregnant individuals or parents with newborns? Families with children of any age?

There are definitely resources missing, but I'm not sure what the goal of this document is. I know Marc you mentioned wanting to share this with legislators and constituents.

DCFS worked with 211 Utah to create a website with parent resources, including crisis nurseries, respite care, etc. https://uw.org/211/family-strengthening/

Was this a legislative request? I want to be able to efficiently support you all on Tuesday, especially with the deadline. Any clarity will help me put something together, and loop in DCFS if needed for assistance. Thank you!

Sarah

On Sun, Jul 3, 2022 at 8:12 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Marc -

Sorry for the weekend e-mail, but I thought I better e-mail since your goal is to complete this document by COB Tuesday.

One program I did not see listed is the Newborn Safe Haven Program. This program is currently run out of PAE. DCFS plays a significant role once a parent leaves a newborn at a hospital (or other designated location).

Do we want to add this program to the resource list?

[Heather - are you aware of any programs with the Division of Population Health that may need to be included here? I am not sure if Janae has already reviewed this documer but thought I would start by asking you]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 5:45 PM Marc Watterson <mwatterson@utah.gov> wrote:

Thanks Tracy. We'll make sure this is ready to send out by COB on Tuesday.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jul 1, 2022 at 2:20 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you!

I would like to get this formatted since we will be sending it to all lawmakers.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

[redacted]

Utah Department of Health & Human Services

On Wed, Jun 29, 2022 at 4:27 PM Marc Watterson <mwatterson@utah.gov> wrote:

It sounds like staff now have this information updated.

Do you want us to work with Comms to get this formatted in a way that would make it easier to share with legislators (and for them to share with their constituents)?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jun 24, 2022 at 8:53 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you Paul!

Please make sure to get this document populated as soon as possible. Thank you!

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Jun 24, 2022 at 11:29 AM Paul Ray DHS (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

[redacted]

[redacted]

[redacted]

Open

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
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--
Sarah Welliver
Public Information Officer
C: 801.520.2777
swelliver@utah.gov
hs.utah.gov

Utah Department of
Health & Human Services
Public Affairs & Education

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SUBJECT: Resending today's Morning
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 03/07/2022 12:51

[redacted]

The New York Times
The Morning

[redacted]

[redacted]

[redacted]

Good afternoon. This morning's newsletter had technical problems that made the Q. and A. hard to read, so we are sending it again.

Climate activists gathered at the Supreme Court on Thursday. Anna Rose Layden for The New York Times

An unhappy place

A few weeks ago, I asked Adam Liptak — The Times's Supreme Court correspondent — to preview the major cases that would make up the end of the court's term. Adam was prophetic, correctly forecasting every big ruling. Today, he returns to the newsletter, answering my questions about the behind-the-scenes atmosphere at the court.

David: The last few months have been among the most unusual in the Court's modern history — a major leak followed by an abortion decision that, as you've written, will change American life in major ways. Inside the court, do you think things also feel different?

Adam: The Supreme Court's building has been closed to the public since the beginning of the pandemic. Then, not long after the leak in early May of a draft of the opinion that overruled Roe v. Wade, the courthouse was surrounded by an eight-foot fence. Always cloistered and remote, the court is now impenetrable.

The release of the decision in the abortion case highlighted another way in which the court has withdrawn from public scrutiny. For unexplained reasons, the justices have stopped announcing their decisions from the bench, abandoning a tradition that is both ceremonial and illuminating. In the old days, the author of the majority opinion would give a quick and conversational summary of the ruling that could be extremely valuable for a reporter on deadline and, by extension, for members of the public trying to understand a decision.

More important yet were oral dissents, reserved for decisions that the justices in the minority believed were profoundly mistaken. In ordinary times, one or more of the three liberal justices who dissented in the abortion case would have raised their voices in protest. These days, the court makes do with posting PDFs of its decisions, robbing the occasion of ceremony, drama and insight.

The nine justices in 2021. Erin Schaff/The New York Times

So the lawyers who argued the cases and the reporters covering the court find out about decisions the same way everybody else does — by refreshing their browsers. But the justices have returned to the courtroom for arguments, haven't they?

Yes, they have taken a different approach with arguments. After hearing them by telephone for much of the pandemic, the justices returned to the bench in October. Reporters with Supreme Court press credentials were allowed to attend and the public could listen to live-streamed audio on the court's website. It is not clear why opinions could not be announced in similar fashion.

I haven't been to the courthouse since the last argument of the current term, on April 27, when Chief Justice John Roberts grew emotional in saying farewell to a retiring colleague, Justice Stephen Breyer. But there is every reason to think that the leak, the investigation it prompted, the controversy over Justice Clarence Thomas's failure to recuse himself from a case that intersected with his wife's efforts to overturn the election and the justices' very real security concerns have made the court an unhappy place.

In remarks in May, not long after the leak, Justice Thomas reflected on how things had changed at the court since an 11-year stretch without changes in its membership before the arrival of Chief Justice Roberts in 2005. "This is not the court of that era," Justice Thomas said, adding: "We actually trusted each other. We may have been a dysfunctional family, but we were a family."

A less collegial court seems like it could be especially problematic for the three liberal justices. There are now five Republican-appointed justices who are even more conservative than Roberts. If the court is a less collaborative place, I would imagine it gives the justices in the minority — both the liberals and, in some cases, Roberts — less ability to shape decisions.

Yes, though it's possible to overstate the power of collegiality. Justices cast votes based on the strength of the relevant arguments and the desired outcomes, not on how likable their colleagues are.

The justices say there is no vote-trading across cases, and I believe them. On the other hand, there are certainly negotiations within cases. It seems tolerably clear, for instance, that Justices Breyer and Elena Kagan shifted positions in one part of the 2012 case that upheld a key portion of the Affordable Care Act to make certain they would secure Chief Justice Roberts's vote on another part.

Justices may well be prepared to narrow or reshape a draft opinion that seeks to speak for a five-justice majority in exchange for a vote. But once the author has gotten to five, the value of another potential vote plummets. It is that dynamic that must worry the court's liberals.

Justice Ketanji Brown Jackson was sworn in on Thursday. U.S. Supreme Court Via Reuters

On Thursday, Justice Breyer officially retired and helped swear in his replacement, Justice Ketanji Brown Jackson. How do the justices typically welcome a new member?

When a new justice joins the Supreme Court, tradition requires the second-most junior justice to arrange a little party. In 2006, for instance, when Justice SamuelAlito came on board, that task fell to Justice Breyer, who knew his new colleague to be a Phillies fan. Before dessert was served, Justice Breyer introduced a special guest: the Phillie Phanatic, the team's mascot.

This year, Justice Amy Coney Barrett is the second-most junior justice and will presumably be in charge of the welcoming celebration for Justice Jackson.

And now that the court is on a break until October, what do the justices usually do?

They often teach courses in exotic places. In 2012, for instance, after voting to uphold the Affordable Care Act, Chief Justice Roberts left for Malta to teach a two-week class on the history of the Supreme Court. "Malta, as you know, is an impregnable island fortress," he said. "It seemed like a good idea."

More about Adam Liptak: He started his Times career as a copy boy in 1984, fetching coffee for editors and occasionally writing. After law school and a stint at a Wall Street law firm, he returned to the paper in 1992, joining its corporate legal department before moving to the newsroom as a reporter a decade later. He reads a lot and plays a lot of poker.

More on the court

- The Supreme Court's latest term was its most conservative since 1931, as these graphics by Alicia Parlapiano demonstrate.
- Dysfunction in Congress has given the court inordinate power, Adam writes.

NEWS

The Latest

Gravediggers at the Lychakiv military cemetery in Lviv, Ukraine. Emile Ducke for The New York Times

- Russia claimed to have seized Lysychansk, a prize city in Ukraine's east, and blamed Ukraine for explosions that rocked a Russian border town. Here's the latest.
- Ukrainian men volunteered to protect their homes. Now, many of these untrained soldiers are dying on the other side of the country.
- For months, Russia has pummeled Ukrainian civilians — and offered excuses to dodge responsibility.
- The investigation into Russian war crimes, by Ukrainian and international agencies, may be the largest in history.
- The rising price of fuel is hitting poorer countries especially hard, with many residents struggling to keep the lights on or cook food.

Other Big Stories

- The school police chief in Uvalde, Texas, resigned from the city council amid continued outrage over officers' slow response to the school shooting.
- A cohort of young women — many of them Christian, some of them progressive — are fighting against abortion.
- Holiday headache: Thousands of flights were delayed as travel reaches prepandemic levels.
- Tropical Storm Colin is bringing heavy rain to the Carolinas.

FROM OPINION

- Restricting abortion access will hurt rich women, too, says **Elizabeth Spiers**.
- The far right and far left both think women don't count, **Pamela Paul** argues.
- **Margaret Renkl** fears for American democracy. She's reclaiming the flag anyway.

The Sunday question: Is Roe's fall transforming the midterms?

Commentary's Noah Rothman has doubts, arguing that crime and inflation

remain voters' top concerns. CNN's Harry Enten thinks the ruling could lift Democrats in state-level races, whose winners will shape whether abortion is legal.

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MORNING READS

Hundreds of types of mangoes grow from a single tree. Saumya Khandelwal for The New York Times

Mango man: After 82 years, his days are spent taking care of the tree he loves.

Other worlds: The powerful new James Webb Space Telescope will search for signs of life in the universe.

Frozen: A baby woolly mammoth, preserved in the ground for more than 30,000 years.

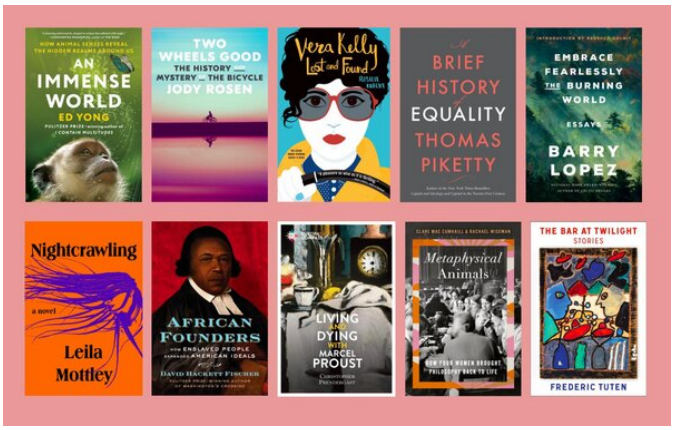
Culture wars: Solveig Gold is proud to be the wife of a "canceled" Princeton professor.

Sunday routine: Anthony Almojera, a paramedic, cooks a family meal at Station 40 in Sunset Park, Brooklyn.

Advice from Wirecutter: The best beach gear.

A Times classic: The un-divorced.

BOOKS



Fiction in the city: Contemporary authors shared their favorite New York City novels.

By the Book: Alice Elliott Dark ruins books by reading them in the bathtub.

Our editors' picks: The history of the bicycle, and nine other new books.

Times best sellers: Riley Sager's "The House Across the Lake" settles in this week on our hardcover fiction best-seller list. See all our lists.

The Book Review podcast: Gabrielle Zevin discusses her new novel, "Tomorrow, and Tomorrow, and Tomorrow," about two friends who design a video game.

THE SUNDAY TIMES MAGAZINE

On the cover: Moderate Democrats are going extinct.

Rituals: How do you prepare for a school shooting?

Recommendation: The Instagram account @b_a_l_l_h_a_u_s will change how you see basketball.

Diagnosis: He could barely walk and had to give up golf. What was wrong?

Eat: In Hawaii, mac salad isn't just a side dish; it's a condiment unto itself.

Read the full issue.

THE WEEK AHEAD

What to Watch For

- A law banning nearly all abortions in Mississippi is set to take effect on Thursday. Here's our tracker of abortion laws across the country.
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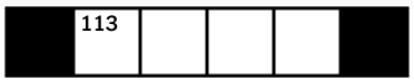
NOW TIME TO PLAY



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113 Across: *Space heater*

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Here's today's Spelling Bee. Here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your weekend with The Times. — David

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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SUBJECT: The Salt Lake Tribune for 4 Jul 2022 has been released
FROM: "The Salt Lake Tribune E-edition"<thesaltlaketribuneeedition@directmail.newspaperdirect.com>
TO: mhofmann@utah.gov
DATE: 04/07/2022 03:29

The Salt Lake Tribune

Dear Michelle Hofmann
Your latest edition of The Salt Lake Tribune E-edition has just been released online. Happy reading!
Here are the highlights for this issue:

In This Issue:

Celebrating the Fourth with a bang

Tim McGraw rang in Independence Day at Stadium of Fire - along with Marie Osmond, military displays, fire dancers, and a massive amount of fireworks. Saturday night's concert and patriotic...

Anti-Roe rally: 'We have been given a miracle'

The speaker's microphone cut in and out as Deanna Holland said the opening prayer, allowing the shouts of "my body, my choice" to ring over

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

the assembled anti-abortion crowd. It was a...

Read all stories...

The Salt Lake Tribune

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The Salt Lake Tribune

MONDAY, JULY 4, 2022

PULITZER PRIZE WINNER

STADIUM OF FIRE • EXPLOSIVE DISPLAY OF PATRIOTISM

Celebrating the Fourth with a bang

Tim McGraw headlined the Provo show, with support from Utah native Marie Osmond.

Can recreational and economic gem Bear Lake keep its luster?

Anti-Roe rally: 'We have been given a miracle'

Abortion-rights supporters show up, too, and some verbal clashes break out.

Lines drawn on abortion?

Flash floods a desert tradition — here are ways to avoid them

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SUBJECT: The Morning: Chosen families
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 04/07/2022 04:28

View in browser | nytimes.com

The New York Times

The Morning

July 4, 2022

By Melissa Kirsch

Good morning. A chosen family can offer love and support that aren't defined by biological kinship.

[redacted]

Allie Sullberg

All in the family

Today, as we observe the Fourth of July holiday in the U.S., I'm thinking about the permutations of family, the people we invite to the cookout, the ones we'll be watching the fireworks with. Perhaps you'll be with your parents and siblings, your kids, your kids' kids. Perhaps you'll gather with close friends, with neighbors, reunite with your pandemic pod.

Last week marked the conclusion of Pride Month in the United States. Pride is broadly a celebration of L.G.B.T.Q. rights, but for many members of queer communities, it's also a celebration of their chosen family.

Chosen families are created outside the structures of (and often in place of) the traditional nuclear family. In the case of the Bickersons, a group of about 10 to 20 queer women, most of whom live near Asheville, N.C., this means raucous Thanksgivings, fishing trips and three-day birthday celebrations. It's also meant working on one another's homes, helping each other get sober and providing love and support when one of the group is ill.

"We didn't have to censor," one member of the Bickersons, Lenny Lasater, told The Times. "We were real, we were honest, and we could expect to be met with compassion and understanding."

When a family of origin is absent or unsupportive, a chosen family is essential. And even if your biological family is intact, cultivating close, supportive relationships with neighbors, friends and colleagues can provide welcome kinship, as many of us found during the pandemic. The pandemic pod was a temporary chosen family, born of necessity. People who might otherwise never have fetched groceries for one another or shared strategies for locating toilet paper, let alone discussed issues of life and death, were suddenly one another's confidantes.

Once you've known the rewards of that sort of unexpected intimacy, it seems silly that any chosen family should be temporary. While people, at varying speeds and comfort levels, move on from the most pod-intensive stages of the pandemic, is there any reason the love, the interdependence, the podsgivings shouldn't continue?

The beauty of the chosen family is that you opt into it. There's freedom in that,

an opportunity to cocreate a community that suits your values. Take the Old Gays, a group of "grandfluencers" who live in a house together in the California desert and create videos for their 7.6 million TikTok followers. "As you get into old age, moving into a nursing home is what's expected, and many older people buy into that plan," said Robert Reeves, a member of the group. "What we're doing, through the strength of our friendships and our mutual support, is changing the course of the way one lives their life."

Do you have a chosen family? Tell me about it. In the meantime, enjoy the holiday.

For more

- Listen to Jenna Wortham and Wesley Morris discuss queer chosen families in pop culture on the "Still Processing" podcast.
- "We don't need to be related to relate," sings Rina Sawayama in "Chosen Family."

THE LATEST NEWS

War in Ukraine

- Russia, in control of large parts of the Donbas region, can now focus on capturing the last Ukrainian holdout in neighboring Donetsk.
- Despite warnings from the Pentagon, American veterans are training Ukrainians near the front lines.

Fourth of July

Last year's hot dog competition in Coney Island. Brittainy Newman/Associated Press

- Staffing shortages and a boom in travel demand caused more than 1,400 flight cancellations in the U.S. over the holiday weekend.
- The Nathan's hot dog eating competition is back. Here's what to know.

Other Big Stories

A shopping mall in Copenhagen after a shooting there yesterday. Olafur Steinar Rye Gestsson/Ritzau Scanpix Foto, via Associated Press

- A gunman killed three people at a mall in Copenhagen. The police said the motive probably was not terrorism.
- The Supreme Court decision to reverse Roe v. Wade has launched judicial and political battles that could last years.
- He filmed Jan. 6 footage for Russian TV: An American's murky path from businessman to far-right media figure and pro-Russia propagandist.
- The I.R.S. approved 76 fake charities that shared a mailbox. Reduced vetting at the agency has opened the door to scams.
- The C.D.C. has linked a Florida-made ice cream to a listeria outbreak that has sickened people in 10 states.

Opinions

Gail Collins and **Bret Stephens** discuss the E.P.A. and Donald Trump.

Alexander and Yevgeny Vindman, who fled Ukraine in 1979, argue for letting more refugees into America in a video by **Ken Burns**.

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MORNING READS

A drone at Jones Beach. Johnny Milano for The New York Times

Jaws: With drones and trackers, New York beaches are stepping up their shark patrols.

New York: A reporter traveled to all five boroughs and asked: What's the vibe?

Ask Well: Are some processed meats worse for you than others?

Quiz time: The average score on our latest news quiz was 9.2. See if you can do better.

A Times classic: The 10 most influential films of the 2010s.

Advice from Wirecutter: What to bring when you go berry picking.

Lives Lived: Vladimir Zelenko received national attention in 2020 when the White House embraced his hydroxychloroquine regimen. He died at 48.

SPORTS NEWS FROM THE ATHLETIC

A programming note: This new sports section is written by the staff of The Athletic.

Kevin Durant's next home: The Brooklyn Nets superstar has asked for a trade. The Athletic's John Hollinger explored possible trade paths to Los Angeles with the Lakers or Clippers, as well as fits in Phoenix and Toronto. Nothing looks easy, on paper. What about a return to Golden State? There are some clear obstacles, we learned yesterday. The clock ticks.

"The safest thing would be to not go back." The N.H.L. had 57 Russian players who participated in league play during the 2021-22 season. Now a significant question hangs over the offseason: If those players return to Russia to see their families, will they make it back?

The Athletic's sports journalism is supported by subscribers. To enjoy unlimited access, please subscribe to New York Times All Access or Home Delivery.

ARTS AND IDEAS

A street-food classic's moment

There's no such thing as too much fried chicken. The variation currently taking the U.S. by storm: Taiwanese fried chicken, marinated in soy sauce, rice wine and five-spice powder.

Chefs are reimagining the street-food staple. They're tucking Taiwanese fried chicken into sandwiches and steamed buns, serving it atop sliced white bread with pickles and drenching it with sauces in acknowledgment of regional American specialties, Cathy Erway writes in The Times.

"It symbolizes Taiwanese cuisine, obviously, but for me, it brings back memories," said the chef David Kuo, who is based in Los Angeles. "Eating something with bones in front of the TV was the ultimate fun."

PLAY, WATCH, EAT

What to Cook

David Malosh for The New York Times

Here's how to make Taiwanese fried chicken, which is typically served in paper bags, without sauce, for easy snacking.

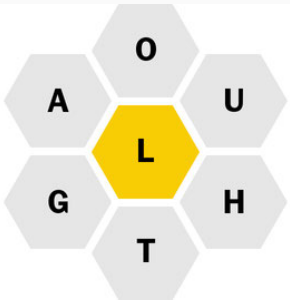
What to Watch

Try any of the year's best movies so far.

What to Read

"The Mermaid of Black Conch" by Monique Roffey is equal parts fairy tale, ghost story and history.

Now Time to Play



The pangram from yesterday's Spelling Bee was *buoyant*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Annoying (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — Melissa

P.S. Nestor Ramos, a Pulitzer finalist and former Boston Globe columnist, is The Times's next Metro editor.

Here's today's front page.

There's no new episode of "The Daily" today.

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

Sign up here to get this newsletter in your inbox.

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: Re: Spreadsheet shared with you: "State Resources for Mothers and Families"
FROM: Tracy Gruber DHHS <tracygruber@utah.gov>
TO: Sarah Welliver DHS <swelliver@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Paul Ray DHS <pray@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Heather Borski <hborski@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 04/07/2022 06:12

This was the legislative request and yes, it should be as comprehensive as possible. I told Rep. Peterson we would have it for her early this week. She made the request on June 23 so this should be ready to be send soon. Thank you!

Tracy,

The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also hav observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.

Thank you, we appreciate your help.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Sun, Jul 3, 2022 at 8:21 AM Sarah Welliver DHS <swelliver@utah.gov> wrote:
Is this meant to be a complete list of available resources for pregnant individuals or parents with newborns? Families with children of any age?

There are definitely resources missing, but I'm not sure what the goal of this document is. I know Marc you mentioned wanting to share this with legislators and constituents.

DCFS worked with 211 Utah to create a website with parent resources, including crisis nurseries, respite care, etc. https://uw.org/211/family-strengthening/

Was this a legislative request? I want to be able to efficiently support you all on Tuesday, especially with the deadline. Any clarity will help me put something together, and loop DCFS if needed for assistance. Thank you!

Sarah

On Sun, Jul 3, 2022 at 8:12 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:
Marc -

Sorry for the weekend e-mail, but I thought I better e-mail since your goal is to complete this document by COB Tuesday.

One program I did not see listed is the Newborn Safe Haven Program. This program is currently run out of PAE. DCFS plays a significant role once a parent leaves a newborn at a hospital (or other designated location).

Do we want to add this program to the resource list?

[Heather - are you aware of any programs with the Division of Population Health that may need to be included here? I am not sure if Janae has already reviewed this document, but thought I would start by asking you]

David

[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 5:45 PM Marc Watterson <mwatterson@utah.gov> wrote:
Thanks Tracy. We'll make sure this is ready to send out by COB on Tuesday.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jul 1, 2022 at 2:20 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
Thank you!

I would like to get this formatted since we will be sending it to all lawmakers.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Wed, Jun 29, 2022 at 4:27 PM Marc Watterson <mwatterson@utah.gov> wrote:
It sounds like staff now have this information updated.

Do you want us to work with Comms to get this formatted in a way that would make it easier to share with legislators (and for them to share with their constituents)?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Fri, Jun 24, 2022 at 8:53 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
Thank you Paul!

Please make sure to get this document populated as soon as possible. Thank you!

Tracy
Tracy S. Gruber

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Jun 24, 2022 at 11:29 AM Paul Ray DHS (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

Paul Ray DHS shared a spreadsheet

Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

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--
Sarah Welliver
Public Information Officer
C: 801.520.2777
swelliver@utah.gov
hs.utah.gov

Utah Department of Health & Human Services
Public Affairs & Education

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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[redacted]

SUBJECT: Fwd: Covid vax question
FROM: Nate Checketts <natecheckettts@utah.gov>
TO: Melissa Stevens Dimond <melissastevens@utah.gov>, Janae Duncan <janaeduncan@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS <tracygruber@utah.gov>, Donovan Bergstrom DHS <dbergst@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 04/07/2022 18:16

Another line of questions on vaccines that probably would be best for Dr. Nolen

On Fri, Jul 1, 2022 at 6:37 PM Laura Munson <lauramunsonrn@gmail.com> wrote:
Dear Nate Checketts;

My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also bee asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.

Does Utah have detailed data on adverse events happening locally? How often is the data on events and trends updated? Where can I find a detailed and updated consent form? Does the Health Department have a training program for medical professionals where they learn how to handle expected adverse events and get patients the help they need? How is the Health Department monitoring informed consent? What honest information regarding the pros and cons of these shots are being provided to the public as ha been done with other pharmaceutical products?

Thank you for your time and attention to this matter.

Sincerely,
Laura Munson RN

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SUBJECT: Re: Covid vax question
FROM: Melissa Stevens Dimond <melissastevens@utah.gov>
TO: Nate Checketts <natecheckettts@utah.gov>
CC: Janae Duncan <janaeduncan@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS <tracygruber@utah.gov>, Donovan Bergstrom DHS <dbergst@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 04/07/2022 19:08

Thanks, Nate; I received the same email from Ms Munson Fri night and was planning to follow-up tomorrow; I think it is wise to have a consistent message. I agree Dr. Nolen would be well-suited to reply. I can follow-up with her on the two you received tomorrow, unless a different approach is recommended.

I think it would be a good idea to build a FAQ/retain an inventory of responses for reference, perhaps, in case we continue receiving these inquiries, and to ensure the Immunizations Program is aware-they may be receiving/responding as well; I will forward them on tomorrow to Rich and Cindy and let them know we are asking Dr. Nolen to repl

Thank you and hope everyone has had a nice weekend,
Melissa

Sent from my iPhone

> On Jul 4, 2022, at 6:16 PM, Nate Checketts <natecheckettts@utah.gov> wrote:
>
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>
> On Fri, Jul 1, 2022 at 6:37 PM Laura Munson <lauramunsonrn@gmail.com> wrote:
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>
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TO: Melissa Stevens Dimond <melissastevens@utah.gov>
CC: Janae Duncan <janaeduncan@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS <tracygruber@utah.gov>, Donovan Bergstrom DHS <dbergst@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 04/07/2022 20:55

I agree that an FAQ bank of questions and responses is a good idea. I am guessing we will get other similar requests.

Thanks,

Nate

On Mon, Jul 4, 2022 at 7:08 PM Melissa Stevens Dimond <melissastevens@utah.gov> wrote:
> Thanks, Nate; I received the same email from Ms Munson Fri night and was planning to follow-up tomorrow; I think it is wise to have a consistent message. I agree Dr. Nolen would be well-suited to reply. I can follow-up with her on the two you received tomorrow, unless a different approach is recommended.
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SUBJECT: The Morning: A bluer picture
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 05/07/2022 04:23

View in browser | nytimes.com

The New York Times
The Morning

[redacted]

July 5, 2022

By David Leonhardt

Good morning. The midterm campaigns for the House and the Senate are shaping up quite differently.

A bluer picture

The midterm polls continue to look dark for Democrats, as we explained in a newsletter last week. Inflation and Covid disruptions, as well as the normal challenges that a presidents's party faces in midterms, are weighing on the party. As a result, the Republicans are heavily favored to retake control of the House.

But the situation in the Senate looks different, my colleague Blake Hounshell points out.

There are 10 potentially competitive Senate races this year, according to the Cook Political Report, and Democrats need to win at least five of them to keep Senate control. Democrats are favored in two of those 10 races (New Hampshire and Colorado) and Cook rates another five (Arizona, Georgia, Nevada, Pennsylvania and Wisconsin) as tossups.

If Democrats keep the Senate without the House, they still would not be able to pass legislation without Republican support. But Senate control nonetheless matters. It would allow President Biden to appoint judges, Cabinet secretaries and other top officials without any Republican support, because only the Senate needs to confirm nominees.

I'm turning over the rest of today's lead item to Blake, who will preview the campaign for Senate control.

Senate Democrats are starting to see the opportunity to retain the Senate after the midterms. Tom Brenner for The New York Times

By Blake Hounshell
Editor, On Politics

When asked to share their candid thoughts about the Democrats' chances of hanging onto their House majority in the coming election, party strategists often use words that cannot be printed in a family newsletter.

But a brighter picture is coming together for Democrats on the Senate side. There, Republicans are assembling what one top strategist laughingly described as an "island of misfit toys" — a motley collection of candidates the Democratic

Party hopes to portray as out of the mainstream on policy, personally compromised and too cozy with Donald Trump.

These vulnerabilities have led to a rough few weeks for Republican Senate candidates in several of the most competitive races:

- **Arizona:** Blake Masters, a venture capitalist who secured Trump's endorsement and is leading the polls in the Republican primary, has been criticized for saying that "Black people, frankly" are responsible for most of the gun violence in the U.S. Other Republicans have attacked him for past comments supporting "unrestricted immigration."
- **Georgia:** Herschel Walker, the G.O.P. nominee facing Senator Raphael Warnock, acknowledged being the parent of three previously undisclosed children. Walker regularly inveighs against absentee fathers.
- **Pennsylvania:** Dr. Mehmet Oz, who lived in New Jersey before announcing his Senate run, risks looking inauthentic. Oz recently misspelled the name of his new hometown on an official document.
- **Nevada:** Adam Laxalt, a former state attorney general, said at a pancake breakfast last month that "Roe v. Wade was always a joke." That's an unpopular stance in socially liberal Nevada, where 63 percent of adults say abortion should be mostly legal.
- **Wisconsin:** Senator Ron Johnson made a cameo in the Jan. 6 hearings when it emerged that, on the day of the attack, he wanted to hand-deliver a fraudulent list of electors to former Vice President Mike Pence.

Republicans counter with some politically potent arguments of their own, blaming Democrats for rising prices and saying that they have veered too far left for mainstream voters.

In Pennsylvania, for instance, Lt. Gov. John Fetterman, the Democratic Senate nominee, supports universal health care, federal marijuana legalization and criminal justice reform. Republicans have been combing through his record and his past comments to depict him as similar to Bernie Sanders, the self-described Democratic socialist.

Candidate vs. candidate

One factor working in the Democrats' favor is the fact that only a third of the Senate is up for re-election, and many races are in states that favor Democrats.

Another is the fact that Senate races can be more distinct than House races, influenced less by national trends and more by candidates' personalities. The ad budgets in Senate races can reach into the hundreds of millions of dollars, giving candidates a chance to define themselves and their opponents.

Democrats are leaning heavily on personality-driven campaigns, promoting Senator Mark Kelly in Arizona as a moderate, friendly former astronaut and Senator Catherine Cortez Masto of Nevada as a fighter for abortion rights, retail workers and families.

"Senate campaigns are candidate-versus-candidate battles," said David Bergstein, a spokesman for the Democrats' Senate campaign arm. "And while Democratic incumbents and candidates have developed their own brands, Republicans have put forward deeply, deeply flawed candidates." Bergstein isn't objective, but that analysis has some truth to it.

There are about four months until Election Day, an eternity in modern American politics. As we've seen from the Supreme Court's abortion ruling and

from the explosive allegations that emerged in the latest testimony against Trump, the political environment can shift quickly.

If the election were held today, polls suggests that Democrats would be narrowly favored to retain Senate control. Republican elites are also terrified that voters might nominate Eric Greitens, the scandal-ridden former governor, for Missouri's open Senate seat, jeopardizing a seat that would otherwise be safe.

But the election, of course, is not being held today, and polls are fallible, as we saw in 2020. So there's still a great deal of uncertainty about the outcome. Biden's approval rating remains low, and inflation is the top issue on voters' minds — not the foibles of individual candidates.

For now, Democrats are pretty pleased with themselves for making lemonade out of a decidedly sour political environment.

More politics

- Conservative talk radio hosts promote false claims about election fraud, stoking mistrust about the results of the midterms.
- The U.S. ambassador to Mexico has a cozy relationship with Mexico's president. Some American officials fear it's gone too far.
- Trump has long been able to keep his intentions under wraps, but recent testimony revealed a man willing to do almost anything to hang onto power.

This has been an excerpt from On Politics, an in-depth, five-day-a-week newsletter that's available exclusively to Times subscribers. Try it out for four weeks.

Illinois Shooting

After a mass shooting in Highland Park, Ill., yesterday. Mary Mathis for The New York Times

- A gunman killed six people from a rooftop at a Fourth of July parade in Highland Park, a Chicago suburb.
- A 22-year-old man is in custody. Here's what we know.
- The attack was not the only shooting over a violent holiday weekend.
- Why does the U.S. have so many mass shootings? Mostly because people have so many guns, as a recent edition of this newsletter explained.

Abortion

- Many moderate women have been drifting away from Democrats. The

party hopes that the fight for abortion rights will drive them back.

- As the U.S. grapples with the Supreme Court's decision overruling Roe v. Wade, a question lurks: Why are the risks of pregnancy rarely discussed?
- Here's the latest on which abortion laws are in effect and which are blocked.

Other Big Stories

- "I'm terrified I might be here forever": The W.N.B.A. star Brittney Griner wrote to Biden to ask for help in being freed from prison in Russia.
- The U.S. said the bullet that killed the Palestinian American journalist Shireen Abu Akleh was too damaged to trace definitively but probably came from Israeli military lines.
- Updated Covid vaccines are coming. The shots won't be available until the fall.

Opinions

Christian nationalists gutted abortion rights. American democracy is next, says **Katherine Stewart**.

Americans live in fear of gun violence, and fear is a breeding ground for autocracy, **Patti Davis**, Ronald Reagan's daughter, writes.

MORNING READS

Renovating the tower housing Big Ben took five years. Mary Turner for The New York Times

Bong bong bong: Big Ben will soon sound again.

The Tour Divide: A 2,700-mile cycling race is now even more extreme.

Tennis: When will the Williams sisters and Roger Federer quit? Maybe never.

A Times classic: The perils of a dirty sponge.

Advice from Wirecutter: Try these cheap sunglasses.

Lives Lived: Clifford L. Alexander Jr., who in the 1960s and '70s helped bring the civil rights movement into the federal government, became the first Black secretary of the Army under Jimmy Carter. Alexander died at 88.

SPORTS NEWS FROM THE ATHLETIC

A programming note: This new sports section is written by the staff of The Athletic.

New York baseball dominance: For many teams, July 5 will mean 81 games played, the official halfway point of the M.L.B. regular season. None can top the New York Yankees, a team on pace to surpass some of their greatest seasons ever. Here is how all 30 M.L.B. teams stack up at the midway point. The Yankees have local company.

Ronaldo's next home? That question dominated weekend conversations as the soccer superstar signaled an exit from Manchester United. Could Chelsea be Ronaldo's next team?

Christian Eriksen's new home: Meanwhile, Manchester United added a player known more for a Euro 2020 scare than his considerable talents.

For access to all Athletic articles, subscribe to New York Times All Access or Home Delivery.

ARTS AND IDEAS

Beer and body slams

Craft beer and wrestling are starting to become a tag team, as crowds around the U.S. sip hazy ales and cheer on the action inside the ring.

"Spandex-clad wrestlers with stage names like Manbun Jesus, Rex Lawless and Casanova Valentine performed body slams and leaped off ropes, egging on spectators and occasionally inflicting performative injury with arm twists and traffic barrels," Joshua M. Bernstein writes in The Times about a recent event in Brooklyn.

"It's like going to the movies, but it's a real-life performance and you get to drink," one wrestler said. "What's better than that?"

PLAY, WATCH, EAT

What to Cook

Christopher Simpson for The New York Times. Food Stylist: Simon Andrews.

Soba, Japanese buckwheat noodles, taste great when served cold.

World Through a Lens

A sand storm approaching the Step Pyramid of Djoser. Tanveer Badal

A photographer found a new perspective on Egypt's ancient pyramids.

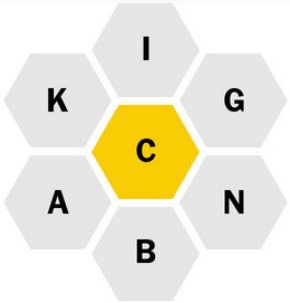
What to Read

In Katherine J. Chen's new novel, Joan of Arc wows crowds with feats of strength and breaks bones with her bare hands.

Gaming

Nina Freeman infuses her work with a poetic sensibility. Her next game, "Nonno's Legend," comes out next month.

Now Time to Play



The pangram from yesterday's Spelling Bee was *although*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Take it easy (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow.

P.S. The bikini debuted 76 years ago today. Twenty years later, The Times urged women to take the plunge.

Here's today's front page.

"The Daily" is about a new gun law. On "The Ezra Klein Show," Larry Kramer discusses the Supreme Court.

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

[redacted]

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The Morning

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[redacted]

SUBJECT: Top Stories: Why are Utah food pantries still feeling the strain?
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 05/07/2022 07:06

View this email in your browser

sltrib.com

TOP STORIES

Tuesday, July 5, 2022

By Jeff Dempsey

Top News

[redacted]

Pandemic has eased, jobs are back — why are Utah food pantries still busy?

Inflation is straining budgets and forcing families to seek help with groceries. [Read more]

'There are times when abortion is... part of God's plan'

LDS women share their abortion stories. [Read more]

Property taxes set to go up for many water users in the Salt Lake Valley

Some 800,000 users could see an increase from their water district. [Read more]

Utahns eat up this yummy July Fourth celebration — with cherries on top

North Ogden's 90th Cherry Days parade and festival brought out hundreds of revelers. [Read more]

How many GOP voters will Evan McMullin need to beat Mike Lee?

Did Ally Isom run a spoiler campaign? Robert Gehrke tackles those questions and more. [Read more]

Salt City BEST
The Salt Lake Tribune
CLICK TO NOMINATE

Quick Hits

• Salt Lake City police arrested two music venue "bouncers" in the Ballpark area shooting that occurred Sunday.

• Did these LDS women have abortions? It depends on whom you ask.

• A July Fourth parade vehicle hit an 8-year-old girl in Kaysville.

• New BYU basketball assistant Kahil Fennell once took one of the worst jobs in college basketball and worked a miracle.

• A suspected fireworks fire in Centerville forced evacuations and the cancellation of Independence Day events.

• The Daily Buzz: What do Utah's 2022 primary election results say about the GOP?

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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Our mailing address is:
90 S. 400 West, Suite 600
Salt Lake City, Utah 84101

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No longer want to receive any emails from us? Unsubscribe here.

SUBJECT: Re: Covid vax question
FROM: Donovan Bergstrom DHS <dbergst@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
CC: Melissa Stevens Dimond <melissastevens@utah.gov>, Janae Duncan <janaeduncan@utah.gov>, Heather Borski <hborski@utah.gov>, Tracy Gruber DHHS <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Nate Winters <natewinters@utah.gov>
DATE: 05/07/2022 08:32

Nate,

I agree we need to be consistent and have a centralized file for constituent requests/concerns and the DHHS response. I will work on establishing a shared drive specific for "Constituent Affairs."

Donovan

On Mon, Jul 4, 2022 at 8:55 PM Nate Checketts <natechecketts@utah.gov> wrote:
I agree that an FAQ bank of questions and responses is a good idea. I am guessing we will get other similar requests.

Thanks,

Nate

On Mon, Jul 4, 2022 at 7:08 PM Melissa Stevens Dimond <melissastevens@utah.gov> wrote:
Thanks, Nate; I received the same email from Ms Munson Fri night and was planning to follow-up tomorrow; I think it is wise to have a consistent message. I agree Dr. Nolen would be well-suited to reply. I can follow-up with her on the two you received tomorrow, unless a different approach is recommended.

I think it would be a good idea to build a FAQ/retain an inventory of responses for reference, perhaps, in case we continue receiving these inquiries, and to ensure the Immunizations Program is aware-they may be receiving/responding as well; I will forward them on tomorrow to Rich and Cindy and let them know we are asking Dr. Nolen to reply.

Thank you and hope everyone has had a nice weekend,
Melissa

Sent from my iPhone

On Jul 4, 2022, at 6:16 PM, Nate Checketts <natechecketts@utah.gov> wrote:

Another line of questions on vaccines that probably would be best for Dr. Nolen

On Fri, Jul 1, 2022 at 6:37 PM Laura Munson <lauramunsonrn@gmail.com> wrote:
Dear Nate Checketts;

My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also been asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.

Does Utah have detailed data on adverse events happening locally? How often is the data on events and trends updated? Where can I find a detailed and updated consent form? Does the Health Department have a training program for medical professionals where they learn how to handle expected adverse events and get patients the help they need? How is the Health Department monitoring informed consent? What honest information regarding the pros and cons of these shots are being provided to the public as has been done with other pharmaceutical products?

Thank you for your time and attention to this matter.

Sincerely,
Laura Munson RN

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

--

Donovan A. Bergstrom
Director, Division of Customer Experience
801.330.2699
dbergst@utah.gov
hs.utah.gov

Utah Department of Health & Human Services

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[redacted]

[redacted]

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FROM: Marc Watterson <mwatterson@utah.gov>
TO: Tracy Gruber DHHS <tracygruber@utah.gov>
CC: Sarah Welliver DHS <swelliver@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Paul Ray DHS <pray@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Heather Borski <hborski@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 05/07/2022 13:15

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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>
> *Tracy,*
>
> *The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also have observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.*
>
> *Thank you, we appreciate your help.*
>
> **Tracy S. Gruber**

[redacted]

Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Sun, Jul 3, 2022 at 8:21 AM Sarah Welliver DHS <swelliver@utah.gov> wrote:
Is this meant to be a complete list of available resources for pregnant individuals or parents with newborns? Families with children of any age?

There are definitely resources missing, but I'm not sure what the goal of this document is. I know Marc you mentioned wanting to share this with legislators and constituents.

DCFS worked with 211 Utah to create a website with parent resources, including crisis nurseries, respite care, etc. https://uw.org/211/family-strengthening/

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Sarah

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Marc -

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Do we want to add this program to the resource list?

[Heather - are you aware of any programs with the Division of Population Health that may need to be included here? I am not sure if Janae has already reviewed this document, but thought I would start by asking you]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Fri, Jul 1, 2022 at 5:45 PM Marc Watterson <mwatterson@utah.gov> wrote:
Thanks Tracy. We'll make sure this is ready to send out by COB on Tuesday.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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I would like to get this formatted since we will be sending it to all lawmakers.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

Utah Department of Health & Human Services

On Wed, Jun 29, 2022 at 4:27 PM Marc Watterson <mwatterson@utah.gov> wrote:

It sounds like staff now have this information updated.

Do you want us to work with Comms to get this formatted in a way that would make it easier to share with legislators (and for them to share with their constituents)?

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On Fri, Jun 24, 2022 at 8:53 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you Paul!

Please make sure to get this document populated as soon as possible. Thank you!

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Jun 24, 2022 at 11:29 AM Paul Ray DHS (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Paul Ray DHS shared a spreadsheet

Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

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--
Sarah Welliver
Public Information Officer
C: 801.520.2777
swelliver@utah.gov
hs.utah.gov

Utah Department of
Health & Human Services
Public Affairs & Education

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TO: Tracy Gruber DHHS <tracygruber@utah.gov>
CC: Sarah Welliver DHS <swelliver@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Paul Ray DHS <pray@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Heather Borski <hborski@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>
DATE: 05/07/2022 13:15

Might help if I include a link:

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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Utah Department of Health & Human Services

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

[redacted]

[redacted]

Utah Department of Health & Human Services

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Open

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Utah Department of Health & Human Services
Public Affairs & Education

[redacted]

[redacted]

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[redacted]

[redacted]

[redacted]

Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Hi all,

Thanks for the great meeting tonight! I've attached some resources here with other state legislation that may be helpful, as well as the press release for the certification board. O
Prop 109 is also worth looking at and is an interesting case study for moving forward with psilocybin assisted therapy.

For our next meeting we identified prioritizing:

-exclusion criteria. Who is NOT a good candidate
-indications for psilocybin and MDMA. Dose ranges that seem reasonable.
-familiarization with other major players: MAPS, CIIS. How much do we agree / adhere to their existing standards and guidelines?
-reflection on pathways for access
-familiarization with other existing legislation in process.

Cheers,
Ben

[redacted]

SUBJECT: The Morning: Three war scenarios
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 06/07/2022 04:24

View in browser | nytimes.com

The New York Times
The Morning

July 6, 2022

By David Leonhardt

Good morning. We look at three scenarios for the war in Ukraine.

[redacted]

A resident of Sloviansk, Ukraine, amid a destroyed bazaar. Mauricio Lima for The New York Times

Victory, stalemate, defeat

Avril Haines, the U.S. director of national intelligence, recently outlined three plausible scenarios in Ukraine.

In the first, Russia's continuing progress in eastern Ukraine would break Ukrainians' will to fight and allow the Russian military to take over even more of the country. This outcome is Vladimir Putin's new goal after being defeated in his initial attempt to oust Ukraine's government.

In the second scenario — the most likely one, Haines said (during a public appearance in Washington last week) — Russia would dominate the east but would not be able to go much farther. The two countries would fall into a stalemate that Haines described as "a grinding struggle."

In the third scenario, Ukraine would halt Russia's advance in the east and also succeed in launching counterattacks. Ukraine has already regained some territory, especially in the southern part of the country, and some military experts expect a broader offensive soon.

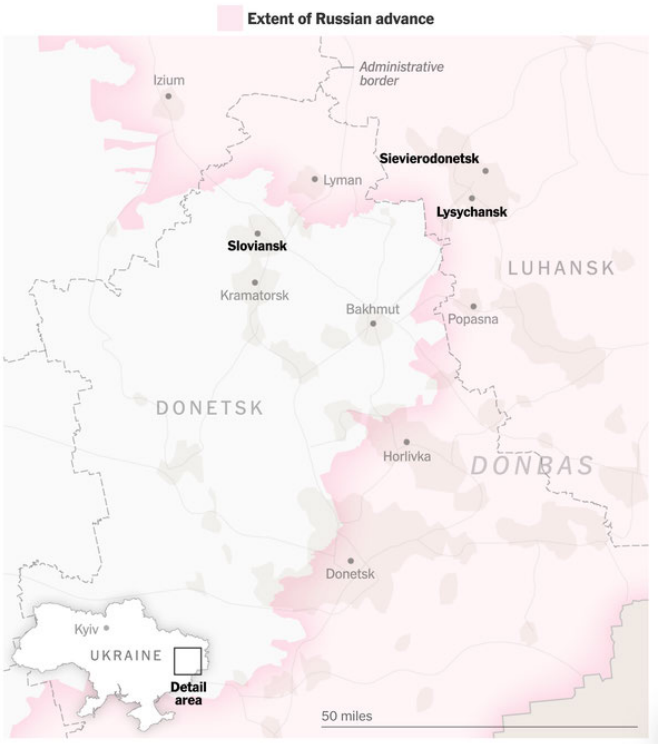
Today's newsletter provides an update on the war by examining a few questions that will help determine which of these three scenarios becomes most likely.

Temporary or permanent

Has the tide definitively turned or are Ukrainian forces about to have more success?

[redacted]

The most recent phase of the war has gone well for Russia. The eastern part of Ukraine, known as the Donbas region, has two provinces — Luhansk and Donetsk. Russia now controls virtually all of Luhansk and about 60 percent of Donetsk, according to Thomas Bullock, an analyst for Janes, a company specializing in intelligence issues.



Russian advance as of July 3. | Source: Institute for the Study of War | By Josh Holder

Yesterday, Russian forces increased their shelling near Bakhmut, a city in Donetsk that's an important Ukrainian supply hub. Russia used a similar tactic in Luhansk to clear Ukrainian forces and civilians before taking over cities.

"The Kremlin is sending the message that their overall plans haven't changed and that everything is going according to plan," Anton Troianovski, The Times's Moscow bureau chief, said. In a sign of confidence in the Kremlin, Russian media have recently been reporting plans for holding referendums in the captured territories and formally annexing them, Anton added.

But Ukraine does continue to benefit from an influx of sophisticated weapons from the West. And there is some reason to wonder whether Ukrainian troops will soon be able to make better use of those weapons than they have so far.

In the initial phase of the war, the U.S., E.U. and other Ukrainian allies were sending relatively simple weapons, like the shoulder-fired missile systems known as Javelins. Those weapons helped Ukraine defend territory from small groups of Russian forces. More recently, the West has sent more powerful artillery — like the HIMARS, a truck-based rocket system — meant to help Ukraine withstand the massive buildup of Russian troops in the east.

American HIMARS weaponry during a military exercise in Morocco last month. Fadel Senna/Agence France-Presse — Getty Images

Training somebody to use a Javelin can take just a few hours, my colleague Julian Barnes points out. Training troops to use a HIMARS can take days or weeks — as does transporting them to the battlefield. In coming weeks, Julian said he would be watching to see whether Ukraine would be able to use its growing supply of HIMARS to inflict more damage on Russian troops.

(Here's more on the early effect of the HIMARS from Eric Schmitt and John Ismay of The Times.)

No Russian draft

Is Russia running out of troops?

Two recent developments have offered reason to wonder. First, Russia has had to turn to outside troops — like those from the Wagner Group, a private company — to replenish their units, as my colleague Thomas Gibbons-Neff explained in his recent analysis of the war. Second, Putin ordered some of the troops involved in recent victories in the Donbas region to rest, suggesting that those units were exhausted.

"American officials and outside analysts both agree if Russia wants to move beyond the Donbas, they will need to take a step they have been unwilling to do: a mass mobilization," Julian said. "Russia will need to conduct a military draft, recall soldiers who previously served and take politically painful steps to rebuild their force. So far, Putin has been unwilling to do so."

Russia has many more resources than Ukraine, including soldiers and weapons. But Russia's resources do have limits, especially if Putin is unwilling to spend political capital on a mass mobilization.

These limits raise the prospect that Ukraine can hold Russia's gains to the east and slowly exhaust Russian troops with counterattacks and internal resistance — as well as Western economic sanctions. That situation, in turn, could lead Putin to accept an eventual cease-fire that leaves most of Ukraine intact.

"That will not be a perfect victory," Julian said, "but it might be realistic."

Shell shock

But is Ukraine running out of troops even faster?

Both sides appear to be suffering a similarly high rate of casualties — hundreds per day. As a result, Ukraine has had to rely increasingly on troops with little training.

The surviving troops are also at risk of psychological damage. The method of fighting in the east — an unceasing exchange of artillery — resembles the trench

warfare of World War I, which gave rise to the term “shell shock,” my colleague Thomas notes.

“During the artillery shelling, all you can do is lay in the shelter and wait for the shelling to end,” one Ukrainian commander told The Times. “Some people get mentally damaged because of such shelling. They are found to be psychologically not ready for whatever they encounter.”

As uncertain as the future may be in Ukraine, the present is clearly dire, as Haines acknowledged when outlining the three scenarios last week. “In short,” she said, “the picture remains pretty grim.”

Related commentary: “The best way to prevent the next war is to defeat him in this one,” The Economist magazine writes, referring to Putin.

THE LATEST NEWS

Gun violence

After the parade shooting in Highland Park, Ill. Sebastián Hidalgo for The New York Times

- The police charged Robert Crimo, a 21-year-old resident of Highland Park, Ill., with murder in the Fourth of July parade shooting.
- The police had visited Crimo twice in recent years, confiscating knives after a family member said that he had threatened to “kill everyone.” He legally purchased the rifle used in the attack.
- A seventh person died yesterday. Here’s what we know about the victims.
- New Jersey tightened its gun laws, making it more difficult to obtain a handgun license.

Abortion

- Some families and doctors worry that abortion bans could threaten in vitro fertilization.
- The next front line in the fight over abortion: state supreme courts.

Other Big Stories

- A Georgia prosecutor subpoenaed Rudy Giuliani, Lindsey Graham and five others in an investigation into Donald Trump’s election interference.
- The Justice Department sued Arizona over a law requiring proof of citizenship to vote in a presidential election.

- Two top ministers quit the British government in response to a series of scandals, again leaving Prime Minister Boris Johnson hanging on for political survival.
- President Biden bestowed the Medal of Honor on four Vietnam-era soldiers for what he called “acts of incredible heroism.”
- Demaryius Thomas, an N.F.L. receiver who died last year at 33, had Stage 2 C.T.E. but probably died of an unrelated seizure.

Opinions

A centrist third party in New Jersey aims to depolarize politics without becoming a spoiler, **Representative Tom Malinowski** writes.

The Supreme Court doubts privacy rights. But the freedom to define oneself has deep roots in the American tradition, says **Melissa Murray**.

MORNING READS

Maybelle Blair was an inspiration for “A League of Their Own.” Taylor Glascock for The New York Times

Pioneer: A pathbreaking women’s baseball player is 95 and still swinging.

Reading: Book-banning campaigns have dragged librarians into a culture war.

Claddagh ring: This piece of jewelry has come to symbolize Ireland.

A Times classic: Who’s hacking your Spotify?

Advice from Wirecutter: Mattresses to reduce back pain.

Lives Lived: Kurt Markus’s black-and-white photographs captured the solitude and grandeur of the American West’s vanishing frontier. He died at 75.

SPORTS NEWS FROM THE ATHLETIC

A programming note: This new sports section is written by the staff of The Athletic.

The future of college football on TV: With U.S.C. and U.C.L.A. set to join the Big Ten conference, a question lingers: Is college football headed for a Premier League setup? It’s possible. Here is how college football (on TV) is set to change forever.

Recruiting in Senegal, via Instagram: College football programs are

intrigued by a 6-foot-5, 300-pound athlete from Senegal. He's never played football. And there's this: Can he even make it to the U.S.?

The next big name in N.F.L. coaching searches: Meet 36-year-old Thomas Brown, Sean McVay's next man up for the Los Angeles Rams.

For access to all Athletic articles, subscribe to New York Times All Access or Home Delivery.

ARTS AND IDEAS

Backstage at the Schiaparelli fashion show in Paris. Valerio Mezzanotti for The New York Times

Fashion's shock factor

Clothing used to have the ability to jolt viewers with concepts that today feel quaint, like a flash of flesh or an absurd idea. At this summer's Paris couture shows, fashion houses have attempted to prove that their industry still has the ability to shock.

One effort has stood out, writes Vanessa Friedman, The Times's chief fashion critic: Iris van Herpen, whose use of 3-D printers and laser cutters make her clothes look like organic life-forms. "They rewrite the physics of dress and reimagine the body without erasing it, not in a cartoonish way but in an utterly convincing way," Vanessa writes.

See photos from the show.

PLAY, WATCH, EAT

What to Cook

Chris Simpson for The New York Times. Food Stylist: Frances Boswell.

Each mouthful of this chocolate mousse is a marvel. (There's nothing to fear about making it.)

What to Read

The novel "Human Blues," by Elisa Albert, explores the lengths one woman will go to for a baby.

What to Watch

In "Loot," an Apple TV+ comedy, Maya Rudolph plays a woman who takes a journey of self-discovery with an $87 billion budget.

Now Time to Play

The pangram from yesterday's Spelling Bee was *backing*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Act nosy (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. David Fahrenthold talked to Times Insider about investigating charities.

Here's today's front page.

"The Daily" is about Brittney Griner. On "The Argument," how will Roe's fall change politics?

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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The New York Times Company. 620 Eighth Avenue New York, NY 10018

SUBJECT: Top Stories: Great Salt Lake sinks to a historic new low
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 06/07/2022 06:57

View this email in your browser

sltrib.com

TOP STORIES

Wednesday, July 6, 2022

By Jeff Dempsey

Top News

Utah's trigger law requires rape victims seeking abortion to report to police

Prosecutors, though, say the law isn't clear enough. [Read more]

Great Salt Lake sinks to another historic new low

"This is not the type of record we like to break." [Read more]

Utah jail deaths surged back to a concerning high in 2020

What is being done to protect the incarcerated? [Read more]

Who is new Jazz head coach Will Hardy?

Meet the shot-making, volume-texting, slow-eating new leader of the team. [Read more]

Sen. Mike Lee's 62% primary win may leave the incumbent sweating

Here's why those numbers may mean Evan McMullin has a chance in November. [Read more]

Quick Hits

• New Utah Jazz coach Will Hardy is ready to go in whatever direction the team takes him.

• After 33 years of incinerating medical waste, Stericycle shutters its North Salt Lake plant.

• The Centerville wildfire was 10% contained as of Tuesday afternoon, and firefighters said they "feel good" about their progress.

•A Salt Lake City project will upgrade nearly 300 apartments dedicated to seniors and the disabled.

• The mother of Zane James reacts to the $4 million Cottonwood Heights settlement in the 2018 police killing of her son.

• An 8-year-old girl died after she was hit by a July Fourth parade vehicle in Kaysville.

• The Daily Buzz: What LDS women have said about having an abortion.

• La pandemia ha disminuido, los trabajos han regresado: ¿por qué los bancos de alimentos de Utah siguen ocupados?

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[redacted]

SUBJECT: Flash Sale on Health Center Training Ends Today
FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
TO: mhofmann@utah.gov
DATE: 06/07/2022 08:15

FELDESMAN + TUCKER + LEIFER + FIDELL LLP

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Use promo code **SUMMER100** at checkout to save $100 on these upcoming **health center workshops**.

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Register

Contract Essentials
Virtual Classroom
September 13 - 15, 2022
Register

[redacted]

340B Contract Pharmacy & TPA Arrangements
Virtual Classroom
September 20 - 21, 2022
Register

Ryan White Program Income
Washington, DC and Online
September 28 - 29, 2022
Register

FTCA Academy
Virtual Classroom
October 6 - 7, 2022
Register

Health Center Compliance Program: Fundamentals
Virtual Classroom
October 12 - 13, 2022
Register

Managed Care Contracting Strategies in an Era of Value-Based Payment
Virtual Classroom
October 26 - 28, 2022
Register

Federal Funding Academy
Tampa, FL and Online
December 13 - 15, 2022
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340B Program Compliance
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Student Health and Education Records: Compliance with HIPAA and FERPA
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Preventing and Responding to Workplace Violence
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Service Animals and Emotional Support Animals
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Understanding Your Health Center's Bylaws

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FQHCs in Medicaid: PPS Rates and Beyond
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Compliance Program Policies and Procedures: Basics and Best Practices
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Responding to Subpoenas, Court Orders, and Law Enforcement Requests for Records
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Deconstructing Scope of Project
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Key Disability Rights Laws and the Role of the Health Center
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Beneficiary Inducements & Value-Based Arrangements
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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT:
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 06/07/2022 12:02

Joe Dougherty DHS, 2022-07-06 11:02:22
Media question: Regarding a medical professional who is supposed to verify that a rape has been reported to police before performing an abortion... Has there been any uniform, state-wide guidance issued to medical professionals and law enforcement from the department regarding how the verification process should work? The law currently in effect has this same requirement, KSL says. So they are moving forward with some reporting on this today.

Michelle Hofmann, 2022-07-06 11:07:24
I can't tell that we addressed this question yet in the FAQ.

Michelle Hofmann, 2022-07-06 11:07:58
beyond what is on page 5

Michelle Hofmann, 2022-07-06 11:48:38
Wasn't sure if this question was for the Q&A...I have a response prepared. Want me to drop in Q&A document?

[redacted]

[redacted]

SUBJECT: Re: Covid vax info request
FROM: "Erik Christensen (DHHS)" <edchristensen@utah.gov>
TO: Michelle Hofmann <mhofmann@utah.gov>
CC: Rebecca Brown <rebeccab@utah.gov>, Janae Duncan <janaeduncan@utah.gov>
DATE: 06/07/2022 15:53

I have received two more similar e-mails. Should I just forward them to Cindy? Do you want to see them too? Is someone tracking these?

Erik D.Christensen, MD
Chief Medical Examiner
O: 801.816.3850 C: 801.707.1715
edchristensen@utah.gov
https://ome.utah.gov

Utah Department of
Health & Human Services
Medical Examiner

On Sat, Jul 2, 2022 at 8:46 AM Michelle Hofmann <mhofmann@utah.gov> wrote:
Erik,

I received the same message and have forwarded to the Cindy Wynette with the COVID immunization program to respond.

Best,
Michelle

Sent from my iPhone

> On Jul 2, 2022, at 7:48 AM, Erik Christensen <edchristensen@utah.gov> wrote:
>
> These questions are outside my sphere of influence. Who should this inquiry be sent to?
> Thanks.
>
> Begin forwarded message:
>
> **From:** Laura Munson <lauramunsonrn@gmail.com>
> **Date:** July 1, 2022 at 18:21:30 MST
> **To:** edchristensen@utah.gov
> **Subject: Covid vax info request**
>
> Dear Erik Christensen;
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> My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also been asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.
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>
> Thank you for your time and attention to this matter.
>
> Sincerely,
> Laura Munson RN

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SUBJECT: Re: Covid vax info request
FROM: Janae Duncan <janaeduncan@utah.gov>
TO: "Erik Christensen (DHHS)" <edchristensen@utah.gov>
CC: Michelle Hofmann <mhofmann@utah.gov>, Rebecca Brown <rebeccab@utah.gov>
DATE: 06/07/2022 15:56

Hi Erik,

Thanks for reaching out on these emails! There is a group of us receiving them. Melissa and I are working with Leisha and the Immunizations Program on a response and workin with Donovan from Customer Experience on tracking.

Thank you,
Janae

On Wed, Jul 6, 2022 at 3:53 PM Erik Christensen (DHHS) <edchristensen@utah.gov> wrote:
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Subject: Covid vax info request

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--
Janae Duncan
Division Director
C: 358.280.0312
janaeduncan@utah.gov

Utah Department of
Health & Human Services
Population Health

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TO: Janae Duncan <janaeduncan@utah.gov>
CC: Michelle Hofmann <mhofmann@utah.gov>, Rebecca Brown <rebeccab@utah.gov>
DATE: 06/07/2022 16:03

Thanks Janae. I will forward them to you. Let me know if you want them to go elsewhere.

Erik D.Christensen, MD
Chief Medical Examiner
O: 801.816.3850 C: 801.707.1715
edchristensen@utah.gov
https://ome.utah.gov

Utah Department of
Health & Human Services
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SUBJECT: The Morning: Internal inconsistencies
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 07/07/2022 04:18

[redacted]

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The New York Times
The Morning

July 7, 2022

By David Leonhardt

Good morning. The people who claim widespread election fraud have made little effort to put together a logical argument.

Representative Marjorie Taylor Greene with a "Stop the Steal" face mask last year. Anna Moneymaker for The New York Times

Internal inconsistencies

More than 100 Republican nominees for statewide office or Congress this year have falsely claimed that election fraud helped defeat Donald Trump in 2020. Almost 150 members of Congress — more than half of the Republicans serving there — went so far as to vote to overturn the 2020 election result.

These claims of election fraud have become the mainstream Republican position. In some places, winning a nomination virtually requires making such statements. In other places, the claims appear to carry little political cost, at least in the primaries. And very few elected Republicans have been willing to denounce the falsehoods.

Given the prominence of the issue, it's jarring to see how little effort its proponents have put into making an argument on behalf of their claims. They have offered no good evidence, because there is not any. They have also failed to offer even a logically consistent argument. Consider:

If anything, the rare examples of cheating from 2020 tend to involve Trump supporters. Prosecutors charged three registered Republicans living at The Villages, a Florida retirement community, with voting more than once in the presidential election. One of them has since pleaded guilty: he both voted in Florida and cast an absentee ballot in Michigan.

Trump and his allies have never explained how other Republicans could have done so well if fraud were widespread. In the 2020 House elections, Republicans gained 14 seats. In the Senate, Democrats did win a 50-50 split, but the party lost races in Maine, Montana and North Carolina that it

had hoped to win. In the 2021 elections, Republicans did well again, winning the governor's race in Virginia. It's hardly a picture consistent with Democratic election rigging.

During the 2022 primaries, most Republican candidates have accepted the results without claiming fraud. That's been true even of candidates who lost their races, as my colleagues Reid Epstein and Nick Corasaniti have reported. Examples include Representative Madison Cawthorn in North Carolina; Representative Mo Brooks in the Senate primary in Alabama; and two Trump-backed candidates in Georgia. When Trump supporters lose to other Republicans, they generally accept defeat.

Loyalty, not logic

Of course, the claims of voter fraud are not going away. If Trump runs again, he will probably allege cheating in any election that he loses. At least some other Republicans now seem likely to do the same, perhaps in response to close or unexpected losses in 2022.

A "Stop the Steal" protester in 2020. Anna Moneymaker for The New York Times

But the lack of any substantive argument to back up these claims suggests that even some of the people making them may not believe them. The claims have instead become a way for many Republicans to show loyalty to their party and to signal that they consider Democrats to be inherently illegitimate holders of power.

Sometimes, these signals are tinged with racism, as Brandon Tensley of CNN has noted: The fraud claims often involve cities with heavily Black or Latino populations, like Detroit, Philadelphia and Milwaukee. Rudy Giuliani, for example, alleged — without any evidence — that residents of Camden, N.J. (roughly 90 percent of whom are Black or Latino) illegally vote in Philadelphia (which, unlike Camden, is in a swing state). In Alabama, Brooks has said fraud occurs largely in Birmingham and other heavily Democratic cities.

The spread of such lies has left many historians and political scientists anxious about the future of American democracy. There is no shortage of subjects on which Democrats and Republicans can reasonably — even passionately or angrily — disagree: How much should the country restrict abortion? What about gun use? Or immigration? How high should taxes or government benefits be?

All those issues are valid matters of debate in a democracy. When one side loses a struggle, it can look for ways to regroup and win the next one.

But a concerted campaign to delegitimize political opponents — through falsehoods and without much of an attempt at logical argument — is something quite different. It's an attempt not to win a democratic contest but to avoid one.

For more

- The Washington Post has compiled a list of the current Republican nominees who support Trump's false election claims, and The Times has listed the congressional Republicans who voted to overturn the 2020 election.
- In coming primaries in Arizona and Michigan, candidates who have made false fraud claims are trying to win the Republican nomination to become secretary of state, overseeing elections.

THE LATEST NEWS

Britain

Boris Johnson, Britain's prime minister, at Downing Street yesterday. John Sibley/Reuters

- Boris Johnson is stepping down. He's planning to serve as prime minister until the fall.
- His resignation comes after days of political drama and calls for him to quit from within his Conservative Party. More than 50 government ministers or aides had left.
- It's unclear who will succeed Johnson. The Conservative Party will start a leadership contest that will determine who will be the next prime minister.

War in Ukraine

The main train station in Lviv in April. Finbarr O'Reilly for The New York Times

- About six million Ukrainians are displaced within the country and nearly five million others have fled to other Europe countries.
- President Biden told the wife of Brittney Griner, the basketball star detained in Russia, that the U.S. would pursue "every avenue" to bring the player home.

Politics

- Biden has tried to remain above the partisan fray. Some Democrats wish he were more of a fighter, The Times's Michael Shear writes.
- James Comey and Andrew McCabe, former F.B.I. officials who clashed with Trump, were both subjected to rare, intensive I.R.S. audits.
- The Jan 6. committee will interview the former White House counsel Pat Cipollone, who fought Trump's efforts to overturn the 2020 election.
- Joe Rogan said that he had refused to have Trump on his podcast, calling him "an existential threat to democracy."

Other Big Stories

- Fed officials are planning another big interest rate increase, even as the economy shows some signs of cooling.
- The Highland Park shooter had been able to legally buy weapons, even after police encounters and despite Illinois's relatively strict laws.
- The glaciers of the Alps are buckling under the summer heat that is now common in Europe.
- A California jury found a man guilty of murder in the 2019 shooting of the rapper Nipsey Hussle.
- A judge sentenced Jerry Harris, a star of the Netflix documentary "Cheer," to 12 years in prison for sex crimes involving minors.
- An explosion destroyed part of the Georgia Guidestones, a mysterious monument promoted as "America's Stonehenge."

Opinions

What's an ectopic pregnancy? What does Plan B do? Take Times Opinion's Post-Roe sex ed quiz.

Medical debt burdens Americans mostly because they're underinsured rather than uninsured, **Aaron Carroll** argues.

MORNING READS

Art: She paid $90,000 for a Marc Chagall painting. Now a French panel wants to destroy it.

Wimbledon: Singles matches get attention, but doubles are "a joy to play."

Roommates: A gecko and a possum family, living together in harmony.

A Times classic: The science of veganism.

Advice from Wirecutter: Packing cubes for smarter traveling.

Lives Lived: Willie Lee Morrow was a barber in San Diego when a friend

brought him a gift from Nigeria: a wooden comb meant to tease out curly hair. Morrow created what came to be known as the Afro pick. Morrow died at 82.

SPORTS NEWS FROM THE ATHLETIC

Two teams can shake up college football: Rivals Oregon and Washington can dramatically shift the future for *two* major conferences. Meanwhile, all eyes remain on what Notre Dame is about to do. Tension is building as the college football landscape shifts.

Are N.H.L. players being held in Russia? A Russian star appears in jeopardy of not being able to return to the United States. This scenario has been a concern for league executives this off-season.

An N.B.A. player faces NFT scrutiny: A veteran player co-founded an NFT community, but now many investors feel they have been swindled.

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ARTS AND IDEAS

Trevor Rainbolt identifies countries in seconds. Jack Bool for The New York Times

Gen Z geography

The premise of the online game GeoGuessr is simple: You're dropped somewhere in the world, seen through Google's Street View, and must guess where you are. Often that means clicking to move through the landscape and scanning for clues.

Trevor Rainbolt, 23, has found online fame posting videos in which he locates himself in seconds, The Times's Kellen Browning writes. His geography skills verge on wizardry — he can identify a country by the color of its soil — and his highlights regularly get millions of views on TikTok.

"Candidly, I haven't had any social life for the past year," Rainbolt said. "But it's worth it, because it's so fun and I enjoy learning."

PLAY, WATCH, EAT

What to Cook

Christopher Testani for The New York Times

Roast peaches with boneless chicken thighs in the oven, and let them meld with those flavorful drippings.

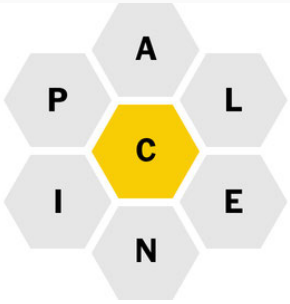
What to Watch

In the movie "Hello, Goodbye and Everything in Between," an adaptation of a young adult novel, two high school seniors agree to break up in a year.

What to Read

These books will guide you through Berlin.

Now Time to Play



The pangram from yesterday's Spelling Bee was *chutzpah*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Our world (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. The word "whackadoodle" appeared in The Times for the first time, in an article about the Georgia Guidestones.

Here's today's front page.

"The Daily" is about an anti-abortion campaigner. On "First Person," a gay Ukrainian soldier. On the Modern Love podcast, a nanny's secret world.

Matthew Cullen, Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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SUBJECT: Top Stories: Lawmaker criticized for 'barbaric slaughter' response to constituent inquiry on abortion
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 07/07/2022 07:01

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sltrib.com

TOP STORIES

Thursday, July 7, 2022

By Jeff Dempsey

Top News

A Utah woman emailed her lawmaker about abortion

His response on "barbaric slaughter" surprised her. [Read more]

Florida Gov. Ron DeSantis to make a fundraising stop in Utah this month

The visit includes stops in Salt Lake City and Park City. [Read more]

E-bikes are booming in Utah. Are you ready to be a power pedaler?

Sales are outpacing even electric cars. See why. [Read more]

A Utah dog trapped in a car died of heatstroke this week

Here's how to recognize and report heatstroke in pets. [Read more]

Quick Hits

• Festival celebrates Utah's Asian communities with food, music and more.

• The Dallas Cowboys are facing criticism over a deal with a Utah company's gun-themed coffee, with flavors like "AK-47 Espresso" and "Murdered Out."

• Intermittent fasting may lower your risk of dying from COVID-19, a Utah study finds.

• The Daily Buzz: The Great Salt Lake has fallen to a record low — and it is likely to get worse.

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Utah Department of Health & Human Services

SUBJECT:
FROM: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
TO: Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 07/07/2022 12:57

Michelle Hofmann (DHHS), 2022-07-07 11:57:06
Pharmacists have be added to the EUA as eligible prescribers for paxlovid. Can they qualify for reimbursement under the Medicaid COVID uninsured program for the evaluation required to prescribe? Can they qualify for the dispensing fees?

Jennifer Strohecker, 2022-07-07 11:57:34
Yes

Jennifer Strohecker, 2022-07-07 11:57:43
We are setting up our policy now

Michelle Hofmann (DHHS), 2022-07-07 11:58:00
What about for Medicaid recipients?

Jennifer Strohecker, 2022-07-07 11:59:21
Oh i see what you are asking for. Can they prescribe... yes. Do they get paid for the evaluation? We are researching which codes to use and will consider opening them (an will be attending the call tomorrow to get further guidance).

Jennifer Strohecker, 2022-07-07 11:59:33
Any med dispensed has a dispensing fee. Yes

Jennifer Strohecker, 2022-07-07 12:00:02
Not sure what you mean about Medicaid recipients... can they GET the drug from a pharmacist under this new EUA?

Michelle Hofmann (DHHS), 2022-07-07 12:02:32
rmiacists are eligible for if they evaluate and treat. For the unininsured it sounds like you are working on maybe bringing them into the uninsured program. For private insurers, I am less clear if they can be reimbursed for the evaluation. I am wondering if they can get reimbursed for evaluating Medicaid recipients whether the recipient ends up qualifying or not.

Michelle Hofmann (DHHS), 2022-07-07 12:03:02
Pharmacists!

Jennifer Strohecker, 2022-07-07 12:09:38
We will ahve to research that.

Jennifer Strohecker, 2022-07-07 12:09:58
What codes are recommended to use for evaluation.

Michelle Hofmann (DHHS), 2022-07-07 12:10:27
I will see if I can determine that.

Jennifer Strohecker, 2022-07-07 12:10:32
I think we will get guidance on the call tomorrow

Michelle Hofmann (DHHS), 2022-07-07 12:11:08
OK great. Meeting with Carrie Monday to talk about this and emergency contraception.

Jennifer Strohecker, 2022-07-07 12:17:48
ok thank you

[redacted]

[redacted]

SUBJECT: The Morning: Beyond mass shootings
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 08/07/2022 04:25

View in browser | nytimes.com

The New York Times
The Morning

July 8, 2022

Today's newsletter continues our occasional series on the causes of America's unique problem with gun violence and the potential solutions. — David Leonhardt

By **German Lopez** and **Ashley Wu**

Good morning. We look at where most of America's gun violence happens.

Everyday violence

Since a gunman killed seven people at a Chicago suburb's July 4 parade, more than 160 people have died from other gun homicides across the country. In Chicago alone, at least 10 people were killed in multiple shootings during the holiday weekend.

These everyday killings received far less attention than the mass murder at the parade. But they are the standard for American gun violence: More than 95 percent of gun homicides this year have been shootings with one to three victims.

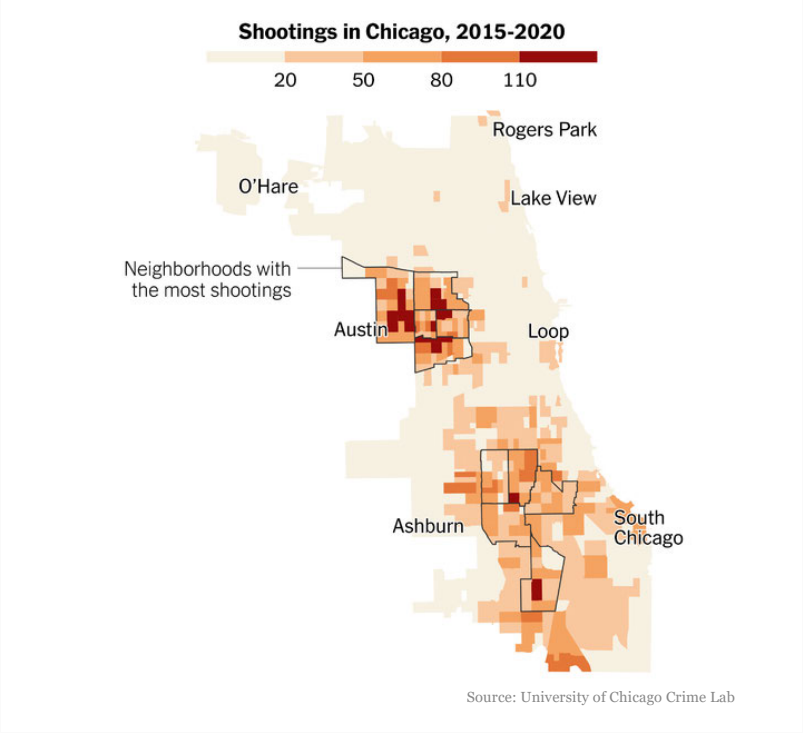
[redacted]

Today, we want to help you understand where and why most everyday gun violence happens. We're going to focus on Chicago, because it has one of the country's highest murder rates and because a local group — the University of Chicago Crime Lab — keeps detailed data. But the trends in Chicago are also present in many other places.

One crucial point is that violence tends to be highly concentrated: A small sliver of blocks — just 4 percent in Chicago, for example — can account for a majority of shootings in a city or a county.

Many of the people in these blocks live in terror. The sound of gunshots is common, sometimes coming multiple times a day. Parents worry that their kids could be next, and young people fear for their own lives. As Jomarria Vaughn, a 24-year-old Chicagoan, told this newsletter: "I'm scared. I have my guard up all day."

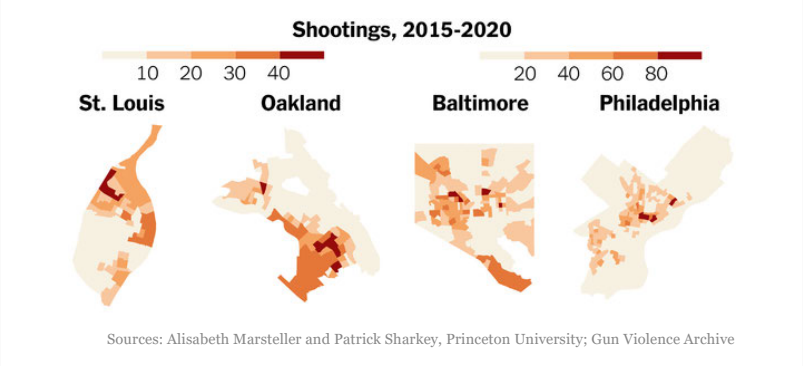
This map of shootings in Chicago shows the concentration. Shootings are rare in much of the city, particularly on the wealthier North Side, but not on the poorer West and South Sides.



Source: University of Chicago Crime Lab

This concentration is not exclusive to Chicago. Across the U.S., neighborhoods that contained just 1.5 percent of the population accounted for 26 percent of gun homicides, a 2017 analysis by The Guardian found.

Here is a look at four other cities, with data provided by the Princeton University researchers Alisabeth Marsteller and Patrick Sharkey:

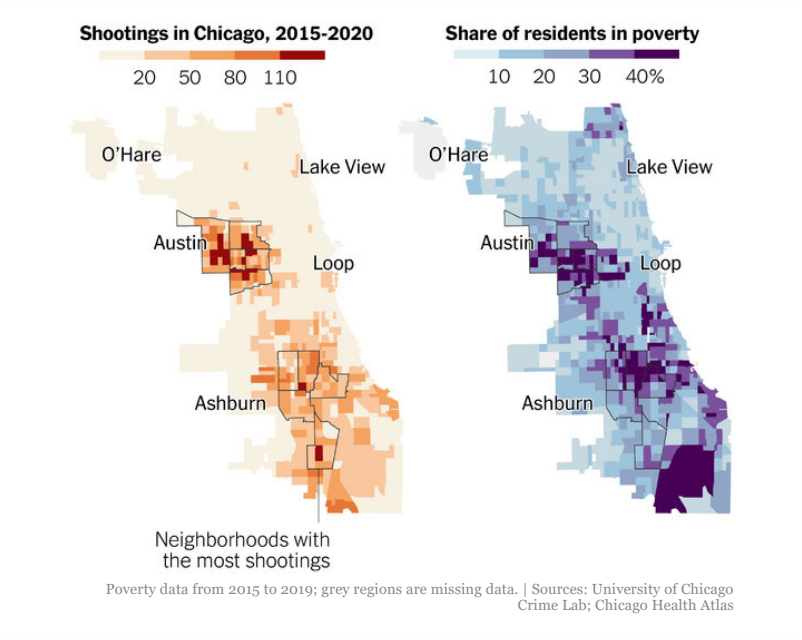


Sources: Alisabeth Marsteller and Patrick Sharkey, Princeton University; Gun Violence Archive

Poverty and violence

There are several factors behind the concentration of violence. A major one is poverty.

In Chicago, violence and poverty closely overlap, as these maps demonstrate:



Poverty data from 2015 to 2019; grey regions are missing data. | Sources: University of Chicago Crime Lab; Chicago Health Atlas

Experts have long debated why violence and poverty are linked. Is it something specific to poverty, such as insufficient housing or jobs? Is it the environment that poverty fosters, in which people are stressed and desperate — and more likely to act out?

One theory, cited by Sharkey, blames the breakdown of "collective efficacy." That might sound academic, but the concept is straightforward: When society's institutions have unraveled, people feel that they are on their own. They are then less likely to watch over one another or come together to address common interests.

By reducing social trust, concentrated poverty hurts communities' ability to enforce norms against violent behavior. And when people are left unchecked and feel they have nothing to lose, they are more likely to take extreme measures, such as violence, to solve their problems.

The past few years may help you understand this dynamic even if you're not poor. Many Americans felt a hit to their own collective efficacy because of the Covid pandemic, George Floyd's murder and its aftermath, and the polarized political atmosphere. Sure enough, murders and other violent crimes increased during this period.

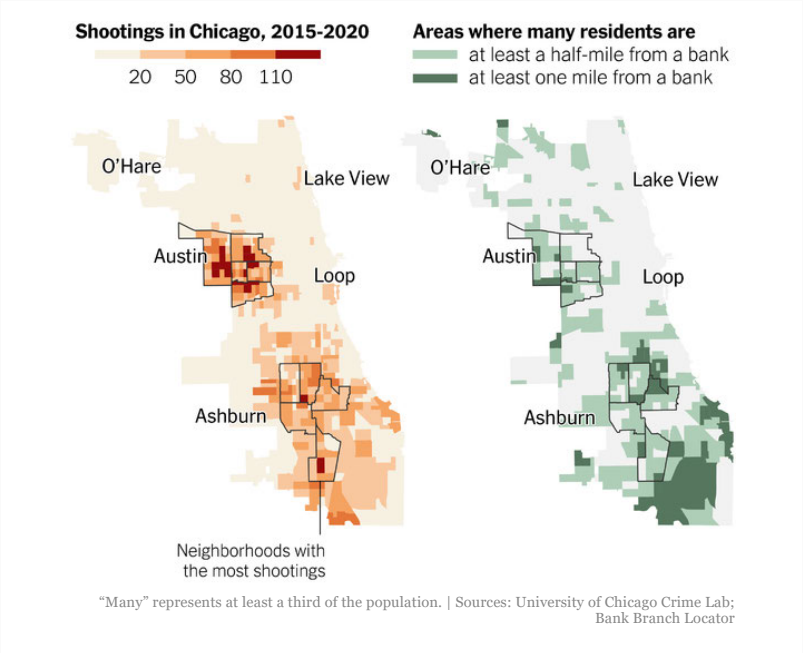
A spiral downward

It is difficult to talk about gun violence without talking about race, because Black Americans are most likely to be the victims of shootings. Poverty explains part of the disparity, since Black people are more likely to be poor. But individual poverty is not the full explanation.

Black Americans are also less likely to live in communities with strong institutional support. Exclusionary housing policies and discrimination have pushed Black Americans into segregated neighborhoods. Both governments and the private sector then neglected these neighborhoods, leaving people without good schools, banks, grocery stores and institutions.

This kind of economic neglect, which experts refer to as disinvestment, fosters

violence. These maps show the correlation in Chicago between shootings and a lack of banks:



"Many" represents at least a third of the population. | Sources: University of Chicago Crime Lab; Bank Branch Locator

The relationship also goes the other way, Roseanna Ander, executive director of the Crime Lab, told us: Violence can perpetuate disinvestment. Business owners do not want their shops, restaurants and warehouses in violent neighborhoods. People do not want to live in places where gunshots are fired daily. And governments shift resources away from places that officials deem lost causes. It is a vicious cycle.

A greater understanding of this spiral in recent years has driven activists and policymakers to address not just violence itself but its root causes, too. The Chicago mayor's office told us it had adopted a broader approach to combating violence, focused on boosting businesses, local clubs, mental health care and other social supports, on top of traditional policing work. As this newsletter has explained before, most experts support an all-of-the-above strategy to crime, involving both the police and alternative approaches.

But this work is difficult and, even if it succeeds, takes money and time — years or decades to rebuild long-neglected communities. Until then, the people in these neighborhoods will likely suffer the worst of American gun violence.

THE LATEST NEWS

Assassination in Japan

Shinzo Abe today in Nara, Japan, just before he was fatally shot. Toshiharu Otani/Agence France-Presse, via Jiji Press/Afp Via Getty Images

- Shinzo Abe, 67, former prime minister of Japan, died after being shot while giving a speech.
- The police said a 41-year-old man was in custody.
- From the scene: Two loud sounds and a plume of smoke before Abe collapsed.
- Abe, Japan's longest-serving prime minister, resigned in 2020 because of ill health. Read his obituary.

Politics

Unaccompanied children from Guatemala, in Roma, Texas. Kirsten Luce for The New York Times

- Gov. Greg Abbott ordered the authorities to apprehend migrants and return them to the border, setting up a clash with the federal government.
- The I.R.S. asked an internal watchdog to review its Trump-era audits of James Comey and Andrew McCabe.
- Senate Democrats are trying to revive pieces of Biden's domestic policy bill, including taxing high earners to fund Medicare.
- Biden awarded the Presidential Medal of Freedom to 17 people, among them the gymnast Simone Biles.

Other Big Stories

- Brittney Griner, the W.N.B.A. star detained in Russia, pleaded guilty to

drug charges, saying that she had accidentally brought a banned substance into the country.

- Derek Chauvin, the former Minneapolis police officer already serving a long prison term, was sentenced to 21 years for violating George Floyd's civil rights.
- Elon Musk is planning to file a lawsuit to end his $44 billion deal to buy Twitter.
- A jury found Sunny Balwani, a former executive at the failed blood testing start-up Theranos, guilty of fraud.
- Rafael Nadal withdrew from Wimbledon before his semifinal, citing an injury.

Opinions

To protect abortion rights, Democrats should embrace the politics of fear, **Ana Marie Cox** says.

Circumstances, not mental health issues, drive most mass shooters to violence, **David Brooks** argues.

MORNING READS

The New Yorker writer Ken Auletta. Vincent Tullo for The New York Times

Biography: Ken Auletta has finally written the Harvey Weinstein story he wanted to tell.

Deals: How Wish built — and fumbled — a dollar store for the internet.

Modern Love: Losing a pregnancy, a marriage and pearls.

A Times classic: The power of touch.

Advice from Wirecutter: Repurpose used candle jars.

Lives Lived: James Caan's Oscar-nominated performance as Sonny Corleone in "The Godfather" was so convincing that some people thought he was a real mobster. "I've been accused so many times," Caan once said. He died at 82.

SPORTS NEWS FROM THE ATHLETIC

What went wrong for Baker Mayfield? The former No. 1 pick was hailed as the quarterback to end decades of frustration in Cleveland. Now traded away

four years later, what happened?

Picking the M.L.B. All-Star rosters: Ken Rosenthal's full roster picks are here. He's courting controversy with his starting pitchers.

N.H.L. draft shake-up: Shane Wright, once the presumptive No. 1 pick in the 2022 N.H.L. draft, fell to No. 4 last night. Here's a breakdown of every first-round pick, and the biggest winners.

A World Cup locked in: The U.S. women's national soccer team qualified for the 2023 World Cup last night, with new stars rising.

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ARTS AND IDEAS

The tenor George Shirley in rehearsal for "La Bohème." Dan Winters for The New York Times

The future of opera

Yuval Sharon, 42, is a visionary opera director who has worked around the world and who won a MacArthur Foundation "genius" grant in 2017. His boldest venture to date may be his decision to become the artistic director of Detroit Opera, Mark Binelli writes in The Times Magazine: "Sharon has already radically elevated Detroit Opera's status in the larger cultural ecosystem."

In April, Sharon directed "La Bohème" for Detroit Opera, and he wasn't interested in putting it on in a traditional way. His version unfolded in reverse order, opening with Act IV, in which Mimì dies, and ending with Act I, in which she and her lover, Rodolfo, first meet.

"Detroit has died and been reborn so many times that Sharon's reworking of the classic felt like an oblique nod to the city," Mark writes. It also helps show what modern opera can be. "The future of American opera unfolding in Detroit was not a plot twist I saw coming," Mark writes.

PLAY, WATCH, EAT

What to Cook

Craig Lee for The New York Times

This lemon-garlic kale salad is snappy and fresh.

What to Read

In "Son of Elsewhere," Elamin Abdelmahmoud writes about emigrating from Sudan to Canada when he was 12.

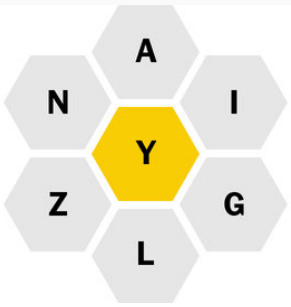
What to Watch

Stream these great movies starring James Caan.

Take the News Quiz

How well did you keep up with the headlines this week?

Now Time to Play



The pangrams from yesterday's Spelling Bee was *appliance*, *capellini*, *pelican* and *pinnacle*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: 100% (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow.

P.S. Katherine Miller is joining Times Opinion to write about threats to democracy.

Here's today's front page.

"The Daily" is about Boris Johnson. On "The Ezra Klein Show," Michelle Goldberg discusses feminism.

Claire Moses, Ian Prasad Philbrick and Tom Wright-Piersanti contributed to

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SUBJECT: Top Stories: Can Utahns get the abortion pill online or from a doctor in another state?
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 08/07/2022 07:08

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TOP STORIES

Friday, July 8, 2022

By Jeff Dempsey

Top News

Can Utahns get the abortion pill by mail or from a doctor in another state?

The answers aren't clear, but the language of Utah's trigger law gives some insight. [Read more]

Utah's proposed oil railroad clears final regulatory hurdle

State leaders say the Uinta Basin Railway is needed to increase oil production. [Read more]

Robert Gehrke: Mitt Romney is right to blast Trump sycophants — like Mike Lee

But he misses the mark on congress's own failures. [Read more]

Former VP Mike Pence hosted a fundraiser for Burgess Owens

The event was set to take place in Park City Thursday night. [Read more]

Jen Plumb's lead over incumbent Sen. Derek Kitchen increases

But the margin remains extremely tight. [Read more]

Quick Hits

• Utah researchers discovered how to produce a cancer-fighting compound without harvesting the coral that creates it.

• A 9-year-old boy died after an SUV driver allegedly drifted into the bike lane in South Jordan.

• 14 more Utahns die of COVID-19. And, yes, we're still in a surge.

• Scott D. Pierce: The first Utahn to ever appear on "Big Brother" seems like a goofball.

• The shrinking Great Salt Lake, the Lee-McMullin Senate race and all that Utah Jazz news on this week's "Behind the Headlines."

• The Daily Buzz: How clear is Utah's abortion trigger law?

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

From: Michelle Hofmann (DHHS) <mhofmann@utah.gov>
Sent: Thursday, July 7, 2022 11:22 AM
To: Carrie Dunford <Carrie.Dunford@imail.org>; Lisa Martin <lmartin@utah.gov>
Subject: Pharmacist Paxlovid prescribing - Question for Pharmacy Board
Hello,

[redacted]

--

Michelle Hofmann, MD, MPH, MHCDS, FAAP
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://dhhs.utah.gov

When
Monday Jul 11, 2022 · 9am – 10am (Mountain Time - Denver)

Guests
mhofmann@utah.gov - organizer
carrie.dunford@imail.org
lmartin@utah.gov
View all guest info

Reply for carrie.dunford@imail.org

Yes No Maybe More options

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SUBJECT: Invitation: Pharmacist Paxlovid prescribing @ Mon Jul 11, 2022 9am -10am (MDT) (lmartin@utah.gov)
FROM: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
TO: lmartin@utah.gov, carrie.dunford@imail.org
DATE: 08/07/2022 11:43

[redacted]

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

From: Michelle Hofmann (DHHS) <mhofmann@utah.gov>
Sent: Thursday, July 7, 2022 11:22 AM
To: Carrie Dunford <Carrie.Dunford@imail.org>; Lisa Martin <lmartin@utah.gov>
Subject: Pharmacist Paxlovid prescribing - Question for Pharmacy Board
Hello,

[redacted]

--

Michelle Hofmann, MD, MPH, MHCDS, FAAP
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://dhhs.utah.gov

When
Monday Jul 11, 2022 · 9am – 10am (Mountain Time - Denver)

Guests
mhofmann@utah.gov - organizer
carrie.dunford@imail.org
lmartin@utah.gov
View all guest info

Reply for lmartin@utah.gov

Yes No Maybe More options

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: Accepted: Pharmacist Paxlovid prescribing @ Mon Jul 11, 2022 9am -10am (MDT) (mhofmann@utah.gov)
FROM: Lisa Martin <lmartin@utah.gov>
TO: mhofmann@utah.gov
DATE: 08/07/2022 12:01

Lisa Martin has accepted this invitation.

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Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

From: Michelle Hofmann (DHHS) <mhofmann@utah.gov>
Sent: Thursday, July 7, 2022 11:22 AM
To: Carrie Dunford <Carrie.Dunford@imail.org>; Lisa Martin <lmartin@utah.gov>
Subject: Pharmacist Paxlovid prescribing - Question for Pharmacy Board
Hello,

[redacted]

--

Michelle Hofmann, MD, MPH, MHCDS, FAAP
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://dhhs.utah.gov

When
Monday Jul 11, 2022 · 9am – 10am (Mountain Time - Denver)

Guests
mhofmann@utah.gov - organizer
carrie.dunford@imail.org
lmartin@utah.gov
View all guest info

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SUBJECT: Hormonal Contraception - Pharmacists
FROM: "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
TO: Michelle Hofmann <mhofmann@utah.gov>
CC: "Nickee Andjelic (DHHS)" <npalacios@utah.gov>, Lynne Nilson <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>
DATE: 08/07/2022 13:14

Dr. Hofmann -

We have put together information related to the pharmacist dispensing of emergency contraception (Ella) and depo (overview, sample protocols and orders) in this google drive: [redacted]

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Discussion points:

The current language of both SB184 (standing order) and HB178 (Pharmacist prescribing) define "self-administered hormonal contraceptives" as follows: "Self-administered hormonal contraceptive includes an oral hormonal contraceptive, a hormonal vaginal ring, and a hormonal contraceptive patch."

Emergency Contraception - The Ella website notes that Ella is a progesterone agonist/antagonist emergency contraceptive.

DEPO - Subcutaneous depot medroxyprogesterone acetate (DMPA-SC): The states that we identified as offering DMPA through pharmacies do so through pharmacist administration of the injection. The CDC recommends allowing for self-administration, but note: *"Although the FDA label states that DMPA-SC is only to be administered by a healthcare professional, health care providers might prescribe an FDA-approved drug for off-label use (including administering a drug in a different way, such as self-administration) when medically indicated, as determined by the health care provider, for their patient."*

The language in current Utah code may be contradictory to adding either the injectable or Ella to the standing order or allowing for pharmacist prescribing. Your clinical/medical insight is needed to determine if either fits the definition of "self administered hormonal contraceptive".

Please let us know if you need any additional information or have questions.

Thank you,
Laurie

Links to legislation: https://le.utah.gov/~2021/bills/static/HB0178.html
https://le.utah.gov/~2018/bills/static/SB0184.html

--
Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Family Health

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[redacted]

[redacted]

Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: Fwd: EC as "self-administered, hormonal contraception"
FROM: "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
TO: Michelle Hofmann <mhofmann@utah.gov>
CC: Lynne Nilson <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Nickee Palacios <npalacios@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 08/07/2022 18:23

Dr. Hofmann -

After sending my earlier email, I realized I neglected to include the information contained in this email for your consideration as well.

Thanks,
Laurie

---------- Forwarded message ---------
From: **Jessica Sanders** <jessica.sanders@hsc.utah.edu>
Date: Fri, Jul 1, 2022 at 8:19 AM
Subject: Re: EC as "self-administered, hormonal contraception"
To: Laurie Baksh <lbaksh@utah.gov>, Lynne Nilson <lpnilson@utah.gov>
Cc: Sarah Elliott <sarah.elliott@hsc.utah.edu>, Jami Baayd <jami.baayd@hsc.utah.edu>, Rebecca Simmons <rebecca.simmons@hsc.utah.edu>

Quick point of clarification “contraception access policy roadmap” these were policies being assessed and supported with FPE evidence not policies that passed necessarily

Jessica N Sanders, PhD, MSPH
Family Planning Research Director
Assistant Professor
Pronouns: she/her

Obstetrics & Gynecology
30 North 1900 East, 2B200
Salt Lake City, Utah 84132 |801.581.2143
Jessica.sanders@hsc.utah.edu

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From: Jessica Sanders <jessica.sanders@hsc.utah.edu>
Date: Friday, July 1, 2022 at 8:16 AM
To: Laurie Baksh <lbaksh@utah.gov>, Lynne Nilson <lpnilson@utah.gov>
Cc: Sarah Elliott <sarah.elliott@hsc.utah.edu>, Jami Baayd <jami.baayd@hsc.utah.edu>, Rebecca Simmons <rebecca.simmons@hsc.utah.edu>
Subject: FW: EC as "self-administered, hormonal contraception"

Hello Laurie and Lynne, I have no doubt you all, like us, have be caught in the whirlwind of the last week with the SCOTUS decision.

I wanted to follow up on our last conversation and to share the presentation that we prepared to present to the board of pharmacy. I have also forwarded the correspondence with Rep. Ray Ward (below) clarifying the appropriateness of including oral Emergency Contraception in the interpretation of self-administered, hormonal contraception in the standing order.

I have also shared our community facing document on EC in English, we have a Spanish version available as well-to support any updates you may want to include in the UDOH website.

Please let me know if there are additional resources we share and ways we can support each other.

Take care,
Jess

Jessica N Sanders, PhD, MSPH
Family Planning Research Director
Assistant Professor
Pronouns: she/her

[redacted]

Obstetrics & Gynecology
30 North 1900 East, 2B200
Salt Lake City, Utah 84132 |801.581.2143
Jessica.sanders@hsc.utah.edu

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From: Raymond Ward <rayward@le.utah.gov>
Date: Monday, June 27, 2022 at 3:30 PM
To: Jessica Sanders <jessica.sanders@hsc.utah.edu>, rayward1024@yahoo.com <rayward1024@yahoo.com>
Cc: CPSheard@afstores.com <CPSheard@afstores.com>, Sarah Elliott <sarah.elliott@hsc.utah.edu>
Subject: Re: EC as "self-administered, hormonal contraception"

Hello Jessica and Chris,

Thanks for sending me over that email.

I agree with what you have laid out here and that the intent of the bill was to include all self-administered hormonal contraceptive medications, which would then include oral contraception that can be taken as emergency contraception. Given the safety and efficacy of both oral levonorgestrel and ulipristal acetate (a.k.a Ella), it is an appropriate interpretation of the code to include both of these as self-administered hormonal contraception.

I hope this is helpful and happy to answer any additional questions that might come up.

RW

From: Jessica Sanders <jessica.sanders@hsc.utah.edu>
Sent: Monday, June 27, 2022 12:59 PM
To: rayward1024@yahoo.com <rayward1024@yahoo.com>; Raymond Ward <rayward@le.utah.gov>
Cc: CPSheard@afstores.com <CPSheard@afstores.com>; Sarah Elliott <sarah.elliott@hsc.utah.edu>
Subject: EC as "self-administered, hormonal contraception"

Dear Representative Ward, MD,
Thank you for all you have done to support contraceptive access in Utah. As our ASCENT Center works to ensure all Utahns have access to contraception, pharmacies and clini remain vital points of access for individuals seeking contraception. It is our hope to keep pharmacists, providers, and administrators up-to-date with best practices and current clinical guidelines.

Under the tenants of the “Pharmacy Practice Act,” Utah Code Section 58-17b-101, et seq. (the “Act”), the “Family Planning Access Act,” Utah Code Section 26-62-101, et seq. (th “FPAA”) and Utah Administrative Code R433-200 (the “Rule”) pharmacists are able to dispense "self-administered hormonal contraceptives."

A question that has been brought to our attention is whether oral emergency contraceptives (EC), which includes oral levonorgestrel and oral ulipristal acetate fall into the catego of "self-administered hormonal contraceptives." From a scientific and pharmacological standpoint, the answer is "yes," as these are oral hormonal medications that are self-administered for contraceptive purposes. and do not interfere with an existing pregnancy.

In hopes that we can stay clear and consistent in our communication we would like to confirm this interpretation and ensure that this in inline with the intent of the original legislation. I have cc'd Chris Sheared, who is on the Board of Pharmacy and can share with his colleagues who might be interested as well.

Thank you again for all your work as a clinician-policymaker,

Jess Sanders and the ASCENT team

Jessica N Sanders, PhD, MSPH
Family Planning Research Director
Assistant Professor
Pronouns: she/her

Obstetrics & Gynecology
30 North 1900 East, 2B200
Salt Lake City, Utah 84132 |801.581.2143
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--
Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

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Utah Department of Health & Human Services
Family Health

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SUBJECT: The Salt Lake Tribune for 9 Jul 2022 has been released
FROM: "The Salt Lake Tribune E-edition"<thesaltlaketribuneeedition@directmail.newspaperdirect.com>
TO: mhofmann@utah.gov
DATE: 09/07/2022 03:49

The Salt Lake Tribune

Dear Michelle Hofmann
Your latest edition of The Salt Lake Tribune E-edition has just been released online. Happy reading!
Here are the highlights for this issue:

In This Issue:

Japan's former leader assassinated during speech

Nara, Japan • Former Prime Minister Shinzo Abe was assassinated Friday on a street in western Japan by a gunman who opened fire on him from behind as he delivered a campaign speech - an...

Biden signs abortion access order

Washington • President Joe Biden on Friday condemned the "extreme" Supreme Court majority that ended a constitutional right to abortion and delivered an impassioned plea for Americans upset...

Read all stories...

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SUBJECT: The Morning: Summer travel, made easy
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 09/07/2022 04:37

View in browser | nytimes.com

The New York Times
The Morning

July 9, 2022

By Melissa Kirsch

Good morning. You need not travel far to experience the delights of summer.

Rosie Barker

Close to home

A friend texted me last weekend from a departure lounge in Kennedy Airport. “Um three hours and counting …” she wrote of her L.A.-bound flight’s delay.

She’d been expecting it, given the scheduling snarls and trip cancellations that have plagued travelers lately. But the reality was frustrating nonetheless: precious hours of a long-awaited vacation spent browsing trail mix selections in Hudson News, searching the terminal for a charging station.

I congratulated myself for not planning a big trip over the holiday, opting for the beach close to home. I used an app to find the cheapest gas I could, and packed lunch instead of buying it. It wasn’t a far-flung adventure, but it was easy and enjoyable nonetheless.

If you find yourself grounded by air travel complications or loath to venture too far from home because of the price of gasoline or unpredictable variants, you still have options. My colleagues on the Travel desk have recommendations for some pretty excellent trips within 100 miles of major cities.

In Bellingham, Wash., 90 miles from Seattle, one can spend a few days hiking, biking and feasting on oysters. Outside Atlanta, a weekend of wine tasting in the foothills of the Blue Ridge Mountains beckons. There are hidden spots in Chicagoland’s suburbs that are perfect for camping. In Ojai, “an electromagnetic vortex of good energy” 80 miles from Los Angeles, you’ll find otherworldly sunsets and the world’s largest outdoor bookstore.

In Brooklyn, where I live, $2.75 will get you a ticket on NYC Ferry, whose six daily routes service all five boroughs and, through Sept. 11, Governors Island (where you can glamp overnight, if you’d like).

Earlier in the pandemic, I wrote a newsletter for The Times about how to lead a full and cultured life at home, or close to it. I'd thought that, as pandemic restrictions eased, there'd be less need for such counsel, and dreamed that the world would fling open its gates and all of us, too-long cooped-up, would come cartwheeling through. Continuing complications hadn't figured into the fantasy.

Something I realized, thinking and writing for a year and a half about what to do while you're at home, is that these activities don't have to be consolation prizes. There's as much wonder and delight to be found nearby as there is at the other end of a long plane trip. You don't have to look far to find it.

Last weekend, at the beach, I watched a bunch of children stand agape as four laughing gulls hovered a few feet above them for what felt like minutes. A group of friends downed tequila shots then cranked up Beyoncé's "Break My Soul" and danced. The air was warm but it was breezy. There was hardly any traffic on the drive home.

For more

- A flight attendant's advice for avoiding chaos while traveling this summer.
- More in our "100 Miles From" series: Shelter Island, Maryland's Eastern Shore, New Bedford, Mass.
- "Crossing Brooklyn Ferry," by Walt Whitman.

THE WEEK IN CULTURE

James Caan in "The Godfather." CBS via Getty Images

- James Caan, known for his performance as Sonny Corleone in "The Godfather," died this week. Here are nine of his best movies to stream.
- The Times reviewed Marvel's "Thor: Love and Thunder," which hit U.S. theaters this week: "Thor is still a god, but also he's now a great big goof."
- Why are young people donning formal wear to see the latest movie in the "Minions" franchise? Learn about the #GentleMinions trend.
- Nicole Kidman and Kim Kardashian walked the runway at the Balenciaga show during Paris Couture Fashion Week.
- A play exploring the relationship between Andy Warhol and Jean-Michel Basquiat will be on Broadway this fall.
- Climate activists in the U.K. have been gluing themselves to the frames of famous paintings.

- The Academy Museum of Motion Pictures, which opened in Los Angeles last year, named the film historian Jacqueline Stewart as its new director.
- Amazon struck a deal with Grubhub to offer free restaurant delivery for Prime members.
- Tony Sirico, who played Paulie Walnuts on "The Sopranos," died Friday at 79.

THE LATEST NEWS

A memorial outside Yamato-Saidaiji Station in Nara, Japan. Philip Fong/Agence France-Presse, via Getty Images

- The assassination of Shinzo Abe with a handmade gun shocked Japan, where gun laws are tight and gun violence is rare. Follow updates.
- President Biden signed an executive order directing his secretary of health and human services to identify steps to protect abortion access.
- Protesters in Sri Lanka entered the president's home as thousands descended on the capital amid fury over a devastating economic
- The U.S. economy added 372,000 jobs last month, a sign that the labor market remains strong.
- Elon Musk filed to back out of his deal to buy Twitter, likely setting up a protracted legal battle.
- At the G20 summit, U.S. Secretary of State Antony Blinken urged China to "stand up" against Russia's invasion of Ukraine. Follow updates.
- Wisconsin's Supreme Court prohibited the use of most drop boxes for absentee ballots.
- Far-right politicians who want to abolish the separation of church and state are pushing into the mainstream.
- The Border Patrol plans to discipline four agents for treating Black migrants harshly last year.

CULTURE CALENDAR

By **Gilbert Cruz**
Culture Editor

📺 **"Better Call Saul" (July 11):** I didn't put much stock in this show. How could a prequel (not even a sequel, a prequel!) to one of the most gripping and

addictive shows of the modern era feel like anything but a cynical attempt to keep the “Breaking Bad” product on the streets. But as “Saul” begins its final six-episode run, it’s a pleasure to admit that the series has carved out its own unique space in the TV pantheon.

🎧 **“Love, Damini,” Burna Boy (Out now):** New backyard barbecue music alert! On the sixth album from the Nigerian superstar and purveyor of Afrofusion, the “surfaces are glossy and reassuring,” our pop critic Jon Pareles writes, and “the inner workings are slyly playful.”

“Where the Crawdads Sing” (July 15): Daisy Edgar-Jones, of Hulu’s “Normal People” (that’s the one about sexy, sad young Irish people) stars in another book adaptation. The 2018 novel “Crawdads” is, as we wrote, a “combination of murder mystery, lush nature writing, romance and a coming-of-age survival story.” That’s far from franchise fare, but it arrives with its own robust fanbase, having dominated the best-seller list for years.

RECIPE OF THE WEEK

Jessica Emily Marx for The New York Times

By **Melissa Clark**

Classic French Toast

Most of the year, maple syrup and loads of butter are the ideal toppings for French toast. But now, at the height of berry season, a handful of strawberries, blackberries or raspberries stirred into the syrup lend a dash of summery color and plenty of verve. Feel free to use any wilting, weeping berries at the back of the fridge; their sweet juices will be absorbed by syrup and butter and suffuse every bite. Julia Moskin’s wonderful classic French toast recipe calls for only briefly dipping slices of fresh bread like challah or brioche into the custard, so you don’t need to plan for hourslong soaking. When your oozing berries are calling, a speedy batch of French toast is the best reply.

A selection of New York Times recipes is available to all readers. Please consider a Cooking subscription for full access.

REAL ESTATE

Top two, Tina Rupp; bottom two, Henderson Hunter III

What you get for $830,000: A Spanish-style house in Oakwood, Ohio; a 1764 Colonial in Lyme, Conn.; or a three-bedroom rowhouse in Washington, D.C.

The hunt: He was looking for studio big enough for a bed and a sofa for less than $500,000 on the East Side of Manhattan. Which one did he choose?

Faltering sales, rising rents: How to make sense of a baffling market.

LIVING

Photo Illustration by Kelsey McClellan for The New York Times

'Boob tape': Will this adhesive undergarment make bras a thing of the past?

Sun protection: How to wear makeup and sunscreen together.

The needs of trees: Keep them in mind when you're gardening or considering home improvements.

Work friend: What to do when remote work has you feeling left out.

GAME OF THE WEEKEND

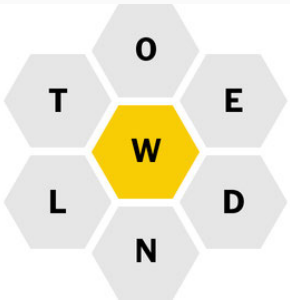
Ons Jabeur in her semifinal match on Thursday. Sebastien Bozon/Agence France-Presse, via Getty Images

Ons Jabeur vs. Elena Rybakina, Wimbledon final: Jabeur, a native of Tunisia, is the first Arab or African woman to reach a Grand Slam singles final in the modern era. Like Roger Federer, to whom she has long been compared, Jabeur excels at a range of shots: approaches, overhead smashes, deft drop volleys. Her opponent, Elena Rybakina, was born in Moscow but a few years ago switched her home country to Kazakhstan — which has allowed her to get around Wimbledon's ban on Russian athletes, imposed after the invasion of Ukraine. *9 a.m. Eastern today, ESPN.*

For more:

- In the men's final tomorrow, Nick Kyrgios of Australia will try for his first Grand Slam title against the six-time Wimbledon champ Novak Djokovic.

NOW TIME TO PLAY



The pangram from yesterday's Spelling Bee was *analyzing*. Here is today's puzzle.

Take the news quiz to see how well you followed this week's headlines.

Here's today's Wordle. After, use our bot to get better.

Before You Go …

- Don't miss Usher's Tiny Desk Concert.
- Read a profile of the comedian Nathan Fielder ahead of the premiere of his new show.
- If you're looking for a true-crime page-turner, I recommend "We Keep the Dead Close," by Becky Cooper.

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Thanks for spending part of your weekend with The Times. — Melissa

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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[redacted]

SUBJECT: Top Stories: What the LDS Church's new language on abortion says
FROM: The Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 09/07/2022 08:54

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sltrib.com

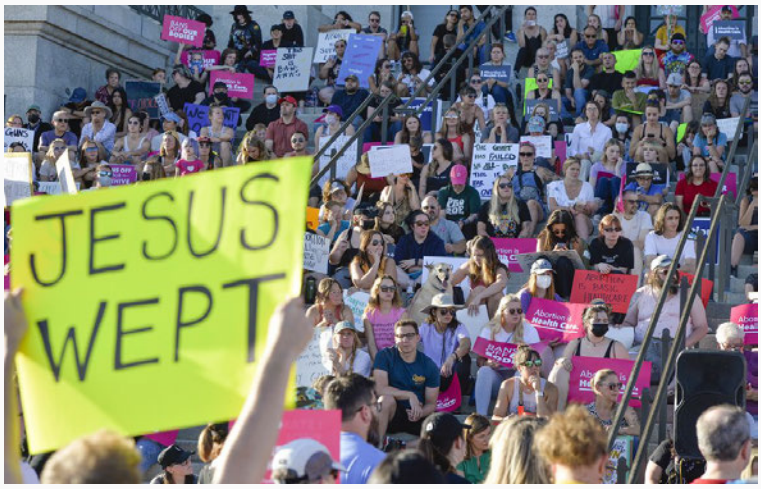
TOP STORIES

Saturday, July 9, 2022

By Jeff Dempsey

[redacted]

Top News



Here's what the LDS Church's new language on abortion says

Members "may" join the political fights in the states but aren't told which side they should be on, save for protecting "life" and preserving "religious liberty." [Read more]

She's a domestic violence survivor. Now she's helping others with a closet and girl chat.

Pretty Tough Ladies Resource Center offers support for women and children in vulnerable situations. [Read more]

Quick Hits

• Biologists' fears are confirmed on the lower Colorado River as predatory fish are found below Glen Canyon Dam.

• An impassioned Joe Biden signed an executive order Friday to try to protect access to abortion.

• Red flag warning: Wildfire danger is high in much of Utah.

• Two wildfires cause evacuations in Millard County.

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SUBJECT: Re: Excellent description of the pharmacy billing issues
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
DATE: 09/07/2022 10:57

Thanks!

As you noted yesterday, it goes beyond Medicaid and we need to figure out why they are not participating in Utah. Maybe we can loop in DOPL and have a dialogue with the Pharmacy Board to determine what the barriers to participation on from their perspective.

Krisann is going to be asked to help on some issues related to the trigger law. This could be one of them that's added.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Utah Department of Health & Human Services

On Sat, Jul 9, 2022 at 10:27 AM Michelle Hofmann (DHHS) <mhofmann@utah.gov> wrote:
https://grassrootsrph.com/2020/12/07/physician-fee-schedule/

Jen and I spoke today and we can pull Medicaid data to confirm the exceedingly low uptake of contraceptive prescribing by pharmacists. We will continue to flesh out policy levers that might be able to be pulled. This may be something Krisann could help us more rapidly get our heads around if she has capacity.

Michelle

--
Michelle Hofmann, MD, MPH, MHCDS, FAAP
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://dhhs.utah.gov

Utah Department of Health & Human Services

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FROM: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
DATE: 09/07/2022 11:05

Excellent. I will connect with Krisann.

I am meeting with the Pharmacy Board Chair and DOPL staff Monday to get started on this discussion.

Another good reference: https://www.ncpdp.org/NCPDP/media/pdf/WhitePaper/Billing-Guidance-for-Pharmacists-Professional-and-Patient-Care-Services-White-Paper.pdf?ext=.pdf

Michelle

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Michelle

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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O: 801.538.4016 C: 385.348.1519
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https://dhhs.utah.gov

Utah Department of Health & Human Services

[redacted]

[redacted]

SUBJECT: The Morning: The G.O.P.'s 'wildest dream'
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 10/07/2022 05:01

View in browser | nytimes.com

The New York Times
The Morning

July 10, 2022

By Ian Prasad Philbrick

Good morning. A pro-Trump congresswoman's victory in a historically Democratic region of Texas helps explain why Latino voters are shifting rightward.

[redacted]

Representative Mayra Flores at the Capitol after being sworn in last month. Shuran Huang for The New York Times

The G.O.P.'s 'wildest dream'

Latino voters have recently shifted toward the Republican Party. Most still vote for Democrats, but the margin has shrunk.

One sign of the shift is in Texas' majority-Latino 34th Congressional District, which recently elected Mayra Flores, a conservative Republican, to serve out the remaining term of a Democrat who resigned in March. To put Flores's election in context of the larger shift, today's newsletter talks with Jennifer Medina, a Times reporter who writes about national politics and profiled Flores this week.

Ian: How did you meet Flores?

Jennifer: I met her almost a year and a half ago when I went to the Rio Grande Valley, in South Texas, to try to understand why Latino voters there swung toward Donald Trump in 2020. I came across a whole group of women who drove a lot of the change. They'd organized "Trump Trains" and done Hispanic outreach for the Republican Party. A lot of them, including Flores, were married to Border Patrol agents and used that as the source of their energy and support for Trump.

Flores won her special election last month pretty easily, despite being a first-time candidate running in a historically Democratic district. She seems to symbolize Republican hopes that Latinos will increasingly support the party. How was she received in Washington?

She was treated like a rock star. After her swearing-in, she did a press conference with Kevin McCarthy and other Republicans. The placard on the lectern said "Historic." Republicans have been criticized for being anti-immigrant, obviously, and here's a woman who not only is an immigrant but who worked in the fields alongside her parents as a farmworker.

Flores has described herself as Democrats' worst nightmare, but she was also Republicans' wildest dream. She's the first Mexican-born woman in Congress, and the Republican Party completely embraced her.

Flores has voiced conspiratorial views, suggesting that the Jan. 6 attack was a "setup." You repeatedly asked her whether President Biden won the 2020 election, and she kept responding that he was "the worst president." Was that awkward?

I don't think it was a surprise to her that I asked. I think she'd been asked that question before, knew what she wanted to say and stuck to the script. I gave her multiple opportunities to clarify. I actually said, "I'm not trying to be cute, I'm really trying to understand." She said, "That's my statement."

Flores told you she voted for Barack Obama in 2008, but grew disillusioned with Democrats and enthusiastically backed Trump. Have voters in her district similarly shifted?

Flores won a low-turnout election, so we're talking about a smallish slice of voters. But, almost by definition, she received support from people who voted Democrat in the past.

I met a retired couple who, unlike many of her most ardent supporters, were devoted Catholics, not evangelicals. They were warm and inviting, and I sat on their couch for an hour listening to their political trajectory. They had voted for Hillary Clinton in 2016 and considered themselves moderates. But the husband, especially, had started to feel like undocumented immigrants were getting welfare benefits that they shouldn't, and that Democrats were increasingly hostile to anybody who was anti-abortion. They voted for Trump in 2020 and felt like Flores represented what they wanted to see: somebody fed up with Democrats and willing to criticize them loudly.

You describe Flores's district, which borders Mexico, as "politically liberal yet culturally conservative." What does that mean?

It's a place where law enforcement is revered. For a lot of people, law enforcement — not only the police, but also the Border Patrol and sheriffs — is the best path to the middle class. Churches are crowded on Sundays. A lot of small evangelical churches have opened up and are growing. You see American flags on the backs of cars or in front of houses and businesses.

People are connected to their families. They get together often. Many residents see those ideals reflected more in the Republican Party than in the Democratic Party. Flores's slogan — "God, family, country" — spoke to a lot of voters.

Immigration seems like a complex issue there. Flores is an immigrant who campaigned on border security, and many of her voters have family who at some point crossed the border.

A lot of them trace their ancestry back to Mexico. The border is in their everyday lives. To hear Flores tell it, the border is in disarray, though not everybody in her district thinks that way. People who support her and support Trump make a big distinction between legal and illegal immigration. They say a version of, "Nobody who's coming in now is doing it the right way. People should get in line and do it the way we did it."

They also couch their support for closing the border or putting up a border wall in terms of human trafficking, drugs and gangs. There's a sense that Mexico and the border are more dangerous now. But a lot of people I talked to, including Republicans, have empathy for immigrants. Even if they despise current policy, there's a notion of "We want to help them."

Latino voters' rightward shift isn't just a South Texas phenomenon. What other factors play a role nationally?

This is the question that I'm constantly trying to figure out. You can't overgeneralize. What's true about Mexican Americans in the Rio Grande Valley may not be true about Latino voters in New Mexico, South Florida, Virginia or Pennsylvania. In Florida, there's anti-socialism sentiment. The border is an issue elsewhere.

But I think a lot of it has to do with religion. A growing segment of Hispanic evangelicals feels much more tied to the evangelical movement than to any sort of Latino political identity.

More about Jennifer: *She joined The Times 20 years ago as an intern after graduating from the University of Southern California. She has covered*

education, immigration and the 2020 election. She lives in Los Angeles and considers herself a committed Zumba and hip-hop dancer.

NEWS

The Latest

Demonstrators at the Sri Lankan presidential palace on Friday. Dinuka Liyanawatte/Reuters

- The president of Sri Lanka agreed to resign hours after protesters stormed his palace.
- The U.S. is pursuing a plan to allow sales of Russian oil, but at a steep discount, after analysts projected that a full ban could send gas prices to $7 a gallon.
- The war in Ukraine has turned into a slow and bloody battle of inches. Vladimir Putin is betting he can outlast an impatient West.
- Elena Rybakina, a 23-year-old Russia native who competes for Kazakhstan, won her first Wimbledon title.

Other Big Stories

- The House Jan. 6 committee heard closed-door testimony from Pat Cipollone, who served as Trump's White House counsel.
- In January, a deadly plume of smoke killed 17 people in a Bronx high-rise. A Times investigation shows how the building's safety systems failed.
- The U.S. has so many mass shootings — 63 in May and 65 in June, by one count — that most of them receive little attention.
- Some students who took part in J.R.O.T.C., a military program in high schools, said that instructors used their positions to prey on teenagers.

FROM OPINION

- Demoralized Democrats need something to vote for. Why not a plan to reform — not pack — the Supreme Court? **Ezra Klein** asks.
- "I am meant to rule the jungle": **Maureen Dowd** profiles Eric Adams, New York City's mayor.

- Reduced abortion access doesn't have to mean higher maternal mortality, **David Albert Jones** says.
- Chief Justice John Roberts should resign, **Pamela Paul** argues.

The Sunday question: Should the F.D.A. target nicotine?

Lowering cigarettes' nicotine content will make them less addictive and will save lives, Sarah Milov argues in The Times. Reason's Jacob Sullum thinks the agency's proposed rules will create an incentive to smoke more and drive up sales of black-market cigarettes.

MORNING READS

Casey Huang thrift shopping in Brooklyn last year. Dolly Faibyshev for The New York Times

Secondhand: "The golden age of thrifting is over": It's becoming harder to find gems.

Sunday routine: The actor Dan Perlman stops by a few comedy clubs.

Vows: In 2015, she suffered a brain injury on Whistler Mountain. In May, she was married there.

Advice from Wirecutter: Tableware for outdoor eating.

A Times classic: Looking back on "Sex, Lies and Videotape."

BOOKS

Rebecca Clarke

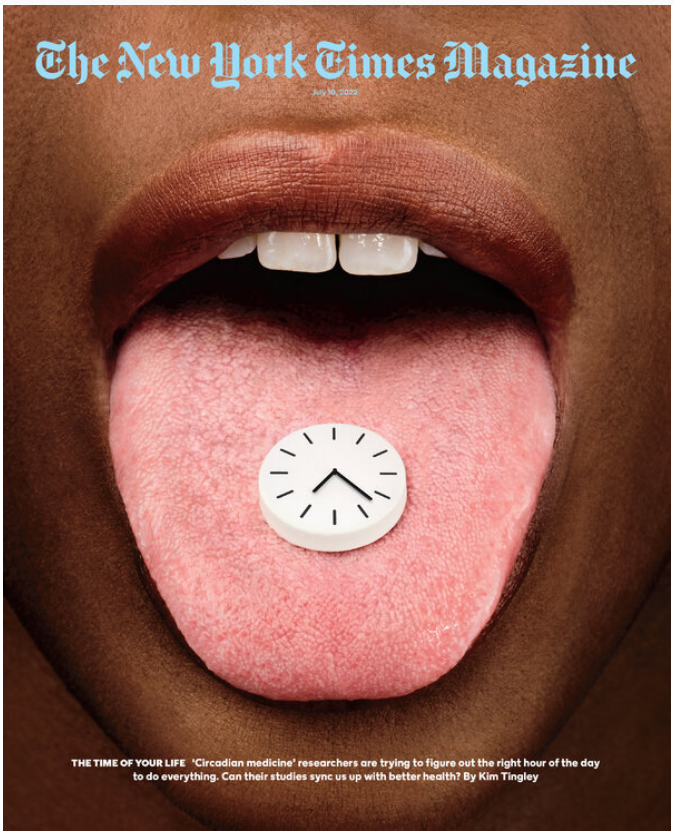
By the Book: Erika L. Sánchez wishes more authors would write about money.

Our editors' picks: Harrowing new works of nonfiction are among this week's recommendations.

Times best sellers: "Hattie Harmony: Worry Detective," written by Elizabeth Olsen and Robbie Arnett and illustrated by Marissa Valdez, debuts at No. 1 on our children's picture book list. See all our lists.

The Book Review podcast: Alice Elliott Dark discusses her new novel and Katherine Chen talks about fictionalizing Joan of Arc.

THE SUNDAY TIMES MAGAZINE



Concept by Pablo Delcan. Photo illustration by Bobby Doherty for The New York Times

On the cover: Our bodies contain an untold number of synchronized biological clocks. Can we take control of them?

Recommendation: Talk to the dead.

Liquid natural gas: How one restaurateur transformed America's energy industry.

Eat: A good biscuit is a miracle. These are savory, with kimchi and Cheddar.

Read the full issue.

THE WEEK AHEAD

What to Watch For

- The Jan. 6 committee will hold its next hearing on Tuesday. It will focus on the ties between Trump and militias that helped orchestrate the

Capitol attack.

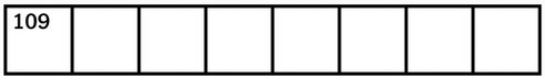
- Biden will make his first trip to the Middle East as president this week, stopping in Israel and the West Bank before heading to Saudi Arabia.
- The U.S. government will release data on consumer prices on Wednesday. Experts expect it to show that inflation continues to accelerate.
- Brittney Griner will return to Russian court on Thursday.
- Emmy nominations will be announced on Tuesday.
- Manhattanhenge, when the sunset aligns with Manhattan's street grid, is tomorrow.

What to Cook This Week

Clockwise, Gentl and Hyers for The New York Times; David Malosh for The New York Times; Ryan Liebe for The New York Times; David Malosh for The New York Times

Priya Krishna, writing the Five Weeknight Dishes newsletter this week, has compiled a list of easy, delicious meals to make with your leftovers. There's creamy pasta with ricotta and herbs, great for when your herbs won't keep fresh for much longer, and a loaded baked frittata to soak up any and all foods lingering in the fridge. As Priya writes: "When in doubt, frittata it out!"

NOW TIME TO PLAY



The New York Times

Here's a clue from the Sunday crossword:

109-Across: *Like the community portrayed in Netflix's "Unorthodox"*

Take the news quiz to see how well you followed the week's headlines.

Here are today's Spelling Bee and Wordle. After, use our bot to get better.

Thanks for spending part of your weekend with The Times. — Ian

Matthew Cullen, Claire Moses, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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[redacted]

SUBJECT: Top Stories: Smoke chokes Salt Lake Valley as fire scorches Soldier Canyon
FROM: The Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 10/07/2022 08:29

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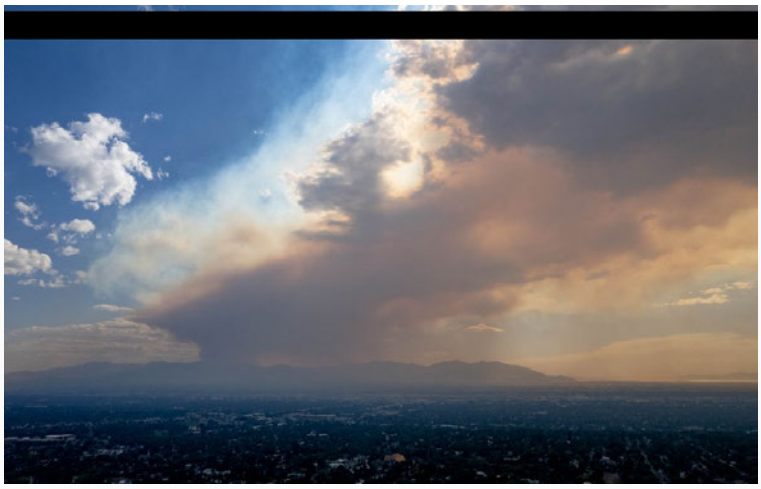
TOP STORIES

Sunday, July 10, 2022

By Gabrielle Baquero

Top News



Jacob City Fire scorches Soldier Canyon as smoke chokes Salt Lake Valley

The Jacob City Fire ignited Saturday east of Stockton, but smoke and ash from the blaze drifted across the Salt Lake Valley later in the day as firefighters worked toward containment. [Read more]

New cafe brings Cornish hand pies to Utah

Owners of The Dough Miner say their pasties are the perfect portable meal for outdoor enthusiasts. [Read more]

What's next for Donovan Mitchell and the Utah Jazz after the Rudy Gobert trade?

Jazz execs won't say the All-Star guard is "untouchable" and remains a critical piece of the team's plan going forward. [Read more]

Welcome to Egypt: A land of few Latter-day Saints, but much Mormonism

Amid the mummies, tombs and pyramids lives a nation with deep religious roots for Muslims, Jews and Christians, including Latter-day Saints. [Read more]

Editorial: John Oliver and The Times don't offer solutions. But they weren't wrong.

If Utah's water-saving measures are to be effective in face of drought, we need more action ASAP, writes the Editorial Board. [Read more]

In Case You Missed It

• Great Salt Lake hits another record low.

• A Utah lawmaker responded to a constituent asking about abortion by telling her it is "the barbaric slaughter of innocent unborn children."

• Some communities in the Weber Basin fear their aquifers could get sucked dry due to overdevelopment.

• Millard County wildfire scorches over 6,600 acres in 24 hours.

• Who is Will Hardy? Meet the new head coach of the Utah Jazz.

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SUBJECT: The Morning: Our first poll of the 2022 midterms
FROM: The New York Times <nytdirect@nytimes.com>
TO: mhofmann@utah.gov
DATE: 11/07/2022 04:23

The New York Times
The Morning

July 11, 2022

By David Leonhardt

Good morning. The Times has released its first poll of the 2022 midterm cycle.

[redacted]

Dueling weaknesses

President Biden after a trip to Cleveland last week. Haiyun Jiang/The New York Times

In 2016, when The New York Times's pollsters asked Americans whether they planned to vote for Hillary Clinton or Donald Trump, more than 10 percent said they would not support either one. They said that they would instead vote for a third-party candidate or not vote at all.

Four years later, the situation was different. Joe Biden was a more popular nominee than Clinton had been, while some of Trump's skeptics had come around to supporting him. Less than 5 percent of voters told pollsters that they didn't plan to vote for either major party nominee.

This morning, The Times is releasing its first poll of the 2022 midterm campaign. And one of the main messages is that Americans again seem to be as dissatisfied with the leading candidates as they were in 2016. "This felt like a poll from 2016, not from 2020," Nate Cohn, The Times's chief political analyst, told me.

[redacted]

Source: New York Times/Sienna College | By Marco Hernandez

The poll included a question about whether people would vote for Biden or Trump in 2024 if the two ended up being the nominees again. The question did not present any options other than Biden and Trump — yet 10 percent of respondents volunteered that they did not plan to support either one. The share was even higher among voters under 35 and lower among older voters.

Similarly unpopular

This level of dissatisfaction is a reflection of the huge, dueling weaknesses of the two parties.

The Democratic Party has two core problems. First, Biden's job approval rating is only 33 percent (similar to Trump's worst ratings during his presidency), partly because of frustration over inflation and the continuing disruptions to daily life stemming from the pandemic. Second, Democrats' priorities appear out of step with those of most Americans.

Congressional Democrats have spent much of the past year bickering, with a small number of moderates blocking legislation that would reduce drug prices, address climate change and take other popular steps. Many Democrats — both politicians and voters, especially on the party's left flank — also seem more focused on divisive cultural issues than on most Americans' everyday concerns, like inflation.

"The left has a set of priorities that is just different from the rest of the country's," Nate said. "Liberals care more about abortion and guns than about the economy. Conservative concerns are much more in line with the rest of the country."

On the other hand, Nate points out, "Republicans have serious problems of their own."

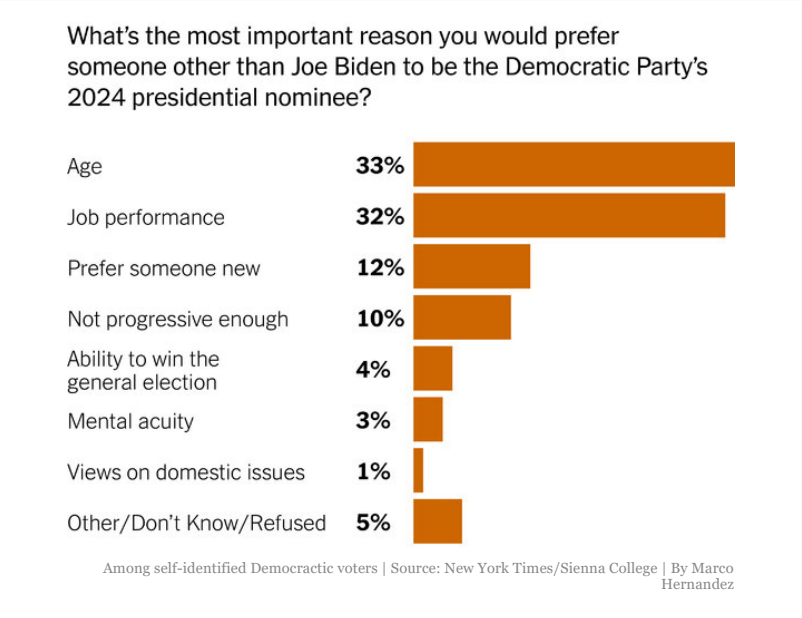
Trump remains the party's dominant figure — and he is roughly as unpopular as Biden. The two men's personal favorability ratings are identical in the Times poll: 39 percent. Many voters, including independents and a noticeable minority of Republicans, are offended by the events of Jan. 6 and Trump's role in them.

Republicans also face some vulnerabilities from the recent Supreme Court

decisions. The court has issued aggressive rulings, including overturning Roe v. Wade, that take policy to the right of public opinion on some of the same issues where many Democrats are to the left of it.

If not Biden ...

All of this leads to a remarkable combination of findings from the poll. Biden looks like the weakest incumbent president in decades; 61 percent of Democrats said they hoped somebody else would be the party's 2024 nominee, with most of them citing either Biden's age or performance. Yet, when all voters were asked to choose between Biden and Trump in a hypothetical matchup, Biden nonetheless held a small lead over Trump, 44 percent to 41 percent.



Other polls — by YouGov and Harris, for example — suggest Biden would fare better against Trump than Vice President Kamala Harris would. These comparisons are a reminder that Biden won the nomination in 2020 for a reason: He is one of the few nationally prominent Democrats who doesn't seem too liberal to many swing voters. Biden, in short, is a wounded incumbent in a party without obviously stronger alternatives.

There is still a long time between now and the 2024 election, of course. Perhaps Biden's standing will improve, or another Democrat — one who wins a tough race this year, for instance, like Stacey Abrams or Senator Raphael Warnock in Georgia — will emerge as a possibility. Perhaps Ron DeSantis, Mike Pence or another Republican will defeat Trump for the nomination. Perhaps Biden or Trump (or both) will choose not to run.

The level of voter dissatisfaction also raises the possibility that a third-party candidate could attract enough support to influence the outcome, Nate adds.

For now, though, each party's biggest strength appears to be the weakness of its opponent.

Related: My colleague Shane Goldmacher has more details and analysis on Biden's approval rating. In the coming days, The Times will be releasing other results from the poll, including on the Republican Party, the midterm races and more.

More on politics

- Steve Bannon agreed to testify before the Jan. 6 panel, days before his trial for contempt of Congress is set to begin.

- Pressure from Trump allies and a fear of leaks: Here's why the Jan. 6 committee rushed Cassidy Hutchinson's testimony.
- In a small town in New Hampshire, one man tried to impose a change so drastic it jolted a community out of political indifference.

THE LATEST NEWS

War in Ukraine

- Russia needs more soldiers, but isn't resorting to a national draft. Instead, the Kremlin is offering cash and employing strong-arm tactics.
- Fellow players of Brittney Griner, who is detained in Russia on drug charges, honored her at the W.N.B.A. All-Star Game.

Other Big Stories

"I kept waiting for someone to come," said Arnulfo Reyes, a teacher at Robb Elementary School. Tamir Kalifa for The New York Times

- A taunting gunman and 78 minutes of terror: A teacher who survived the Uvalde shooting recounted the desperate wait for a rescue.
- An American firm said U.S. spies quietly backed its plans to buy NSO, a blacklisted Israeli company that makes spyware.
- A wildfire in Yosemite National Park that has spread over 2,000 acres is threatening centuries-old giant sequoia trees.
- Get ready for astronomical records to be broken: NASA will unveil the first pictures from the new James Webb Space Telescope tomorrow.
- Novak Djokovic won his 21st major trophy, beating Nick Kyrgios in the Wimbledon men's singles final.

Opinions

The history of Prohibition suggests Americans will rebel against abortion bans, **Michael Kazin** argues.

We need more male contraceptives, **Stephanie Page** and **John Amory** write.

Gail Collins and **Bret Stephens** discuss election season, Elon Musk and more.

MORNING READS

Many millennials feel behind, indebted and unable to live up to expectations. From left; Tracy Nguyen, Lila Barth and Christina Rateau for The New York Times

Economic anxiety: Thirty millennials discuss their real fears about money.

Where is Pete Panto? A union leader on the Brooklyn docks disappeared 81 years ago.

Cilantrophilia: A love affair with cilantro, told through illustrations.

Metropolitan Diary: A pizza lesson in Brooklyn and other tales from the city.

Quiz time: The average score on our latest news quiz was 8.9. Try to beat it.

A Times classic: Perfume, cologne, parfum ... what's the difference?

Advice from Wirecutter: Beautiful rugs to hide an ugly floor.

Lives Lived: Susie Steiner, the author of the Manon Bradshaw detective novels, was declared legally blind from a rare disease months before she sold her first book. She died at 51.

SPORTS NEWS FROM THE ATHLETIC

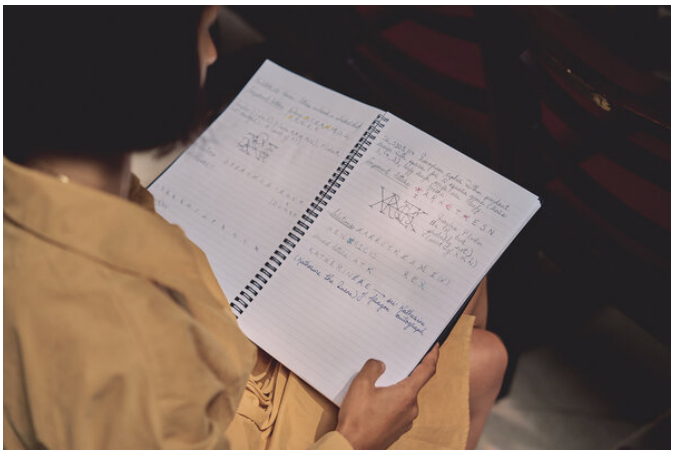
Wayne Rooney's stunning return: England's all-time leading soccer scorer will become the head coach of Major League Soccer's D.C. United. He has significant work ahead.

How TV dictates the future of college football: The question is simple enough, which college football teams *really* drive the biggest TV audiences? That calculation tells us plenty about the future of a sport in disarray.

Russian soccer's dramatic demise: Russia hosted a World Cup as recently as 2018. Now? Their domestic league has been gutted, after Russia's invasion of Ukraine.

Who won the 2022 N.H.L. Draft? The grades are in for every team.

ARTS AND IDEAS



Vanessa Braganza's decoding process. Tom Jamieson for The New York Times

A decoded cipher

A scholar claims she has uncovered a hidden message from Catherine of Aragon, the first of Henry VIII's eight wives, Jennifer Schuessler writes in The Times.

The scholar, Vanessa Braganza, became fascinated with the sketch of a pendant that featured a dense tangle of letters. Using a process akin to "early modern Wordle," Braganza says, she deciphered the image, which spells out the names of Henry and Catherine.

What makes it particularly interesting, Braganza argues, is that the pendant was likely commissioned not by the king, but by Catherine herself, as a way of asserting her place in history as Henry was preparing to divorce her. "It really helps us understand Catherine as a really defiant figure," she says.

PLAY, WATCH, EAT

What to Cook

Christopher Simpson for The New York Times. Food Stylist: Simon Andrews. Prop Stylist: Paige Hicks.

Gazpacho is perfect when it is too hot to eat but you need cold, salt and lunch.

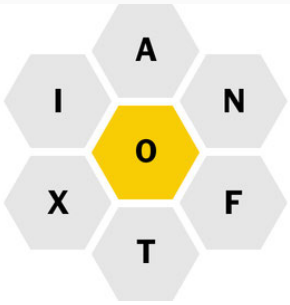
What to Watch

"Thor: Love and Thunder," the fourth "Thor" movie in 11 years, is sillier than its predecessors, Manohla Dargis writes.

What to Read

Three new memoirs that cover addiction, fatherhood and transgender identity.

Now Time to Play



The pangram from yesterday's Spelling Bee was *obedience*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Not for kids (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. Boris Yeltsin became Russia's first freely elected president, The Times reported 31 years ago today.

Here's today's front page.

"The Daily" is about abortion laws. On "Popcast," what's next for Jack Harlow?

Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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SUBJECT: Top Stories: Why is Utah razing Soldier Hollow's historic willows?
FROM: The Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 11/07/2022 07:15

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TOP STORIES

Monday, July 11, 2022

By Gabrielle Baquero

Top News

Why is Utah razing Soldier Hollow's historic willows?

"It doesn't make sense to me. This is a sacred spot," says one photographer. [Read more]

Park City residents battle ski resort over lift upgrades, parking and ... math formula?

Park City locals successfully halted upgrades to two lifts at Park City Mountain Resort, but they're also after the resort's secret mathematical equation for its carrying capacity. [Read more]

This Utah lawmaker wants detailed data from the 2022 primary election

But his ties to election fraud conspiracy theorists is raising questions about what he plans to do with the data. [Read more]

Data centers use tons of water. This Utah company shows it's unnecessary.

Computers are here to stay, so efforts are underway to reduce the millions of gallons these facilities consume every year. [Read more]

Opinion: Red flag laws work and the public wants them. So why can't Utah have one?

The NRA shouldn't stand in the way of what the people want when it comes to gun control, writes Tribune columnist Robert Gehrke. [Read more]

Quick Hits

• Former Utah monastery celebrates 75 years and a new conservation easement.

• Latter-day Saint influencer and author Gabrielle Blair discusses her book, "Ejaculate Responsibly: A Whole New Way to Think About Abortion" in a Q&A with The Tribune.

• Update: Jacob City Fire in Tooele County widens overnight Saturday, reaching just under 4,000 acres as of early Sunday afternoon.

• As the detective show "Magnum P.I." moves from CBS to NBC, Tribune TV critic Scott D. Pierce critic ponders the worst cancellation ever.

• Here's a look ahead at three local events and things to do between July 10-16.

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From: Michelle Hofmann (DHHS) <mhofmann@utah.gov>
Sent: Thursday, July 7, 2022 11:22 AM
To: Carrie Dunford <Carrie.Dunford@imail.org>; Lisa Martin <lmartin@utah.gov>
Subject: Pharmacist Paxlovid prescribing - Question for Pharmacy Board
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Michelle Hofmann, MD, MPH, MHCDS, FAAP
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://dhhs.utah.gov

When
Monday Jul 11, 2022 · 9am – 10am (Mountain Time - Denver)

Guests
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lmartin@utah.gov
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The New York Times
The Morning

July 12, 2022

SUPPORTED BY Airtable

By David Leonhardt

Good morning. On the day of his funeral service, we consider the full legacy of Shinzo Abe.

A tribute to Shinzo Abe, Japan's longest-serving prime minister. Kimimasa Mayama/EPA, via Shutterstock

A complex nationalist

Shinzo Abe could sometimes look like yet another one of the world's modern breed of nationalist leaders, alongside Viktor Orban in Hungary, Vladimir Putin in Russia, Xi Jinping in China and Donald Trump in the U.S.

Abe came from a family of Japanese nationalist politicians, including a grandfather whom the U.S. accused of war crimes during World War II. Abe himself downplayed Japan's wartime atrocities and spoke of the importance of patriotism and "traditional values." Above all, he pushed his country to shed its post-1945 pacifism and become more militaristic.

Yet for all his nationalism, Abe — Japan's longest-serving prime minister, who remained a power broker until his assassination last week — was fundamentally different from Putin, Xi and most of the other new nationalists. They have set out to undermine democracy around the world and expand autocracy. Abe, by contrast, tried to use Japanese nationalism mostly in the service of strengthening a global alliance of democracies.

"Abe is often described as a nationalist," David Frum wrote in The Atlantic. "He deserves to be remembered instead as one of the great internationalists of his era, the leading architect of collective security in the Indo-Pacific region."

Today's newsletter considers Abe's full legacy. It's a legacy with relevance far beyond Japan, including for the war in Ukraine and the larger struggle between autocracies like Russia and China and democracies like the U.S., the European Union and Japan.

‘We must change’

The clearest way to understand Abe’s approach to international affairs is through his most prominent goal: to make Japan comfortable with using military force.

He fought for years to change the pacifist constitution that the U.S. imposed on Japan after World War II. He failed, but nonetheless made strides toward the larger goal. During his tenure, the country increased military spending, created a national security council and changed the law so that Japanese troops could fight alongside allies overseas.

None of these measures had seemed necessary in the late 20th century. The U.S. handled security on behalf of Japan and much of Western Europe while those countries recovered from wartime devastation. As the cliché put it, the U.S. was the world’s policeman.

But many American voters and politicians have tired of this role lately. It’s expensive, and the U.S. economy isn’t as dominant as it once was. Americans — in both political parties — have also questioned why their fellow citizens often seem to be the ones risking their lives in faraway countries. These reasons help explain why both Trump and President Biden favored withdrawal from Afghanistan and why Biden has vowed not to send Americans to fight in Ukraine.

A less assertive U.S. means that one of two scenarios is likely to replace the so-called Pax Americana of the late 20th century. Either authoritarian leaders will feel emboldened to become more aggressive, as Putin did in Ukraine and Xi has signaled he might in Taiwan. Or other parts of the democratic alliance — the E.U., Japan, South Korea, India, Australia and Canada, among others — will have to fill some of the vacuum.

Abe wanted to make the second scenario a reality, partly because of his concern about China’s rising power and boldness. “Since the Obama administration, the American military no longer acts as the world’s policeman,” Abe told The Economist this spring. “I still believe America must take the lead,” he added. But, he said, “we must change our attitude of leaving all military matters to America. Japan must take responsibility for peace and stability and do our utmost by working together with America to achieve it.”

Abe during a military review in 2018. Kazuhiro Nogi/Agence France-Presse — Getty Images

Russia’s invasion of Ukraine helped him make this case. As Motoko Rich, The Times’s Tokyo bureau chief, explained to me, Abe gave a recent interview to a Japanese publication noting that Germany was increasing its military spending, and he called on Japan to do likewise. “No country fights alongside a nation that is not defending itself,” he said.

His efforts at alliance-building extended to economic policy. He popularized the phrase “a free and open Indo-Pacific,” and he forged ahead with a trans-Pacific trade pact — meant largely to counter China’s rise — even after Trump withdrew the U.S. from it.

“Abe’s legacy is a world better prepared to confront China,” Josh Rogin wrote in The Washington Post. In The Times, Tobias Harris, a biographer of Abe, wrote, “He saw his country as engaged in a fierce competition among nations and believed that a politician’s duty, first and foremost, was to ensure the security and prosperity of his people.”

His full legacy

To be sure, the uglier parts of Abe’s nationalism damaged his efforts at alliance-building. His attempts to whitewash history — by changing school textbooks, for example, and downplaying Japan’s wartime brutality — created frictions with allies like South Korea, whose citizens were among the victims.

“His personal vision for rewriting Japanese history, of a glorious past, created a real problem in East Asia which will linger,” Alexis Dudden, a University of Connecticut historian, told The New Yorker. “It also divided Japanese society even further over how to approach its own responsibility for wartime actions carried out in the name of the emperor.”

Over all, though, Abe was a force for democratic internationalism. He recognized that the U.S. military dominance of the 20th century was unsustainable. A great question of the early 21st century is which other countries will assert themselves enough to shape the global order. Abe believed the world would be better off if Japan — democratic and prosperous — was a large part of the answer.

The alternative is probably a world with more authoritarianism and less respect for individual rights. “Japan alone cannot balance China’s military power, so Japan and America must cooperate to achieve a balance,” Abe said. “The U.S.-Japan alliance is vital for America too.”

Related

- Abe’s party and its allies won a supermajority in parliamentary elections this past weekend. The victory gives them “a chance to pursue Mr. Abe’s long-held ambition of revising Japan’s pacifist Constitution,” Motoko Rich explains.
- A funeral was held for Abe today, and crowds lined Tokyo’s streets as his hearse passed.
- Japanese media has speculated that the suspect in Abe’s death held a grudge against the Unification Church, which has ties to conservative politics worldwide.

A MESSAGE FROM AIRTABLE

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THE LATEST NEWS

Politics

A Trump rally in Texas this year. Meridith Kohut for The New York Times

- Nearly half of Republican voters want someone other than Trump as the party's 2024 presidential nominee, a New York Times/Siena College poll found.
- Trump still led in a hypothetical matchup against five other Republicans. Gov. Ron DeSantis of Florida was the second choice.
- The F.D.A. will consider making a birth control pill available without a prescription.
- A Jan. 6 committee hearing today will detail Trump allies' ties to far-right extremists who stormed the Capitol.

Other Big Stories

Thousands of galaxies, including the faintest objects ever observed in infrared. NASA

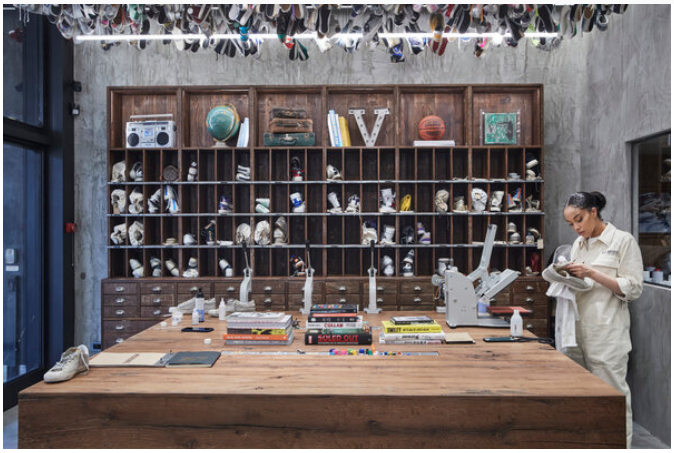
- Humanity's first look at what the Webb Space Telescope has been seeing includes 13-billion-year-old light.
- As the Fed raises interest rates to tame inflation, it could lock would-be home buyers into rentals.
- Russia has increased attacks on civilian areas in Ukraine.
- Elon Musk's pursuit of Twitter exposed the company's weaknesses.
- Two men murdered in the Amazon rainforest were deep in a region abandoned by the Brazilian government.
- Mo Farah, the Olympic champion, said he was trafficked to Britain as a child.

Opinions

Biden is too old to run again, **Michelle Goldberg** argues.

Corporate "net zero" pledges mostly amount to procrastination, **Agnes Walton** and **Kristopher Knight** argue.

MORNING READS



Jada Tonon, a Golden Goose cobbler. Gus Powell for The New York Times

Responsible fashion: Golden Goose, known for its $500 sneakers, is focusing on $100-plus repairs.

Interpreter: Is the world falling apart or does it just feel that way?

Talk: Jerrod Carmichael was scared of coming out. He still is.

A Times classic: If you hate doing dishes, these one-pot recipes are for you.

Advice from Wirecutter: Amazon Prime Day deals, and how to avoid traps.

Lives Lived: Francis X. Clines was a Times reporter and columnist who brought literary style to commentaries on the news and profiles of ordinary New Yorkers. He died at 84.

SPORTS NEWS FROM THE ATHLETIC

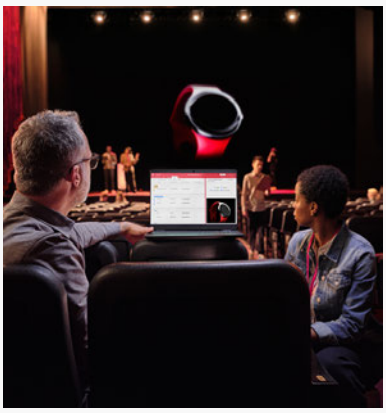
An icon of baseball Twitter: You don't know "Tungsten Arm" O'Doyle? Here is the story of a tweet that became the social media symbol of a franchise — a depressing franchise.

M.L.B. buyers and sellers: The dominant New York Yankees need to seize the moment and deal, Ken Rosenthal writes. But the sneaky-competitive Baltimore Orioles should join the contention party, too.

An N.B.A. player heads for the mountains: His team told him to put down the ball. A high-altitude hiking regimen was the answer.

A fascinating move in the Premier League: Raheem Sterling is another superstar to sign with Chelsea. His history there, however, is complicated.

A MESSAGE FROM AIRTABLE



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ARTS AND IDEAS

Bookstores' moment

Plot twist: Small booksellers are thriving.

More than 300 independent bookstores opened in the U.S. over the past couple of years, a "welcome revival after an early pandemic slump," Alexandra Alter and Elizabeth Harris write. And people of color started many of them, diversifying the book business.

"People are really looking for a community where they get real recommendations from real people," said Nyshell Lawrence, a bookseller in Lansing, Mich., who decided to open a bookshop after she visited a local store and found few titles by Black women. "We're not just basing things off of algorithms."

PLAY, WATCH, EAT

What to Cook

John Kernick for The New York Times. Food Stylist: Simon Andrews.

Buffalo chicken dip is luscious and a little funky.

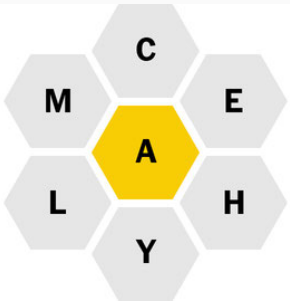
What to Watch

FX's "The Bear" is an authentic portrayal of working in food service.

What to Read

Ken Auletta framed his biography of Harvey Weinstein in the shadow of "Citizen Kane."

Now Time to Play



The pangram from yesterday's Spelling Bee was *fixation*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Totally awesome (four letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

Corrections: Some maps in Friday's newsletter misidentified a northern neighborhood of Chicago; it is Uptown, not Lake View. And yesterday's newsletter misstated how many wives Henry VIII had; he had six, not eight.

P.S. Listen to "Luck," The Athletic's podcast about the rise and shocking retirement of the quarterback Andrew Luck.

Here's today's front page.

"The Daily" is about Twitter and Musk.

Claire Moses, Ian Prasad Philbrick and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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The Salt Lake Tribune

Dear Michelle Hofmann
Your latest edition of The Salt Lake Tribune E-edition has just been released online. Happy reading!
Here are the highlights for this issue:

In This Issue:

WILDFIRES AND RESPONSIBILITY

Gov. Spencer Cox gives remarks on Monday in front of the Jacob City Fire outside Stockton in Tooele County. The governor emphasized that those who start wildfires in Utah will be held...

State's trigger law will continue to be blocked

Utah's abortion trigger law will continue to be on hold, a judge ruled Monday, and will not be enforced as a lawsuit against it continues making its way through the courts. The trigger law...

Read all stories...

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

The Salt Lake Tribune

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TUESDAY, JULY 12, 2022

PULITZER PRIZE WINNER

ABORTION IN UTAH » LEGAL CHALLENGE

State's trigger law will continue to be blocked

Abortion still is legal in Utah up to 18 weeks of pregnancy. Three Utahns shared their stories in court with...

By BECKY JACOBS | The Salt Lake Tribune

Utah's abortion trigger law will remain on the books under a judge's ruling Monday and will not be enforced at least until the court case is finished working its way through the courts.

The trigger law would have banned all abortions except for a few limited circumstances.

"I believe that the people that enacted this statute, that signed it into law about this controversial, explosive charge," 3rd District Judge Andrew Stone said before announcing his decision. "But when you're talking about the rights of a woman to control her own body, I'm sold. I'm sorry, there are serious questions that 'have to be litigated' and that's why I'm granting the injunction. Stay in place 14 days and then we'll go from there."

Stone said he would grant Planned Parenthood's request for a preliminary injunction that was argued in court Monday. Before that ruling Monday afternoon, lawyers for Planned Parenthood Association of Utah and the state argued in state court about whether the trigger law should continue to be blocked.

"We're grateful that the state, absent new action, remains legal and available in Utah," Karrie Galloway, president and CEO of Planned Parenthood Association of Utah, said in a statement Monday after the hearing. "The past few weeks since the Supreme Court's decision have been incredibly challenging for our patients and our staff, and we're relieved that abortion will remain legal and accessible in Utah for the time being."

Planned Parenthood Main Center is located in Salt Lake City. A judge's order put Utah's abortion trigger law on hold while a lawsuit works through the courts.

Over-the-counter birth control coming soon?

Pharmaceutical company Perrigo has submitted an application to the FDA for permission to sell a birth control pill over the counter in the U.S. » A2

Ruling: Woman's therapy records wrongly opened to abuser's lawyer

Appeals court decision reversed; victims should be heard in cases that affect their rights, justices say.

By JOSEPH MILLER | The Salt Lake Tribune

A Utah woman sentenced a family friend of sexually abusing her as a child in Utah County's Fourth District courtroom of convicted-rapist Craig Jr. in 2005.

Shocking on his appeal a year later, but in Jones's case, she was allowed to see that the Utah Court of Appeals had ruled a woman's therapy records could be used by a convicted defense attorney.

On Monday, Utah Judges Glen rejected his request to have it signed.

But last week, the Utah Supreme Court issued a ruling that reversed the latter, saying it "makes a mistake of law and abused its discretion" in not allowing her to quash the case unless given a protective privilege.

"This court sees no compelling reason to extend the privilege to the defendant in this case," the unanimous decision said. "But here we are to protect those rights," Justice Deno Himonas wrote. Utah Victims Legal Clinic who represented the woman.

"When a defendant has that privilege, their rights to a defendant's evidence is more than the victim's rights," Himonas wrote. "The victim's rights to a defendant's evidence is more than the victim's rights to a defendant's evidence is more than the victim's rights to a defendant's evidence is more than the

By Jeff Dempsey

Top News

Abortion remains legal in Utah after a judge decided Monday to continue blocking trigger law

Three Utahns shared their stories in arguments against the ban. [Read more]

Who owns the land for the proposed Little Cottonwood Canyon gondola station?

A ski resort quietly purchased the land last year. [Read more]

Why are kids getting diabetes after catching COVID?

Utah doctors try to solve this latest coronavirus mystery but so far have only "theories." [Read more]

At new Granite Library, Utah's past and present meet

The newest Salt Lake County branch opens to the public Friday. [Read more]

Northern Utah police chief resigns after DUI arrest

Ulysses Michael Black was arrest for driving under the influence June 18 in Idaho. [Read more]

Salt City BEST
The Salt Lake Tribune
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Quick Hits

• Will Jen Shah face prison? The "Real Housewives of SLC" star just pleaded guilty to fraud.

• Northern Utah should expect "dangerously hot conditions" this week.

• Rudy Gobert's replacement? "Big nerd" Walker Kessler aims to fill some big shoes with the Utah Jazz.

• The suspect in a Spanish Fork killing and an Ogden attempted hanging told police the attacks were part of a "purge."

• Salt Lake City police shot a man who reportedly set his yard on fire and then aimed his gun at the firefighters who responded.

• "SLACabaret" is back for a second summer of celebrating Utah's quirks.

• The Daily Buzz: Snowbird Ski Resort and the proposed gondola in Little Cottonwood Canyon.

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The New York Times
The Morning

July 13, 2022

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By David Leonhardt

Good morning. Despite Biden's low approval ratings, Democrats are roughly tied with Republicans in the midterm polls. We explain why.

A Latinos for Trump demonstration in Miami in 2020. Mario Cruz/EPA, via Shutterstock

A tight race

[redacted]

My colleague Nate Cohn, The Times's chief political analyst, has spent a lot of time thinking about the changing politics of economic class in the U.S. College graduates used to favor Republicans, while blue-collar voters favored Democrats. Increasingly, though, the opposite is true.

The social liberalism of Democrats — on immigration, marijuana, L.G.B.T. rights, affirmative action, abortion and more — has simultaneously attracted progressive college graduates and repelled more culturally conservative working-class voters. If you're trying to figure out why Latino voters have shifted right in the past few years, even during the Trump presidency, this dynamic offers an explanation.

In this year's midterm elections, the changing politics of class may get supercharged, Nate notes. Why? Look at the stories in the news. Many working-class voters are frustrated over inflation and other economic disruptions, making them unhappy with the Biden administration and Democrats. Many college graduates are angry about the recent decisions from a Supreme Court dominated by Republican appointees.

These attitudes are evident in the first New York Times/Siena College poll of the midterm cycle: Among registered voters who never attended college, Republicans lead by almost 20 percentage points. Among college graduates, Democrats lead by almost 30 points. One startling comparison is that Democrats lead by almost as much among white college graduates as among all voters of color.

To give you a clearer sense for what these patterns mean for the likely outcome of the November midterms — and which party will control the House and the Senate for the next two years — I'm turning over the rest of today's lead item to Nate.

By Nate Cohn
Domestic Correspondent for The Upshot

With President Biden's approval rating sagging into the low 30s and nearly 80 percent of voters saying the country is headed in the wrong direction, the ingredients would seem to be in place for a Republican landslide in this year's midterm elections.

But the first Times/Siena survey of the cycle shows something else: a close, competitive race for Congress.

Overall, voters prefer Democrats to control Congress over Republicans by one point among registered voters, 41 to 40 percent. Once we exclude those people who are unlikely to vote, Republicans lead by one point, 44 to 43 percent.

It's a pretty surprising result, given the circumstances. Analysts have all but written off the Democrats in the race for House control, not only because Biden's ratings are so poor but also because there's a long history of the president's party getting pummeled in midterm elections. These factors help explain why FiveThirtyEight's statistical forecast gives the Republicans an 88 percent chance of winning House control.

But the Times/Siena poll is not alone in showing a competitive race at this stage. Since the court's decision to overturn Roe v. Wade, most polls have shown a tight race on the so-called "generic ballot," which asks whether voters would prefer Democrats or Republicans to control Congress. The race has shifted about three points in the Democrats' direction, compared with surveys by the same pollsters before the court's ruling.

At least for the moment, conservative policy victories — on abortion, climate policy, religious rights and gun laws — and a spate of mass shootings seem to have insulated Democrats. State polls have also looked good for Democrats. The

party has led just about every poll of a hotly contested Senate race over the last few months, including polls of Republican-held states like Pennsylvania and Ohio.

If all this good polling for the Democrats reminds you of a story you've heard before, there is a reason. The polls have overestimated Democratic support for much of the last decade, partly because polls have a harder time reaching working-class voters, who have been trending Republican. It's hard not to wonder whether the good news for Democrats might simply be a harbinger of yet another high-profile misfire.

It could also mean that the Democrats are at a high-water mark that will not last. Republicans will try to make the races a referendum on the president, and only 23 percent of undecided voters in the Times/Siena poll approve of Joe Biden's performance. If inflation remains high this year, as many economists expect, undecided voters might have further reason to break against the Democrats.

Americans are paying more for groceries. Alisha Jucevic for The New York Times

The general election campaign might be especially helpful to the Republican Senate candidates coming out of bruising primary elections. It's understandable why Republican voters who just voted against damaged or flawed candidates — like J.D. Vance in Ohio and Dr. Mehmet Oz in Pennsylvania — may be reluctant to embrace these candidates immediately. Yet that could change when the race focuses on partisan issues and the stakes of congressional control, reminding these voters why they are Republicans.

For the moment, the Democrats are benefiting from a favorable news environment. The recent Supreme Court rulings, the mass shootings and even the Jan. 6 hearings have focused national attention on a relatively favorable set of issues for Democrats. For them to stay competitive, they might need to keep those issues in the limelight until November.

Related

- Another poll detail: We asked respondents to tell us what they thought was the most important problem facing the country — in an open-ended question, without any suggested answers. About 35 percent named inflation or the economy. Less than 1 percent named the pandemic.
- Nate Cohn explains the poll on today's episode of "The Daily."

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THE LATEST NEWS

James Webb Telescope

The edge of a star-forming region in the Carina Nebula, a vast cloud of dust and gases. NASA, ESA, CSA and STScI

- Scientists revealed images of stars and galaxies that had been too far away or too dim to see.
- Here's how the Webb telescope, the most powerful ever, looks into the universe's origins.
- Experts spent weeks picking out which images to share. See their choices here.
- In Times Opinion, Shannon Stirone writes that the images remind us how small — and connected — we are.

Jan 6.

- Donald Trump mobilized supporters, some prepared for violence, to travel to Washington to disrupt Congress' election certification, new evidence at a Jan. 6 committee hearing showed.
- "We basically were just following what he said," testified Stephen Ayres, an Ohio man who entered the Capitol that day.
- Trump planned for him and his supporters to go to the Capitol but he wanted it to seem spontaneous.
- During a profane, hourslong White House meeting weeks earlier, Trump advisers including Sidney Powell and Michael Flynn proposed that the

military seize voting machines.

- Trump has tried to contact a committee witness, which suggests he was trying to influence testimony.

Business

- One U.S. dollar is worth almost as much as a euro for the first time in nearly 20 years.
- Twitter sued Elon Musk to force him to go through with buying the company.

Other Big Stories

- Sri Lanka's president fled to the Maldives, days after protesters stormed his residence.
- On his trip to the Middle East, Biden will try to speed up oil flow to the U.S., among other things.
- A sixth Covid wave is hitting New York City. Many people are shrugging it off.
- Republicans are pressing Florida's governor, Ron DeSantis, to curb abortions. He has stayed quiet about his plans.
- The South Carolina lawyer Alex Murdaugh will probably be charged with murdering his wife and son, one of his lawyers said.

Opinions

Laughing can be a valuable coping mechanism, even for abortion, **Alison Leiby** writes.

To navigate growing up poor, **Joshua Hunt** learned to lie.

One redrawn Texas congressional district shows how partisan gerrymandering drives our politics toward the extremes, **Jesse Wegman** explains.

MORNING READS

Research says most of us underestimate the power of the casual check-in. Moritz Weinert

Checking in: Text your friends.

Dial 988: What to know about a new mental health crisis hotline.

Ask Well: Is chocolate good for you?

A Times classic: Why one man kayaked alone across the Atlantic at 70.

Lives Lived: In 1975, the singer and actor Adam Wade became the first Black host of a network television game show. He died at 87.

SPORTS NEWS FROM THE ATHLETIC

How M.L.B. could eliminate the infield shift: Jayson Stark reports that some change is now "inevitable" and it's only a matter of when. Minor-league teams are already acting.

Another N.B.A. star could be traded: Donovan Mitchell of the Utah Jazz is the name to watch. The New York Knicks would have interest. They aren't alone.

Jimmy Garoppolo's next stop: The San Francisco 49ers quarterback could be the next one dealt after Baker Mayfield was traded last week.

The Boston Red Sox get their ace back: Chris Sale returned last night, striking out five batters while not allowing a run in five innings. A healthy and effective Sale makes the Red Sox far more formidable.

ARTS AND IDEAS

Brian Cox of “Succession.” Macall Polay/HBO, via Associated Press

The Emmy nominations

“Succession” dominated the Emmy nominations, which were announced yesterday, earning 25. In the best drama category, it will square off against the South Korean thriller “Squid Game,” which secured 14 nominations, the most ever for a foreign-language show. Other highlights:

Repeat nominees: Last year’s best actor and actress in a comedy, Jason Sudeikis (for “Ted Lasso”) and Jean Smart (for “Hacks”), received nominations. Sudeikis will be up against Steve Martin, for his role in “Only Murders in the Building.” The last time Martin won an Emmy was 1969.

Breakout star: Quinta Brunson, from the rookie hit “Abbott Elementary,” got her first nominations.

Hulu: The streaming service could score its biggest Emmys haul with nominations for the limited series “Dopesick,” “The Dropout” and “Pam & Tommy.”

Snubs: Neither Sterling K. Brown nor Mandy Moore were recognized for the final season of “This Is Us.”

Full list: Here are all the nominees.

PLAY, WATCH, EAT

What to Cook

Ryan Liebe for The New York Times. Food Stylist: Barrett Washburne.

Savory Thai noodles and seared brussels sprouts make for a delicious vegan dinner.

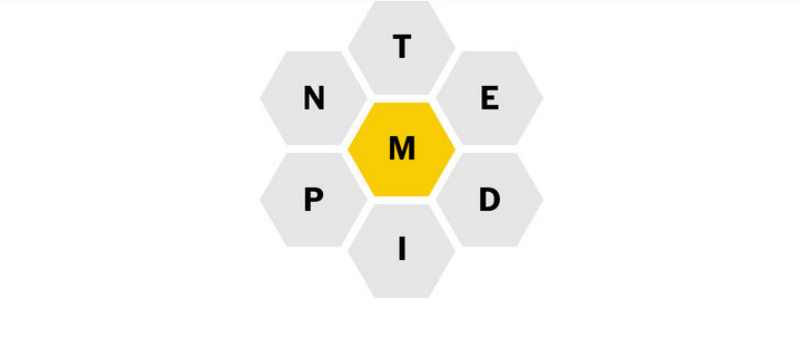
What to Read

“Carnality,” by Lina Wolff, starts as a conventional novel. That doesn’t last.

What to Watch

The director of “Persuasion” argues that the movie is faithful to Jane Austen.

Now Time to Play



The pangram from yesterday’s Spelling Bee was *alchemy*. Here is today’s puzzle.

Here’s today’s Mini Crossword, and a clue: Wild guesses (five letters).

And here’s today’s Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. Two Times correspondents are swapping roles: Norimitsu Onishi will cover Canada, and Catherine Porter will replace him in Paris.

Here’s today’s front page.

“The Daily” is about The Times’s new political poll.

Claire Moses, Ian Prasad Philbrick and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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TO: mhofmann@utah.gov
DATE: 14/07/2022 04:25

The New York Times
The Morning

July 14, 2022

By David Leonhardt

Good morning. The military relies on advanced semiconductors. The U.S. doesn't make any.

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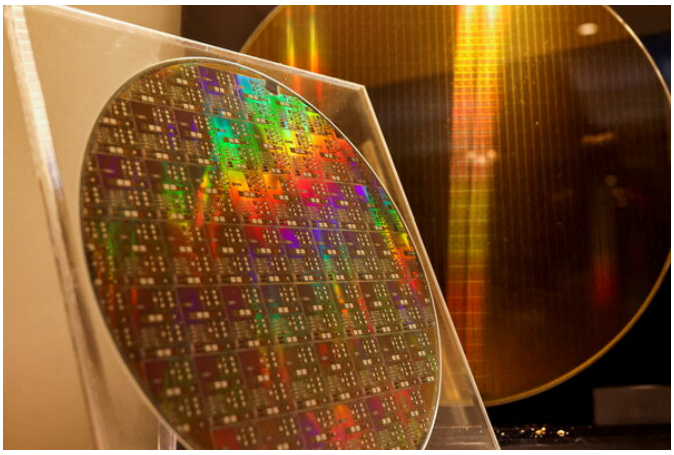


Chips on display in Taiwan. Ann Wang/Reuters

'A very dangerous situation'

The most advanced category of mass-produced semiconductors — used in smartphones, military technology and much more — is known as 5 nm. A single company in Taiwan, known as TSMC, makes about 90 percent of them. U.S. factories make none.

The U.S.'s struggles to keep pace in semiconductor manufacturing have already had economic downsides: Many jobs in the industry pay more than $100,000 a year, and the U.S. has lost out on them. Longer term, the situation also has the potential to cause a national security crisis: If China were to invade Taiwan and cut off exports of semiconductors, the American military would be at risk of being overmatched by its main rival for global supremacy.

For these reasons, a bipartisan group of senators and the Biden administration negotiated a bill last summer that included $52 billion to jump-start the domestic semiconductor industry, as well as other measures to help the U.S. compete economically with China. The bill would offer the kind of semiconductors subsidies that other countries — including China, South Korea, Japan, India and Germany — provide. Without such subsidies, companies like Intel and Broadcom would probably choose to build new factories outside the U.S.

But the Senate's semiconductor bill still has not become law. The House spent months negotiating its own bill, passing one in February. Since then, the House and Senate have failed to resolve the differences between the two bills, and

Mitch McConnell, the Republican Senate leader, recently threatened to scuttle the talks.

The standoff has become another example of dysfunctional congressional politics weakening the U.S.'s global standing.

There is a broad consensus — among many experts, President Biden, an overwhelming majority of Democrats in Congress and a meaningful number of Republicans — that the federal government should act. But it still has not.

Today's newsletter looks at the debate over the bills and the recent efforts to find a solution before Congress leaves for its August recess.

The Biden administration wants Congress to pass a semiconductor bill. Doug Mills/The New York Times

Corporate welfare?

The strongest substantive argument against the subsidies is that they are a handout to the semiconductor industry. The bills would use taxpayer dollars to benefit large companies that already can make a profit on the products they sell.

In economic terms, this argument makes a lot of sense. But geopolitics matter, too. Political leaders in other countries have already decided to offer subsidies for semiconductor manufacturing, because they want some of this manufacturing to take place in their countries.

If the U.S. does not also offer subsidies, it may continue to struggle to attract factories. Already, the U.S. market share of all semiconductor manufacturing has fallen to about 12 percent from 37 percent three decades ago.

Pat Gelsinger, the chief executive of Intel, has said that a typical factory costs about $10 billion to build, and subsidies from some countries cover 30 percent to 50 percent of that cost. China's subsidies cover closer to 70 percent. "It is not economically viable for us to compete in the world market if everyone else that we're competing with is seeing 30 to 50 percent lower cost structures," Gelsinger said.

Senator Rob Portman, an Ohio Republican who helped write the Senate bill, has acknowledged that it runs counter to the free-market philosophy he usually prefers. But, Portman explained at the Aspen Ideas Festival last month, "if we are continuing with blinders on to follow a political philosophy that seems to make sense generally but doesn't work in the practical world, I think we end up with a much less competitive economy and a national security risk."

Biden and his top aides agree. "We are now in a very dangerous situation in which we are utterly reliant on Taiwan for the vast, vast majority of our most advanced semiconductors, which are the exact kind of semiconductors you need

for military equipment," Commerce Secretary Gina Raimondo told me. "You cannot be a global superpower if you don't make any of these."

What China wants

Why, then, haven't the Senate and House agreed on the bill?

House Democrats added provisions to the Senate bill that Republicans did not like, such as additional money for worker retraining. House Democratic leaders seem willing to remove most of these from the final bill, but it remains unclear whether the two parties can agree on a compromise.

McConnell — despite being one of 19 Senate Republicans who voted for the original bill — also appears to be wavering. He sent a tweet on June 30 suggesting that he might block a semiconductor bill if Democrats continued trying to pass a separate bill, on climate change and drug prices, that Republicans oppose.

McConnell may have been posturing, hoping to intimidate House Democrats into dropping the provisions in its version of the semiconductor bill. On the other hand, his history suggests that he might be willing to defeat a policy he would otherwise favor for the sake of making a Democratic president look weak.

To help the bill's chances, Chuck Schumer, the Senate Democratic leader, held a classified briefing for all senators yesterday. At it, Raimondo and Avril Haines, Biden's director of national intelligence, discussed the U.S. military's current dependence on Taiwan. Major corporations are also lobbying for the bill, as my colleague Catie Edmondson notes. "So many powerful industries badly want this bill to pass, from the chip makers to defense contractors to manufacturers," she said.

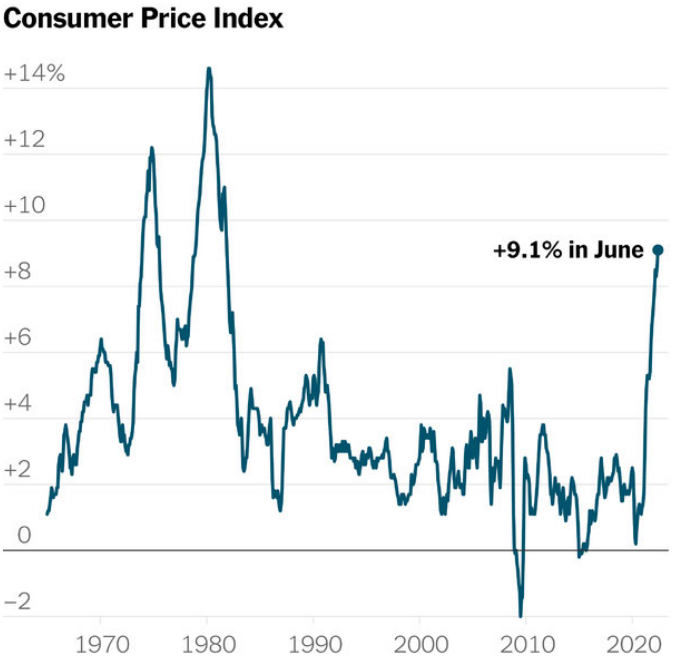
There is still one vocal opponent of the bill: the Chinese government. Its state media has criticized the idea as "bullying" and part of a "Cold War mentality." In recent decades, no country's share of semiconductor manufacturing has increased as rapidly as China's.

THE LATEST NEWS

Politics

- Most American voters say the country's democracy doesn't work, a New York Times/Siena College poll found. (Especially young voters.)
- Pharmacies that refuse to fill prescriptions for abortion pills risk violating federal civil rights law.
- The Justice Department asked the Jan. 6 committee to share evidence about efforts by allies of Donald Trump to submit fake electors in states won by Biden.
- "All of this, it's just been hell": How one man became the unwitting face of a Jan. 6 conspiracy theory by pro-Trump forces.

Inflation



- Prices in June rose 9.1 percent from a year earlier, the fastest pace since 1981.
- Gas prices contributed most to the increase, but the gains were wide-ranging. Food became much more expensive, and rent climbed by the most since 1986.
- One bright spot: Gas prices have begun falling.

International

President Biden and Prime Minister Yair Lapid of Israel in Jerusalem. Doug Mills/The New York Times

- Biden, visiting Israel and Saudi Arabia this week, said he would use force as a "last resort" to stop Iran from developing a nuclear bomb.
- Israel has been working with some Arab countries' militaries to shoot down Iranian drones.
- After Sri Lanka's president fled, protesters angry about an economic meltdown overran the interim leader's offices.

Other Big Stories

- A former C.I.A. software engineer was convicted of causing the largest

theft of classified information in the agency's history.

- At least 40 people were unaccounted for in Virginia after flooding and landslides.
- Thousands of people have quit New York City government jobs, hampering public services.
- An Ohio man was arrested in the rape of a 10-year-old girl whose abortion story drew national attention.
- Elite colleges cling to the tradition of legacy applicants. That may become harder to defend.

Opinions

College sports are losing their regional charm, **Matthew Walther** writes.

Another President Marcos could break the Philippines, **Sheila Coronel** argues.

Some say it's "wrong." Others reacted with "complicated": Voters on both sides of the abortion debate reflect on the end of Roe v. Wade.

MORNING READS

Grizzly Giant: How to save an ancient tree from a wildfire.

Our universe: Five things we learned from the Webb telescope's first images.

Puppet history: The saga of a World War II ancestor of Miss Piggy and Bert.

A Times classic: Make pizza at home.

Advice from Wirecutter: Cornhole tips.

Lives Lived: Spider Webb helped bring serious art credentials to tattooing, promoting it as a form of artistic expression. He died at 78.

SPORTS NEWS FROM THE ATHLETIC

A New York Knicks blockbuster? News came in last night: Trade talks surrounding Donovan Mitchell are afoot.

An M.L.B. roster decimated by vaccination requirements: The Kansas City Royals are without 40 percent of their roster as they head on a trip to Toronto while dealing with Canada's Covid vaccination requirements. Those requirements have altered the M.L.B. landscape.

A free-agency signing stuns a league: The N.H.L. saw top free agent Johnny Gaudreau forego millions of dollars to sign with the Columbus Blue Jackets yesterday, shocking the entire league. Here are the winners and losers of N.H.L. free agency.

The Yankees lose a key arm, for now: Luis Severino exited his start last night with shoulder soreness. Ken Rosenthal writes that the Yankees need to make moves.

ARTS AND IDEAS

Leila, in Detroit, closed for lunch at the start of the pandemic. Emily Elconin for The New York Times

The end of the power lunch?

The pandemic disrupted the expense-account lunch business, and upscale restaurant owners aren't sure how, or whether, to reopen.

Power lunchers are closing deals and making "connections in front of a computer screen at home while eating salads from takeout boxes," Brett Anderson writes in The Times. The slow return of office workers has made it difficult for sit-down restaurants to justify hiring employees for lunch service.

"It's nothing like it was before Covid," said Ashok Bajaj, owner of the Bombay Club, a restaurant near the White House. "The energy has been sucked out of downtown." Instead, sales at quick-service joints have exceeded those at table-service restaurants since the start of the pandemic. Bajaj himself opened a fast-casual Indian street food spot.

PLAY, WATCH, EAT

What to Cook

Melina Hammer for The New York Times

Smoke a chicken vertically, atop a half-full beer can.

Theater

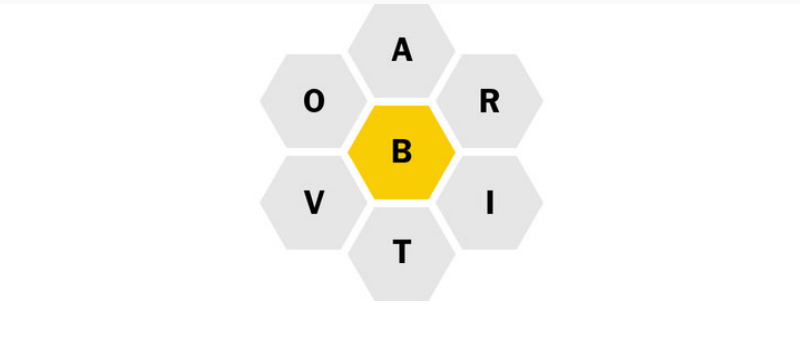
"Notre Dame de Paris," a splashy French musical, has arrived in New York.

What to Read

Books about Joseph Smith, salmon farms and more are among newly published

titles.

Now Time to Play



The pangram from yesterday's Spelling Bee was *impediment*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Not cool (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — David

P.S. A hidden haiku from a recent Interpreter column: "Scanning the headlines, / it's easy to conclude that / something has broken."

Here's today's front page.

"The Daily" is about Sri Lanka. "Popcast" is about Baz Luhrmann's biopic about Elvis.

Claire Moses, Ian Prasad Philbrick and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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FROM: Feldesman Tucker Leifer Fidell LLP <learning@ftlf.com>
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Webinar

Responding to Audit Findings

Thursday, July 21 at 1 PM ET

MONTHLY HEALTH CENTER COMPLIANCE WEBINAR

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The New York Times

The Morning

July 15, 2022

Today, we look at the causes of homelessness in the U.S. — David Leonhardt

By German Lopez

Good morning. America's homelessness crisis is getting worse.

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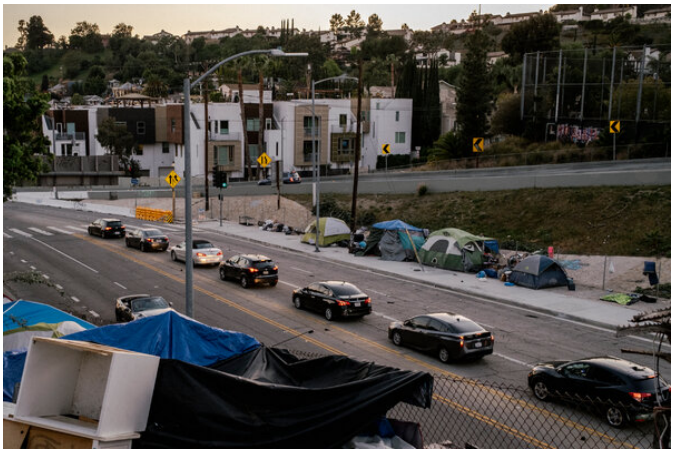


A homeless encampment in Los Angeles. Mark Abramson for The New York Times

A housing shortfall

America's homelessness problem has the makings of an acute crisis.

Shelters across the U.S. are reporting a surge in people looking for help, with wait lists doubling or tripling in recent months. The number of homeless people outside of shelters is also probably rising, experts say. Some of them live in encampments, which have popped up in parks and other public spaces in major cities from Washington, D.C., to Seattle since the pandemic began.

And inflation is compounding the problem: Rent has increased at its fastest rate since 1986, putting houses and apartments out of reach for more Americans.

The crisis means more people do not know where they will sleep tonight. Living in the streets, people are exposed to more crime, violence and bad weather, including extreme heat. They can lose their job in the chaos of homelessness, and they often struggle to find another one without access to the internet or a mailing address. "There's a certain posture that you take when you are homeless," Ivan Perez, who lived in a tent in Los Angeles, told The Times. "You lose your dignity."

Homelessness has become a particularly bad political problem for the Democrats who govern big cities, where it is most visible. It has played a role in recent elections, like the recall of San Francisco's district attorney last month. More Americans now say they worry a great deal about homelessness compared with the years before the pandemic.

The origins of the current homelessness crisis go back decades — to policies that stopped the U.S. from building enough housing, experts said. Seven million extremely low-income renters cannot get affordable homes, according to the National Low Income Housing Coalition.

Today's newsletter will look at how the country got to this point.

Single-family housing construction in Charlotte, N.C. Travis Dove for The New York Times

Supply and demand

No factor matters more to homelessness than access to housing. Poverty, mental illness, addiction and other issues do play roles, but they are less significant.

Many cities and states in the Midwest and South, for example, have higher rates of mental illness, poverty or addiction than other parts of the U.S., but they have similar or lower rates of homelessness. “What explains regional variation is housing market conditions,” said Gregg Colburn, a housing expert at the University of Washington.

Housing researchers use the example of musical chairs: Imagine there are 10 people for nine chairs. One person, weighed down by poor health, does not make it to a chair. Is the problem that person’s health or the lack of chairs?

Homelessness, then, is a supply-and-demand problem. Without enough housing, not everyone has a place to live. And the homes that do exist cost more as people compete for limited supply. So more people are priced out, and more end up homeless.

Policy failures

Policymakers have made the crisis worse, instituting laws and zoning rules that limit the number of available homes.

Consider California. Los Angeles County allocates 76 percent of its residential land to single-family housing, while the San Francisco Bay Area allocates 85 percent. Historically, this has made it difficult to build more housing: Most plots are reserved for only one family, instead of duplexes or apartment buildings that can house many more.

Homeowners also often protest proposed housing, effectively blocking it. They fear that more housing, particularly for low-income families, will change the makeup of their communities or reduce the value of their homes.

In San Francisco, for example, protests recently stopped a project to convert a 131-room Japantown hotel into housing units for homeless people.

The combination of zoning rules and local protests has added to a housing deficit year after year, as growing populations have outpaced new homes built. Now, California has 23 available affordable homes for every 100 extremely low-income renters — among the worst rates of any state.

What’s next

Some cities and states have begun confronting the issue. California and Oregon passed laws in recent years to effectively end single-family zoning. But

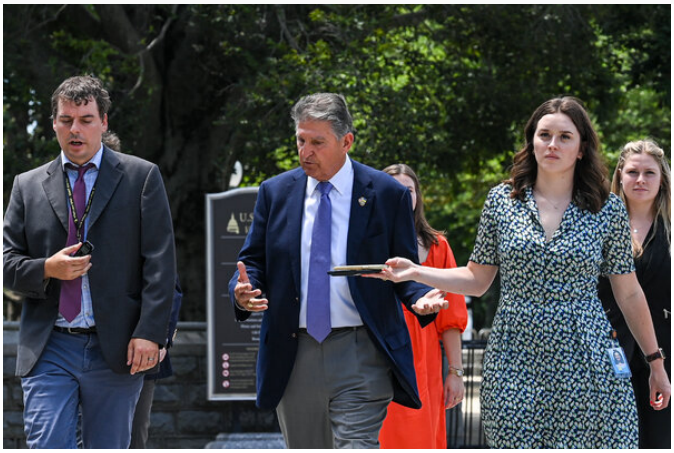
homelessness took decades to get to this level, and it will probably take years to fully address.

And while homelessness is largely associated with Democratic-run cities in Democratic-run states, that appears to be changing as more Americans flock to the Sun Belt and the West. If traditionally red states in these areas repeat the same mistakes as their coastal counterparts, they could set themselves up for a crisis in the future.

Related: The housing shortage in the U.S. isn't just a coastal crisis anymore.

THE LATEST NEWS

Politics



Joe Manchin pulled the plug on negotiations. Kenny Holston for The New York Times

- Senator Joe Manchin won't support climate funding or tax increases in a slimmed down spending bill, likely dooming much of President Biden's domestic agenda.
- Text messages sent by Secret Service members around the time of the Jan. 6 Capitol attack were erased as part of a device replacement program.
- Texas sued the Biden administration over federal rules protecting access to abortions in medical emergencies.
- John Fetterman, the Democratic Senate nominee in Pennsylvania, enlisted the reality star Snooki to troll his Republican opponent, Dr. Mehmet Oz.

International

- China's economy grew just 0.4 percent in the second quarter, its slowest rate since the start of the pandemic.
- Italy is in political limbo after its government collapsed.
- Biden visited a Palestinian hospital and pledged more aid. In Saudi Arabia, he will meet with Crown Prince Mohammed bin Salman, whom he has tried to isolate.

Other Big Stories

Ivana and Donald Trump in an undated photo. She rechristened her husband "the Donald." Bob Sacha/Corbis, via Getty Images

- Ivana Trump, Donald Trump's first wife, died at 73. Together, they helped define the 1980s as an era of gaudy excess among the elite.
- Millions of children missed out on routine vaccinations in the past two years.
- A doctor in Indiana who provided abortion care to a 10-year-old rape victim reported it to the state. The case became the focus of a political debate that played out in the news media.
- Britain is bracing for extreme heat. The Times is tracking where it could be dangerously hot in the U.S.
- Thousands of beagles are being rescued from a breeding facility. They need homes.

Opinions

The targeting of an Indiana doctor shows the peril of being a heath care provider in post-Roe America, **Tracey Wilkinson** writes.

Brittney Griner's plight deserves more attention, **Roxane Gay** argues.

Forgotten moderates and crossover Democrats can save Liz Cheney, says **Susan Stubson**.

The Webb telescope restored (some of) **Farhad Manjoo**'s faith in humanity.

MORNING READS

Eyeglass business represents a constellation of cinematic tropes.

One trick: Much of Meryl Streep's acting is "glasses business."

Mon Dieu: A mustard shortage in France.

Modern Love: Man with incredible beard desperately needs kidney.

A Times classic: America's wealthy, successful, miserable elites.

Advice from Wirecutter: The truth about sunscreen.

Lives Lived: As a young chemist, John Froines was acquitted on charges of inciting a riot at the 1968 Democratic National Convention. He later became an environmental justice advocate. He died at 83.

SPORTS NEWS FROM THE ATHLETIC

How the Knicks can land a superstar: New York has the pieces to pull off a trade for the Jazz's Donovan Mitchell. Fred Katz says it will have to be a historic haul.

A radio host gets sued for libel: Freddie Freeman's former agent, Casey Close, filed suit against radio personality Doug Gottlieb over a tweet. It's another line item in a bizarrely dramatic saga.

Is the Rory Curse dead? Rory McIlroy is once again off to a hot start in a major — can he break through for the first time since 2014? History looks favorably upon the notion.

ARTS AND IDEAS

Superhero fatigue?

Some 29 Marvel Cinematic Universe movies have premiered since 2008 — an average of almost two per year. In those 14 years, critics predicted that audiences would eventually get tired of superhero movies. In The Times, one media analyst warned of "superhero fatigue" in 2011. Asked about it last year, a quarter of U.S. adults said they enjoyed superhero movies but were getting tired of them.

But that sentiment is not reflected at the box office. "Thor: Love and Thunder" opened last weekend and earned $302 million worldwide, grossing more in its U.S. debut than previous Thor movies. Earlier this year, "Doctor Strange in the Multiverse of Madness" made $954 million worldwide. And 2021's "Spider-Man: No Way Home" finished its run at $1.9 billion.

Next up: "Black Panther: Wakanda Forever" this November. Its 2018 predecessor made $1.3 billion.

PLAY, WATCH, EAT

What to Cook

Linda Xiao for The New York Times

This sous-chef salad includes vegetables, canned tuna and hard-boiled eggs.

What to Read

"Bad City," about sex scandals at the University of Southern California, is "a master class in investigative journalism."

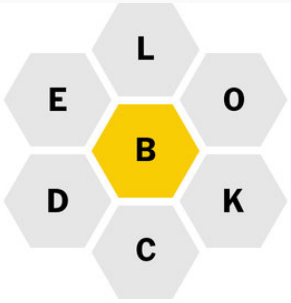
What to Watch

The heroine of the thriller "She Will" is on a journey of revenge and renewal.

Take the Quiz

Did you keep up with the headlines this week?

Now Time to Play



The pangrams from yesterday's Spelling Bee were *vibrato* and *vibrator*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Petty emotion (five letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — German

P.S. The Times and Hasbro are creating a board game based on Wordle.

Here's today's front page.

"The Daily" is about the James Webb Space Telescope. On "The Ezra Klein Show," a discussion about climate change. The Modern Love podcast is about a mother's secret.

Claire Moses, Ian Prasad Philbrick and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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SUBJECT: FYI
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>
DATE: 15/07/2022 05:10

This is a pretty long article about the potential gaps in the trigger law. No need to reply. Simply and FYI.

https://www.ksl.com/article/50439640?utm_source=twitter&utm_medium=social&utm_campaign=utah&utm_content=health

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

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SUBJECT: Top Stories: Family sues Park City School District for retaliating against son after he accused principal of sexually abusing him
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 15/07/2022 07:13

View this email in your browser

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sltrib.com

TOP STORIES

Friday, July 15, 2022

By Jeff Dempsey

A Park City child said his principal abused him

His parents are now accusing the school of retaliating against their son.

Read More

Widow, kids of North Ogden mayor receive new home

Brent Taylor was killed in action in Afghanistan in 2018.

Read more.

SLC Mayor comments on school superintendent situation

Mendenhall calls for "open, honest process" after school board puts first Black superintendent on leave.

Read more.

Is Gov. Cox's pick to run the

natural Resources Dept. violating the Utah constitution?

Rep. Joel Ferry is keeping his seat while serving as acting director.

Read more.

Locals say vacation rentals are bringing the noise in Rockville

"We are not Party Central. We are not losing control of our quiet town," the mayor said.

Read more.

Salt City BEST
The Salt Lake Tribune
CLICK TO NOMINATE

Quick Hits

• Southern Utah planners are trying to get a grip on glamping.

• Utah approaches 1 millionth confirmed COVID case as 7,819 test positive and 22 are deaths reported.

• The West Jordan man accused of running over and killing his wife at Salt Lake City airport has pleaded guilty.

• Casi la mitad de los inquilinos de Salt Lake gastan más del 30% del salario en vivienda. Sí, la gentrificación está empeorando.

• Utah Utes mailbag: Should the Pac-12 be trying to raid the Big 12?

• Utah's abortion trigger law, diabetes and COVID in kids and Salt Lake City affordability are the topics on this week's "Behind the Headlines."

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FROM: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
TO: "CDC Weekly Preview (CDC)" <cdcweeklypreview@cdc.gov>
DATE: 15/07/2022 09:00

All information in this email is embargoed. Please do not distribute or share this information through email, print, the Internet, or social media until after 1 pm (ET), Friday, July 15, 2022. Information and dates are subject to change.

MMWR Morbidity and Mortality Weekly Report

The MMWR is embargoed until 1 PM ET Friday, July 15, 2022

Effectiveness of 2, 3, and 4 COVID-19 mRNA Vaccine Doses Among Immunocompetent Adults During Periods when SARS-CoV-2 Omicron BA.1 and BA.2/BA.2.12.1 Sublineages Predominated — VISION Network, 10 States, December 2021-June 2022
Link when live: https://www.cdc.gov/mmwr/volumes/71/wr/mm7129e1.htm?s_cid=mm7129e1_w

***MMWR* Weekly COVID-19 Briefing Podcast: Week of June 27**
The latest *MMWR* Weekly COVID-19 Briefing is live. This episode covers three reports, including reports highlighting motor vehicle crash deaths in the United States compared with other high-income countries, COVID-19 vaccine recommendations for children ages 6 months to 5 years and more. Listen and subscribe on: Apple Podcasts, Stitcher, Spotify, and Google Play.

For questions, please contact MMWRCommunications@cdc.gov.
To subscribe to MMWR: Click here

[redacted]

SUBJECT: UMA MediByte: Utah Abortion Trigger Law on Hold
FROM: "Utah Medical Association" <intern@utahmed.org>
TO: "Michelle G. Hofmann, MD MPH" <mhofmann@utah.gov>
DATE: 15/07/2022 15:48

TO: Michelle G. Hofmann, MD MPH 7/15/2022

Utah Abortion Trigger Law on Hold

Utah's abortion trigger law will continue to be on hold, a judge ruled Monday, siding with arguments made by Planned Parenthood Association of Utah. Third District Judge Andrew Stone has granted a preliminary injunction requested by the organization.

The judge said the injunction will be in place until Planned Parenthood's lawsuit challenging the constitutionality of the trigger law is resolved. Utah's trigger law would have banned abortions in Utah, except in limited circumstances. Read more.

UMA's policy statement in response to the Roe v Wade decision is as follows:

> *"While UMA doesn't specifically support elective abortion, UMA opposes legislation that puts any restrictions on physicians' discussions and treatment options. We support legislation that seeks to reverse previous limitations or oppose future limitations placed by legislative bodies on elective abortion (including rape and incest) prior to 13 weeks or medical termination for maternal health complications, fetal anomalies, and non-viability regardless of estimated gestational age."*

UMA is currently evaluating Utah's trigger law and how it will affect Utah patients and practices. UMA will inform members of new developments as they arise.

Other News

Proposed 2023 Physician Fee Schedule Cuts Reimbursement - Again

A HealthLeaders Media (7/8) analysis said physicians "face costly cuts to Medicare reimbursements in the 2023 Physician Fee Schedule proposed rule by CMS." This "newly released proposed rule features a decrease of $1.53 to the calendar year (CY) 2022 conversion factor of $34.61, resulting in a conversion factor of $33.08 for CY 2023." The article added, "Physician groups have expressed their displeasure and frustration with the proposed rule, suggesting that the cuts" are as damaging to patients as they are to physicians.

In a statement from the American Medical Association, AMA President Jack Resneck Jr., M.D., said, "It is immediately apparent that the rule not only fails to account for inflation in practice costs and COVID-related challenges to practice sustainability, but also includes a significant and damaging across-the-board reduction in payment rates."

Meanwhile, MedPage Today (7/8) reported "proposed changes related to expansion of behavioral health, cancer screenings, dental care, and patient access to ACOs [accountable care organizations] will likely be more warmly accepted by physicians and patients alike."

The 2023 proposed cuts follow a 1% Medicare physician pay cut that went into effect on July 1st, despite organized medicine's opposition.

HHS Pushes EMTALA in re: Abortion

This week HHS Secretary Becerra sent a letter to all hospitals and health care providers reminding them of their obligation to comply with EMTALA. The Secretary's letter clarifies that EMTALA requirements preempt any state laws that restrict access to stabilizing medical treatment, including abortion procedures and other treatments that may result in the termination of a pregnancy.

CMS also released an updated guidance to hospitals reinforcing that EMTALA requirements apply to all hospitals in all states regardless of the state law to the contrary.

CMS also held a conference call with stakeholders on these communications. There were a number of questions about preemption. CMS officials repeatedly stated that EMTALA would preempt state law and would be a defense for criminal prosecutions. This issue will likely end up in the courts.

BHI Immersion Program Available

The BHI Collaborative, a partnership between the AMA and seven other leading physician organizations, is launching a new, free initiative this Fall – ***The BHI Immersion Program*** – designed to provide enhanced technical assistance to physician practices on how to effectively implement Behavioral Health Integration (BHI).
Selected practices will participate *(at no cost to them)* in a 12-month curriculum designed and taught by industry experts. Upon completion, practices will be able to:

- *Identify the best approach for delivering integrated care (including telehealth) for their practice and patients*
- *Determine internal staffing needs (including preparation, training, or qualifications) along with outside partnerships*
- *Design a workflow(s) with processes and protocols that works best for their practice*
- *Bill/receive payment to sustain delivery of integrated care services*
- *Establish short- and long-term goals of success, including measurable improvement targets and indicators*

Learn more and apply to see if your practice qualifies. Application process closes on **Friday, August 5th**

Sub-variant BA.5 Surging Across U.S.

The Washington Post (7/10) reports the Omicron subvariant BA.5 "has quickly become dominant in the United States, and thanks to its elusiveness when encountering the human immune system, is driving a wave of cases across the country." Now, "the risk of reinfections has increased because newly emergent subvariants are better able to evade the front line defense of the immune system, and there is essentially no effort at the community level to limit transmission."

In other COVID news, Bloomberg (7/11) reports, "The U.S. government will once again extend the COVID-19 public health emergency, continuing measures that have given millions of Americans special access to health insurance and telehealth services." HHS "has repeatedly renewed the emergency since it was originally declared in January 2020, with the most recent extension set to expire July 15." This "next extension is expected to take effect Friday, according to a person familiar with the matter."

3 Info Items from Noridian

1. Prior Authorization of Repetitive, Scheduled Non-emergent Ambulance Transport (RSNAT)
On August 1, 2022, the Repetitive, Scheduled Non-Emergent Ambulance Transport Prior Authorization Model expands in several states including Utah.
Visit the CMS Prior Authorization and Pre-Claim Review Initiatives webpage for the timeline, updates, and other information. Noridian has recorded tutorial resources.

- RSNAT Education-on-Demand Tutorial (Published to YouTube)
- RSNAT Webinar-on-Demand Recording

2. Surgical Dressings: Medicare Requirements
Medicare covers primary or secondary surgical dressings when used to protect or treat a wound and if needed after you debride a wound.

- Include clinical information in patients' medical records that demonstrates a reasonable and necessary need for the type and quantity of surgical dressings

- Evaluate the wound monthly and update the record; unless you document why you cannot do a monthly evaluation and how you are monitoring the patient's ongoing use of dressings
- For more information, see the Surgical Dressings – Policy Article dated May 26, 2022.

3. Noridian's A/B second annual Virtual Symposium - September 21 and 22!

Watch the Noridian websites, under Education and Outreach, Schedule of Events for free registration coming soon!

News From the AMA

Across-the-board Medicare physician pay cuts are wrong way forward
The proposed 2023 Medicare physician payment schedule doesn't address the harsh reality of high inflation. **Discover the AMA's vision for long-term reform**.

Harassment of doctors is on the rise. Here's how to stop it.
A recent study in *JAMA Network Open*™ has documented a growing trend in mistreatment and harassment of physicians during the pandemic. Learn more about how frequent the problem is and who it impacts most. **Get the facts**.

Need for behavioral health care grows. How telehealth integration can solve it
From expanding access to behavioral health care to giving patients more choices, telehealth can take care to the next level. **Learn how**.

AMA Recovery Plan for America's Physicians
You took care of the nation. It's time for the nation to take care of you. It's time to rebuild. And the AMA is ready. **Let's get started**.

Why one doctor's burnout story shows that systemic changes matter
Emergency physician Reena Patel, M.D., shares how the pandemic zapped her joy for medicine. **Read Dr. Patel's story**.

Catch up on the first 4 episodes of AMA Thriving in Private Practice, out now.

- How physicians can focus on patients and sustain their practice
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- What private practice physicians need to know about prior authorization
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- Starting your private practice: an entrepreneurial guide to the basics
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- Transitioning into private practice affiliated with a health system
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National Headlines

Side Hustles on the Rise (Medscape)

Physician Compensation Report for 2022 (Medscape)

Over-The-Counter Birth Control? Drugmaker Seeks FDA Approval (AP)

COVID Missteps Hang Over Monkeypox Response (Axios)

FDA To Authorize Novavax's Covid-19 Vaccine (Politico)

Welcome to New UMA Members

We welcome each of you to Utah's house of medicine. If there is anything we can do to assist you, don't hesitate to call the UMA office (801-747-3500) and ask.

In the meantime, did you know that UMA Members can get invaluable financial advice and counsel from UMA Financial Services experts free of charge? Members are also eligible for special discounts from Verizon Wireless, on hotels, care rentals and even various entertainment venues when travelling. Group purchasing discounts are also available via arrangements with Provista/Vizient for our members. Logon to the UMA website and visit the Member Benefits page for details.

If you have trouble logging in, or cannot recall your login credentials, contact Mark Fotheringham or Paige De Mille at the UMA office for assistance.

Upcoming Events

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

2022 UMA House of Delegates

September 9-10, 2022 / 8:00 am
Thanksgiving Point / Lehi, UT

The UMA House of Delegates (HOD) is the association's ultimate policy-making body. It meets annually to set the agenda for UMA action and advocacy for the following year. Delegates are elected or appointed by their County Medical Society, credentialed Specialty Society, or by their credentialed Large Group practice or the Solo/Small Group Practice section. For more information, contact Paige De Mille at the UMA office (801-747-3500 ext 228).

For those who are already assigned as delegates, visit the UMA website to view HOD training videos by UMA's Parliamentarian, Mark Bair, MD.

Public Health Info

Reports from UDOH

The following data reports and announcements are available from the Utah Department of Health:

- Up-to-Date Utah Coronavirus Statistics
- Coronavirus Treatments: Info for Medical Providers
- COVID Therapeutics Locator
- COVID-19 Vaccine Information
- New Publications - includes Health Status Updates
- Topic-Based Reports

NIH COVID-19 Treatment Guidelines

CDC COVID-19: What's New?

CDC Guidance for Healthcare Professionals

HHS Rural Suicide Prevention Toolkit

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DATE: 15/07/2022 16:30

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Organizer
Webb, Cameron C. EOP/WHO
bryant.c.webb@who.eop.gov

Guests
mhofmann@utah.gov - creator
'Aholt@isdh.IN.gov'
'alexia.harrist1@wyo.gov'
'amanda.medina-forrester@doh.nj.gov'
'Ben.Money@dhhs.nc.gov'
'boltonws@dhec.sc.gov'
'Emily.David@delaware.gov'
'esther.muna@dph.gov.mp'
'FlorittaP@health.ok.gov'
Hana Sayeed - OEDIT
'janeen.birckhead@maryland.gov'
'janice.underwood@governor.virginia.gov'
'jegedeb@michigan.gov'
'jill.hunsakerryan@state.co.us'
'Johanne.morne@health.ny.gov'
'joshua.quint@doh.hawaii.gov'
'Josie.Rodriguez@nebraska.gov'
kaylen.higginsdavis@state.co.us
'KBox@isdh.IN.gov'
'kenneth.sharp@idph.iowa.gov'
'kgarcia@dhs.state.ia.us'
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'Kimberly.Hood@la.gov'
'Kimberly.Lamar@tn.gov'
'Kirsten.Durzy@dhhs.nh.gov'
'kquittenton@mt.gov'
'Laura.Parajon@state.nm.us'
'Laura.Streich@state.sd.us'
leana.amaez@maine.gov
'LEANN.R.JOHNSON@dhsoha.state.or.us'
'mark.martin1@maryland.gov'
'Mary.McIntyre@adph.state.al.us'
'mehnaz.mustafa@doh.nj.gov'
'Meredith.Lee@cdph.ca.gov'
'mgjahoyer@gmail.com'
'Omar.Khalid@la.gov'
'rick.palacio@state.co.us'
'rikki.orsini@guam.gov'
'Sara.Weir@health.mo.gov'
'sarah.kemble@doh.hawaii.gov'
'sheila.sjolander@azdhs.gov'
Stephanie Pyle
'tdortch@dhhs.nv.gov'
'Traci.Berreth@dhw.idaho.gov'
'TracieC.Collins@state.nm.us'
tracy.dolan@vermont.gov
sherice.perry@hhs.gov
Cisneros, Eduardo EOP/WHO
'Joan.Duwve@ks.gov'
'Lisa.Goodin@ey.com'
'Nathan.Chomilo@state.mn.us'
'sabrina.selk@state.ma.us'
'Vivian.Lasley-Bibbs@ky.gov'
'Stephen.Pont@dshs.texas.gov'
'carolyn.bern@adph.state.al.us'
Yaffe, Ian
Gonzalez, Noe EOP/WHO
'Rita.Menard@health.ri.gov'
Armstrong, Victor
'denisejohn@pa.gov'
'Jamie.Carmichael@odh.ohio.gov'
'joseph.s.peal.civ@mail.mil'
'Lisa.Henry@delaware.gov'
'Margaret.Fisher@doh.nj.gov'

[redacted]
Okolo, Osaremen F. EOP/WHO
'Rohan.Radhakrishna@cdph.ca.gov'
'Victor.Sutton@msdh.ms.gov'
'Wilson, Michelle (RIDOH)'
'Suglo, Veronica'
'Elizabeth.Perez@doh.wa.gov'
'almedajm@dhec.sc.gov'
Rosser, Marisol (DHHS)
alisha.nelson@governor.ohio.gov
'ankoor.shah@dc.gov'
blentes@pa.gov
'cfeliciano@prfaa.pr.gov'
davenportm2@michigan.gov
delawnia.comerhagans@dshs.texas.gov
'eliza.muse@alaska.gov'
'Eric.Friedlander@ky.gov'
'Erica.SANDOVAL@dhsoha.state.or.us'
'Heather.Aaron@ct.gov'
'Julie.WillemsVanDijk@dhs.wisconsin.gov'
Fitzpatrick, Kelsey V. EOP/WHO
'lindsey.tucker@state.ma.us'
Smith, Marcella N. EOP/OSTP
'Michelle.R.Smith@arkansas.gov'
'monica.bharel@state.ma.us'
'Palina.Louangketh@dhw.idaho.gov'
shamarial.roberson@flhealth.gov
'Veronica.Halloway@illinois.gov'
'Womazetta.Jones@ohhs.ri.gov'
Oliveira, Cecilia A - DHS (CDC Foundation)
'Jenkins, Ceri E - DHS'
Standridge, Debra K - DHS
'felecia.barrow@adph.state.al.us'
'Dobbs, Thomas E'
'Garcia, Ximena [GO]'
Reyes, Dave - optional
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Vulimiri, Madhu - optional
Rico, Yazmin - optional
holly.starr@azdhs.gov - optional
Porter, Jamal - optional
jessica.barbosa@azdhs.gov - optional
Joseph Peal - optional
kathryn.crosby@vdh.virginia.gov - optional
'Palacio, Mauricio' - optional
Sherrie Stone - optional
Sreedharan, Tanu@CDPH - optional
'Dunning, Sharon' - optional
Nabasirye, Agnes - optional
Herron, Heather A M (HSS) - optional
Burnett, Kristin@CDPH - optional
Steeneken, Nicole - optional
Durzy, Kirsten - optional
Alston, Yuridiana - optional
Lin, Brenna@CDPH - optional
Sanford, Cassandra D - DHS - optional
Charlotte Woods - optional
Ausura, Christopher (RIDOH) - optional
Rodriguez, Jacqueline (OHHS - Contractor) - optional
Kiara Young - optional
Cunningham, Brooke (MDH) - optional
Quinonez, Owen - optional
Shavers, Afton (DHHS-Contractor) - optional
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[redacted]

SUBJECT: White House IGA Weekly Newsletter - 7/18
FROM: White House Intergovernmental Affairs <IGA46@who.eop.gov>
TO: <mhofmann@utah.gov>
DATE: 18/07/2022 05:47

THE WHITE HOUSE
WASHINGTON

July 18, 2022

Celebration of Bipartisan Safer Communities Act Signing

The White House @WhiteHouse

Today, decades of thoughts and prayers gave way to action.

The Bipartisan Safer Communities Act will save the lives of our children and our loved ones.

[redacted]

Statement by President Joe Biden on Climate Change

"Action on climate change and clean energy remains more urgent than ever.

So let me be clear: if the Senate will not move to tackle the climate crisis and strengthen our domestic clean energy industry, I will take strong executive action to meet this moment. My actions will create jobs, improve our energy security, bolster domestic manufacturing and supply chains, protect us from oil and gas price hikes in the future, and address climate change. I will not back down: the opportunity to create jobs and build a clean energy future is too important to relent.

Health care is also critical. After decades of fierce opposition from powerful special interests, Democrats have come together, beaten back the pharmaceutical industry and are prepared to give Medicare the power to negotiate lower drug prices and to prevent an increase in health insurance premiums for millions of families with coverage under the Affordable Care Act. Families all over the nation will sleep easier if Congress takes this action. The Senate should move forward, pass it before the August recess, and get it to my desk so I can sign it.

This will not only lower the cost of prescription drugs and health care for families, it will reduce the deficit and help fight inflation.

I want to thank Leader Schumer for his dogged and determined effort to produce the strongest possible bill to bring down costs, reduce the deficit, and combat the climate crisis while boosting our energy security – even offering significant compromises to try to reach an agreement. I also want to thank Speaker Pelosi for her leadership – thanks to her hard work, the House passed a strong bill on climate change and reducing costs last year. Now, Congress must act quickly and get legislation to my desk to deliver for American families."

Recent Administration Action on Reproductive Rights

- **The President's Executive Order Protecting Access to Reproductive Health Services:** On 7/8/22, the President issued an Executive Order outlining actions to safeguard access to reproductive health care services, including abortion and contraception; protect the privacy of patients and their access to accurate information; promote the safety and security of patients, providers, and clinics; and coordinate the implementation of Federal efforts.

- **Protecting Emergency Medical Care:** On 7/11/22, HHS issued guidance affirming that the Emergency Medical Treatment Active Labor Act (EMTALA) protects providers that offer abortion services in emergency situations. Secretary Becerra also issued a letter to providers making clear that federal law preempts state law restricting access to abortion in emergency situations.

- **Guidance to Retail Pharmacies:** On 7/13/22, HHS issued guidance to roughly 60,000 U.S. retail pharmacies to remind them of their obligations under federal civil rights laws to ensure access to comprehensive reproductive health care services. The guidance makes clear that as recipients of federal financial assistance, pharmacies are prohibited under law from discriminating on the basis of race, color, national origin, sex, age, and disability in their programs and activities. This includes supplying medications; making determinations regarding the suitability of a prescribed medication for a patient; and advising patients about medications and how to take them.

- **DOJ Reproductive Rights Task Force:** On 7/12/22, the DOJ announced a Reproductive Rights Task Force, which will monitor and evaluate state and local actions that infringe on federal protections relating to the provision or pursuit of reproductive care, impair women's ability to seek reproductive care where it's legal, impair individuals' ability to inform and counsel each other about the reproductive care that is available in other states, ban medication abortion, or impose criminal or civil liability on federal employees who provide legal reproductive health services.

- **Protecting Privacy and Sensitive Health Data**

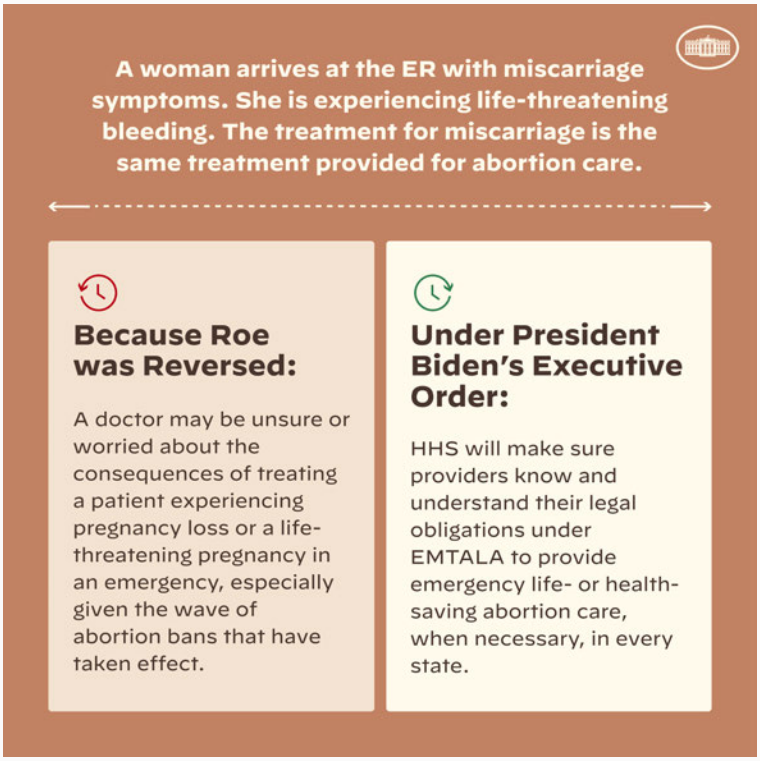
    - **The FTC:** On 7/12/22, the FTC committed to fully enforcing the law against illegal use and sharing of highly sensitive data, including location and health information contained in fertility and period tracking data. The FTC urged companies to consider that sensitive data is protected by numerous state and federal laws, claims that data is "anonymous" are often deceptive, and the FTC has a track record of cracking down on companies that misuse consumer data.

    - **HHS:** On 6/29/22, HHS issued guidance to address how the HIPAA Privacy Rule protects the privacy of individuals' protected health information, including information related to reproductive health care. The guidance helps ensure doctors and other medical providers and health plans know that, with limited exceptions, they are not required – and in many cases, are not permitted – to disclose patients' private information, including to law enforcement. HHS also issued a how-to guide for consumers on steps they can take to make sure they're protecting their personal data on mobile apps.

- **Defending the Right to Travel:** On 6/24/22, President Biden reaffirmed the Attorney General's statement that women must remain free to travel safely to another state to seek the care they need. President Biden committed his administration to defending "that bedrock right."

- **Calling for the Establishment of Abortion Rights into Federal Law:** President Biden continues to call on Congress to codify the right to abortion into federal law. On 6/30/22, the President said he would support changing the filibuster rules to codify Roe v. Wade into law. On 7/12/22, the White House released Statements of Administration Policy on H.R. 8296 –Women's Health Protection Act of 2022 and H.R. 8297 – Ensuring Access to Abortion Act
of 2022.

- **ReproductiveRights.gov:** The Administration launched ReproductiveRights.gov, a website on people's right to access reproductive health care, including birth control, abortion services, other preventive health services, and health insurance coverage.



Vice President Harris Meets with State Legislators in Florida and Pennsylvania

American Rescue Plan Workforce Summit

This week, the White House hosted the American Rescue Plan Workforce

Summit highlighting state and local leaders who are investing ARP funds to help more Americans secure good-paying jobs. During the summit, we heard from Governors, Mayors, County Leaders, and representatives from labor and workforce organizations on their best practice programs in the areas of care and public health, infrastructure, and expanding the workforce.

See below for resources from the Summit:

- **WH**: Fact Sheet White House Announces over $40 Billion in American Rescue Plan Investments in Our Workforce – With More Coming (Including dozens of best practice programs)

- **YouTube**: Recording of White House Summit on the American Rescue Plan and Workforce

Regional Press on ARP Workforce Summit:

LA Daily News: **LA County Supervisor Holly Mitchell to meet with VP Kamala Harris at White House Wednesday** [Kristy Hutchings, 7/12/22]

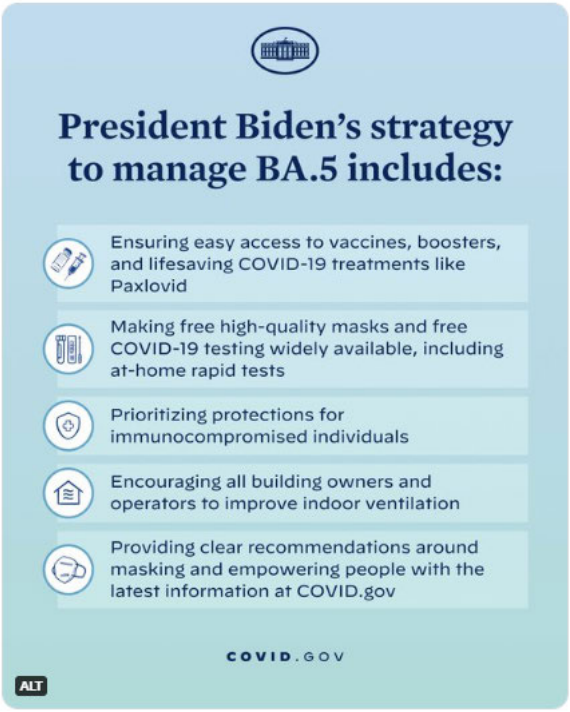
Pittsburgh Post Gazette: **Wolf visits White House, says American Rescue Plan funds 'greatly benefited' Pennsylvania's workforce, COVID-19 economic recovery** [Ashley Murray, 7/13/22]

Commercial Appeal: **Strickland headed to White House to tout youth initiative** [Samuel Hardiman, 7/12/22]

Monitoring the BA.5 Variant

President Biden
@POTUS
United States government official

My team and I have been monitoring the BA.5 variant of COVID-19 for months. We're prepared, and we know how to manage this moment with the vaccines, treatments, and other tools we have made widely available.



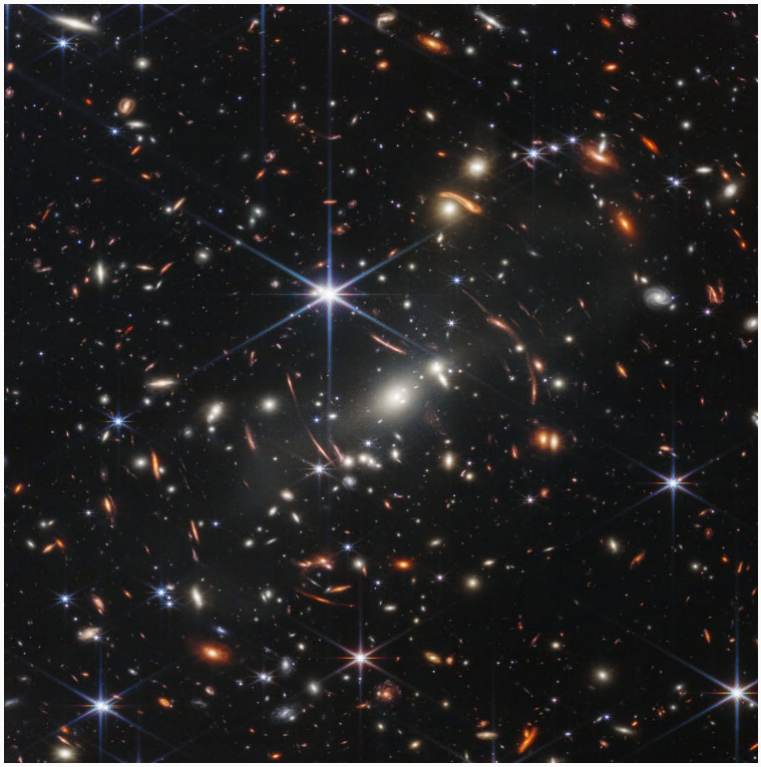
President Biden visit to Israel

President Biden
@POTUS
United States government official

Every chance I get to work with Israel is a blessing. With my visit, I reaffirmed the United States' ironclad commitment to Israel's security and launched new technology partnerships.

May Israel and the U.S. continue to prosper together for the benefit of the world.

First Images from the James Webb Space Telescope



USDA Makes It Easier for American Farmers to Grow Food, Ease Burdens for American Families

This week, the Biden Administration announced additional steps it's taking to support U.S. farmers in their work to stabilize food prices and feed Americans and the world amidst continuing challenges such as the COVID-19 pandemic, supply chain disruptions, and the invasion of Ukraine by Russia. The U.S. Department of Agriculture is reducing the economic risk of raising two crops on the same land in one year, making it easier for U.S. farmers to grow food in America, increase food supply, and lower food costs for American families. This action is part of a broader **set of commitments made earlier this year by President Biden and Secretary Vilsack** to increase domestic food production amid potential global food shortages related to the invasion of Ukraine.

To reduce the risk of raising two crops on the same land in one year – a practice known as double cropping - USDA's Risk Management Agency (RMA) is expanding double crop insurance opportunities in over 1,500 counties where double cropping is viable. "In May, I joined President Biden at the **O'Connor farm in Kankakee, Illinois**, to announce a series of actions to help farmers do what they do — grow food for American families and the rest of the world.

This week, USDA is making good on one of those commitments and making it easier to plant double crops and sharing some of the financial risk by making crop insurance more available in over 1,500 counties," said Secretary Vilsack. "We live in a challenging time, but I put my trust in the American farmer and

U.S. agriculture to help keep the food we need affordable and available. The Biden administration and USDA will continue to find ways to ease burdens on American farmers and lower costs for American families such as expanded double crop options through crop insurance."

Please see the full press release here

Weekly IGA Call

Tune in weekly for Administration updates Thursdays at 4 PM ET.

When: Every Thursday at 4 PM ET
Register here:
https://pitc.zoomgov.com/webinar/register/WN_2fN1C5oHQ0Wuz06br1PbVw

The Innovation Station ROAD TRIP

The State Department's Intergovernmental Affairs team, in partnership with the Office of Global Women's Issues, is starting a new virtual event series called *The Innovation Station ROAD TRIP*. This new series is occurring in collaboration with various U.S. cities, and events will facilitate discussions between woman innovators, local governments, and other community leaders.

The first event is occurring on July 26th at 11AM EST (details and registration info below), the City of Chicago will serve as a co-host.

- **The Innovation Station ROAD TRIP: Chicago**
- July 26, 2022, 11:00 AM-1:00 PM ET
- Themes: Investing in women-owned businesses; facilitating climate innovation
- Register **HERE**

See you next week!

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[redacted]

[redacted]

SUBJECT: Slides on monkeypox vaccine
FROM: "Leisha Nolen (DHHS)" <lnolen@utah.gov>
TO: Angela Dunn <adunn@slco.org>, Bradon Bradford <bbradfor@utah.gov>, Brian Cowan <bcowan@co.weber.ut.us>, Brian Hatch <brianl@co.davis.ut.us>, David Blodgett <dblodgett@swuhealth.org>, Eric Edwards <ericse@utahcounty.gov>, Jeff Coombs <jcoombs@tooelehealth.org> Jill Parker <jparker@ualhd.org>, Jonelle LHO Fitzgerald <jfitzgerald@wasatch.utah.gov>, Jordan Mathis <jmathis@brhd.org>, Kirk LHO Benge <kbenge@tricountyhealth.com>, Nathan Selin <nselin@utah.gov>, Phil Bondurant <pbondurant@summitcounty.org>, "Sunada, Grant" <gsunada@sanjuancounty.org>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
DATE: 18/07/2022 11:30

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Slide 15 is the one with info on protection by first dose
--
Dr. Leisha Nolen
Utah State Epidemiologist
lnolen@utah.gov

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SUBJECT: Call for Delegates
FROM: "Utah Medical Association" <intern@utahmed.org>
TO: "Michelle G. Hofmann, MD MPH" <mhofmann@utah.gov>
DATE: 18/07/2022 14:31

UMA House of Delegates Meeting

September 9-10 (Full day on the 9th, Half day on the 10th)
Thanksgiving Point, Lehi, Utah

Dear Dr. Hofmann,

The 2022 UMA House of Delegates (HOD) is fast approaching and we are calling for UMA members to participate as delegates. We anticipate many resolutions that will establish policy and will set the UMA stance on vital issues going forward. ***We anticipate debates on the Roe v. Wade issue, possible gun law stances, collective negotiating, any qualified physician or facility debates, etc.*** Once the House establishes policy, the UMA Board and Staff work to comply with that policy, so it is very important that your voice is heard in our HOD.

There are delegate seats open in the following categories:
- county medical societies / component sections
- recognized specialty societies
- chartered large practice groups / solo or small practice section

We can very likely fit you into one of these categories. Please contact Paige (paige@utahmed.org) or Kelly (kelly@utahmed.org) at the UMA office to become a delegate. ***Delegate designation deadline is August 15th***, so don't delay if you are interested.

HOTEL INFORMATION & BOOKING at UMA Special Rate - 2 hotels to choose from

SpringHill Suites Lehi at Thanksgiving Point - $134/night
2447 W Executive Parkway, Lehi, UT 84043 (walking distance to event).
801-341-6970 (Ask for Brooklyn or Skye)

Courtyard Lehi at Thanksgiving Point - $139/night
2801 W Club House Drive, Lehi, UT 84043(~1 mile from event)
801-768-1174 (Ask for Brooklyn or Skye)

Hotel Reservation Deadline - August 25th - **BOOK NOW ONLINE**
Cancellation possible up to 48 hours prior to event date

The Utah Medical Association is the largest single entity in Utah that represents and speaks to the needs of all Utah physicians and their patients, before the legislature and to the public. The UMA House of Delegates meeting is where you can make your opinions known about medical issues important to you.

The UMA House of Delegates meeting is where UMA members, as delegates –
- represent their specialty, county, or group organizations, and along with their other professional colleagues, discuss issues of importance to them, including practice issues, public health, the future of medicine, etc.
- through the resolution process, make policy and set the agenda UMA will follow for the next year
- through the resolution process, approve UMA's legislative focus for the year
- elect UMA officers including delegates to the AMA House of Delegates
- consider and make any needed changes to the Bylaws of the Association

Please consider making your voice heard as a delegate at this year's HOD. We look forward to working with you. Contact the UMA office (801-747-3500) if you need any additional information or to become a delegate.

Thank you,
Utah Medical Association Board of Directors

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

310 E 4500 S, Suite 500
Salt Lake City, UT 84107

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www.avg.com

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[redacted]

SUBJECT: Top Stories: Lake Powell, Lake Mead facing collapse
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 22/07/2022 07:02

View this email in your browser

sltrib.com

TOP STORIES

Friday, July 22, 2022

By Jeff Dempsey

Lake Powell and Lake Mead could collapse without more water cuts

Water use in the Colorado River Basin is beyond what can be sustained, a new paper says.

Read More

What the heck is Pioneer Day, Pie and Beer Day and Days of '47?

Utah's July 24, explained.

Read more.

Campfires could face extinction as Utah's summers heat up

Is climate change making the tradition too risky?

Read more.

A mural for homeless youth in Salt Lake City was defaced

The vandal called it an "improvement."

Read more. [Daily Buzz]

At long last, a photo of Mormon founder Joseph Smith emerges

See the image here and read about how and when it was found.

Read more.

Utah-based Traeger Pellet Grills is cutting staff

It's also putting plans to manufacture in Mexico on hold.

Read more.

Quick Hits

• She loved reading, drawing and petting any dog she saw. This is who Zhifan Dong, the slain University of Utah student, was.

• Utah eclipses 1 million coronavirus cases during the highly contagious BA.5 surge.

• A new Discovery Gateway exhibit lets kids dig up dinosaur fossils.

• Utah's House delegation, days after voting to codify same-sex marriage, voted against codifying the right to birth control.

• Here's how duck hunters, wetlands and conservation help the Great Salt Lake.

• "Mormon Land": Why kids leave the faith and how parents can respond with less guilt and more healthy dialogue.

• How the U. failed to safeguard a slain student, a nagging oil spill near Grand Staircase and the only known photo of Joseph Smith on this week's "Behind the Headlines."

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[redacted]

SUBJECT:
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
DATE: 26/07/2022 08:01

Jennifer Strohecker (DHHS), 2022-07-26 07:01:53
hi!

Jennifer Strohecker (DHHS), 2022-07-26 07:02:05
i am running a little late...on another call for ARPA stuff

Michelle Hofmann (DHHS), 2022-07-26 07:06:19
no worries

Michelle Hofmann (DHHS), 2022-07-26 07:13:33
We finished early!

Jennifer Strohecker (DHHS), 2022-07-26 07:56:18
i noticed! I called in and you were all gone

Jennifer Strohecker (DHHS), 2022-07-26 08:18:56
what is the oath of office?

Michelle Hofmann (DHHS), 2022-07-26 08:32:29
Just a formality for serving on the task force in addition to the COI. Mollie administered it in the meeting you were out of town to the other members.

Jennifer Strohecker (DHHS), 2022-07-26 08:33:53
ah gotcha

Jennifer Strohecker (DHHS), 2022-07-26 08:35:57
thank you

Michelle Hofmann (DHHS), 2022-07-26 08:57:20
hey...I brought your bakeware to Cannon. Where can I drop it?

Jennifer Strohecker (DHHS), 2022-07-26 09:12:07
I am here today

Michelle Hofmann (DHHS), 2022-07-26 09:12:24
ok...I will swing by. Where is your office?

Jennifer Strohecker (DHHS), 2022-07-26 09:12:43
Ar eyou on the 4th floor?

Jennifer Strohecker (DHHS), 2022-07-26 09:12:51
i will be in the EDO confeerence room at 10:30-12

Jennifer Strohecker (DHHS), 2022-07-26 10:33:03
i hadn't connected with Carrie about a time to join the meeting today. Did you?

Michelle Hofmann (DHHS), 2022-07-26 10:33:22
I already presented.

Jennifer Strohecker (DHHS), 2022-07-26 10:33:41
was that on pharmacist prescribing? or what did you present?

Michelle Hofmann (DHHS), 2022-07-26 10:35:08
yes and HB 178 and rolling in EC

Michelle Hofmann (DHHS), 2022-07-26 10:35:18
also gave a MPX sit rep

Jennifer Strohecker (DHHS), 2022-07-26 10:36:52
EC?

Michelle Hofmann (DHHS), 2022-07-26 10:37:08
emergency contraception

Jennifer Strohecker (DHHS), 2022-07-26 10:37:29

[redacted]

ok good.

Jennifer Strohecker (DHHS), 2022-07-26 10:37:38
any idea on use of pharmacist prescribing at alL?

Jennifer Strohecker (DHHS), 2022-07-26 10:37:50
shoot I am bummed that i didn't know the content of this calla nd was already triple booked

Michelle Hofmann (DHHS), 2022-07-26 10:42:17
aIL?

Jennifer Strohecker (DHHS), 2022-07-26 10:43:04
sorry...do we know if pharmacists are prescribing?

Michelle Hofmann (DHHS), 2022-07-26 10:43:45
Paxlovid or the HB 178 drugs?

Jennifer Strohecker (DHHS), 2022-07-26 10:43:56
HB178

Michelle Hofmann (DHHS), 2022-07-26 10:46:32
They cited the pandemic as a barrier and we discussed that having the infrastructure there will set us off on the right foot as we come out of COVID-19. They need more time. The other issue is that many are still operating under their own CPAs so it won't flag that the pharmacists are the ones managing these in the Medicaid system. Payment remains the dominant issue with lack of sufficient clinical information for decision-maiking (speaking to paxlovid on this one) runner up.

[redacted]

- [redacted]
- [redacted]

[redacted]

[redacted]

SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 26/07/2022 14:35

ı Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM
- Pharmacy_2022-06-28_Handouts.pdf - 6/28/22 1:20 PM
- Pharmacy_2022-06-28_Audio.mp3 - 6/29/22 10:08 AM
- Pharmacy_2022_06_28_Approved_Minutes.pdf - 7/26/22 2:35 PM

Utah State Board of Pharmacy

State Board of Pharmacy meeting

Notice Date & Time: 6/28/22 8:30 AM

ption/Agenda:

Draft Agenda
UTAH BOARD OF PHARMACY
North Conference Room
160 E 300 S Salt Lake City UT
June 28, 2022 | 8:30 A.M.
DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone [redacted] Pin [redacted]
This agenda is subject to change up to 24 hours prior to the meeting.
ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve May 24, 2022, Meeting Minutes
3. Investigation Report - Camille Farley
4. CSD Update - Jeff Henrie
5. Advisory Pharmacy Compounding Education Committee Update
APPOINTMENTS:
9:05 am Compliance Report-Bernice Palama
9:15 am Super Drug & Herbal Store, Educational Interview
9:30 am Christopher Young, Probationary Interview
9:45 am Hopewell Pharmacy, Stipulation Review
10:00 am Varduhi Aleksanyan, Intern Extension Request
10:10 am Hyrum Nichols, Intern Extension Request
DISCUSSION ITEMS:
- Birth Control Standing Order
- Drug Purchasing Fraud Alert
- Foreign Pharmacy Students
- Amphetamines & Pregnancy
- Cyber Security HB 80
NEXT SCHEDULED MEETING: Tuesday, July 26, 2022
2022 Board Meetings Tentatively Scheduled
Aug 23, Sept 27, Oct 25, Nov 29, Dec 20
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Uta 84115, 801-530-6628 or toll-free in Utah only 866-275-3675. Posted to Public Website: June 24, 2022

of Special Accommodations:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Division ADA Coordinator at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Utah 84115, (801) 530-6628 or toll-free in Utah only (866) 275-3675.

of Electronic or telephone participation:

Electronic participation is planned for this meeting.

nformation:

ɔn:

160 East 300 South - 4th floor, Salt Lake City, 84111

ct information:

Lisa Martin , lmartin@utah.gov, (801)530-6628

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[redacted]

SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 27/07/2022 07:38

ı Public Notice

Documents Updated

- Pharmacy_2022_06_28_Agenda.pdf - 6/24/22 9:47 AM
- Pharmacy_2022-06-28_Handouts.pdf - 6/28/22 1:20 PM
- Pharmacy_2022-06-28_Audio.mp3 - 6/29/22 10:08 AM
- Pharmacy_2022_06_28_Approved_Minutes.pdf - 7/26/22 2:35 PM
- Pharmacy_2022_06_28_Signed_Minutes.pdf - 7/27/22 7:38 AM

Utah State Board of Pharmacy

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nformation:

on:

160 East 300 South - 4th floor, Salt Lake City, 84111

ct information:

Lisa Martin , lmartin@utah.gov, (801)530-6628

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SUBJECT: Celebrating 32 Years of the Americans with Disabilities Act
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 28/07/2022 10:09

View this email in your browser.

[redacted]

PUBLIC HEALTH WEEKLY

July 28, 2022

Stigma Around Substance Use During Pregnancy: A Louisiana Response

Opioid use disorder during pregnancy contributes to maternal death and poor birth outcomes. Although prenatal care can reduce these effects, pregnant individuals may delay care due to concerns about stereotyping and stigmatizing by providers.

Joseph Kanter, MD, MPH, (SHO-LA) and Amy Ladley, PhD, discuss Louisiana's approach to reducing stigma and fears of criminalization around opioid use in pregnant and postpartum individuals, and the importance of partnerships. Learn more in this new episode of the Public Health Review podcast.

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Learn more about how states have used COVID-19 funding to improve care and accommodations for people with disabilities in this week's Health Policy Update.

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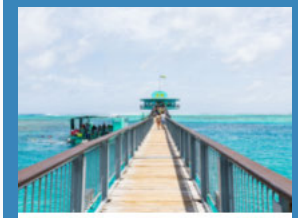

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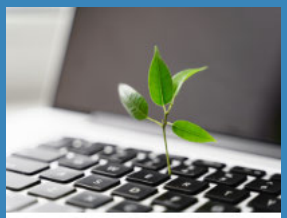

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SUBJECT: Celebrating 32 Years of the Americans with Disabilities Act
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 28/07/2022 10:10

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PUBLIC HEALTH WEEKLY

July 28, 2022

Stigma Around Substance Use During Pregnancy: A Louisiana Response

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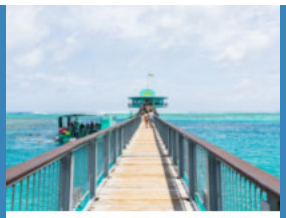

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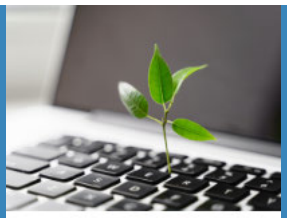

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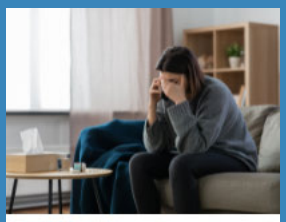

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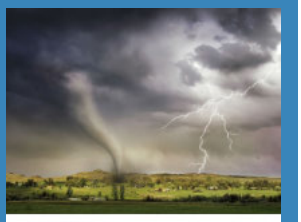

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SUBJECT: Top Stories: What some of Utah's biggest employers plan for a post-Roe Utah
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 30/07/2022 08:14

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TOP STORIES

Saturday, July 30, 2022

By Jeff Dempsey

[redacted]

What some of Utah's biggest employers plan for abortion access for their workers

Several say they will cover travel expenses should an employee need to leave Utah to obtain care.

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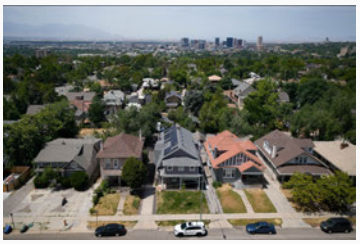


N. Utah housing market edges toward 'normal' as sales plunge and prices start to level off

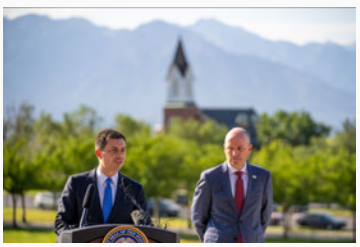
Renters, however, are still facing a tight squeeze.

Read more.

Utah's Planned Parenthood CEO will retire at end of 2022

Karrie Galloway reflects on her career in the aftermath of Roe v. Wade being overturned.

Read more.



Transportation Secretary Pete Buttigieg visits Utah

Buttigieg unveiled a new federal program to help respond to climate change.

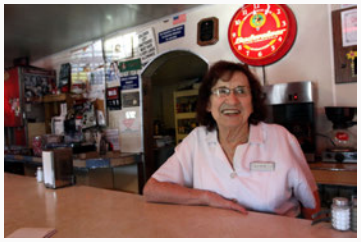
Read more.

Cyclists, kiss your Millcreek Canyon ride goodbye this summer

Construction projects have closed the

road to cyclists until at least mid-September.

Read more.



Kitty Pappas, who ran her iconic Utah steakhouse for 75 years, dies at 93

"She was as kind as Mother Teresa, but as gruff as a longshoreman," her son said.

Read more.

Quick Hits

• As sprawl takes root, say goodbye to orchards, fresh fruit and a Utah tradition.

• A man has been arrested and charged with murder in connection with the 2019 killing of Kathryn Blaire Leavitt.

• Scott D. Pierce: A married, gay ex-Mormon was crazy TV in 2012. Today, a gay show is just a show.

• Pac-12 media day: The Utah Utes are the consensus Pac-12 favorite, with Oregon at No. 2.

• Michelle Pollock and Amy Grenier: When Latter-day Saints fled the U.S. for Mexico, there were no questions asked. It's time to end Title 42.

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: CDC Health Alert Network (HAN) Health Update 472: Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding
FROM: "Health Alert Network (CDC)" <healthalert@CDC.GOV>
TO: <CDC-HAN-PRIORITY-LIST@LISTSERV.CDC.GOV>
DATE: 30/07/2022 11:13

[redacted]

View this CDC HAN Health Update as a PDF.

This is an official
CDC HEALTH UPDATE

Distributed via the CDC Health Alert Network
July 30, 2022, 1:15 PM ET
CDCHAN-00472

Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant o Breastfeeding

Summary
As of July 29, 2022, the Centers for Disease Control and Prevention (CDC) and state and local public health partners are reporting 5,189 cases of *Monkeypox virus* infections in the States across 47 states, Washington, D.C., and Puerto Rico. CDC is also reporting multiple outbreaks of monkeypox have also been reported globally in 72 countries that do not nor report monkeypox activity. On Friday, July 22, CDC reported the first two cases of monkeypox in children in the United States during the current outbreak.

This Health Alert Network (HAN) Health Update serves to alert clinicians to clinical considerations for preventing, diagnosing, and managing monkeypox in people with HIV, children adolescents, and people who are pregnant or breastfeeding.

Background
Since May 2022, CDC has been urging healthcare providers in the United States to be on alert for patients who have rash illnesses consistent with monkeypox. People with HIV, ind who are immunocompromised, children, adolescents, and people who are pregnant or breastfeeding may be at risk for increased disease severity and adverse health outcomes ass with monkeypox infection. Clinicians should be familiar with unique clinical considerations for monkeypox in these patient populations. A broad diagnostic approach is encouraged to distinguish *Monkeypox virus* infection from other causes of fever and rash illness. Testing should be performed on persons for whom monkeypox is suspected based on clinical pres or epidemiologic criteria. Clinicians should consult their state or territorial health department (State Contacts) or CDC through the CDC Emergency Operations Center (770-488-710 soon as monkeypox is suspected.
CDC has issued clinical considerations for monkeypox infection in multiple populations including: people with HIV, children and adolescents, and people who are pregnant or breast These newly released clinical considerations complement existing clinical guidance for managing monkeypox and provide information on signs and symptoms of *Monkeypox virus* in pre- and post-exposure prophylaxis; treatment; and infection control in these populations.

Recommendations and Information for Healthcare Providers on Monkeypox in People with HIV
In the current outbreak, available international summary surveillance data in the CDC-issued clinical considerations for people with HIV indicate 30-51% HIV prevalence among pers with monkeypox for whom HIV status was known. It is currently unknown whether HIV infection affects a person's risk of acquiring *Monkeypox virus* infection and developing disease exposure.

Persons with advanced and uncontrolled HIV might be at higher risk for severe or prolonged monkeypox disease. Therefore, prophylaxis (e.g., vaccination), medical treatment and close monitoring are a priority for this population. Compared with other persons with monkeypox, case reports among persons with inadequately treated HIV who have CD4 counts per mm^3 reported higher rates of secondary bacterial infection, more prolonged illness (and thereby also longer period of infectiousness), as well as a higher likelihood of a confluen partially confluent rash, rather than discrete lesions. In contrast, recent reports of patients with HIV infection and monkeypox who are on effective antiretroviral therapy (ART) have n deaths or evident excess hospitalizations to date. Providers should consider both viral suppression and CD4 count in weighing the risk of severe outcomes from monkeypox for any with HIV.

The rash of monkeypox can be confused with other rash illnesses that are considered in people with HIV, including herpes zoster (shingles), scabies, molluscum contagiosum, herp syphilis, chancroid, lymphogranuloma venereum, allergic skin rashes, and drug eruptions. Immunocompromised persons, including persons with advanced, untreated or inadequate suppressed HIV, may present with an atypical rash, including a disseminated rash that may make diagnosis more challenging.

Prevention of monkeypox and infection control practices in the home or healthcare setting are the same regardless of peoples' HIV status. Post-exposure prophylaxis (PEP) and antiviral treatments, including tecovirimat, are available for persons exposed to monkeypox or with *Monkeypox virus* infection. The safety and immunogenicity of JYNNEOS, a live, n replicating viral vaccine, has been specifically established in people with HIV; however, immunogenicity among persons with HIV who have CD4 counts below 100 cells/mm^3 or who virologically suppressed remains unknown. ACAM2000, a replicating viral vaccine, should not be given to people with HIV (regardless of immune status). Antiviral treatments for mo have few interactions with antiretroviral therapy. ART and opportunistic infection prophylaxis should be continued in all people with HIV who develop monkeypox.

Recommendations and Information for Healthcare Providers on Monkeypox in Children and Adolescents
Limited pediatric data on infection with the Congo Basin clade of *Monkeypox virus* suggest increased risk of severe disease in children younger than 8 years of age. Rare complicati monkeypox include abscess, airway obstruction due to severe lymphadenopathy, cellulitis, corneal scarring, encephalitis, keratitis, pneumonia, and sepsis. The West African clade o *Monkeypox virus* involved in the current outbreak typically causes less severe disease than the Congo Basin clade.
Monkeypox virus can spread to children through contact with infectious body fluids (e.g., lesion exudates and respiratory secretions) of people or animals or through contact with fon may occur in households and other close contact settings. The number of monkeypox cases among children in the United States is currently low; however, CDC acknowledges that expanding U.S. outbreak and the possible risk for transmission in households and other settings may result in additional pediatric cases. Pediatric providers should be familiar with prevention, recognition, and testing considerations for monkeypox in children and adolescents.
Families should be counseled about preventing the spread of *Monkeypox virus* between children, caregivers, and household members in the home, including avoidance of contact w persons who have monkeypox, the body fluids of an infected person, and fomites (e.g., clothing, towels, bedding); wearing a well-fitting mask or respirator by the person with monke and the contact (for children over 2 years of age) when interaction is unavoidable; and minimizing the number of caregivers for children with monkeypox. Particular attention should made to keep children with monkeypox from scratching lesions or touching their eyes to prevent auto-inoculation and more severe illness. Caregivers should cover areas of broken with bandages to the extent possible and avoid direct skin-to-skin contact with the rash.
Children and adolescents who are close contacts of a person with monkeypox (e.g., household contact, other family member, caregiver, or friend) should be evaluated for illness and offered post-exposure prophylaxis with JYNNEOS or ACAM2000 (for children older than 12 months) or treatment when indicated. Monkeypox should be considered when children o adolescents present with signs or symptoms that could be consistent with the disease, especially if epidemiologic criteria are present. The rash of monkeypox can be confused with rash illnesses that are commonly considered in children including varicella (chickenpox); hand, foot, and mouth disease; measles; scabies; molluscum contagiosum; herpes; allergic rashes and syphilis (including congenital syphilis); and drug eruptions.
Data are limited on the effectiveness of PEP for children who have been exposed to monkeypox or treatment for children with illness, and no vaccines or other products are currentl licensed for monkeypox prevention or treatment in children or adolescents. However, PEP should not be withheld from children or adolescents who are otherwise eligible. Decisions whether to offer PEP should take into account the patient's degree of exposure and the patient's individual risk of severe disease.

Prophylactic therapeutics that can be administered include vaccination, Vaccinia immune globulin, and antiviral medication. For almost all children and adolescents, vaccination is th preventive treatment that should be administered. Immune globulin or antivirals may also be considered for infants under 6 months of age, given their immature immune systems an possible decreased responses to vaccination.

Tecovirimat is currently being used as the first-line treatment for infection with *Monkeypox virus*, including for children and adolescents with severe disease or underlying medical co that may increase risk for severe disease and those with complications from monkeypox. Individual risks and benefits must be considered prior to initiating tecovirimat. Other treatm such as Vaccinia immune globulin may be considered in unusual circumstances.

In pediatric inpatient care settings, infection control procedures for children with monkeypox infection should also consider the child's age and caregiving needs; family and caregive preferences; the extent, severity, and course of the child's illness; and risks for severe monkeypox disease in exposed caregivers (e.g., pregnancy or immunocompromising conditio

Recommendations and Information for Healthcare Providers on Monkeypox in People who are Pregnant or Breastfeeding
Data regarding *Monkeypox virus* infection during pregnancy are limited. It is unknown if pregnant people are more susceptible to acquiring *Monkeypox virus* infection or if illness is n severe during pregnancy. Other poxviruses cause more severe infection during pregnancy. *Monkeypox virus* can be transmitted to the fetus during pregnancy and to the newborn by contact during and after birth. There are few case reports of spontaneous pregnancy loss and stillbirth, preterm delivery, and neonatal monkeypox infection; the frequency and circumstances for these outcomes are unknown. Whether *Monkeypox virus* is present in breast milk is unknown; however, it may be transmitted through close contact during breast

Prevention measures for monkeypox infection are similar for pregnant and non-pregnant people. Pre- or post-exposure prophylaxis should be offered to people who are pregnant or breastfeeding. When pre- or post-exposure prophylaxis by vaccination is chosen, JYNNEOS, a live, non-replicating viral vaccine, can be used. ACAM2000, a replicating viral vaccine should not be used in people who are pregnant or breastfeeding.

During pregnancy, the cause of fever may be difficult to differentiate from other infections, such as intraamniotic infection (chorioamnionitis), until the monkeypox rash appears. Pregnant patients with rashes initially considered characteristic of dermatoses of pregnancy (e.g., polymorphic eruption of pregnancy) or of more common infections (e.g., varicella zoster or sexually transmitted infections) should be carefully evaluated for a monkeypox rash, and submission of specimens of lesions for monkeypox diagnosis should be considered, especially if the patient has any epidemiologic risk factors for monkeypox infection.

While most adults with *Monkeypox virus* infection experience self-limiting infection and recover within 2–4 weeks, pregnant and breastfeeding people should be prioritized for medical treatment, if needed, due to the probable increased risk of severe disease during pregnancy, risk of transmission to the fetus during pregnancy or to the newborn by close contact during and after birth, and risk of severe infection in newborns. Treatment for *Monkeypox virus* infection should be offered to people who are pregnant or breastfeeding. The risks and benefits of treatment options should be discussed with the patient.

Recommendations for infection prevention and control of monkeypox in healthcare settings are the same for pregnant and non-pregnant patients. Newborns born to people with monkeypox should be placed in isolation, and healthcare personnel should follow infection prevention and control recommendations. Patients with monkeypox should be counseled about measures to prevent risk of transmission of *Monkeypox virus* to their newborn from close contact and breastfeeding.

For More Information

- Clinical Considerations for Monkeypox in People Who are Pregnant or Breastfeeding | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Monkeypox in Children and Adolescents | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Treatment and Prophylaxis of Monkeypox virus Infection in People with HIV | Monkeypox | Poxvirus | CDC
- Visit CDC-INFO or call CDC-INFO at 1-800-232-4636
- CDC 24/7 Emergency Operations Center (EOC) 770-488-7100

The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

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##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors, public information officers, HAN coordinators, and clinician organizations##

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FROM: <EPIXUpdate@cdc.gov>
TO: <mhofmann@utah.gov>
DATE: 30/07/2022 11:39

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CDC HAN 472: Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding -- July 30, 2022

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TO: Michelle Hofmann <mhofmann@utah.gov>
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TOP STORIES

Sunday, July 31, 2022

By Gabrielle Baquero

[redacted]

Monkeypox in Utah: What you should know about case counts, vaccine access

Since monkeypox was first detected in Utah this May, there have been 32 confirmed and probable cases of the virus reported throughout the state.

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Navajo woman recalls seeing kids beaten with rulers at Native American boarding school

“He was just bleeding so much. These things happened a lot there. We were punished for things and made to do things that were not very nice.”

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A Jewish student at Logan High School reflects on intertwining his faith and queer identity.

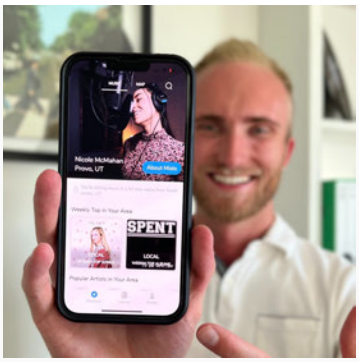
Read more.

Why SLC west-siders are planting signs like ‘Drive like your grandpa’ and ‘Traffic school is boring’

The driving force behind the signs is Salt Lake City’s first-year District 2 council member, Alejandro Puy.

Read more.

How a Utah startup is trying



to make streaming music more local

The people behind a mobile app called Mixlo aim to connect users to bands close to them.

Read more.

In Case You Missed It

• 'Localscaping' may save water, but can it rescue the Great Salt Lake?

• In a major move to support Indigenous students, any enrolled member of a tribe in the state will soon be able to attend the University of Utah for free.

• An ex-University of Utah football player will stand trial on rape and sodomy charges.

• Obituary: Kitty Pappas, who ran her iconic Utah steakhouse for 75 years, dies at 93.

• The Salt Lake City school board is poised to potentially terminate the district's first Black superintendent. Here's a look at what went wrong.

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: FW: CDC Health Alert Network (HAN) Health Update: Update forClinicians on Monkeypox in People with HIV, Children and Adolescents, andPeople who are Pregnant or Breastfeeding
FROM: Angela Dunn <ADunn@slco.org>
TO: Michelle Hofmann <mhofmann@utah.gov>, Leisha Nolen <lnolen@utah.gov>
DATE: 31/07/2022 21:18

I am sure you all got this too. But it looks useful to our discussion Monday re: vaccine prioritization. Discusses mpx disease among those with uncontrolled HIV based on CD4 count are able to get vaccine directly to clinicians who treat HIV, they may be able to quickly identify patients with low CD4 counts. Just an idea.

From: Centers for Disease Control and Prevention <no-reply@emailupdates.cdc.gov>
Sent: Saturday, July 30, 2022 11:57 AM
To: Angela Dunn <ADunn@slco.org>
Subject: CDC Health Alert Network (HAN) Health Update: Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding

Health Alert Network (HAN)

CDC issued the following Health Alert Network (HAN) Health Update July 30, 2022. If a colleague forwarded this email to you, but you would like to receive these emails directly, click here.
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Distributed via the CDC Health Alert Network
July 30, 2022, 1:15 PM ET
CDCHAN-00472

Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding

Summary
As of July 29, 2022, the Centers for Disease Control and Prevention (CDC) and state and local public health partners are reporting 5,189 cases of *Monkeypox virus* infections in the United States across 47 states, Washington, D.C., and Puerto Rico. CDC is also reporting multiple outbreaks of monkeypox have also been reported globally in 72 countries that do not normally report monkeypox activity. On Friday, July 22, CDC reported the first two cases of monkeypox in children in the United States during the current outbreak.
This Health Alert Network (HAN) Health Update serves to alert clinicians to clinical considerations for preventing, diagnosing, and managing monkeypox in people with HIV, children, adolescents, and people who are pregnant or breastfeeding.

Background
Since May 2022, CDC has been urging healthcare providers in the United States to be on alert for patients who have rash illnesses consistent with monkeypox. People with HIV, individuals who are immunocompromised, children, adolescents, and people who are pregnant or breastfeeding may be at risk for increased disease severity and adverse health outcomes associated with monkeypox infection. Clinicians should be familiar with unique clinical considerations for monkeypox in these patient populations. A broad diagnostic approach is encouraged to distinguish *Monkeypox virus* infection from other causes of fever and rash illness. Testing should be performed on persons for whom monkeypox is suspected based on clinical presentation or epidemiologic criteria. Clinicians should consult their state or territorial health department (State Contacts) or CDC through the CDC Emergency Operations Center (770-488-7100) as soon as monkeypox is suspected.
CDC has issued clinical considerations for monkeypox infection in multiple populations including: people with HIV, children and adolescents, and people who are pregnant or breastfeeding. These newly released clinical considerations complement existing clinical guidance for managing monkeypox and provide information on signs and symptoms of *Monkeypox virus* infection; pre- and post-exposure prophylaxis; treatment; and infection control in these populations.

Recommendations and Information for Healthcare Providers on Monkeypox in People with HIV
In the current outbreak, available international summary surveillance data in the CDC-issued clinical considerations for people with HIV indicate 30-51% HIV prevalence among persons with monkeypox for whom HIV status was known. It is currently unknown whether HIV infection affects a person's risk of acquiring *Monkeypox virus* infection and developing disease after exposure.
Persons with advanced and uncontrolled HIV might be at higher risk for severe or prolonged monkeypox disease. Therefore, prophylaxis (e.g., vaccination), medical treatment and close monitoring are a priority for this population. Compared with other persons with monkeypox, case reports among persons with inadequately treated HIV who have CD4 counts ≤350 per mm3 reported higher rates of secondary bacterial infection, more prolonged illness (and thereby also longer period of infectiousness), as well as a higher likelihood of a confluent or partially confluent rash, rather than discrete lesions. In contrast, recent reports of patients with HIV infection and monkeypox who are on effective antiretroviral therapy (ART) have noted no deaths or evident excess hospitalizations to date. Providers should consider both viral suppression and CD4 count in weighing the risk of severe outcomes from monkeypox for any patient with HIV.

herpes, syphilis, chancroid, lymphogranuloma venereum, allergic skin rashes, and drug eruptions. Immunocompromised persons, including persons with advanced, untreated or inadequately suppressed HIV, may present with an atypical rash, including a disseminated rash that may make diagnosis more challenging.

Prevention of monkeypox and infection control practices in the home or healthcare setting are the same regardless of peoples' HIV status. Post-exposure prophylaxis (PEP) and antiviral treatments, including tecovirimat, are available for persons exposed to monkeypox or with *Monkeypox virus* infection. The safety and immunogenicity of JYNNEOS, a live, non-replicating viral vaccine, has been specifically established in people with HIV; however, immunogenicity among persons with HIV who have CD4 counts below 100 cells/mm3 or who are not virologically suppressed remains unknown. ACAM2000, a replicating viral vaccine, should not be given to people with HIV (regardless of immune status). Antiviral treatments for monkeypox have few interactions with antiretroviral therapy. ART and opportunistic infection prophylaxis should be continued in all people with HIV who develop monkeypox.

Recommendations and Information for Healthcare Providers on Monkeypox in Children and Adolescents

Limited pediatric data on infection with the Congo Basin clade of *Monkeypox virus* suggest increased risk of severe disease in children younger than 8 years of age. Rare complications of monkeypox include abscess, airway obstruction due to severe lymphadenopathy, cellulitis, corneal scarring, encephalitis, keratitis, pneumonia, and sepsis. The West African clade of *Monkeypox virus* involved in the current outbreak typically causes less severe disease than the Congo Basin clade.

Monkeypox virus can spread to children through contact with infectious body fluids (e.g., lesion exudates and respiratory secretions) of people or animals or through contact with fomites, as may occur in households and other close contact settings. The number of monkeypox cases among children in the United States is currently low; however, CDC acknowledges that the expanding U.S. outbreak and the possible risk for transmission in households and other settings may result in additional pediatric cases. Pediatric providers should be familiar with prevention, recognition, and testing considerations for monkeypox in children and adolescents.

Families should be counseled about preventing the spread of *Monkeypox virus* between children, caregivers, and household members in the home, including avoidance of contact with persons who have monkeypox, the body fluids of an infected person, and fomites (e.g., clothing, towels, bedding); wearing a well-fitting mask or respirator by the person with monkeypox and the contact (for children over 2 years of age) when interaction is unavoidable; and minimizing the number of caregivers for children with monkeypox. Particular attention should be made to keep children with monkeypox from scratching lesions or touching their eyes to prevent auto-inoculation and more severe illness. Caregivers should cover areas of broken skin with bandages to the extent possible and avoid direct skin-to-skin contact with the rash.

Children and adolescents who are close contacts of a person with monkeypox (e.g., household contact, other family member, caregiver, or friend) should be evaluated for illness and offered post-exposure prophylaxis with JYNNEOS or ACAM2000 (for children older than 12 months) or treatment when indicated. Monkeypox should be considered when children or adolescents present with signs or symptoms that could be consistent with the disease, especially if epidemiologic criteria are present. The rash of monkeypox can be confused with other rash illnesses that are commonly considered in children including varicella (chickenpox); hand, foot, and mouth disease; measles; scabies; molluscum contagiosum; herpes; allergic skin rashes and syphilis (including congenital syphilis); and drug eruptions.

Data are limited on the effectiveness of PEP for children who have been exposed to monkeypox or treatment for children with illness, and no vaccines or other products are currently licensed for monkeypox prevention or treatment in children or adolescents. However, PEP should not be withheld from children or adolescents who are otherwise eligible. Decisions about whether to offer PEP should take into account the patient's degree of exposure and the patient's individual risk of severe disease.

Prophylactic therapeutics that can be administered include vaccination, Vaccinia immune globulin, and antiviral medication. For almost all children and adolescents, vaccination is the preventive treatment that should be administered. Immune globulin or antivirals may also be considered for infants under 6 months of age, given their immature immune systems and possible decreased responses to vaccination.

Tecovirimat is currently being used as the first-line treatment for infection with *Monkeypox virus*, including for children and adolescents with severe disease or underlying medical conditions that may increase risk for severe disease and those with complications from monkeypox. Individual risks and benefits must be considered prior to initiating tecovirimat. Other treatments such as Vaccinia immune globulin may be considered in unusual circumstances.

In pediatric inpatient care settings, infection control procedures for children with monkeypox infection should also consider the child's age and caregiving needs; family and caregiver preferences; the extent, severity, and course of the child's illness; and risks for severe monkeypox disease in exposed caregivers (e.g., pregnancy or immunocompromising conditions).

Recommendations and Information for Healthcare Providers on Monkeypox in People who are Pregnant or Breastfeeding

Data regarding *Monkeypox virus* infection during pregnancy are limited. It is unknown if pregnant people are more susceptible to acquiring *Monkeypox virus* infection or if illness is more severe during pregnancy. Other poxviruses cause more severe infection during

newborn by close contact during and after birth. There are few case reports of spontaneous pregnancy loss and stillbirth, preterm delivery, and neonatal monkeypox infection; the frequency and circumstances for these outcomes are unknown. Whether *Monkeypox virus* is present in breast milk is unknown; however, it may be transmitted through close contact during breastfeeding.

Prevention measures for monkeypox infection are similar for pregnant and non-pregnant people. Pre- or post-exposure prophylaxis should be offered to people who are pregnant or breastfeeding. When pre- or post-exposure prophylaxis by vaccination is chosen, JYNNEOS, a live, non-replicating viral vaccine, can be used. ACAM2000, a replicating viral vaccine, should not be used in people who are pregnant or breastfeeding.

During pregnancy, the cause of fever may be difficult to differentiate from other infections, such as intraamniotic infection (chorioamnionitis), until the monkeypox rash appears. Pregnant patients with rashes initially considered characteristic of dermatoses of pregnancy (e.g., polymorphic eruption of pregnancy) or of more common infections (e.g., varicella zoster or sexually transmitted infections) should be carefully evaluated for a monkeypox rash, and submission of specimens of lesions for monkeypox diagnosis should be considered, especially if the person has any epidemiologic risk factors for monkeypox infection.

While most adults with *Monkeypox virus* infection experience self-limiting infection and recover within 2–4 weeks, pregnant and breastfeeding people should be prioritized for medical treatment, if needed, due to the probable increased risk of severe disease during pregnancy, risk of transmission to the fetus during pregnancy or to the newborn by close contact during and after birth, and risk of severe infection in newborns. Treatment for *Monkeypox virus* infection should be offered to people who are pregnant or breastfeeding. The risks and benefits of treatment options should be discussed with the patient.

Recommendations for infection prevention and control of monkeypox in healthcare settings are the same for pregnant and non-pregnant patients. Newborns born to people with monkeypox should be placed in isolation, and healthcare personnel should follow infection prevention and control recommendations. Patients with monkeypox should be counseled about measures to prevent risk of transmission of *Monkeypox virus* to their newborn from close contact and breastfeeding.

For More Information

- Clinical Considerations for Monkeypox in People Who are Pregnant or Breastfeeding | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Monkeypox in Children and Adolescents | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Treatment and Prophylaxis of Monkeypox virus Infection in People with HIV | Monkeypox | Poxvirus | CDC
- Visit CDC-INFO or call CDC-INFO at 1-800-232-4636
- CDC 24/7 Emergency Operations Center (EOC) 770-488-7100

The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

Categories of Health Alert Network messages:

Health Alert - Requires immediate action or attention; highest level of importance

Health Advisory - May not require immediate action; provides important information for a specific incident or situation

Health Update - Unlikely to require immediate action; provides updated information regarding an incident or situation

HAN Info Service - Does not require immediate action; provides general public health information

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##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors, public information officers, HAN coordinators, and clinician organizations##

You have received this message based upon the information contained within our emergency notification data base. If you have a different or additional e-mail or fax address that you would like us to use please contact your State-based Health Alert Network program at your State or local health department.

Centers for Disease Control and Prevention

1600 Clifton Rd Atlanta, GA 30329 1-800-CDC-INFO (800-232-4636) TTY: 888-232-6348

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: Team update (8.1.2022): Get to know the Office of Primary Care andRural Health. Plus, important forms, how to protect yourself from mosquitobites and celebrating our centenarians!
FROM: "Utah Dept of Health and Human Services (DHHS)" <dhhs@utah.gov>
TO: "Utah Dept of Health and Human Services (DHHS)" <dhhs@utah.gov>
BCC: teamdhhs@utah.gov
DATE: 01/08/2022 14:10

Utah Department of Health & Human Services

Team update

Team:

If you live or work near the Wasatch Front, you generally have plenty of doctors or hospitals to choose from. But in the rural parts of the state, it's a different story. Finding primary care can be a real challenge.

In this next installment of **DHHS 101**, Ashley Moretz, who directs our **Office of Primary Care and Rural Health,** talks about how his office is increasing primary care in and attracting medical providers to rural Utah to help those who are medically underserved. **Get to know PCRH in this week's video**.

And now... the email of the week!

- **Do you have anything to declare?**

  Conflict of interest forms.

  DHHS Policy 02-28 requires all DHHS employees to submit a conflict of interest form annually by July 1. Because this is a new policy that just went into effect on July 1, we're asking for all employees who haven't completed a conflict of interest form since April 30 to go into the DHHS Forms system and **complete this by August 31**. You will need to be logged into the VPN to access this if not at a DHHS location.

  Time to fill out new telework/telecommute/surge agreements

  If you are a telework eligible individual, we're asking that you complete a **new telework agreement by August 31** using the DHHS Forms system. You will need to be logged into the VPN to access this if not at a DHHS location. For those of you that telework 50% or more of your time, you will need to fill out a "Telework Agreement" and the "DHHS Telework Alternate Worksite Safety Checklist." For those of you who telework less than 50% of your time you will need to fill out a "Telecommute Agreement" and the "DHHS Telework Alternate Worksite Safety Checklist." For those that wor full time from the office, but are surge eligible, you will need to fill out the "Telework Surge Agreement."

- **DHHS media hits**

  Utah COVID numbers: 5,800 new cases, 16 deaths reported this week (Tribune)
  State Auditor: Utah underage drinking prevention program falling short (Axios local)
  Why some parents are declining to vaccinate children (Deseret News)

- **Coming up!**

  On Thursday, our Division of Aging and Adult Services (DAAS) will celebrate **Utah centenarians** with Gov. Cox and Lt. Gov. Henderson.

  Check out the 2022 Centenarian Yearbook here.
  Do you know someone who will be at least 100 years old next year? Let us know!

- **Protect yourself**

  We have learned of the first Utah **mosquitoes carrying West Nile virus** have been identified in Davis, Salt Lake, and Uintah counties. No human cases have been reported. Today, we're sharing with the media how to protect ourselves from mosquito bites:

  Wear long-sleeves, long pants, and socks while outdoors and use an **insect repellent** with 20%-30% DEET, which is safe to use during pregnancy. Repellents are not recommended for children younger than 2 months of age.
  The hours from **dusk to dawn are peak biting times** for many mosquitoes. Consider rescheduling outdoor activities that occur in the evening or early morning.
  Mosquitoes lay their eggs in standing water. **Remove any puddles of water or standing water** including in pet dishes, flower pots, wading and swimming pools, buckets, tarps, and tires.
  Report bodies of stagnant water to your local Mosquito Abatement District (MAD). Visit http://www.umaa.org/ for a list of MADs.
  Keep doors, windows, and screens in good condition and make sure they fit tightly.

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

- **Reminder: Sign up for surge telework notifications**

  If you are eligible for surge telework and want a notification from DHHS about upcoming surge telework days, please see the process for signing up for ar email to work or personal email addresses, or both!

  Here's how it will work:
  1. Opt in to getting an email at your personal and/or work email **by filling out this Google form**. (We are now up to 1,908 email addresses.)
  2. Former UDOH surge teleworkers were not automatically opted in and will need to fill out the form.
  3. Supervisors of surge teleworkers may opt in for these notifications, as well.
  4. We continue to evaluate various text message systems and the need for text messages in the department. Let us know how you feel in the same Google form.

P.S.
Tracy's Open Door hours are most Fridays, for all staff from 1pm-3pm. Please reach out to Trudy Ellis (trudyellis@utah.gov) to request time on Tracy's schedule

SUBJECT: Invitation: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (mhofmann@utah.gov)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: mhofmann@utah.gov, stephaniesaperstein@utah.gov, tracygruber@utah.gov
DATE: 01/08/2022 16:50

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN [redacted]

More phone numbers

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
View all guest info

Reply for mhofmann@utah.gov

Yes No Maybe More options

[redacted]

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SUBJECT: Top Stories: 'Terrified of getting pregnant now': What 7 Utahns say about state's abortion trigger law
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 02/08/2022 07:18

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TOP STORIES

Tuesday, August 2, 2022

By Jeff Dempsey

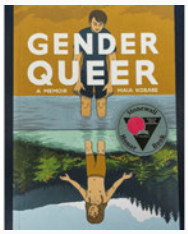
'I'm absolutely terrified of getting

[redacted]

pregnant now'

What seven Utahns say about the state's abortion trigger law.

Read More



52 books pulled in Utah school district 'for review of content'

Many of the books are about the LGBTQ community.

Read more.

Rocky Mountain Power takes first steps toward developing those vacant acres along SLC's North Temple

Utility is planning a mixed-use neighborhood campus.

Read more.

LDS Church, NAACP alliance brings young scholars to Ghana for 'a kind of homecoming'

A delegation of about 43 college students and recent graduates made the trip.

Read more.

Sean Reyes' fight for the right to deny LGBTQ kids lunch is beneath our state, Robert Gehrke writes

Every kid deserves the same access to school lunch.

Read more.

Quick Hits

• Guests at Utah's Hogle Zoo can now see a new, 87-pound baby zebra.

• Burgess Owens and over 50 other Republicans are demanding President Joe Biden take a cognitive test and share the results publicly.

• Salt Lake City saw its hottest July on record — again.

• Navajo Code Talker Samuel Sandoval has died, leaving only three members of the group.

• Utah Utes football is set to open fall camp with key position battles at the forefront.

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: Sample TPOXX EMAIL
FROM: "Evan Crook (DHHS)" <evancrook@utah.gov>
TO: "Leisha Nolen (DHHS)" <lnolen@utah.gov>, "Michelle Hale (DHHS)" <mhale@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Melissa Stevens Dimond (DHHS)" <melissastevens@utah.gov>, "Keegan Mccaffrey (DHHS)" <kmccaffrey@utah.gov>
DATE: 02/08/2022 08:52

Thank you for your interest in providing Tecovirimat (TPOXX) treatment. To onboard you as a provider, we need to go over some details and receive your agreement that you will follow all current and future guidelines set by the CDC, FDA, HHS, the Strategic National Stockpile (SNS), Utah Department of Health and Human Services and any other governing body that may set requirements for administration of TPOXX. You can reply to this email that you have read and agree to the information contained.

Currently, there is no treatment approved by the Food and Drug Administration (FDA) for non-variola orthopoxvirus, including MPX. Although tecovirimat is FDA-approved for treatment of smallpox in adults and children, the approved indication is limited to smallpox. Therefore, this expanded access Investigational New Drug (IND), sponsored by the Centers for Disease Control and Prevention (CDC) and authorized by FDA, is to allow access to and use of stockpiled tecovirimat for treatment of non-variola orthopoxvirus (NV-OPXV) infection in adults and children.

While the effectiveness of tecovirimat in treating human non-variola orthopoxvirus infections, including monkeypox, has not been evaluated, it may be reasonable to anticipate potential treatment benefit based on animal efficacy data that supported FDA-approval for smallpox treatment and limited clinical uses of tecovirimat in the treatment of NV-OPXV infected individuals to date.

All patient populations, who meet eligibility criteria, can receive tecovirimat treatment under this IND program (e.g., children and all adults including pregnant and nursing individuals, and prisoners). Other concomitant treatments and vaccination (e.g., ACAM2000, Jynneos) are allowed under this IND program for tecovirimat.

Tecovirimat treatment may be initiated for patients with laboratory confirmed non-variola orthopoxvirus infection or suspected infection based on known exposure(s) and/or clinical manifestations of disease. Patients with an initial negative OPXV test, but for whom both epidemiologic and clinic evidence suggests OPXV disease (particularly if clinical progression is worsening), should be re-tested but be treated with tecovirimat while results are pending. If results from re-testing confirm orthopoxvirus, patients should continue tecovirimat treatment. If results from re-testing are in agreement with the initial negative orthopoxvirus results, tecovirimat should be suspended in those patients.

Upon presentation, the patient should be thoroughly assessed per clinician's judgment to evaluate the potential need for tecovirimat. This may include a medical history, review of concomitant medications, and a physical examination with vital signs (e.g., weight, blood pressure, pulse, respiratory rate, temperature, and height). Clinical assessment and monitoring can be conducted in person or by **telemedicine,** whichever is feasible

Treating clinicians or their designees will be responsible for patient follow-up, monitoring, and reporting collected information to CDC. Th following report forms are required to be completed, retained, and/or returned to CDC:

- Obtain Informed Consent – prior to initiating tecovirimat treatment; provide a copy to the patient and retain a copy at the treating facility/institution. A copy does NOT need to be returned to CDC. Only if the signed informed consent forms cannot be maintained at the treating facility/institution, then they can be sent to CDC within 3 working days of tecovirimat initiation.
- Complete Form FDA 1572 and return to CDC within 3 working days of tecovirimat initiation.
- Patient Intake Form Please return to CDC within 3 working days of tecovirimat initiation. The form includes fields for:
  Medical history, baseline signs/symptoms, vital signs, concomitant medications
  Clinical laboratory parameters, if performed per treating clinician's clinical judgment depending on patient's underlying condition, then attach a copy of clinic laboratory results (e.g., hematology, chemistry, urinalysis).
- Clinical Outcome Form Please return to CDC within 3 working days of last patient follow-up. The form includes fields for:
  Progress of tecovirimat therapy and clinical outcomes, clinical labs (if performed based on clinical judgment depending on patient's underlying condition), and lesion/scab and serum samples (**if collected**).
  Occurrence of SAEs – if yes, reported by completing a fillable-PDF MedWatch Form and returning to CDC via email (regaffairs@cdc.gov) within 72 hours of awareness or sooner if possible. A fillable-PDF MedWatch Form can also be downloaded from MedWatch Forms for FDA Safety Reporting FDA.

Optional lesion photos: If feasible, take lesion photos at baseline prior to tecovirimat treatment, and post-treatment to follow lesion progression and healing during treatment. When submitting photos, please indicate date the photo was taken, the corresponding tecovirimat treatment day, patient name or MRN, and treating facility.

Methods of returning the above information are:

- Secure Share File for lesion photos and large file sizes (please zip multiple files and use filenames with patient identifier, hospital name, and date): https://centersfordiseasecontrol.sharefile.com/rr3941801ebcbd4002b4dfe98e314ec697
- Encrypted email: regaffairs@cdc.gov (personally identifiable information should not be emailed without encryption)
- Fax: 404-902-5921

For outpatients: If feasible, treating clinicians may provide a diary form for patients to complete at home daily and voluntarily return it directly to CDC.

For more information please review Expanded Access IND Protocol: Use of Tecovirimat (TPOXX®) for Treatment of Human Non-Variola Orthopoxvirus Infections in Adults and Children

Let me know if you have any questions.
--
Evan Crook
Care Navigation Specialist

[redacted]

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C: 385.386.2297
evancrook@utah.gov
https://dhhs.utah.gov/
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Utah Department of
Health & Human Services
Population Health

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SUBJECT: 8.5.22 DHHS Weekly Briefing: Please Review and Add Appropriate Items
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: dhhsedo@utah.gov, "Joe Dougherty (DHHS)" <joedougherty@utah.gov>, "Melissa Stevens Dimond (DHHS)" <melissastevens@utah.gov>
DATE: 02/08/2022 09:43

Good morning,

Attached is the Governor's Weekly Briefing template for this week, please add items as needed.

I'm also attaching the index/catalogue of past items for your review to see if there are items from past reports we should provide updates for.

Here's a list of topics from the previous reports:

988 Launch
Administration for Children and Families Visit.
Bebtelovimab Supply
Block Grant Letter
CDC/FDA approval for COVID-19 vaccines for children 6 months+
Clinical Response Team for JJYS
Concerns about case file accuracy for DCFS
COVID-19 Test Kits in Libraries and Food Pantries
COVID-19 Therapeutics
DHHS Consolidation – IT Merge Planning
DHHS Results-Based Accountability Plan & Metrics
Disposal of Expired COVID Test Kits
EPA Letter.
FEMA Reimbursement
Improve Coordination w/Local Health Dept
Infant formula shortages
Interim Legislative session updates
Juvenile Justice and Youth Services (JJYS)
Martha Hughes Cannon Birthday and Merger Implementation Event
Medical Cannabis.
Monkeypox Update
Nicotine Lawsuit
Office of Medical Examiner–NY Times
OME Update
Opening of a new youth center in American Fork
PEHP Rebates
Policies Supporting Women, Children & Families
Public Health Infrastructure, Workforce, and Data Systems grant application
Renewal of Medicaid 1115 Waiver
SCOTUS
Senior Leadership Positions.
Trigger Law
UDDC
Utah Forensic Settlement Agreement (Utah State Hospital).
Utah Resources for Mothers and Families

Please let me know if you have any questions! Thank you!

[redacted]

[redacted]

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Utah Department of Health & Human Services

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[redacted]

EPI-X The Epidemic Information Exchange

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

--
Michelle Hofmann, MD, MPH, MHCDS, FAAP
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://dhhs.utah.gov

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SUBJECT: (V) PREP - Interim Session
FROM: mwatterson@utah.gov
TO: apinna@utah.gov, aslater@utah.gov, austinpreston@utah.gov, davidlitvack@utah.gov, "Heather Borski (DHHS)" <hborski@utah.gov>, joedougherty@utah.gov, jstrohecker@utah.gov, kharvey@utah.gov, mhofmann@utah.gov, natechecketts@utah.gov, natewinters@utah.gov, pray@utah.go rebeccab@utah.gov, swatkins@utah.gov, thales@utah.gov, tracygruber@utah.gov, trentbrown@utah.gov, trudyellis@utah.gov, xthomas@utah.gov, mwatterson@utah.gov
DATE: 02/08/2022 15:10

Notes and Outstanding Items:
Shari to reach out to get further clarification from LFA staff on some items.
Nate and Tonya to follow-up with Brent Kelsey and Eric Tedahara on presentations/reports/draft legislation
Questions that came up after 3pm:
* Not sure if Russell will be presenting on Services for Pregnant Women or if our Staff is being expected to present for the 20 minutes set aside?
* Will Nate Winters be presenting on the Performance Measures Audit follow-up?

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

(V) PREP - Interim Session

Tuesday Aug 2, 2022 · 2pm – 3pm (Mountain Time - Denver)

Purpose: To verify the agenda items and requests of the Department (i.e. presentations).

Location
Join with Google Meet , MASOB-4-Admin 4058 (30) [Jamboard Smart Board, Projector, Web Cam]
View map

Guests
trudyellis@utah.gov - organizer
aslater@utah.gov
davidlitvack@utah.gov
Heather Borski (DHHS)
mhofmann@utah.gov
mwatterson@utah.gov
natechecketts@utah.gov
natewinters@utah.gov
pray@utah.gov
rebeccab@utah.gov
swatkins@utah.gov
thales@utah.gov
tracygruber@utah.gov
xthomas@utah.gov
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[redacted]

SUBJECT: Top Stories: The SLC airport tunnel walk is going to get easier
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 03/08/2022 07:04

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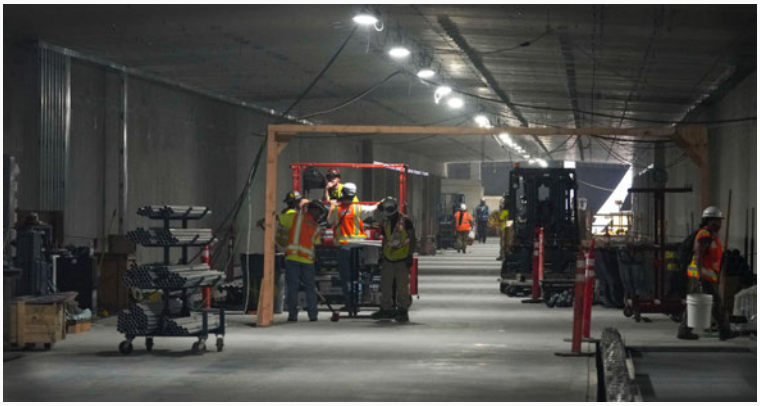
sltrib.com

TOP STORIES

Wednesday, August 3, 2022

By Jeff Dempsey



A sight for sore feet: Meet the project that will make the SLC airport walk easier

Construction on the Central Tunnel is underway but keep those comfy shoes handy for now.

Read More

Utah-based Nu Skin is laying off employees

The multi-level marketing company

[redacted]

has experienced "softer than expected" revenue.

Read more.

7 years of plenty and then what?

St. George doesn't want development to slow for want of water.

Read more.

A GOP candidate narrowly lost his Utah legislative primary race

Now he's suing for a recount.

Read more.

Will lifting tariffs on baby formula imports solve the national shortage?

Utah Sen. Mike Lee thinks it's a start.

Read more.

Quick Hits

• Monkeypox vaccine: Salt Lake County has planned a Saturday walk-in clinic.

• Police say a man trying to burn a spider ignited a wildfire in Utah County.

• Boy Scouts' bankruptcy hits snag as judge rejects LDS Church's $250M payout for abuse claims.

• A Lindon teen died after an "altercation" between two groups of people at an area park.

• 'Mormon Land': What a cartoonist learned about Joseph Smith and his own childhood faith.

• Critics say the Great Salt Lake Recovery Act pushes more study when action is what's needed.

• The U.S. government is suing Idaho over its restrictive abortion law.

• BYU football fall camp preview: Young standouts on defense, monitoring injuries and a look to 2023.

• Utah State football fall camp preview: Offensive production, new leadership, and Logan Bonner's accuracy.

• The Daily Buzz: Salt Lake City International Airport's long walk is going to get better.

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Date: Wed, Aug 3, 2022 at 4:37 AM
Subject: The Morning: Monkeypox, explained
To: <tracygruber@utah.gov>

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The New York Times
The Morning

August 3, 2022

By German Lopez

Good morning. Monkeypox is not Covid, but there are good reasons to take precautions.

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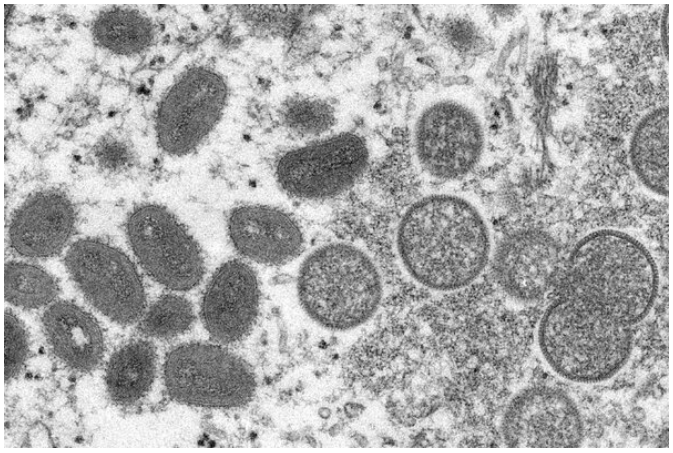

An electron microscope image of monkeypox virions. CDC, via Associated Press

A painful illness

The viral disease monkeypox is spreading around the world. So far, there are more than 6,300 known cases in the U.S., almost entirely among gay and bisexual men. New York, California, Illinois and some cities have declared states of emergency, following the World Health Organization's own declaration of a global emergency.

The headlines are grim enough that you might be worried that monkeypox is like SARS or Covid: another virus that could disrupt or even threaten your life. The good news is monkeypox is much less contagious and much less likely to be deadly than Covid. There are also vaccines and treatments originally developed for smallpox that work on monkeypox.

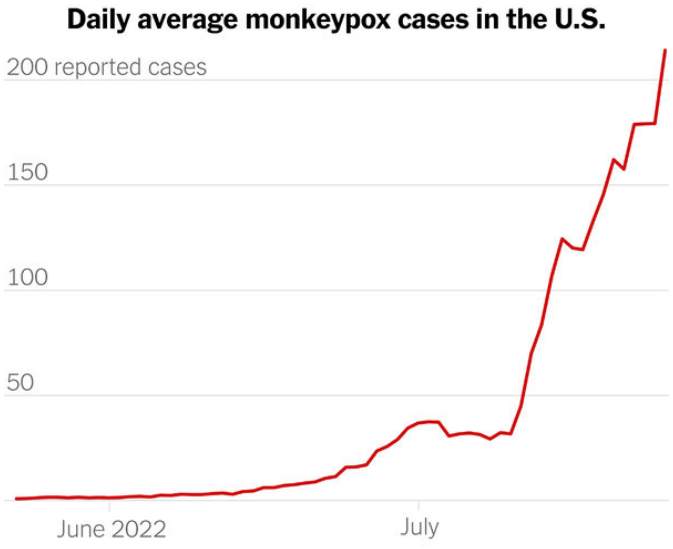

Chart shows 7-day averages; data up to July 25. | Source: Centers for Disease Control and Prevention

But while monkeypox probably will not kill you, it can be excruciating enough that you want to avoid it nonetheless: It can cause pain that some patients compare to glass shards scraping against the skin. And although the virus is afflicting mostly gay and bisexual men now, that could change if it continues to spread unchecked. Nothing about the virus limits its spread to only men who have sex with men (not all of whom identify as gay or bisexual).

Today's newsletter explains what we know about monkeypox and what people can do to stay safe.

How bad is it?

Monkeypox produces symptoms that can range from unpleasant to painful, although they are rarely deadly. At least six deaths, out of 25,000 cases, have been reported in places where the virus was not known to exist before the current outbreak. The risk of death is higher for young children and people who are immunocompromised or pregnant.

The telltale symptom is sores, which can look like pimples or blisters. They can hurt, especially in sensitive areas like the genitals and anus.

“I was scared to use the bathroom,” a recent monkeypox patient, Gabriel Morales, told The Times. He described the sores as feeling like “broken glass” in his body.

Other symptoms include fever, headache, muscle aches, swollen lymph nodes, chills and exhaustion. The disease typically lasts two to four weeks.

How does it spread?

Monkeypox mostly spreads through close physical contact, typically skin-to-skin touch. Most infections in the current outbreak have occurred through close contact during sex. The virus also can spread through contaminated surfaces, including clothes and bedding. Brief contact, like a handshake, is not usually enough to spread monkeypox. Unlike Covid, it does not seem to spread much through the air.

Nearly half of known U.S. cases have occurred in the first three states to declare emergencies: New York, California and Illinois.

So far, about 98 percent of cases worldwide are among men who have sex with men. Many of them have had multiple partners, sometimes strangers. Some early superspreader events were gay parties in Europe, which appeared to introduce the virus into the social networks of men who have sex with men.

Public health officials have struggled with acknowledging some of these factors, fearing that they could stigmatize gay and bisexual men. But part of a proper public health response is targeting the people most at risk and the riskiest activities, and that requires an honest assessment of what is happening.

A line for the monkeypox vaccine in San Francisco. Jim Wilson/The New York Times

What can you do?

Most people are not currently at serious risk of catching monkeypox, with the virus concentrated among gay and bisexual men for now. “Your risk depends on who you are,” my colleague Apoorva Mandavilli, who has covered the current outbreak since the first U.S. case was identified, told me.

To lower their risk, gay and bisexual men can try to make sure their male sex partners do not have monkeypox, watching out for sores. They can use a

condom, which can at least reduce the chances of getting sores in sensitive areas. They can temporarily reduce their number of sexual partners or avoid riskier activities, such as anonymous sex and sex parties. Practicing good hygiene, like frequent hand-washing, can help, too.

Vaccines and tests for monkeypox also exist, although they are not widely available right now because of supply shortages and strict government rules about access.

If someone is infected, the C.D.C. recommends isolating at home and staying away from others if possible. But that can be very difficult with a disease that can last four weeks — another reason to prioritize prevention and slow the spread.

What are officials doing?

Public health officials are trying to make vaccines, treatments and testing more available. President Biden yesterday named a national monkeypox response coordinator to oversee those efforts.

But progress has been slow. As monkeypox spread in May and June, 300,000 vaccine doses owned by the U.S. sat in Denmark.

Officials are also trying to raise public awareness of monkeypox, given that it is a new virus to most Americans.

Their main goal now is to avoid a wider outbreak that makes monkeypox an endemic virus that spreads regularly across the U.S., like influenza. If monkeypox keeps spreading unchecked, it could eventually spill over to a broader population than gay and bisexual men, said Dr. Céline Gounder, a senior fellow at the Kaiser Family Foundation.

“It’s still containable,” she added. “But it is going to require more aggressive screening, testing and vaccination.”

The bottom line

Monkeypox is not typically fatal, but it still can cause painful disease and permanent scarring. The risk is not high for most people now, but that could change if the virus continues to spread. And the people who are at serious risk can take steps to stay safe and prevent the outbreak from getting worse.

Related

- Stopping the spread of monkeypox will depend on three crucial questions.
- Some gay men see echoes of H.I.V./AIDS.
- From Times Opinion: Monkeypox is about to become the next U.S. public health failure, writes Scott Gottlieb, the former head of the F.D.A.

THE LATEST NEWS

Primaries

Voters in St. Louis yesterday. Whitney Curtis for The New York Times

- Kansas voted to keep abortion protections in the State Constitution, a major victory for abortion rights in a red state.
- In Arizona, a Donald Trump-backed newcomer won the Republican Senate nomination. A 2020 election denier became the party's choice for secretary of state.
- In Michigan, Representative Peter Meijer, a Republican who voted to impeach Trump, lost his primary.
- Tudor Dixon, a conservative media personality who has questioned the 2020 election results, will face Democrat Gretchen Whitmer in the Michigan governor's race.
- Eric Greitens, a scandal-ridden former governor, lost Missouri's Republican Senate primary.

Nancy Pelosi in Taiwan

A billboard welcoming Nancy Pelosi to Taipei. Chiang Ying-Ying/Associated Press

- Speaker Nancy Pelosi has left Taiwan after meeting with its president today. Her trip set up a standoff with China.
- China will respond with military drills. Analysts believe they're aimed at projecting strength rather preparing for an invasion. (Here's why China is angry.)

Politics

- The Senate passed a bill to expand medical care for veterans exposed to toxic burn pits.

- Two officials involved in Trump's plan to falsely claim he had won Arizona in 2020 told lawyers they feared accusations of treason.

Other Big Stories

- Russia's invasion has displaced a third of Ukraine's population, creating Europe's biggest migration crisis since the aftermath of World War II.
- The C.I.A. had tracked Al Qaeda's leader, Ayman al-Zawahri, for decades. His morning routine on the balcony provided a window to strike.
- A 12-year-old girl escaped captivity in rural Alabama, and the authorities found two decomposing bodies where she had been held.
- "Originalists" like Justice Samuel Alito have never quite explained how their theory squares with racial integration, writes Adam Liptak, The Times's Supreme Court reporter.

Opinions

Bret Stephens applauds Pelosi for standing up to China. **Thomas Friedman** thinks her trip endangers Taiwan.

America's decline is eroding other countries' faith in democracy, **Farah Stockman** argues.

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MORNING READS

Outdoor cats: Neighborhood mascot or menace?

Silent killer: A simple alarm can detect carbon monoxide. Why don't more hotels have them?

A Times classic: Why "Euphoria" enthralls.

Advice from Wirecutter: How to clean your yoga mat.

Lives Lived: Vin Scully served as the announcer for Dodgers baseball games for 67 years, first in Brooklyn and later in Los Angeles. He died at 94.

SPORTS NEWS FROM THE ATHLETIC

A history-making M.L.B. trade: By last night, the news that 23-year-old superstar Juan Soto had been shipped from the Nationals to the Padres had barely sunk in. Even The Athletic's seen-it-all squad was stunned by the deal. As for the return, it might be the biggest prospect haul ever.

Soto will *probably* debut with the Padres tonight. For more: Winners and losers of the trade deadline.

King of Queens: After 391 days, Mets ace Jacob deGrom looked like himself in his return to a big-league mound.

ARTS AND IDEAS

Pickle-flavored products. Zack Wittman for The New York Times

Sprinkle on some pickle

It's the summer of the pickle. Not actual pickles — although they're as popular as ever — but the flavor, which is everywhere, Christina Morales writes.

Pickle spice adds a sweet-and-sour flavor, which complements snack foods like popcorn and pizza. Frito-Lay now makes pickle-flavored Lays, Doritos and Ruffles chips. Trader Joe's said its dill pickle seasoning blend sold out soon after it hit shelves in May.

Social media has helped spur the flavor's popularity. Meg and Maddie Antonelli, a mother-and-daughter TikTok duo, make pickle pizzas at home, slather pickle dip on burgers and pair pasta with dill pickle seasoning. "I wish this was always trending," Meg Antonelli said, "because I love pickles."

PLAY, WATCH, EAT

What to Cook

Ryan Liebe for The New York Times

This skillet chicken recipe is inspired by ingredients used in Moroccan cuisine: orange and ground turmeric.

What to Listen to

Six podcasts about political scandals.

What to Watch

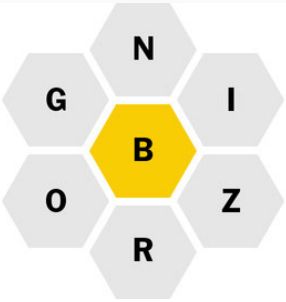
In the film "Shalom Taiwan," a Buenos Aires rabbi hits the road to raise money

for his community center.

Late Night

The hosts discussed the killing of al-Zawahri.

Now Time to Play



The pangram from yesterday's Spelling Bee was *picnicked*. Here is today's puzzle.

Here's today's Mini Crossword, and a clue: Ocean motion (four letters).

And here's today's Wordle. After, use our bot to get better.

Thanks for spending part of your morning with The Times. See you tomorrow. — German

Correction: Yesterday's newsletter incorrectly said that Russia began its invasion of Ukraine last year. It began in February.

P.S. Times journalists won awards from the Asian American Journalists Association.

Here's today's front page.

"The Daily" is about the primaries. On "Popcast," Beyoncé's robust return.

Matthew Cullen, Claire Moses, Ian Prasad Philbrick, Tom Wright-Piersanti and Ashley Wu contributed to The Morning. You can reach the team at themorning@nytimes.com.

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SUBJECT: PH WINS Survey Results Available Now!
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 04/08/2022 10:21

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PUBLIC HEALTH WEEKLY

August 4, 2022

How Strong Partnerships Improved Colorado's Suicide And Overdose Prevention Strategy

Suicide and overdose are among the top 10 leading causes of death in the United States. Addressing these complex issues requires cross-sector partnerships. This video highlights the Colorado Network Collaborative, an innovative effort that brings federal, state, and local partners together to mitigate risk factors and build protective factors associated with suicide and overdose.

Learn how this collaborative framework is improving prevention efforts in Colorado and how a similar collaborative approach might benefit other states.

WATCH

States Serving Up Healthy Eating Policies

Obesity is on the rise throughout the United States, and with it increased risk for diabetes, heart disease, stroke, and cancer.

While there is no single approach to reducing obesity, a significant piece of the puzzle is healthy eating and consistent access to healthy foods. States have identified different strategies to implement healthy eating approaches and reduce obesity at the school and community levels, as well as through food labeling at grocery stores and food markets.

Learn more about these strategies in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

New Public Health Workforce Data and Interactive Dashboard Now Available | Full data and an interactive dashboard from the 2021 Public Health Workforce Interests and Needs Survey (PH WINS), the only nationally representative survey of state and local government public health employees in the U.S., are now available. The survey covers critical data on the work force, including the impact of the COVID-19 pandemic on their jobs and professional lives. The survey was conducted by the de Beaumont Foundation and ASTHO between September 2021 and January 2022, and it was completed by nearly 45,000 individuals. **Learn more about PH WINS.**

COVID-19: A Catalyst for Change & How It Could Transform the National Health Data Ecosystem & Health of American Communities | Check out a new webinar from the Massachusetts Health Data Consortium on how the COVID-19 pandemic has provided an opportunity for public health to modernize its data systems to better meet current needs; ASTHO's senior vice president of population health and innovation, J.T. Lane, MPH, will be presenting. **Register now**.

LATEST ASTHO RESOURCES AND EVENTS

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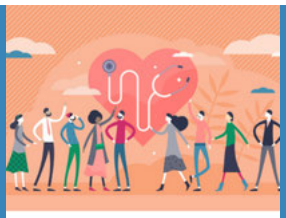

Brief

Leveraging Health Official Authority and Influence for Systems Improvement

READ

Brief

Successes from the Suicide and Opioid Overdose Prevention Public Health Initiative

READ

Report

Public Health Confronts the Mosquito: Special Considerations for U.S. Territories and Freely Associated States

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astho PUBLIC HEALTH REVIEW MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **PH WINS Survey Released** | Brian Castrucci, de Beaumont Foundation
- **New CDC Workforce Survey** | Laura Parajón (SHO Designee-NM)
- **North Carolina's Child Vaccine Strategy** | Elizabeth Cuervo Tilson (SHO Designee-NC)
- **Monkeypox Response** | Chris Taylor, ASTHO
- **Filling the Workforce Pipeline** | Laura Parajón (SHO Designee-NM)

LISTEN

PUBLIC HEALTH REVIEW PODCAST

astho PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

- **How Health Systems Can Reduce Gun Violence, Here's What Kaiser Permanente Is Doing.** | *Forbes*
- **Biden administration falls into blame game with local authorities over monkeypox response.** | *The Hill* | **Marcus Plescia,** ASTHO
- **Monkeypox cases are rising in the U.S. What's being done to stop the outbreak?** | *PR Morning Edition* | Marcus Plescia, ASTHO
- **Supporting the Public Health Workforce Requires Collective Actions to Address Harassment and Threats.** | *JAMA Open Network* | Michael Fraser, ASTHO
- **The smallpox vaccine stockpile isn't the monkeypox solution we need — yet.** | *Vox* | Nirav Shah (SHO-ME), ASTHO president
- **Health Secretary Says States 'Need to Work With Us' on Fighting Monkeypox.** | *The New York Times* | Marcus Plescia, ASTHO

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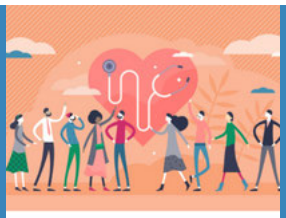
THIS WEEK'S HIGHLIGHTS

New Public Health Workforce Data and Interactive Dashboard Now Available | Full data and an interactive dashboard from the 2021 Public Health Workforce Interests and Needs Survey (PH WINS), the only nationally representative survey of state and local government public health employees in the U.S., are now available. The survey covers critical data on the work force, including the impact of the COVID-19 pandemic on their jobs and professional lives. The survey was conducted by the de Beaumont Foundation and ASTHO between September 2021 and January 2022, and it was completed by nearly 45,000 individuals. **Learn more about PH WINS.**

COVID-19: A Catalyst for Change & How It Could Transform the National Health Data Ecosystem & Health of American Communities | Check out a new webinar from the Massachusetts Health Data Consortium on how the COVID-19 pandemic has provided an opportunity for public health to modernize its data systems to better meet current needs; ASTHO's senior vice president of population health and innovation, J.T. Lane, MPH, will be presenting. **Register now**.

LATEST ASTHO RESOURCES AND EVENTS

[redacted]



Brief

Leveraging Health Official Authority and Influence for Systems Improvement

READ

Brief

Successes from the Suicide and Opioid Overdose Prevention Public Health Initiative

READ

Report

Public Health Confronts the Mosquito: Special Considerations for U.S. Territories and Freely Associated States

READ

astho PUBLIC HEALTH REVIEW MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **PH WINS Survey Released** | Brian Castrucci, de Beaumont Foundation
- **New CDC Workforce Survey** | Laura Parajón (SHO Designee-NM)
- **North Carolina's Child Vaccine Strategy** | Elizabeth Cuervo Tilson (SHO Designee-NC)
- **Monkeypox Response** | Chris Taylor, ASTHO
- **Filling the Workforce Pipeline** | Laura Parajón (SHO Designee-NM)

LISTEN

PUBLIC HEALTH REVIEW PODCAST

astho PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

- **How Health Systems Can Reduce Gun Violence, Here's What Kaiser Permanente Is Doing.** | *Forbes*
- **Biden administration falls into blame game with local authorities over monkeypox response.** | *The Hill* | **Marcus Plescia,** ASTHO
- **Monkeypox cases are rising in the U.S. What's being done to stop the outbreak?** | *PR Morning Edition* | Marcus Plescia, ASTHO
- **Supporting the Public Health Workforce Requires Collective Actions to Address Harassment and Threats.** | *JAMA Open Network* | Michael Fraser, ASTHO
- **The smallpox vaccine stockpile isn't the monkeypox solution we need — yet.** | *Vox* | Nirav Shah (SHO-ME), ASTHO president
- **Health Secretary Says States 'Need to Work With Us' on Fighting Monkeypox.** | *The New York Times* | Marcus Plescia, ASTHO

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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Unsubscribe from all ASTHO newsletters.

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SUBJECT: Accepted: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (natechecketts@utah.gov)
FROM: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
TO: natechecketts@utah.gov
DATE: 04/08/2022 12:32

Michelle Hofmann (DHHS) has accepted this invitation.

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
nabercrombie@utah.gov
View all guest info

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- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

[redacted]

SUBJECT: White House IGA Weekly Newsletter - 8/6
FROM: White House Intergovernmental Affairs <IGA46@who.eop.gov>
TO: <mhofmann@utah.gov>
DATE: 06/08/2022 09:05

THE WHITE HOUSE
WASHINGTON

August 6, 2022

Bipartisan Economic Experts and Former Treasury Secretaries Support The Inflation Reduction Act

Former Treasury Secretaries' Statement on Inflation Reduction Act

Five former Treasury secretaries — including Hank Paulson, who served under President George W. Bush — signed a statement strongly backing the "**Inflation Reduction Act**" brokered by Senate Majority Leader Chuck

[redacted]

Schumer and Sen. Joe Manchin (D-W.Va.).

Why it matters: The bipartisan support will help the White House and Democrats push back against the **Republican contention** that millions of Americans who make under $400,000 a year would see their taxes rise.

- The **others** who signed on are Robert Rubin and Larry Summers (President Clinton), Tim Geithner and Jacob Lew (President Obama).
- Senate votes are **expected to begin** later this week on the health, climate and tax plan.

"As former Treasury Secretaries of both Democratic and Republican Administrations," the statement says, "we support the Inflation Reduction Act which is financed by prudent tax policy that will collect more from top-earners and large corporations.

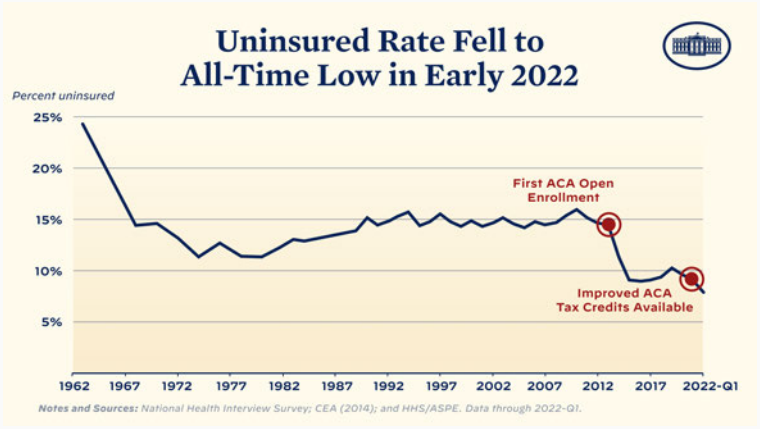
"Taxes due or paid will not increase for any family making less than $400,000/year. And the extra taxes levied on corporations do not reflect increases in the corporate tax rate, but rather the reclaiming of revenue lost to tax avoidance and provisions benefitting the most affluent.

The selective presentation by some of the distributional effects of this bill neglects benefits to middle-class families from reducing deficits, from bringing down prescription drug prices, and from more affordable energy. This legislation will help increase American competitiveness, address our climate crisis, lower costs for families, and fight inflation — and should be passed immediately by Congress."

Statement by President Biden on the July Jobs Report

Today, the unemployment rate matches the lowest it's been in more than 50 years: 3.5%. More people are working than at any point in American history. That's millions of families with the dignity and peace of mind that a paycheck provides. And, it's the result of my economic plan to build the economy from the bottom up and middle out. I ran for president to rebuild the middle class – there's more work to do, but today's jobs report shows we are making significant progress for working families.

Statement by President Joe Biden on All-Time Low Uninsured Rate

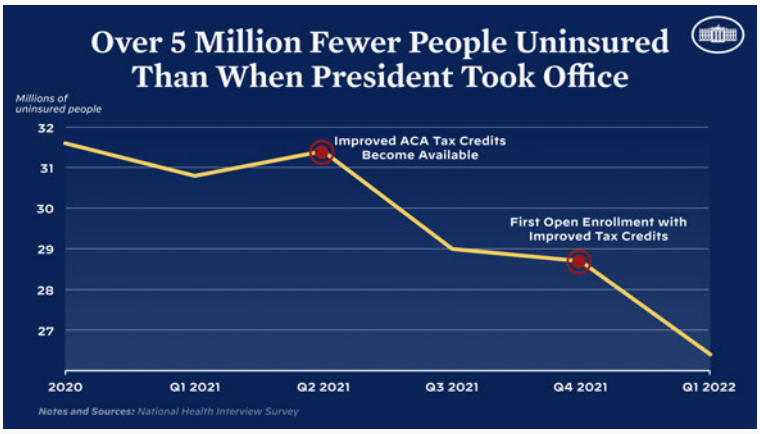


Every American has the right to the peace of mind that comes with access to

affordable, quality health care. No one should worry about whether they can pay for their doctor or choose between paying rent and filing a prescription. Today, we are closer than ever to making that principle a reality. The lowest percentage of Americans are uninsured today – eight percent – in history.

This progress did not happen by accident. More than 35 million Americans are enrolled in Affordable Care Act related coverage – the highest total on record. This includes over 21 million people who are enrolled in the ACA's expansion of Medicaid, coverage that is denied to nearly four million Americans who live in states that have refused to expand Medicaid. And, since the beginning of my Administration, 5 million more people have gained health insurance coverage – in significant part because of the improvements to the ACA in the American Rescue Plan.

When I ran for office, I said we needed to protect and build on the Affordable Care Act. The Inflation Reduction Act will do just that – it will lock in an average $800 a year savings in health insurance premiums for 13 million Americans and prevent 3 million Americans from becoming uninsured. I urge Congress to pass this legislation swiftly to lower health care costs and make health insurance coverage more accessible for families across the country.



Statement by President Joe Biden on Defeat of Kansas Ballot Measure Threatening Women's Right to Abortion

The Supreme Court's extreme decision to overturn *Roe v. Wade* put women's health and lives at risk. Tonight, the American people had something to say about it. Voters in Kansas turned out in record numbers to reject extreme efforts to amend the state constitution to take away a woman's right to choose and open the door for a state-wide ban. This vote makes clear what we know: the majority of Americans agree that women should have access to abortion and should have the right to make their own health care decisions.

Congress should listen to the will of the American people and restore the protections of *Roe* as federal law. While that is the only way to secure a woman's right to choose, my Administration will continue to take meaningful action to protect women's access to reproductive health care. We will continue to act where we can to protect women's reproductive rights and access to care. And, the American people must continue to use their voices to protect the right to women's health care, including abortion.

Statement by President Joe Biden on Senate Passage of the Bipartisan PACT Act

While we can never fully repay the enormous debt we owe to those who have worn the uniform, today, the United States Congress took important action to meet this sacred obligation. The bipartisan *Sergeant First Class Heath Robinson Honoring Our PACT Act of* 2022 is the biggest expansion of benefits for service-connected health issues in 30 years and the largest single bill ever to comprehensively address exposure to burn pits.

I called for this legislation in my State of the Union address, as part of my Unity Agenda to help bring together our nation. Congress has delivered a decisive and bipartisan win for America's veterans. I want to thank Chair Tester and

Ranking Member Moran as well as Chair Takano and Ranking Member Bost for their tireless work to pass this major reform, and the courageous veterans and advocates whose tenacity and heart ensured this legislation got done.

For the millions of veterans who may have been exposed to harmful toxins, this bill means quicker access to health care services and other benefits. This could be the difference between life and death for many suffering from toxic related illnesses. For the spouse or child of a servicemember who died from toxic exposure, struggling to put their lives back together, this bill will be a lifeline. It means a monthly stipend for a surviving spouse and kids, and access to tuition benefits to help cover the cost of college. It means access to life insurance, home loan assistance, and help with health care. It matters.

I have long said we have a lot of obligations as a nation, but we have only one sacred obligation – to prepare and equip those we send to war and to take care of them and their families when they come home.

I look forward to signing this bill, so that veterans and their families and caregivers impacted by toxic exposures finally get the benefits and comprehensive health care they earned and deserve.

White House Releases Fact Sheets Highlighting President Biden's Bipartisan Infrastructure Law's Progress Nationwide

This week, the White House released updated fact sheets highlighting how President Biden's Bipartisan Infrastructure is delivering results for all 50 states, territories, the District of Columbia, and Tribal communities.

Eight months following the passage of the Bipartisan Infrastructure Law, the Biden-Harris Administration has made unprecedented investments in all 50 states and territories to build a better America that delivers for all communities. Since November 2021, President Biden and Vice President Harris have left no community behind in their efforts to rebuild America's infrastructure.

The Bipartisan Infrastructure Law is rebuilding our roads and bridges, replacing lead pipes to provide clean water, providing high-speed internet to every family in America, delivering cheaper and cleaner energy to households and businesses, and creating good-paying jobs. Since signing the law, the Biden-Harris Administration has hit the ground running to make major progress.

Below are individual fact sheets, which provide detailed information about announced and anticipated funding as well as signature projects:

- **Alabama**
- **Alaska**
- **American Samoa**
- **Arizona**
- **Arkansas**
- **California**
- **Colorado**
- **Connecticut**
- **DC**
- **Delaware**
- **Florida**
- **Georgia**
- **Guam**
- **Hawaii**

- Idaho
- Illinois
- Indiana
- Iowa
- Kansas
- Kentucky
- Louisiana
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- New Hampshire
- New Jersey
- New Mexico
- New York
- North Carolina
- North Dakota
- Northern Mariana Islands
- Ohio
- Oklahoma
- Oregon
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- South Dakota
- Tennessee
- Texas
- Tribal Fact Sheet
- US Virgin Islands
- Utah
- Vermont
- Virginia
- Washington
- West Virginia
- Wisconsin
- Wyoming

Biden-Harris Administration Announces over $1 Billion in Project Selections Make Communities More Resilient to Climate Change and Extreme Weather Events

This week, Vice President Kamala Harris, Homeland Security Secretary Alejandro N. Mayorkas, and FEMA Administrator Deanne Criswell announced the selections for $1.16 billion in climate resilience funding through two competitive grant programs to help communities across the nation enhance climate and disaster resiliency.

The selections include large resilience projects funded by the **Building**

Resilient Infrastructure and Communities (BRIC) national competition and **Flood Mitigation Assistance** (FMA) community-wide flood mitigation projects. Selections are from Fiscal Year 2021 funding round with $1 billion made available through BRIC and $160 million made available for Flood Mitigation Assistance.

“Climate change poses a very real threat to the safety, security, and prosperity of the United States,” **said Homeland Security Secretary Alejandro N. Mayorkas**. “Its impacts are being felt in real time and are felt most acutely by the nation’s most vulnerable communities. While we can’t eliminate the threats we face as a nation, we can and must build our resilience against those threats – and that is why we are making this announcement today – because, together, we are building climate resilience.”

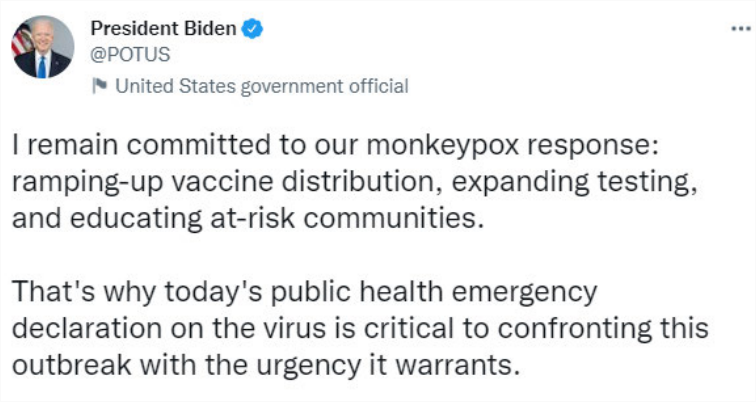
Please see the full Press Release here

Biden-Harris Administration Updates on Monkeypox Efforts

Biden-Harris Administration Declares Monkeypox a Public Health Emergency

U.S. Department of Health and Human Services Secretary Xavier Becerra announced today that he will declare the ongoing spread of monkeypox virus in the United States a Public Health Emergency (PHE). This action will further strengthen and accelerate the Biden-Harris Administration’s response in recognition of the continued rapid transmission of monkeypox in the U.S. and globally, and to signal the seriousness and urgency with which the Administration is responding. The announcement comes on the heels of President Biden appointing Robert Fenton of the Federal Emergency Management Agency as White House National Monkeypox Response Coordinator and Dr. Demetre Daskalakis of the Centers for Disease Control and Prevention as White House National Monkeypox Response Deputy Coordinator.

Please see the full Press Release Here



President Biden Announces Team to Lead Monkeypox Response

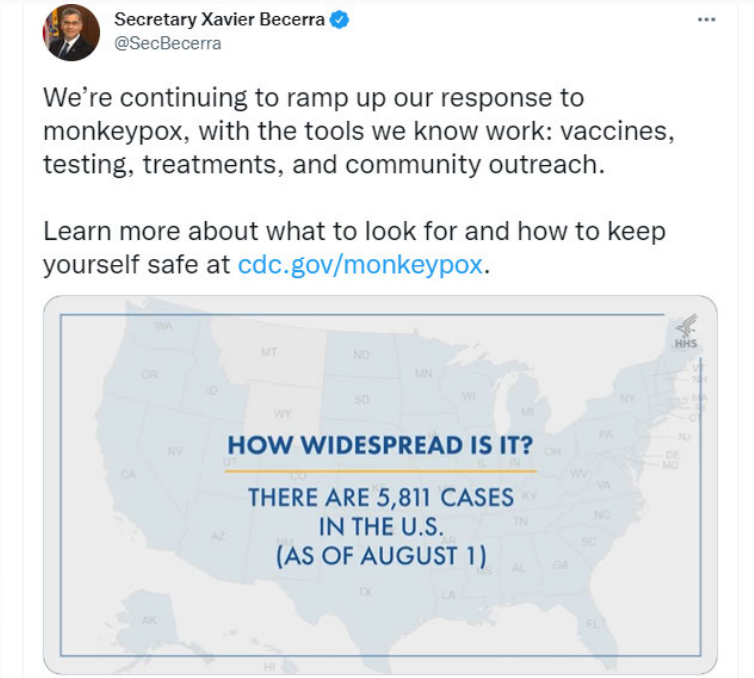
This week, President Biden named FEMA’s Robert Fenton as the White House National Monkeypox Response Coordinator and Dr. Demetre Daskalakis as the White House National Monkeypox Response Deputy Coordinator. Fenton and

Daskalakis will lead the Administration's strategy and operations to combat the current monkeypox outbreak, including equitably increasing the availability of tests, vaccinations and treatments.

Robert Fenton currently serves as Regional Administrator for FEMA Region 9 in the American West, with nearly 50 million people in his area of responsibility. One of the Nation's most experienced and effective emergency management leaders, Robert Fenton has twice served as Acting Administrator of FEMA and led multiple challenging prevention, response and recovery operations throughout his long and distinguished career, including for natural disasters, disease outbreaks, and complex humanitarian operations.

Demetre Daskalakis, a leading public health expert, is currently Director of the CDC Division of HIV Prevention. Widely known as a national expert on health issues affecting the LGBGQIA+ communities, his clinical practice has focused on providing care for the underserved LGBTQIA+ communities. He previously oversaw management of infectious diseases for the New York City Department of Health and Mental Hygiene, one of the largest departments in the nation – including in serving as incident commander for the City's COVID-19 response.

Please Find the full Press Release Here



Learn more about what to look for and how to keep yourself safe here.

Fastest Gas Price Decline in Over a Decade

President Biden Issues Executive Order at the First Meeting of the Task Force on Reproductive Healthcare Access

[Please see the full Executive Order Fact Sheet Here]

The DOT Navigator

The DOT Navigator is a new resource from the U.S. Department of

Transportation to help communities understand the best ways to apply for grants, and to plan for and deliver transformative infrastructure projects and services. Whether it's the first time you're applying for a DOT grant or you're looking for more technical details and guidance, the DOT Navigator can help get you started.

Learn more here: **DOT Navigator**

Public Service Loan Forgiveness (PSLF) Program

On October 6, 2021, the U.S. Department of Education announced a change to the Public Service Loan Forgiveness (PSLF) program rules for a limited time as a result of the COVID-19 national emergency. Millions of non-profit and government employees have federal student loans and may now be eligible for loan forgiveness or additional credit through the temporary changes, known as the Limited PSLF Waiver. Under normal PSLF rules, borrowers must make 120 payments on a Direct Loan while on a qualifying repayment plan and employed by a qualifying public service employer. Now, for a limited period of time, federal student loan borrowers may receive credit for past periods of repayment that would otherwise not qualify for PSLF. Borrowers can apply for the waiver at **www.studentaid.gov/pslfwaiver**.

The waiver will run through October 31, 2022. This means some borrowers will need to consolidate and/or submit a PSLF form – the single application used for a review of employment certification, payment counts, and processing of forgiveness – on or before October 31, 2022, to have previously ineligible payments counted. After October 31, 2022, normal PSLF rules will apply.

We encourage you to take action to help elevate the PSLF program amongst government employees.

Weekly IGA Call

Tune in weekly for Administration updates Thursdays at 4 PM ET.

When: Every Thursday at 4 PM ET
Register here:
[redacted]

See you next week!

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: Fwd: Legislative Required Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>
DATE: 08/08/2022 08:35

Janae and Anna -

Could you help come up with a response for Russell's question (see thread below)?

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022, 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:
- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

> Sean, Russell, and Kimberly -
>
> Please see the attached reports from DHHS due to SSA by August 1, 2022:
> - Antipsychotic Use in Serious Mental Illness
> - Concurrent Prescriptions for Opioid and Benzodiazepines
> - Urine Drug Testing Report
>
> The Department has two other reports due to SSA in the coming days that are still being finalized:
> - Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
> - Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)
>
> Please let us know if you have any questions.
>
> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Fwd: [EXTERNAL] QAZ: Question for you from Utah Department of Healthand Human Services (Time-sensitive)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Francesca Lanier (DHHS)" <flanier@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
CC: Krisann Humphreys Bacon <krisannbacon@utah.gov>
DATE: 08/08/2022 08:52

Do you have any insight into any barriers that Utah may have to CVS using their universal digital tool when prescribing hormonal contraception?

Thanks,

Nate

On Mon, Aug 8, 2022 at 8:19 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Response from CVS, interesting challenge that we may be able to help address.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Rocchio, John N.** <John.Rocchio@cvshealth.com>
Date: Mon, Aug 8, 2022 at 7:39 AM
Subject: RE: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>, Talbott, Theresa M. <Theresa.Talbott@cvshealth.com>
Cc: Rocchio, John N. <John.Rocchio@cvshealth.com>

Hello Krisann,
Thank you for the outreach. We are live with pharmacist based prescribing of hormonal contraceptives in many states and our teams have a roadmap to expansion. We are currently not live in Utah since we cannot leverage our universal digital tool for the patient assessment.

Other states permit our clinical teams to create a digital assessment form that incorporates all of the questions that would be part of the state form and transfers them over to our digital tool. We understand that this action is not allowed in Utah, which has impeded our ability to provide this service.

I am out-of-office this week as well, and I would happily wish to connect and see if we can rectify this matter upon my return.
Sincerely,
John

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 1:22 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Cc: Rocchio, John N. <John.Rocchio@CVSHealth.com>
Subject: Re: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Thank you!

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Aug 5, 2022 at 11:05 AM Talbott, Theresa M. <Theresa.Talbott@cvshealth.com> wrote:

Hi, Krisann--
I am out of the office. Adding my colleague john to help answer the questions
Terry Talbott, R.Ph.
Lead Director
State Government Affairs
CVS Health
5704604394

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 12:58:30 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Subject: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Hi Theresa,

I don't know if we've met yet, I've worked with Larry in the past related to COVID-19. I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for CVS regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screenir Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does CVS participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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FROM: "Anna Fondario (DHHS)" <afondario@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov> "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 09:20

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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<tbrechlin@utah.gov>
DATE: 08/08/2022 16:51

Thank you Anna for the great information.

We can also let Russell know that we have built in more measures to look at this over time, so a few years of collecting data would be helpful.

Janae

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Division Director
C: 385.280.0312
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DATE: 08/08/2022 17:30

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DATE: 08/08/2022 20:28

Thanks Marc, I like the response. In regards to the highlighted section referring to data elements - it is the additional data (measures) that the providers are now collecting from applicants. Let me know if more clarification is needed. Thanks all.

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Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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--
Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

Utah Department of Health & Human Services
Population Health

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SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>
DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 05:33

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[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

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Utah Department of
Health & Human Services
Legislative Affairs

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Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
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SUBJECT: (P) COVID Dashboard Aggregate Daily File
FROM: USIIS@utah.gov
TO: usiis@utah.gov, ktsuyuki@utah.gov, hecurtin@utah.gov, mhofmann@utah.gov, jessicapayne@utah.gov, jsurkis@utah.gov, cdcimmnaa1@utah.gov, jdemeny@utah.gov, tpotvien@utah.gov
DATE: 09/08/2022 07:03

State of Utah USIIS Program - Emailed Attachment.

SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 08:08

Thank you, Marc, Anna, and team. I support David's edits, and otherwise don't have others to add.

HB

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CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 09:26

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Amanda Slater
Assistant Deputy Director, Operations
She/Her/Hers
C: 385.262.1800
aslater@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Amanda Slater (DHHS)" <aslater@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
"Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney
<tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 10:53

Thank you for your much more eloquent phrasing David!

I will make those changes and send the response back to Russell.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of Health & Human Services
Legislative Affairs

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On Tue, Aug 9, 2022 at 9:26 AM Amanda Slater (DHHS) <aslater@utah.gov> wrote:
Thanks Marc. With David's edit this looks good to me.

On Tue, Aug 9, 2022 at 8:09 AM Heather Borski (DHHS) <hborski@utah.gov> wrote:
Thank you, Marc, Anna, and team. I support David's edits, and otherwise don't have others to add.

HB

On Tue, Aug 9, 2022 at 5:33 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Marc -

Overall, the response looks good to me. Adding how we are defining cost-sharing is very helpful context and, hindsight being 20/20, would have been good to add to the report, itself.

I do have a couple of minor edits & thoughts on the last paragraph for your thoughts:

[redacted]

[redacted]

[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

Utah Department of Health & Human Services

On Mon, Aug 8, 2022 at 5:31 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps th is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

With that understanding, because the SCI / BI Rehabilitation Fund in Utah is a payor of last resort, we view the State as already participating in a cost-sharing program. Participants o the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements (unsure what we are referring here) weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, we will study the issue more. We have built in more measures to look at this over time, so a few years of collecting data would be helpfu

To make sure we are on the same page, could you share with us what the legislature considers to be Cost Sharing? It will be helpful for us all to work from the same definition and understanding of what would or would not constitute cost-sharing under this specific circumstance (SCI / BI Rehabilitation Fund). Is the legislature suggesting that the account be changed to start allowing people who can pay to have preference to the Fund as a potential means of allowing more insured persons to receive rehabilitation services? What effect would this have on those who are least able to pay into the system? Would this not preclude many of them from receiving services as more funds are used to help those with some ability to pay (i.e "cost sharing")?

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 8, 2022 at 8:23 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if t subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
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mwatterson@utah.gov

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--

Amanda Slater
Assistant Deputy Director, Operations
She/Her/Hers
C: 385.262.1800
aslater@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: Re: [EXTERNAL] QAZ: Question for you from Utah Department of Healthand Human Services (Time-sensitive)
FROM: "Francesca Lanier (DHHS)" <flanier@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: Stephanie Saperstein <stephaniesaperstein@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Krisann Humphreys Bacon <krisannbacon@utah.gov>
DATE: 09/08/2022 14:37

Hi Nate- I'm not familiar with the CVS tool however the issue that does come to mind is whether the tool is available to minors such that it would provide contraceptives to minors without parer consent. See Utah Code 76-7-322. Public funds for provision of contraceptive or abortion services restricted.

FL

> On Aug 8, 2022, at 8:52 AM, Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
>
> Do you have any insight into any barriers that Utah may have to CVS using their universal digital tool when prescribing hormonal contraception?
>
> Thanks,
>
> Nate
>
> On Mon, Aug 8, 2022 at 8:19 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
> Response from CVS, interesting challenge that we may be able to help address.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
From: **Rocchio, John N.** <John.Rocchio@cvshealth.com>
Date: Mon, Aug 8, 2022 at 7:39 AM
Subject: RE: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>, Talbott, Theresa M. <Theresa.Talbott@cvshealth.com>
Cc: Rocchio, John N. <John.Rocchio@cvshealth.com>

Hello Krisann,
Thank you for the outreach. We are live with pharmacist based prescribing of hormonal contraceptives in many states and our teams have a roadmap to expansion. We are currently not live in Utah since we cannot leverage our universal digital tool for the patient assessment.

Other states permit our clinical teams to create a digital assessment form that incorporates all of the questions that would be part of the state form and transfers them over to our digital tool. We understand that this action is not allowed in Utah, which has impeded our ability to provide this service.

I am out-of-office this week as well, and I would happily wish to connect and see if we can rectify this matter upon my return.
Sincerely,
John

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 1:22 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Cc: Rocchio, John N. <John.Rocchio@CVSHealth.com>
Subject: Re: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

On Fri, Aug 5, 2022 at 11:05 AM Talbott, Theresa M. <Theresa.Talbott@cvshealth.com> wrote:

Hi, Krisann--
I am out of the office. Adding my colleague john to help answer the questions
Terry Talbott, R.Ph.
Lead Director
State Government Affairs
CVS Health
5704604394

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 12:58:30 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Subject: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Hi Theresa,

I don't know if we've met yet, I've worked with Larry in the past related to COVID-19. I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for CVS regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does CVS participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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[redacted]

[redacted]

--

[redacted]

SUBJECT: Re: Medical Question
FROM: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
TO: "Lisa Davenport (DHHS)" <lisadavenport@utah.gov>
CC: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 10/08/2022 09:47

The diagnosis is acute in nature to describe the withdrawal symptoms an infant experiences. This is from the ICD-10 code clinical information:

- A constellation of signs and symptoms observable in a neonate that are consistent with maternal substance abuse or withdrawal while pregnant.
- Fetal and neonatal addiction and withdrawal as a result of the mother's dependence on drugs during pregnancy. Withdrawal or abstinence symptoms develop shortly after birth. Symptoms exhibited are loud, high-pitched crying, sweating, yawning and gastrointestinal disturbances.

That said, the diagnosis would typically stay in the child's medical record long-term to lend contextual information to any developmental issues that result from having had neonatal abstinence syndrome.

Does that make sense?
Michelle

[redacted]

On Wed, Aug 10, 2022 at 9:31 AM Lisa Davenport (DHHS) <lisadavenport@utah.gov> wrote:

Thank you so much, Michelle. I am the program manager for the Baby Watch Early Intervention Program, and have a question about one of the diagnoses on our Baby Watch Early Intervention Program Approved Diagnosis List

My question regarding Neonatal Abstinence Syndrome (NAS). I know that there are often developmental impacts that may show up at various points during the child's development. My question is: Would this diagnosis be considered acute in nature (during the withdrawal period), or would it still be used long term as an underlying diagnosis for various health and development problems?

Please let me know if you need further clarification or would like to have a conversation.

Thank you again.

Warmly,
Lisa

On Wed, Aug 10, 2022 at 9:14 AM Michelle Hofmann (DHHS) <mhofmann@utah.gov> wrote:

Absolutely. Please let me know how I can be of support.

Michelle

On Wed, Aug 10, 2022 at 8:29 AM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

Hi Michelle:

With all the changes, and with both Dr. Babitz and Woolsey no longer with us, are you available to answer questions and advise on medical issues to our division We have a couple contracted physicians who work with us in certain programs but if once in a while we can consult with you it would be greatly appreciated?

Noël

Noël Taxin, M.S.
Director Division of Family Health
C: 801.580.9153
ntaxin@utah.gov
health.utah.gov/cshcn/

Utah Department of Health & Human Services
Family Health

On Wed, Aug 10, 2022 at 7:45 AM Lisa Davenport (DHHS) <lisadavenport@utah.gov> wrote:

Good morning, Noel.

Do we have a Dr. or nurse that I would be able to contact to ask a question about one of the diagnoses on the Baby Watch approved diagnosis list?

Thank you,
Lisa

--
Lisa Davenport, PhD
Baby Watch Early Intervention Program Manager, Part C Coordinator
O: 801.273.2961
lisadavenport@utah.gov
dhhs.utah.gov
babywatch.utah.gov

Utah Department of Health & Human Services
Family Health

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--
Michelle Hofmann, MD, MPH, MHCDS, FAAP
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://dhhs.utah.gov

Utah Department of Health & Human Services

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[redacted]

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Lisa Davenport, PhD
Baby Watch Early Intervention Program Manager, Part C Coordinator
O: 801.273.2961
lisadavenport@utah.gov
dhhs.utah.gov
babywatch.utah.gov

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Utah Department of
Health & Human
Services

SUBJECT: Re: Medical Question
FROM: "Lisa Davenport (DHHS)" <lisadavenport@utah.gov>
TO: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
CC: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 10/08/2022 09:53

This makes sense. Thank you!

How long would you suggest we use this as a qualifying diagnosis for a child (i.e. 12 months of age, or less or more)?

Thanks

On Wed, Aug 10, 2022 at 9:47 AM Michelle Hofmann (DHHS) <mhofmann@utah.gov> wrote:
The diagnosis is acute in nature to describe the withdrawal symptoms an infant experiences. This is from the ICD-10 code clinical information:
- A constellation of signs and symptoms observable in a neonate that are consistent with maternal substance abuse or withdrawal while pregnant.
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Michelle

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Noël

Noël Taxin, M.S.
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Thank you,
Lisa

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dhhs.utah.gov
babywatch.utah.gov

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O: 801.273.2961
lisadavenport@utah.gov
dhhs.utah.gov
babywatch.utah.gov

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SUBJECT: Re: Medical Question
FROM: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
TO: "Lisa Davenport (DHHS)" <lisadavenport@utah.gov>
CC: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 10/08/2022 09:56

I would recommend the full span of birth to 3 years.
Michelle

On Wed, Aug 10, 2022 at 9:54 AM Lisa Davenport (DHHS) <lisadavenport@utah.gov> wrote:
> This makes sense. Thank you!
>
> How long would you suggest we use this as a qualifying diagnosis for a child (i.e. 12 months of age, or less or more)?
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> Thanks
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> >
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> > > Thank you so much, Michelle. I am the program manager for the Baby Watch Early Intervention Program, and have a question about one of the diagnoses on our Baby Watch Early Intervention Program Approved Diagnosis List
> > >
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> > >
> > > Please let me know if you need further clarification or would like to have a conversation.
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> > > > Absolutely. Please let me know how I can be of support.
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> > > > >
> > > > > With all the changes, and with both Dr. Babitz and Woolsey no longer with us, are you available to answer questions and advise on medical issues to our division. We have a couple contracted physicians who work with us in certain programs but if once in a while we can consult with you it would be greatly appreciated?
> > > > >
> > > > > Noël
> > > > >
> > > > > Noël Taxin, M.S.
> > > > > Director Division of Family Health

[redacted]

C: 801.580.9153
ntaxin@utah.gov
health.utah.gov/cshcn/

Utah Department of Health & Human Services
Family Health

On Wed, Aug 10, 2022 at 7:45 AM Lisa Davenport (DHHS) <lisadavenport@utah.gov> wrote:

Good morning, Noel.

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Thank you,
Lisa

--
Lisa Davenport, PhD
Baby Watch Early Intervention Program Manager, Part C Coordinator
O: 801.273.2961
lisadavenport@utah.gov
dhhs.utah.gov
babywatch.utah.gov

Utah Department of Health & Human Services
Family Health

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Michelle Hofmann, MD, MPH, MHCDS, FAAP
Executive Medical Director and State Health Officer
O: 801.538.4016 C: 385.348.1519
mhofmann@utah.gov
https://dhhs.utah.gov

Utah Department of Health & Human Services

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https://dhhs.utah.gov

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Utah Department of Health & Human Services

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FROM: "Lisa Davenport (DHHS)" <lisadavenport@utah.gov>
TO: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
CC: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 10/08/2022 10:03

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: UMA Council of Trustees- REMINDER and please RSVP
FROM: Paige De Mille <paige@utahmed.org>
TO: "critt.aardema@tannerclinic.com" <critt.aardema@tannerclinic.com>,"jonahlstrom@me.com" <jonahlstrom@me.com>, "wainallenmd@mac.com" <wainallenmd@mac.com>, "dustincanderson78@gmail.com"<dustincanderson78@gmail.com>, "jaermd@gmail.com" <jaermd@gmail.com>,"brooks.bahr@hsc.utah.edu" <brooks.bahr@hsc.utah.edu>,"raeleneblocker@gmail.com" <raeleneblocker@gmail.com>, "jgbrinton@gmail.com"<jgbrinton@gmail.com>, "juneschen@hotmail.com" <juneschen@hotmail.com>,"lchilds@grangermedical.com" <lchilds@grangermedical.com>,"jjdougherty@noordacom.org" <jjdougherty@noordacom.org>, "baf.sloc@gmail.com"<baf.sloc@gmail.com>, "jrf.1937inslc@gmail.com" <jrf.1937inslc@gmail.com>,"maryellyn.gilfeather@hsc.utah.edu" <maryellyn.gilfeather@hsc.utah.edu>,"Mark R. Greenwood" <mark.greenwood@molinahealthcare.com>,"rrhightower@smartfella.com" <rrhightower@smartfella.com>,"pfhirning@gmail.com" <pfhirning@gmail.com>, "mhofmann@utah.gov"<mhofmann@utah.gov>, "jason.hunt@hsc.utah.edu" <jason.hunt@hsc.utah.edu>,"jacob@valleywomenshealth.com" <jacob@valleywomenshealth.com>,"drjacobjessop@yahoo.com" <drjacobjessop@yahoo.com>, "anne.lin@hsc.utah.edu"<anne.lin@hsc.utah.edu>, Annet
Mahler <annette@utahmed.org>, MichelleMcOmber <michelle@utahmed.org>, "skm@entcenterslc.com"<skm@entcenterslc.com>, "dylan.miller@imail.or
<dylan.miller@imail.org>,"wesmortensen@yahoo.com" <wesmortensen@yahoo.com>, "saphu.pradhan@imail.org"<saphu.pradhan@imail.org>, "drdamonrey@yahoo.com" <drdamonrey@yahoo.com>,"alisonsmith01@gmail.com" <alisonsmith01@gmail.com>,"don.vanboerum@imail.org" <don.vanboerum@imail.org>,"robert.wayment@gmail.com" <robert.wayment@gmail.com>,"wsheawright@gmail.com" <wsheawright@gmail.com>
CC: Mark Brinton <markb@utahmed.org>, "markf@utahmed.org" <markf@utahmed.org>,"howard.colman@hci.utah.edu" <howard.colman@hci.utah.edu>,"johndaymd@gmail.com" <johndaymd@gmail.com>, "tamarahampton@utah.gov"<tamarahampton@utah.gov>, "drnicholashanson@gmail.com"<drnicholashanson@gmail.com>, "david.l.moulton.md@gmail.com"<david.l.moulton.md@gmail.com>, "alison.smith01@gmail.com"<alison.smith01@gmail.com>
DATE: 10/08/2022 12:32

[redacted]

[redacted]

Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

UMA Council of Trustees members and guests- This is a reminder of the Council meeting next Thursday, August 18 at 5p. Shortly, we'll send you the agenda, minutes from the last meeting, and other applicable meeting handouts.

One of the discussion items is the Dobbs decision (Roe v Wade). The discussion will be technical and will center around the reality of the decision and what it means in Utah.

We've received RSVPs from some of you, but would greatly appreciate hearing from everyone as to whether you can participate or not.
Zoom instructions are below.

Please let us know if you have any questions.

We hope to welcome you on the 18th.
Thank you.

Paige De Mille
Membership Coordinator

Since 1895 UMA Utah Medical Association

310 E 4500 S Ste 500
Salt Lake City, Utah 84107
801.747.3500 x228 / f 801.747.3501
paige@utahmed.org

ZOOM

Topic: **U Council of Trustees**
Time: **Aug 18, 2022 10:00 PM** Mountain Time (US and Canada)
Link: [redacted]

Meeting ID: [redacted]
Passcode: [redacted]
Mobile: [redacted]

[redacted]

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FROM: James Fowler <jrf.1937inslc@gmail.com>
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DATE: 10/08/2022 13:11

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Link: [redacted]

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[redacted]

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FROM: Maryellyn Gilfeather <Maryellyn.Gilfeather@hsc.utah.edu>
TO: James Fowler <jrf.1937inslc@gmail.com>
CC: Paige De Mille <paige@utahmed.org>, "critt.aardema@tannerclinic.com"<critt.aardema@tannerclinic.com>, "jonahlstrom@me.com" <jonahlstrom@me.com>,"wainallenmd@mac.com" <wainallenmd@mac.com>, "dustincanderson78@gmail.com"<dustincanderson78@gmail.com>, "jaermd@gmail.com" <jaermd@gmail.com>, "BrooksBahr" <brooks.bahr@hsc.utah.edu>, "raeleneblocker@gmail.com"<raeleneblocker@gmail.com>, "jgbrinton@gmail.com" <jgbrinton@gmail.com>,"juneschen@hotmail.com" <juneschen@hotmail.com>, "lchilds@grangermedical.com" <lchilds@grangermedical.com>, "jjdougherty@noordacom.org"<jjdougherty@noordacom.org>, "baf.sloc@gmail.com" <baf.sloc@gmail.com>, "MarkR. Greenwood" <mark.greenwood@molinahealthcare.com>,"rrhightower@smartfella.com" <rrhightower@smartfella.com>,"pfhirning@gmail.com" <pfhirning@gmail.com>, "mhofmann@utah.gov"<mhofmann@utah.gov>, Jason Hunt <jason.hunt@hsc.utah.edu>,"jacob@valleywomenshealth.com" <jacob@valleywomenshealth.com>,"drjacobjessop@yahoo.com" <drjacobjessop@yahoo.com>, Anne Lin<Anne.Lin@hsc.utah.edu>, Annette Mahler <annette@utahmed.org>, "MichelleMcOmber" <michelle@utahmed.org>, "skm@entcenterslc.com"<skm@entcenterslc.com>, "dylan.miller@imail.org" <dylan.miller@imail.org>,"wesmortensen@yahoo.com" <wesmortensen@yahoo.com>, "saphu.pradhan@imail.org"<saphu.pradhan@imail.org>, "drdamonrey@yahoo.com" <drdamonrey@yahoo.com>,"alisonsmith01@gmail.com" <alisonsmith01@gmail.com>,"don.vanboerum@imail.org" <don.vanboerum@imail.org>,"robert.wayment@gmail.com" <robert.wayment@gmail.com>,"wsheawright@gmail.com" <wsheawright@gmail.com>, Mark Brinton<markb@utahmed.org>, "markf@utahmed.org" <markf@utahmed.org>, Howard Colman<Howard.Colman@hci.utah.edu>, "johndaymd@gmail.com" <johndaymd@gmail.com>,"tamarahampton@utah.gov" <tamarahampton@utah.gov>,"drnicholashanson@gmail.com" <drnicholashanson@gmail.com>,"david.l.moulton.md@gmail.com" <david.l.moulton.md@gmail.com>,"alison.smith01@gmail.com" <alison.smith01@gmail.com>
DATE: 10/08/2022 13:53

I'll zoom in

Sent from my iPhone

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> One of the discussion items is the Dobbs decision (Roe v Wade). The discussion will be technical and will center around the reality of the decision and what it means in Utah.
>
> We've received RSVPs from some of you, but would greatly appreciate hearing from everyone as to whether you can participate or not.
> *Zoom instructions are below.*
>
> Please let us know if you have any questions.
> We hope to welcome you on the 18th.
> Thank you.
> Paige De Mille
> Membership Coordinator
>
> UMA Utah Medical Association
> 310 E 4500 S Ste 500
> Salt Lake City, Utah 84107
> 801.747.3500 x228 / f 801.747.3501
> paige@utahmed.org
>
> ZOOM
>
> Topic: U Council of Trustees
> Time: A Mountain Time (US and Canada)
> Link: [redacted]
>
> Meeting ID: [redacted]
> Passcode: [redacted]
> Mobile: [redacted]

SUBJECT: Accepted: UMA Council of Trustees- REMINDER and please RSVP @ Thu Aug18, 2022 5pm - 7:30pm (MDT) (Paige De Mille)
FROM: mhofmann@utah.gov
TO: Paige De Mille <paige@utahmed.org>
DATE: 10/08/2022 13:58

mhofmann@utah.gov has accepted this invitation.

Attachments
image002.png

UMA Council of Trustees members and guests- This is a reminder of the Council meeting next Thursday, August 18 at 5p. Shortly, we'll send you the agenda, minutes from the last meeting, and other applicable meeting handouts.

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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paige@utahmed.org
ZOOM
Topic: U Council of Trustees
Time: Aug 18, 2022 10:00 PM Mountain Time (US and Canada)
Link: [redacted]
Meeting ID: [redacted]
Passcode: [redacted]
Mobile: [redacted]
[redacted]

When
Thursday Aug 18, 2022 · 5pm – 7:30pm (Mountain Time - Denver)

Location
Zoom
View map

Organizer
Paige De Mille
paige@utahmed.org

Guests
mhofmann@utah.gov - creator
anne.lin@hsc.utah.edu
Annette Mahler
baf.sloc@gmail.com
critt.aardema@tannerclinic.com
drdamonrey@yahoo.com
drjacobjessop@yahoo.com
dustincanderson78@gmail.com
jaermd@gmail.com
jgbrinton@gmail.com
jjdougherty@noordacom.org
jrf.1937inslc@gmail.com
juneschen@hotmail.com
maryellyn.gilfeather@hsc.utah.edu
pfhirning@gmail.com
raeleneblocker@gmail.com
robert.wayment@gmail.com
rrhightower@smartfella.com
wesmortensen@yahoo.com
wsheawright@gmail.com
brooks.bahr@hsc.utah.edu
don.vanboerum@imail.org
dylan.miller@imail.org
jacob@valleywomenshealth.com
jason.hunt@hsc.utah.edu
jonahlstrom@me.com
lchilds@grangermedical.com
Mark R. Greenwood
Michelle McOmber
saphu.pradhan@imail.org
skm@entcenterslc.com
wainallenmd@mac.com
wayne.samuelson@hsc.utah.edu
alison.smith01@gmail.com - optional
david.l.moulton.md@gmail.com - optional
drnicholashanson@gmail.com - optional
howard.colman@hci.utah.edu - optional
johndaymd@gmail.com - optional

[redacted]

Mark Brinton - optional
robert.pendleton@hsc.utah.edu - optional
markf@utahmed.org - optional
tamarahampton@utah.gov - optional
View all guest info

Invitation from Google Calendar
You are receiving this email because you are an attendee on the event. To stop receiving future updates for this event, decline this event.
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[redacted]

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[redacted]

[redacted]

[redacted]

SUBJECT: Congressional Summer Wrap Up - What You Need to Know
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 11/08/2022 08:55

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PUBLIC HEALTH WEEKLY

August 11, 2022

A Grassroots Leader's Vision for the Future Community Health Workforce

Community Health Workers (CHWs) have played an integral role in educating, connecting, and treating vulnerable individuals throughout the COVID-19 pandemic.

ASTHO spoke with Denise Ocasio-Smith, executive director of the National Association of Community Health Workers, about the critical work of CHWs. She discusses their roles in marginalized communities, and how public health can partner with and support CHWs. Learn more about this critical workforce.

READ

A Not-So-Sleepy Summer: Q&A with ASTHO Federal Government Affairs

The Congressional summer season has come to a close, and several key issues are left lingering on the table. Whether public health will receive supplemental funding for the monkeypox and COVID-19 responses remains uncertain, and the FY23 appropriations bill faces a long road before it can be passed.

Check out the latest updates on discussions and actions between the House and Senate in this week's Federal Healthy Policy Update.

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THIS WEEK'S HIGHLIGHTS

HHS Secretary Xavier Becerra has declared the monkeypox virus outbreak a national public health emergency. Read ASTHO Chief Medical Officer Marcus Plescia's **full statement on the federal declaration** and how state health departments are responding to the outbreak.

LATEST ASTHO RESOURCES AND EVENTS

[redacted]

Brief

Reproductive Health Services Expanded During Pandemic but Inequities Persist

READ

New Resource

Legislative Alert - Congressional Summer Wrap-Up

READ

Blog

How the DiSC Personality Assessment Can Strengthen Public Health Leadership

READ

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PUBLIC HEALTH REVIEW

MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Infectious Disease Planning** | Winfred Rawls, ASTHO
- **New York Responds to Monkeypox** | James McDonald (SHO Designee-NY)
- **New School Year, New COVID-19 Strategy** | Manisha Juthani (SHO-CT)
- **Optimistic About the PH Workforce** | Joanne Pearsol, ASTHO
- **Public Health is Underfunded** | J. Nadine Gracia, Trust for America's Health

LISTEN

PUBLIC HEALTH REVIEW PODCAST

astho

PUBLIC HEALTH REVIEW

- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

LISTEN

ASTHO IN THE NEWS

- **States have permission to make their monkeypox vaccines go a lot farther.** | *The Washington Post* | Marcus Plescia, ASTHO
- **Most Parents Are Saying No to COVID-19 Vaccines for Toddlers.** | *The Wall Street Journal* | Marcus Plescia, ASTHO
- **Louisville receives $180,000 in grant funds to improve outdoor activities.** | *WLKY*

Press Room | Careers | Events | Funding

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TO: mhofmann@utah.gov
DATE: 11/08/2022 08:55

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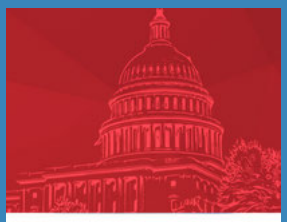

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READ

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How the DiSC Personality Assessment Can Strengthen Public Health Leadership

READ

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

[redacted]

SUBJECT: Top Stories: Will a judge uphold Utah ban on transgender girls in sports?
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 12/08/2022 06:52

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sltrib.com

TOP STORIES

Friday, August 12, 2022

By Jeff Dempsey

Will a judge uphold Utah's ban on transgender girls in sports?

An explanation of where the lawsuit stands and what happens next.

Read More

AG's office asks permission from Utah Supreme Court to appeal hold on abortion trigger law

The law has been blocked since Planned Parenthood filed suit after Roe v. Wade was overturned.

Read more.

'Gooseneck' holds, assault and unnecessary seclusion

Why 3 Utah teen treatment programs have come under scrutiny from state regulators.

Read more.

Salt Lake County Council member tells Kamala Harris fetuses are not part of women's bodies

Dave Alvord faced immediate and widespread backlash on social media for the comment.

Read more.

Dozens of Utah Democrats call for Gene Davis to be suspended following sexual misconduct allegations

The 55 who signed on to a letter said

leadership has been slow to act.

Read more.

Quick Hits

• Johnny Burt, a fixture at Utah high school sports events for decades, has died at 66.

• The CEO of Utah's largest hospital system has announced plans to step down.

• New records detail the events leading up to the police shooting of a man outside Salt Lake's Indoor Swapmeet.

• Weather alert: Where in Utah should you keep an eye out for flash flooding?

• Utah COVID-19 positivity rates and hospitalizations are down as state reports 12 deaths.

• An 11-year-old boy was killed by a hit-and-run driver in West Valley City.

• "Some positive energy": A diver found a lost family heirloom in Oneida Narrows.

• A man was shot to death outside a Draper apartment complex.

• Jana Riess: How are Latter-day Saints addressing sex abuse? Too little, too late.

• He is one of Utah football's highest-rated recruits ever. What can Ethan Calvert do for the Utes this year?

• Legal homeless camps, calls to suspend Gene Davis and Dave Alvord's tweet to the VP on "Behind the Headlines".

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SUBJECT: UMA Council of Trustees- AGENDA and April MINUTES attached...
FROM: Paige De Mille <paige@utahmed.org>
TO: "critt.aardema@tannerclinic.com" <critt.aardema@tannerclinic.com>,"jonahlstrom@me.com" <jonahlstrom@me.com>, "wainallenmd@mac.com"

[redacted]

<wainallenmd@mac.com>, "dustincanderson78@gmail.com"<dustincanderson78@gmail.com>, "jaermd@gmail.com"
<jaermd@gmail.com>,"brooks.bahr@hsc.utah.edu" <brooks.bahr@hsc.utah.edu>,"raeleneblocker@gmail.com" <raeleneblocker@gmail.com>,
"jgbrinton@gmail.com"<jgbrinton@gmail.com>, "juneschen@hotmail.com" <juneschen@hotmail.com>,"lchilds@grangermedical.com"
<lchilds@grangermedical.com>,"jjdougherty@noordacom.org" <jjdougherty@noordacom.org>, "baf.sloc@gmail.com"<baf.sloc@gmail.com>,
"jrf.1937inslc@gmail.com" <jrf.1937inslc@gmail.com>,"maryellyn.gilfeather@hsc.utah.edu" <maryellyn.gilfeather@hsc.utah.edu>,"Mark R. Greenwood"
<mark.greenwood@molinahealthcare.com>,"rrhightower@smartfella.com" <rrhightower@smartfella.com>,"pfhirning@gmail.com" <pfhirning@gmail.com>,
"mhofmann@utah.gov"<mhofmann@utah.gov>, "jason.hunt@hsc.utah.edu" <jason.hunt@hsc.utah.edu>,"jacob@valleywomenshealth.com"
<jacob@valleywomenshealth.com>,"drjacobjessop@yahoo.com" <drjacobjessop@yahoo.com>, "anne.lin@hsc.utah.edu"<anne.lin@hsc.utah.edu>,
Michelle McOmber <michelle@utahmed.org>,"skm@entcenterslc.com" <skm@entcenterslc.com>, "dylan.miller@imail.org"<dylan.miller@imail.org>,
"wesmortensen@yahoo.com" <wesmortensen@yahoo.com>,"saphu.pradhan@imail.org" <saphu.pradhan@imail.org>, "drdamonrey@yahoo.com"
<drdamonrey@yahoo.com>, "alisonsmith01@gmail.com" <alisonsmith01@gmail.com>,"don.vanboerum@imail.org"
<don.vanboerum@imail.org>,"robert.wayment@gmail.com" <robert.wayment@gmail.com>,"wsheawright@gmail.com" <wsheawright@gmail.com>
CC: Mark Brinton <markb@utahmed.org>, "johndaymd@gmail.com"<johndaymd@gmail.com>, "drnicholashanson@gmail.com"
<drnicholashanson@gmail.com>, "david.l.moulton.md@gmail.com"<david.l.moulton.md@gmail.com>, "alison.smith01@gmail.com"
<alison.smith01@gmail.com>, "howard.colman@imail.org"<howard.colman@imail.org>
DATE: 12/08/2022 09:07

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

UMA Council of Trustees members and guests- Attached are both August agenda and the minutes from the April Council meeting for your review.

REMINDER: One of the discussion items, the Dobbs decision (Roe v Wade), will be technical and will center around the reality of the decision and what it means in Utah.

If you haven't already RSVPd, please do so now.
Zoom instructions are below.

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Membership Coordinator

UMA Utah Medical Association

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ZOOM

Topic: **U Council of Trustees**
Time: **A** Mountain Time (US and Canada)
Link: [redacted]

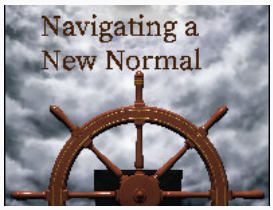
Meeting ID: [redacted]
Passcode: [redacted]
Mobile: [redacted]

[redacted]

SUBJECT: UMA MediByte: HOD to Debate Plethora of Issues
FROM: "Utah Medical Association" <intern@utahmed.org>
TO: "Michelle G. Hofmann, MD MPH" <mhofmann@utah.gov>
DATE: 12/08/2022 09:13

TO: Michelle G. Hofmann, MD MPH 8/12/2022

HOD to Debate Issues, Issues, Issues



This year's UMA House of Delegates (HOD) could be one of the busiest in many years as a plethora of Resolutions has already been submitted for consideration. Issues to be discussed will include contraception and abortion, board certification, gun safety training, collective negotiating, "any qualified physician" or "facility" debates, public health, prohibiting insurance payment takebacks, inland port environmental studies, obesity treatment and more.

Delegates will debate and establish or refine UMA policies on these issues. The UMA Board and staff will then work in compliance with adopted resolutions to influence legislation and public perceptions on the issues.

The best way to make sure your opinions are part of the debate is to serve as a delegate at the meeting. The HOD meeting will be held September 9th (full day) and 10th (half day) at Thanksgiving Point in Lehi, UT. ***The deadline to be named as a delegate is August 15th***, so do not delay if you are interested.

See the Events section below for more information on becoming a UMA Delegate.

Other News

Medicaid Patients: Watch for Review Letter, Update Addresses

Utah Medicaid is asking physicians and other healthcare providers to encourage Medicaid patients to update their contact information so that when the Dept. of Workforce Services sends their review letter, it will reach the member and they can complete their renewal and avoid gaps in coverage.

Although Medicaid is required to continue coverage during a public health emergency (PHE), as soon as the PHE ends, many Medicaid members could lose coverage, especially if Medicaid is unable to contact them with their review letter. A communication toolkit (PowerPoint file) is available for those who can assist in getting this message to Medicaid patients.

More information and updates about the PHE Unwinding is available on the Utah Medicaid website.

Preventive Care Challenged in TX Lawsuit

NPR (8/9) reports, “The Affordable Care Act has survived many challenges in court, but the case of Kelley v. Becerra – now before a federal judge in Texas – threatens to undermine one of the most popular provisions in the law, which requires most health plans to provide coverage for preventive care with no copays.” And “if the judge rules in favor of the plaintiffs, access to free birth

control, cancer screenings, vaccines, PrEP (HIV pre-exposure prophylaxis), counseling for alcohol misuse, diet counseling for people at higher risk of chronic disease, and many more preventive services would be in jeopardy, according to the nation's leading doctors' groups, which have sounded the alarm." AMA President Jack Resneck, Jr., M.D., said, "The lawsuit could cause millions of Americans, probably more than 150 million, to lose guaranteed access to preventive services. There's really a great deal at stake."

UnitedHealthcare to Cut Out-of-Pocket $ for Insulin, other Emergency Drugs

UnitedHealthcare plans to eliminate out-of-pocket costs in standard fully-insured group plans for insulin and several drugs used to treat emergencies, including epinephrine, glucagon, albuterol, and naloxone. This new standard offering will be available potentially as early as January 1, 2023.

"Eliminating out-of-pocket expenses for these critical medications can help reduce the burden of medical costs on consumers and encourage better medication adherence, reducing the risk of complications and expensive hospitalizations," said the company in a press release.

"We welcome this development and encourage the other major payors to match this common sense policy," said UMA CEO Michelle S. McOmber, MBA CAE.

Evusheld Available to Small Practices

Small physician practices now have a new pathway to access the COVID-19 pre-exposure drug Evusheld, and in smaller amounts. Practices also can benefit from a new helpline at 1-833-EVUSHLD (1-833-388-7453) for information on the monoclonal antibody treatment that helps prevent COVID-19 infection among immunocompromised patients at high risk of severe illness, and how to order it.

Individual providers and smaller sites of care that do not currently receive Evusheld through the HHS Health Partner Order Portal (or HPOP) distribution process can use the new pathway to order "small, limited quantities of the drug" directly from the manufacturer in amounts of one to three patient courses, said HHS.

Evusheld is one of several COVID-19 therapeutics available from the U.S. government at no cost.

Find the order form, hotline, and other information on this HHS website. Also, be sure to check out the Food and Drug Administration's revised dosing recommendations for Evusheld, which is authorized for people aged 12 and older and given as two consecutive intramuscular injections.

News From the AMA

As Congress breaks, doctors must take up message on Medicare pay
Members of Congress need to hear directly from physicians about how Medicare's unsustainable pay system is affecting their patients. **Learn more**.

Debunking regulatory myths: Documenting time for outpatient visit tasks
Are physicians and other qualified health professionals required to document the time spent on each specific task associated with an outpatient visit? **Get the facts**.

Comprehensive telehealth reform is critical to the future of health care
During the COVID-19 pandemic, telehealth emerged as a vital way to maintain patient access to high-quality care. The AMA is fighting for legislation to permanently fix the restrictions on telehealth coverage and payment. **Learn how**.

What doctors wish patients knew about prior authorization
AMA President Jack Resneck Jr., MD, explains how the cost-control practice delays care and how patients can help the AMA tackle prior authorization. **Read or listen now**.

AMA to court: Race, ethnicity helps gauge COVID-19 severity risk
Inequities lead to worse COVID-19 outcomes. Learn why physicians should be able to account for that in prescribing decisions. **Get the facts**.

Podcast » Your monkeypox questions answered
Monkeypox questions on transmission, testing, treatment, prevention, PPE and more answered by Sandra Fryhofer, M.D., Chair, AMA Board of Trustees and liaison to the

Advisory Committee on Immunization Practices. Listen now on **Apple Podcasts** or **Simplecast**.

National Headlines

US to Offer Updated COVID Booster Shots in September (WebMD)

US Declares Monkeypox a Public Health Emergency (NY Times)

Nearly 1/3 of Patients Don't Take Medications as Directed (Medscape)

Study Connects Climate Hazards To 58% Of Infectious Diseases (AP)

Utah's Trigger Law: What People are Saying (SL Tribune)

Welcome to New UMA Members

We welcome each of you to Utah's house of medicine. If there is anything we can do to assist you, don't hesitate to call the UMA office (801-747-3500) and ask.

In the meantime, did you know that UMA Members can get invaluable financial advice and counsel from UMA Financial Services experts free of charge? Members are also eligible for special discounts from Verizon Wireless, on hotels, care rentals and even various entertainment venues when travelling. Group purchasing discounts are also available via arrangements with Provista/Vizient for our members. Logon to the UMA website and visit the Member Benefits page for details.

If you have trouble logging in, or cannot recall your login credentials, contact Mark Fotheringham or Paige De Mille at the UMA office for assistance.

Upcoming Events

Addressing Adult Suicidal Ideation in the Primary Care Setting
Thursday, Sept. 1 | 12 p.m. CT
September is Suicide Prevention Awareness Month. Building off the Practical Strategies for Managing Suicidal Ideation & Reducing Risk, this pre-recorded webinar focuses on how primary care practices can address suicidal ideation within their adult patient population. **REGISTER NOW**.

Dismantling Stigma for All:
Addressing Physician and Patient Mental Health and Suicide Risk
Monday, Sept. 8 | 12 p.m. CT
As part of National Suicide Prevention Week, this live, interactive forum will connect attendees with industry experts on suicidal ideation and physicians with lived experience to discuss solutions for dismantling the stigma around seeking mental health treatment. **REGISTER NOW.**

AMA STEPS Forward® Podcasts
Episode 29: Electronic Health Record Optimization
Dr. Daniel Dunham, Chairman of Medicine at Lenox Hill Hospital, discusses how eliminating unnecessary clicks in the EHR ultimately decreases physician burnout and allows care teams to focus their time on what matters most—patient care.
LISTEN HERE: (Apple Podcasts | Spotify)
Episode 30: Small Interventions Matter
Dr. Alfred Atanda, a pediatric orthopedic surgeon and Director of Clinician Well-Being at Nemours Children's Hospital, discusses how to minimize unnecessary patient transfers using digital technology and how small interventions can lead to big improvements.
LISTEN HERE: (Apple Podcasts | Spotify)

2022 UMA House of Delegates

September 9-10, 2022 / 8:00 am
Thanksgiving Point / Lehi, UT

The UMA House of Delegates (HOD) is the association's ultimate policy-making body. It meets annually to set the agenda for UMA action and advocacy for the following year. Delegates are elected or appointed by their County Medical Society, credentialed Specialty Society, or by their credentialed Large Group practice or the Solo/Small Group Practice section. For more information, contact Paige De Mille at the UMA office (801-747-3500 ext 228).

For those who are already assigned as delegates, visit the UMA website to view HOD training videos by UMA's Parliamentarian, Mark Bair, MD.

Public Health Info

Reports from UDOH

The following data reports and announcements are available from the Utah Department of Health:

- Up-to-Date Utah Coronavirus Statistics
- Coronavirus Treatments: Info for Medical Providers
- COVID Therapeutics Locator
- COVID-19 Vaccine Information
- New Publications - includes Health Status Updates
- Topic-Based Reports

NIH COVID-19 Treatment Guidelines

CDC COVID-19: What's New?

CDC Guidance for Healthcare Professionals

HHS Rural Suicide Prevention Toolkit

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SUBJECT: Re: UMA Council of Trustees- AGENDA and April MINUTES attached...
FROM: James Fowler <jrf.1937inslc@gmail.com>
TO: Paige De Mille <paige@utahmed.org>
CC: "critt.aardema@tannerclinic.com" <critt.aardema@tannerclinic.com>, "jonahlstrom@me.com" <jonahlstrom@me.com>, "wainallenmd@mac.com" <wainallenmd@mac.com>, "dustincanderson78@gmail.com" <dustincanderson78@gmail.com>, "jaermd@gmail.com" <jaermd@gmail.com>, "brooks.bahr@hsc.utah.edu" <brooks.bahr@hsc.utah.edu>, "raeleneblocker@gmail.com" <raeleneblocker@gmail.com>, "jgbrinton@gmail.com" <jgbrinton@gmail.com>, "juneschen@hotmail.com" <juneschen@hotmail.com>, "lchilds@grangermedical.com" <lchilds@grangermedical.com>, "jjdougherty@noordacom.org" <jjdougherty@noordacom.org>, "baf.sloc@gmail.com" <baf.sloc@gmail.com>, "maryellyn.gilfeather@hsc.utah.edu" <maryellyn.gilfeather@hsc.utah.edu>, "Mark R. Greenwood" <mark.greenwood@molinahealthcare.com>, "rrhightower@smartfella.com" <rrhightower@smartfella.com>, "pfhirning@gmail.com" <pfhirning@gmail.com>, "mhofmann@utah.gov" <mhofmann@utah.gov>, "jason.hunt@hsc.utah.edu" <jason.hunt@hsc.utah.edu>, "jacob@valleywomenshealth.com" <jacob@valleywomenshealth.com>, "drjacobjessop@yahoo.com" <drjacobjessop@yahoo.com>, "anne.lin@hsc.utah.edu" <anne.lin@hsc.utah.edu>, Michelle McOmber <michelle@utahmed.org>, "skm@entcenterslc.com" <skm@entcenterslc.com>, "dylan.miller@imail.org" <dylan.miller@imail.org>, "wesmortensen@yahoo.com" <wesmortensen@yahoo.com>, "saphu.pradhan@imail.org" <saphu.pradhan@imail.org>, "drdamonrey@yahoo.com" <drdamonrey@yahoo.com>, "alisonsmith01@gmail.com" <alisonsmith01@gmail.com>, "don.vanboerum@imail.org" <don.vanboerum@imail.org>, "robert.wayment@gmail.com" <robert.wayment@gmail.com>, "wsheawright@gmail.com" <wsheawright@gmail.com>, Mark Brinton <markb@utahmed.org>, "johndaymd@gmail.com" <johndaymd@gmail.com>, "drnicholashanson@gmail.com" <drnicholashanson@gmail.com>, "david.l.moulton.md@gmail.com" <david.l.moulton.md@gmail.com>, "alison.smith01@gmail.com" <alison.smith01@gmail.com>, "howard.colman@imail.org" <howard.colman@imail.org>
DATE: 12/08/2022 10:19

I will be attending the meeting. Time is 5:00 pm I think. JRF

On Fri, Aug 12, 2022 at 9:07 AM Paige De Mille <paige@utahmed.org> wrote:

UMA Council of Trustees members and guests- Attached are both August agenda and the minutes from the April Council meeting for your review.

REMINDER: One of the discussion items, the Dobbs decision (Roe v Wade), will be technical and will center around the reality of the decision and what it means in Utah.

If you haven't already RSVPd, please do so now.
Zoom instructions are below.

Please let us know if you have any questions.
We hope to welcome you on the 18th.
Thank you.
Paige De Mille
Membership Coordinator

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

310 E 4500 S Ste 500
Salt Lake City, Utah 84107
801.747.3500 x228 / f 801.747.3501
paige@utahmed.org

ZOOM

Topic: **U Council of Trustees**
Time: **Aug 18, 2022 10:00 PM** Mountain Time (US and Canada)
Link: [redacted]

Meeting ID: [redacted]
Passcode: [redacted]
Mobile: [redacted]

SUBJECT: RE: UMA Council of Trustees- AGENDA and April MINUTES attached...
FROM: Michelle McOmber <michelle@utahmed.org>
TO: James Fowler <jrf.1937inslc@gmail.com>, Paige De Mille <paige@utahmed.org>
CC: "critt.aardema@tannerclinic.com" <critt.aardema@tannerclinic.com>,"jonahlstrom@me.com" <jonahlstrom@me.com>, "wainallenmd@mac.com" <wainallenmd@mac.com>, "dustincanderson78@gmail.com"<dustincanderson78@gmail.com>, "jaermd@gmail.com" <jaermd@gmail.com>,"brooks.bahr@hsc.utah.edu" <brooks.bahr@hsc.utah.edu>,"raeleneblocker@gmail.com" <raeleneblocker@gmail.com>, "jgbrinton@gmail.com"<jgbrinton@gmail.com>, "juneschen@hotmail.com" <juneschen@hotmail.com>,"lchilds@grangermedical.com" <lchilds@grangermedical.com>,"jjdougherty@noordacom.org" <jjdougherty@noordacom.org>, "baf.sloc@gmail.com"<baf.sloc@gmail.com>, "maryellyn.gilfeather@hsc.utah.edu"<maryellyn.gilfeather@hsc.utah.edu>, "Mark R. Greenwood"<mark.greenwood@molinahealthcare.com>, "rrhightower@smartfella.com"<rrhightower@smartfella.com>, "pfhirning@gmail.com" <pfhirning@gmail.com>,"mhofmann@utah.gov" <mhofmann@utah.gov>, "jason.hunt@hsc.utah.edu"<jason.hunt@hsc.utah.edu>, "jacob@valleywomenshealth.com"<jacob@valleywomenshealth.com>, "drjacobjessop@yahoo.com"<drjacobjessop@yahoo.com>, "anne.lin@hsc.utah.edu" <anne.lin@hsc.utah.edu>,"skm@entcenterslc.com" <skm@entcenterslc.com>, "dylan.miller@imail.org"<dylan.miller@imail.org>, "wesmortensen@yahoo.com" <wesmortensen@yahoo.com>,"saphu.pradhan@imail.org" <saphu.pradhan@imail.org>, "drdamonrey@yahoo.com"<drdamonrey@yahoo.com>, "alisonsmith01@gmail.com" <alisonsmith01@gmail.com>,"don.vanboerum@imail.org" <don.vanboerum@imail.org>,"robert.wayment@gmail.com" <robert.wayment@gmail.com>,"wsheawright@gmail.com" <wsheawright@gmail.com>, Mark Brinton<markb@utahmed.org>, "johndaymd@gmail.com" <johndaymd@gmail.com>,"drnicholashanson@gmail.com" <drnicholashanson@gmail.com>,"david.l.moulton.md@gmail.com" <david.l.moulton.md@gmail.com>,"alison.smith01@gmail.com" <alison.smith01@gmail.com>,"howard.colman@imail.org" <howard.colman@imail.org>
DATE: 12/08/2022 11:17

[redacted]

Yest, the time is 5:00 pm and Paige will send the zoom link if she has not already.

Michelle

From: James Fowler <jrf.1937inslc@gmail.com>
Sent: Friday, August 12, 2022 10:20 AM
To: Paige De Mille <paige@utahmed.org>
Cc: critt.aardema@tannerclinic.com; jonahlstrom@me.com; wainallenmd@mac.com; dustincanderson78@gmail.com; jaermd@gmail.com; brooks.bahr@hsc.utah.edu; raeleneblocker@gmail.com; jgbrinton@gmail.com; juneschen@hotmail.com; lchilds@grangermedical.com; jjdougherty@noordacom.org; baf.sloc@gmail.com; maryellyn.gilfeather@hsc.utah.edu; Mark R. Greenwood <mark.greenwood@molinahealthcare.com>; rrhightower@smartfella.com; pfhirning@gmail.com; mhofmann@utah.gov; jason.hunt@hsc.utah.edu; jacob@valleywomenshealth.com; drjacobjessop@yahoo.com; anne.lin@hsc.utah.edu; Michelle McOmber <michelle@utahmed.org>; skm@entcenters dylan.miller@imail.org; wesmortensen@yahoo.com; saphu.pradhan@imail.org; drdamonrey@yahoo.com; alisonsmith01@gmail.com; don.vanboerum@imail.org; robert.wayment@gmail.com; wsheawright@gmail.com; Mark Brinton <markb@utahmed.org>; johndaymd@gmail.com; drnicholashanson@gmail.com; david.l.moulton.md@gma alison.smith01@gmail.com; howard.colman@imail.org
Subject: Re: UMA Council of Trustees- AGENDA and April MINUTES attached...

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> *Zoom instructions are below.*
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> Please let us know if you have any questions.
> We hope to welcome you on the 18th.
> Thank you.

Paige De Mille
Membership Coordinator

Since 1895 UMA Utah Medical Association

310 E 4500 S Ste 500
Salt Lake City, Utah 84107
801.747.3500 x228 / f 801.747.3501
paige@utahmed.org

ZOOM

Topic: **U Council of Trustees**
Time: **Aug 18, 2022 10:00 PM** Mountain Time (US and Canada)
Link: [redacted]

Meeting ID: [redacted]
Passcode: [redacted]
Mobile: [redacted]

[redacted]

[redacted]

SUBJECT: Top Stories: Why has Utah been hit so hard by inflation?
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: <mhofmann@utah.gov>
DATE: 13/08/2022 08:15

View this email in your browser

sltrib.com

TOP STORIES

Saturday, August 13, 2022

By Jeff Dempsey

Utah is one of the states that has been hit hardest by inflation

Why is that, and how is inflation measured? Data columnist Andy Larsen investigates.

Read More

[redacted]

Bodycam footage shows SLC police restraint of woman that led to her death

Medical examiners have ruled her death a homicide.

Read more.

Salt Lake City police crossed the line when they killed a woman

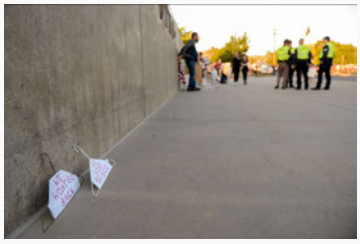
Now they must be held accountable, Tribune columnist Robert Gehrke writes.

Read more.

Utah lawmaker wants to require clergy to report child abuse

Rep. Phil Lyman plans to introduce legislation at the next session in 2023.

Read more.



Legislators, what do we do for a patient with a live fetus and ruptured membranes at 19 weeks?

A Utah gynecologist argues against SB174, which seeks to outlaw medication and surgical abortion at all gestational ages in Utah.

Read more.

Utah medical professionals express support for the right to legal abortion

Dozens of doctors in a wide range of fields share their thoughts.

Read more.

Quick Hits

• New records detail the aftermath of a tribal officer in Utah shooting two people in the back.

• Utahns across the state were pulling for Snow Canyon yesterday afternoon as they played for the state's first-ever entry into the Little League World Series.

• Longtime Colorado City Mayor Joseph Allred steps down after 9 years at the helm of the former polygamous town.

• Proposals are being sought to address transportation stress in Big Cottonwood Canyon. But is it enough to address the canyon's issues?

• A man has been arrested in the West Valley City hit-and-run crash that killed an 11-year-old boy.

• Bodycam footage shows Salt Lake City police shooting a man who set his yard on fire and aimed a gun at officers.

• Latest from Mormon Land: The shocking abuse story is still making waves; Dallin Oaks joins "club 90."

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: Invitation: Hold for Discussion on Contraception Access PolicyRecomm... @ Wed Aug 17, 2022 5pm - 6pm (MDT) (mhofmann@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: mhofmann@utah.gov, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, jstrohecker@utah.gov
DATE: 16/08/2022 11:38

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Greetings, Tracy has asked me to develop a policy recommendation to increase pharmacy participation in creating access to contraception for the Lieutenant Governor and Governor. There is some urgency, need to have something in 2-3 weeks. I'm also talking to DOPL so we can get an entire workgroup put together but wanted to get this on your calendars.
Jen, You are booked all week, is this time a possibility for you? Also, Tracy mentioned the new Pharmacy Director, I'm not sure who that is, can we include them as well and anyone else you think might make sense?

When
Wednesday Aug 17, 2022 · 5pm – 6pm (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
mhofmann@utah.gov
Laurie Baksh (DHHS)
jstrohecker@utah.gov
View all guest info

Reply for mhofmann@utah.gov

Yes No Maybe More options

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: Invitation: Second Appointment Option: Hold for Discussion onContrac... @ Fri Aug 19, 2022 8am - 9am (MDT) (mhofmann@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: mhofmann@utah.gov, jstrohecker@utah.gov, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
DATE: 16/08/2022 11:38

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: 680827989

More phone numbers

Adding a second meeting due to the time sensitive nature of this.

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When
Friday Aug 19, 2022 · 8am – 9am (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
jstrohecker@utah.gov
Laurie Baksh (DHHS)
mhofmann@utah.gov
View all guest info

Reply for mhofmann@utah.gov

Yes No Maybe More options

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SUBJECT: Invitation: Hold for Meeting with DOPL on Contraception AccessPolicy... @ Mon Aug 22, 2022 12pm - 1pm (MDT) (mhofmann@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: mhofmann@utah.gov, jstrohecker@utah.gov, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, lmartin@utah.gov, abeyer@utah.gov, lmarx@utah.gov
CC: natechecketts@utah.gov
DATE: 16/08/2022 12:01

[redacted]

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Adding a second meeting due to the time sensitive nature of this.

Greetings, Tracy has asked me to develop a policy recommendation to increase pharmacy participation in creating access to contraception for the Lieutenant Governor and Governor. There is some urgency, need to have something in 2-3 weeks. I'm also talking to DOPL so we can get an entire workgroup put together but wanted to get this on your calendars.

Jen, You are booked all week, is this time a possibility for you? Also, Tracy mentioned the new Pharmacy Director, I'm not sure who that is, can we include them as well and anyone else you think might make sense?

When
Monday Aug 22, 2022 · 12pm – 1pm (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
jstrohecker@utah.gov
Laurie Baksh (DHHS)
mhofmann@utah.gov
lmartin@utah.gov
abeyer@utah.gov
lmarx@utah.gov
natechecketts@utah.gov - optional

View all guest info

Reply for mhofmann@utah.gov

Yes No Maybe More options

Invitation from Google Calendar
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SUBJECT: Increasing Access to Contraception Through Pharmacies
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: Lisa Martin <lmartin@utah.gov>, Ashley Beyer <abeyer@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>
CC: Larry Marx <lmarx@utah.gov>
DATE: 16/08/2022 12:04

Greetings,

Our Executive Director, Tracy Gruber, has asked me to work with all of you to develop a solid policy recommendation for the Governor's Office aimed at increasing pharmacy participation in ar removing barriers to the existing programs (prescribing and standing order). In my initial research I identified a number of barriers and concerns but I'm looking to all of you as subject matter experts to really fill in the gaps and help us craft a solid policy recommendation.

This is time sensitive, we've been asked to come up with something in the next 2-3 weeks. I realize we likely need to include Carrie Dunford and others from the Board of Pharmacy but would like to meet with staff first.

I'm going to look for open times to set up a meeting, please let me know if what I send doesn't work for you.

Here are the barriers identified by my initial research which did include talking to some DHHS staff and the Regional Directors from Walgreens, CVS, and Krogers.

- Utah currently has two separate methods for obtaining hormonal contraception directly from a pharmacy: 1) Utah Standing Order Pharmacist Dispensing of Hormona Contraception 2) Utah Code 58-17b-625 allowing prescription of self-administered hormonal contraceptives by a pharmacist. There are many bureaucratic barriers to the approaches and a major lack of awareness by both the pharmacies (even ones enrolled with the Department for the standing order) and the public.
    - Having two different options may be confusing. Difficult to find all the correct information.
        - No funding or resources have been dedicated to this effort for marketing/awareness or staffing. Also confusion may exist between roles of DHHS and DOPL.

[redacted]

Standing order requirements may be a barrier.

Guidance for prescribing issued by DOPL includes requirements as well that may be a barrier.

Payment for the consultation. Patients must pay for the service out of pocket since most insurance companies don't recognize pharmacists as providers. This particularly becomes an issue when pharmacists assess a patient and identify that the patient must be referred. Then either the pharmacist has provided the service up to that point for fre or the patient pays for the assessment only to leave without a prescription, having to go to a different provider.

> Most pharmacies are set up to bill for pharmacy services only, not for medical billing so even if an insurer offers to pay for consultation services many pharmacies aren't set up to bill.

Pharmacists must enroll and take a training. Cost is $150-$250, then must submit this to Department of Health for standing order. They don't have to provide proof for prescribing to DHHS but not sure about DOPL. Utah Pharmacist Contraception Services Training Program .

Pharmacy consultation fees, required at the initial screening by most pharmacies that are aware of the programs and participate, averaged $30–40. Combined with the average cost of contraception ($20), out-of-pocket cost for uninsured patients averaged $50–60 for an initial 1-month supply. Unlike appointments with physicians, nurse practitioners, or physician assistants, pharmacist consultation fees are generally not covered by insurance. Even if the patient has insurance coverage for the medication, the consultation fees may be a barrier to service utilization.

> This issue is exacerbated for the uninsured, while the consultation/evaluation fees are almost always out of pocket when the service is available the actual contraceptic is an additional cost.
>
> This is of particular concern in rural communities that do not have clinics specializing in family planning such as Planned Parenthood where contraception may be obtained for free with a visit.

Staffing concerns from pharmacies. As with many industries and especially in healthcare, our pharmacies (**Krogers**) are suffering from staffing shortages and high turnover. Mostly pharmacy technicians but also pharmacists. This, coupled with the COVID vaccine demand, and looking ahead to flu vaccine season/COVID boosters, capacity is a concern.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

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[redacted]

SUBJECT:
FROM: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 17/08/2022 08:38

Michelle Hofmann (DHHS), 2022-08-17 07:38:21
Can we possibly look for another time for the DOPL meeting on contraception access. I have an all day EDO retreat and feel like I need to be at the DOPL meeting.

Krisann Humphreys Bacon (DHHS), 2022-08-17 07:44:40
Yes, your and Jen's schedule are really booked, is there anything you can move in Wednesday the 24th?

Krisann Humphreys Bacon (DHHS), 2022-08-17 07:45:51
Looks like we could maybe do 1pm?

Krisann Humphreys Bacon (DHHS), 2022-08-17 07:49:18
We could try for 8am on Wednesday but Laurie doesn't get in the office until 8:30.

Michelle Hofmann (DHHS), 2022-08-17 08:07:09
Wed 24th I can do the 8:15 hold time or 2-3.

SUBJECT: Updated invitation with note: Hold for Meeting with DOPL onContraception Access Policy... @ Wed Aug 24, 2022 8:15am - 9am (MDT) (mhofmann@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: mhofmann@utah.gov, jstrohecker@utah.gov, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, lmartin@utah.gov, abeyer@utah.gov, lmarx@utah.gov
CC: natechecketts@utah.gov
DATE: 17/08/2022 08:50

This event has been updated with a note:
"Greetings, We're trying to find a time that works for our senior staff, please reach out to me if this doesn't work for you. Thank you! "

[redacted]

Changed: time

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Adding a second meeting due to the time sensitive nature of this.

Greetings, Tracy has asked me to develop a policy recommendation to increase pharmacy participation in creating access to contraception for the Lieutenant Governor and Governor. There is some urgency, need to have something in 2-3 weeks. I'm also talking to DOPL so we can get an entire workgroup put together but wanted to get this on your calendars.

Jen, You are booked all week, is this time a possibility for you? Also, Tracy mentioned the new Pharmacy Director, I'm not sure who that is, can we include them as well and anyone else you think might make sense?

When CHANGED
Wednesday Aug 24, 2022 · 8:15am – 9am (Mountain Time - Denver)
Monday Aug 22, 2022 · 12pm – 1pm (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
jstrohecker@utah.gov
Laurie Baksh (DHHS)
mhofmann@utah.gov
lmartin@utah.gov
abeyer@utah.gov
lmarx@utah.gov
natechecketts@utah.gov - optional
View all guest info

Reply for mhofmann@utah.gov

Yes No Maybe More options

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[redacted]

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Hold for Discussion on Contraception Access Policy Recommendation

Wednesday Aug 17, 2022 · 5pm – 6pm (Mountain Time - Denver)

Greetings, Tracy has asked me to develop a policy recommendation to increase pharmacy participation in creating access to contraception for the Lieutenant Governor and Governor. There is some urgency, need to have something in 2-3 weeks. I'm also talking to DOPL so we can get an entire workgroup put together but wanted to get this on your calendars.
Jen, You are booked all week, is this time a possibility for you? Also, Tracy mentioned the new Pharmacy Director, I'm not sure who that is, can we include them as well and anyone else you think might make sense?

Guests
krisannbacon@utah.gov - organizer
Michelle Hofmann (DHHS)
Laurie Baksh (DHHS)
jstrohecker@utah.gov
langelos@utah.gov
natechecketts@utah.gov - optional

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[redacted]

[redacted]

SUBJECT: Strategies to Improve Youth Mental Health
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 18/08/2022 08:54

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PUBLIC HEALTH WEEKLY

August 18, 2022

Communicating Through Crises: Advice from a Public Health Leader

For people to make informed decisions about how to mitigate risks during a public health emergency, health agencies must effectively communicate changes and updates to health policy and recommendations.

Karen Smith, MD, MPH (alumni,CA) shares her experiences communicating policy changes in the face of evolving public health threats, as well as key strategies for maintaining public trust. Learn more about effectively communicating in moments of crisis in this Q&A.

READ

State Policies to Improve Youth Mental Health and Reduce Suicides

The COVID-19 pandemic negatively impacted youth and could have long-term consequences for their mental health. States have many strategies to choose from to improve youth mental health and reduce suicide. Providing them with access to needed mental healthcare and connections to trusted adults have been shown to improve mental health and reduce suicide risk.

Learn more about state strategies to improve youth mental health and reduce suicides in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

New ASTHO Training on HIV | This interactive, self-paced microlearning will give participants a brief background on HIV and an introduction to the National HIV Strategy, the four pillars of *Ending the HIV Epidemic in the United States*, and federal programs in place to help lessen the burden of HIV. **Take advantage of this new resource now.**

Braiding and Layering Funding to Address Housing and Food Insecurity | ASTHO has two new white papers out providing state and territorial health departments with evidence-based recommendations and concrete starting points to reduce food insecurity. The papers identify models and case studies focused on braiding and layering funding to reduce food insecurity and improve neighborhood-level access to food. Read the white papers now:

- **Access to Food**
- **Proximity to Food Retailers**

Performance Improvement Learning Series | ASTHO has published two microlearnings to support public health agencies looking to increase knowledge of quality improvement principles and data visualization tools that facilitate the connection with public health performance management and planning. The series are available in English and Spanish. Check them out below:

- **Quality Improvement Learning Series**
- **Data Visualization for Performance Improvement Series**

LATEST ASTHO RESOURCES AND EVENTS

[redacted]

Podcast

Substance Use During Pregnancy - Reducing Stigma of Treatment

LISTEN NOW

Report

Flexible Funding to Support Public Health Innovation

READ

Blog

Using Your Braiding and Layering Funding to Address Food Insecurity

READ

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- **Predicting COVID-19 in the Fall** | Dylan George, CDC
- **New Data on Public Health Authority** | Maggie Davis, ASTHO
- **Monkeypox Vaccine Strategy** | Marcus Plescia, ASTHO
- **Monkeypox Funding** | Devon Page, ASTHO

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- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
- **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

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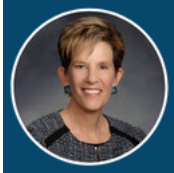

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SUBJECT: Public Notice Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 19/08/2022 10:18

ı Public Notice

Revised Notice

Utah State Board of Pharmacy

State Board of Pharmacy meeting

Notice Date & Time: 8/23/22 8:30 AM

ption/Agenda:

2nd Agenda
UTAH BOARD OF PHARMACY
North Conference Room 160 E 300 S Salt Lake City UT
August 23, 2022 | 8:30 A.M.

DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone: [redacted] Pin: [redacted]

This agenda is subject to change up to 24 hours prior to the meeting.

ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve July 26, 2022, Meeting Minutes
3. Board Chair & Vice Chair Vote

DISCUSSION ITEMS AM:
- Investigation Report - Camille Farley
- CSD Update - Jeff Henrie
- Document Storage
- Rule Updates
- Guidance; Self-Administered Ulipristal
- Extension Request Guidelines
- Outreach Topics - Ashley Beyer
- Insulin Emergency Fills
- MPJE/NABP
- Emergency Hormonal Contraception
- Newsletter Topics
- Due Date: October 1

APPOINTMENTS:
12:00 pm Compliance Report-Bernice Palama
12:10 pm Super Drug & Herbal Store, Probationary Interview
12:15 pm Spence's Pharmacy, Probationary Interview

COORESPONDENCE
NACDS; DEA policies

NEXT SCHEDULED MEETING: Tuesday September 27, 2022
2022 Board Meetings Tentatively Scheduled
Oct 25, Nov 29, Dec 20.

Newsletter Submission Deadlines
2022 October 1; 2023 January 1, April 1, July 1, October 1.
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Uta 84115, 801-530- 6628 or toll-free in Utah only 866-275-3675. Posted to Public Website: 8-19-2022

of Special Accommodations:

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of Electronic or telephone participation:

Electronic participation may be planned for this meeting.

nformation:

ɔn:

160 East 300 South - North Conference Room 1st floor, Salt Lake City, 84111

[redacted]

[redacted]

t information:
Lisa Martin , lmartin@utah.gov, (801)530-6628

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SUBJECT: Top Stories: What's next for abortion in Utah?
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 23/08/2022 06:51

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sltrib.com

TOP STORIES

Tuesday, August 23, 2022

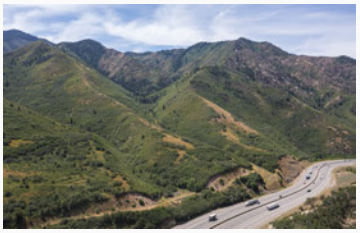
By Jeff Dempsey

[redacted]

What's next for abortion in Utah?

Reproductive rights are in flux as the trigger law is challenged and lawmakers open abortion-related bill files for next session.

Read More



Regulator approves Parleys Canyon quarry

But the decision comes with conditions that could forestall any mining.

Read more.

The first rule of 'Secret Pizza Club'? You can absolutely talk about 'Secret Pizza Club'

A Salt Lake City chef brings NY-style slices to the bi-weekly pop-up event.

Read more.

SLC has a 'big, bold' plan for upgrading parks

Here's what the $85 million bond would buy.

Read more.

Are Republicans sweating Mike Lee's reelection chances?

It's not a stretch to say concern is growing.

Read more.

Quick Hits

• Park City Mountain may take heat for changes it plans for this winter.

• Historian Kate Holbrook, who brought LDS women's voices to light and life, dies at 50.

• The father of the injured Utah Little Leaguer is hopeful his son will make a full recovery.

• Multiple LDS Church buildings were vandalized in Sandy and Draper.

• The Narrows remain closed as the search widens for a woman swept up in a Zion flash flood.

• The Daily Buzz: What's going on with abortion in Utah?

• Oregon and the Big Ten are reportedly talking. Where does Utah stand?

• Forget the Donovan Mitchell rumors for a second. How many games would the Utah Jazz win with this roster?

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SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 23/08/2022 14:17

Public Notice

Documents Updated

- Pharmacy_2022_08_23_Draft_Agenda(2).pdf - 8/23/22 2:17 PM
- Pharmacy_2022_08_23_Handouts.pdf - 8/23/22 2:17 PM

Utah State Board of Pharmacy

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on:

160 East 300 South - North Conference Room 1st floor, Salt Lake City, 84111

t information:

Lisa Martin , lmartin@utah.gov, (801)530-6628

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: Outreach for Contraception Access Policy Recommendation
FROM: Ashley Beyer <abeyer@utah.gov>
TO: carrie.dunford@imail.org, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Lisa Angelos (DHHS)" <langelos@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, matthew.m.wells@imail.org, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 24/08/2022 09:04

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        i. Comfortability of those participating
        ii. What is making pharmacies/pharmacists wary of participating
2. Outreach to Associations and District Representatives to discuss increasing participation by Pharmacies
3. Create a video training on requirements and how to participate (hire out)
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8. About a week later, share a press release regarding contraception availability at pharmacies.
9. Social Media Posts on Department of Commerce pages

Ashley Beyer | Outreach Manager

UTAH DEPARTMENT OF COMMERCE
Division of Professional Licensing

O: 801-530-6727 | abeyer@utah.gov

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FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 24/08/2022 09:58

ı Public Notice

Documents Updated

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- Pharmacy_2022_08_23_Handouts.pdf - 8/23/22 2:17 PM
- Pharmacy_2022_08_23_Audio.mp3 - 8/24/22 9:54 AM

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t information:

Lisa Martin , lmartin@utah.gov, (801)530-6628

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TO: Ashley Beyer <abeyer@utah.gov>
CC: carrie dunford <carrie.dunford@imail.org>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Lisa Angelos (DHHS)" <langelos@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, Larry Marx <lmarx@utah.gov>, matthew.m.wells@imail.org, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 24/08/2022 11:45

As we discussed the intention is to create one survey to send out regardless of if they currently participate or not; please send any recommended questions or direction of questions to assist in the creation of the survey.

Ashley- could we create questions that filter in one direction or another based upon their answers?

On Wed, Aug 24, 2022 at 9:04 AM Ashley Beyer < abeyer@utah.gov> wrote:

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O: 801-530-6727 | abeyer@utah.gov

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Lisa Martin | Bureau Manager

UTAH DEPARTMENT OF COMMERCE
Division of Professional Licensing

O: 801-530-7632 | lmartin@utah.gov

[redacted]

[redacted]

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DATE: 24/08/2022 14:11

Yes, we can filter to different questions based on respondents' answers.

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O: 801-530-6727 | abeyer@utah.gov

--
Lisa Martin | Bureau Manager
UTAH DEPARTMENT OF COMMERCE
Division of Professional Licensing
O: 801-530-7632 | lmartin@utah.gov

SUBJECT: Re: Outreach for Contraception Access Policy Recommendation
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: Ashley Beyer <abeyer@utah.gov>
CC: Lisa Martin <lmartin@utah.gov>, carrie dunford <carrie.dunford@imail.org>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Lisa Angelos (DHHS)" <langelos@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, Larry Marx <lmarx@utah.gov>, matthew.m.wells@imail.org, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 24/08/2022 14:44

Lisa/Laurie, Could you work together to start creating the survey questions? I think it would be beneficial then to have this group collaborate on them, thoughts from anyone else?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov
Utah Department of Health & Human Services

On Wed, Aug 24, 2022 at 2:11 PM Ashley Beyer <abeyer@utah.gov> wrote:
Yes, we can filter to different questions based on respondents' answers.

On Wed, Aug 24, 2022, 11:45 AM Lisa Martin <lmartin@utah.gov> wrote:
As we discussed the intention is to create one survey to send out regardless of if they currently participate or not; please send any recommended questions or direction of questions to assist in the creation of the survey.

Ashley- could we create questions that filter in one direction or another based upon their answers?

On Wed, Aug 24, 2022 at 9:04 AM Ashley Beyer <abeyer@utah.gov> wrote:
1. Evaluate who is doing this and who isn't.
    a. Survey to Pharmacists

[redacted]

   i. Comfortability of those participating
   ii. What is making pharmacies/pharmacists wary of participating
2. Outreach to Associations and District Representatives to discuss increasing participation by Pharmacies
3. Create a video training on requirements and how to participate (hire out)
   a. Patient Pre-Qualification Survey/Questionnaire
4. Create a letter on official letterhead targeting pharmacies not participating – post on dopl.utah.gov
5. Create a graphic in an email that targets pharmacists/pharmacies with basic information that links to the official letter
6. Email the information to pharmacies/pharmacists not participating
7. In the same email, notify pharmacists and pharmacies that DOPL will be sending a press release regarding the availability of contraception through pharmacies
8. About a week later, share a press release regarding contraception availability at pharmacies.
9. Social Media Posts on Department of Commerce pages

Ashley Beyer | Outreach Manager

UTAH DEPARTMENT OF COMMERCE
Division of Professional Licensing

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--

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Utah Department of Health & Human Services
Finance & Administration

[redacted]

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DATE: 24/08/2022 16:53

Yes, I can do that.

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O: 801-530-7632 | lmartin@utah.gov

[redacted]

Janae

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: ASTHO Letter to White House on MPX Funding
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 25/08/2022 09:28

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PUBLIC HEALTH WEEKLY

August 25, 2022

Letter to the White House Requesting Funding For a National Monkeypox Response

In response to HHS' recent declaration of the monkeypox outbreak as a public health emergency, ASTHO CEO Michael Fraser writes to the White House asking for increased resources to better support state, local, tribal, and territorial health agencies as they respond to the outbreak.

While health departments have been able to use COVID-19 supplemental funding as part of their monkeypox response, it has become increasingly clear that public health needs dedicated resources to launch an effective campaign against monkeypox. Learn more about the evolving response now.

READ

Strategic Policies Protect Breastfeeding in Workplaces and Schools

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Learn how states are strengthening workplace and school protections for breastfeeding and lactation in this week's Health Policy Update.

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Louisiana Aims to Recharge Neighbors' Battery-Powered Life Support Equipment

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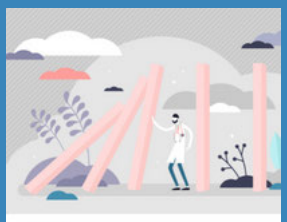

Blog

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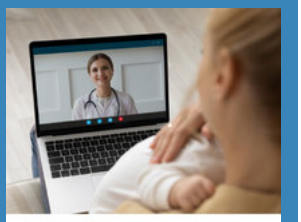

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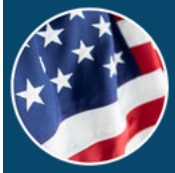

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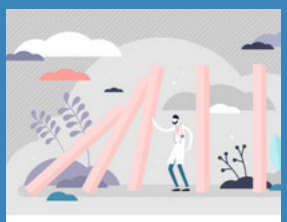

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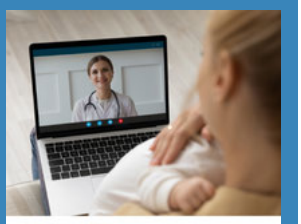

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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[redacted]

SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 25/08/2022 15:08

ı Public Notice

Documents Updated

- Pharmacy_2022_08_23_Draft_Agenda(2).pdf - 8/23/22 2:17 PM
- Pharmacy_2022_08_23_Handouts.pdf - 8/23/22 2:17 PM
- Pharmacy_2022_08-23_Audio.mp3 - 8/25/22 3:07 PM

Utah State Board of Pharmacy

State Board of Pharmacy meeting

Notice Date & Time: 8/23/22 8:30 AM

ption/Agenda:

2nd Agenda
UTAH BOARD OF PHARMACY
North Conference Room 160 E 300 S Salt Lake City UT
August 23, 2022 | 8:30 A.M.

DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone: [redacted] Pin: [redacted]

This agenda is subject to change up to 24 hours prior to the meeting.

ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve July 26, 2022, Meeting Minutes
3. Board Chair & Vice Chair Vote

DISCUSSION ITEMS AM:
- Investigation Report - Camille Farley
- CSD Update - Jeff Henrie
- Document Storage
- Rule Updates
- Guidance; Self-Administered Ulipristal
- Extension Request Guidelines
- Outreach Topics - Ashley Beyer
- Insulin Emergency Fills

[redacted]

- MPJE/NABP
- Emergency Hormonal Contraception
- Newsletter Topics
- Due Date: October 1

APPOINTMENTS:
12:00 pm Compliance Report-Bernice Palama
12:10 pm Super Drug & Herbal Store, Probationary Interview
12:15 pm Spence's Pharmacy, Probationary Interview

COORESPONDENCE
NACDS; DEA policies

NEXT SCHEDULED MEETING: Tuesday September 27, 2022
2022 Board Meetings Tentatively Scheduled
Oct 25, Nov 29, Dec 20.

Newsletter Submission Deadlines
2022 October 1; 2023 January 1, April 1, July 1, October 1.
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Uta 84115, 801-530- 6628 or toll-free in Utah only 866-275-3675. Posted to Public Website: 8-19-2022

of Special Accommodations:

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of Electronic or telephone participation:

Electronic participation may be planned for this meeting.

nformation:

on:

160 East 300 South - North Conference Room 1st floor, Salt Lake City, 84111

t information:

Lisa Martin , lmartin@utah.gov, (801)530-6628

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SUBJECT: Ramping Up Monkeypox Vaccinations
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 01/09/2022 08:37

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astho™ PUBLIC HEALTH WEEKLY

September 1, 2022

Revitalizing Public Health Through Connection

The Santa Fe Group recently convened former government public health leaders with current state health officials in need of leadership-level

Legal Considerations for Scaling Monkeypox Vaccination Efforts

Cases have been more than 17,000 cases of monkeypox virus across 50 states, Puerto Rico, and Washington, D.C. Public health officials from all levels of

technical assistance and support. ASTHO developed this program with CDC to support state health officials as they face their biggest professional challenges.

In our new episode of the *Public Health Review* podcast, we learn about the work Greg Holzman (alumni-MT) and Paula Tran (SHO-WI) have done in Wisconsin to strengthen the statewide public health infrastructure.

LISTEN

government are working to respond to the existing outbreak while preparing for the potential of more widespread transmission.

With a demand for the monkeypox vaccine outpacing supply, public health leaders are using several legal tools to scale up the vaccination efforts. Learn more about the legal framework supporting the monkeypox response in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

ASTHO and CDC Co-Author Journal Article in *Public Health Reports* | Throughout the COVID-19 pandemic, public health agencies adopted a variety of novel digital tools and systems to scale up their case investigation and contact tracing efforts. ASTHO staff take a deeper look at the decisions these agencies made as they considered repurposing existing tools and adopting new ones. **Read the article now**.

Letters to FDA from the Campaign for Tobacco-Free Kids | Over 100 organizations, including ASTHO, have co-signed letters to FDA from the Campaign for Tobacco-Free Kids advocating for the ban of menthol and other flavored tobacco products, which have long been marketed to youth and marginalized communities. **Learn more here**.

New Public Health Data Systems Task Force | ASTHO's Jamie Pina, PhD, MSPH, vice president of public health data modernization, has joined a new taskforce from the Office of the National Coordinator for Health Information focused on improving public health data systems and supporting CDC's greater Data Modernization Initiative efforts. **Learn more about the task force and their goals**.

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Improving Youth Behavioral Health Through School-Based Strategies

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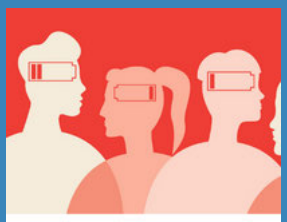


Blog

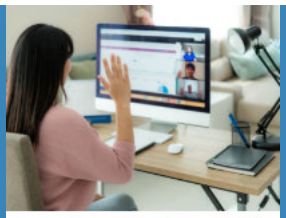
Building a Culture of Care: Leadership in Public Health Agencies

READ

Blog

Public Health and Housing Partnerships: Lessons from New York and Rhode Island

READ



Brief

Environmental Health Innovations During the COVID-19 Pandemic

READ

Video

How Strong Partnerships Improved Colorado's Suicide And Overdose Prevention Strategy

REGISTER

Report

State/Territorial Policy Considerations for Preventing Adverse Childhood Experiences

READ

astho PUBLIC HEALTH REVIEW MORNING EDITION

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Addressing Monkeypox Inequities** | Susan Kansagra (SHO-NC)
- **Breastfeeding Policies** | Deborah Backman, ASTHO
- **Offering Flu and COVID-19 Vaccines Together** | Gillian SteelFisher, Harvard T.H. Chan School of Public Health
- **AI Project Tackles Online Misinformation** | Connie Moon Sehat, Hacks/Hackers
- **ASTHO Seeks More Monkeypox Funding** | Carolyn Mullen, ASTHO

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PUBLIC HEALTH REVIEW PODCAST

astho PUBLIC HEALTH REVIEW

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ASTHO IN THE NEWS

- **Officials 'cautiously optimistic' about falling monkeypox cases.** | *The Washington Post* | Michael Fraser, ASTHO CEO
- **'It's an incredible place': CDC Director Rochelle Walensky on how she hopes to reform her battered agency.** | *Science*
- **The Public Health Workforce: Looking for a Diagnosis.** | *Medscape*
- **State, Local Officials Ask CDC To Tap Infectious Disease Fund For Monkeypox Response.** | *Inside Health Policy*

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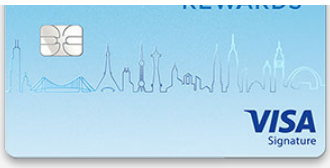

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SUBJECT:
FROM: Tamara Hampton <thampton@utah.gov>
TO: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
DATE: 07/09/2022 12:50

Tamara Hampton, 2022-09-07 11:50:40
Couple of items: I've sent an email to Jimmy Dobbs, ASTHO Coaching. Just waiting to hear back. Also, your Friday meeting with Shana Cato is scheduled for IP. I've had someone ask it this meeting will remain IP since Friday is a "strug" day.

SUBJECT: Accepted: [External] Updated invitation with note: ASTHO ExecutiveCoaching@ Fri Sep 16, 2022 4pm - 5pm (MDT) (dobbsj.associate@ccl.org
FROM: "Dobbs, Jimmy" <DobbsJ.associate@ccl.org>
TO: "mhofmann@utah.gov" <mhofmann@utah.gov>
DATE: 07/09/2022 15:13

SUBJECT: (P) COVID Dashboard Aggregate Daily File
FROM: USIIS@utah.gov
TO: usiis@utah.gov, ktsuyuki@utah.gov, hecurtin@utah.gov, mhofmann@utah.gov, jessicapayne@utah.gov, jsurkis@utah.gov, cdcimmnaa1@utah.gov, jdemeny@utah.gov, tpotvien@utah.gov
DATE: 08/09/2022 07:03

State of Utah USIIS Program - Emailed Attachment.

SUBJECT: 📢 New Cohort of Diverse Public Health Leaders
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 08/09/2022 08:21

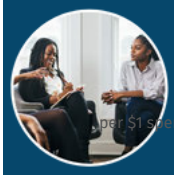
View this email in your browser

astho™

PUBLIC HEALTH WEEKLY

September 8, 2022

ASTHO Announces Next Cohort of Diverse Executives Leading in Public Health Program



ASTHO and the Satcher Health Leadership Institute at the Morehouse School of Medicine are delighted to announce the second cohort for the leadership development program Diverse Executives Leading in Public Health (DELPH).

DELPH provides participants with the opportunity to develop their leadership skills, expand their existing professional network, and create access and visibility within the public health system. Learn more about the program and our new cohort now.

READ

How Health Officials Can Build Relationships with Members of Congress

With midterms quickly approaching, public health officials are getting ready to build relationships with new members of Congress. It is more essential than ever for health officials to provide sound data and information to members of Congress on many health issues and ensure support for public health programs.

This week's Federal Health Policy Update is designed to help state and territorial health officials start a lasting relationship with Congress. Check out these tips now.

READ

THIS WEEK IN PUBLIC HEALTH HIGHLIGHTS

New ASTHO Representative Appointed to Advisory Committee | Scott Shone, PhD, director of the North Carolina State Laboratory of Public Health, has been named ASTHO's representative to the Advisory Committee on Heritable Disorders in Newborns and Children. The committee advises the HHS Secretary on the most appropriate application of universal newborn screening tests, technologies, policies, guidelines, and standards. **Learn more about Dr. Shone and the committee**.

ASTHO's Preparedness Webinar Series | National Preparedness Month: ASTHO has a new webinar series as part of this year's [illegible]. The offerings include: a comprehensive training on the Emergency

Management Assistance Compact and preparing mission ready packages; enhancing emergency preparedness and care for pregnant people, neonates, and infants; and a deep dive on the National Biosurveillance Integration Center and how they partner with public health. Sign up for these webinars now:

- **Preparing to Respond to Biological Threats: Use of Mission Ready Packages** | Sept. 15 | 2:30–4 p.m. ET
- **Considerations for Maternal and Child Health and Public Health Emergencies** | Sept. 22 | 4–5 p.m. ET
- **Early Warning Signs: Health and Disease Surveillance Using the National Biosurveillance Integration Center** | Sept. 29 | 4–5 p.m. ET

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A Conversation on Vaccine Confidence with the Washington State Department of Health
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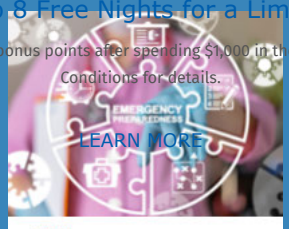
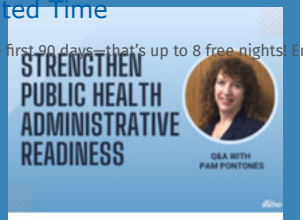


READ



Video
diana's Approach to uickly Onboarding rsonnel During the OVID-19 Pandemic
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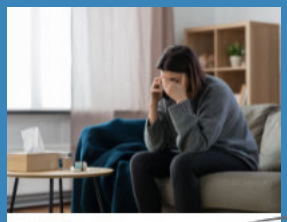

Blog
Guam Behavioral Health and Wellness Center: A Pandemic Lifeline
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Making Sure Maine Youth Matter
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State/Territorial Policy Considerations for Preventing Adverse Childhood Experiences
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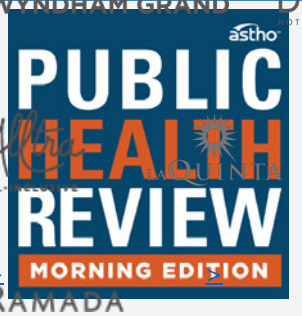

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Public Health Americ** | AJ Pearlman, [illegible] Health
- **Life Expectancy Data Sounds Alarm** | Anne Zink (SHO-AK), ASTHO President-Elect
- **Helping Youth in Crisis** | Heather Sebero, ASTHO
- **New Naloxone Strategy** | Nasrin Dasgupta, UNC-CH Gillings School of Global Public Health

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SUBJECT: Fwd: Heat related illness
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
CC: "Leisha Nolen (DHHS)" <lnolen@utah.gov>, JANAE DUNCAN <janaeduncan@utah.gov>
DATE: 08/09/2022 09:36

Supplemental email to a separate email on the same topic---FYI, re: current USHAA guidance.

---------- Forwarded message ---------
From: **BettySue Hinkson** <bhinkson@utah.gov>
Date: Wed, Sep 7, 2022 at 11:34 AM
Subject: Fwd: Heat related illness
To: Heather Borski (DHHS) <hborski@utah.gov>, to: Sarah Roundy <saroundy@utah.gov>, Bettysue Hinkson (DHHS) <bhinkson@utah.gov>, Brett McIff <bmciff@utah.gov>, cc: JANAE DUNCAN <janaeduncan@utah.gov>, Melissa Stevens Dimond <melissastevens@utah.gov>, Anna Fondario <afondario@utah.gov>, Leisha Nolen (DHHS) <lnolen@utah.gov>

---------- Forwarded message ---------
From: **Parker, Jodi** <JodiParker@schools.utah.gov>
Date: Wed, Sep 7, 2022 at 11:28 AM
Subject: RE: Heat related illness
To: Davis, Teri <Teri.Davis@schools.utah.gov>, Sarah Roundy (DHHS) <saroundy@utah.gov>
Cc: BettySue Hinkson <bhinkson@utah.gov>, Muir, Kendra <Kendra.Muir@schools.utah.gov>

Hi all,

Adding BettySue and Kendra as they also sent me this email.

As far as PE, local districts and charters do have internal policies on this issue and it would remain a local control issue unless something happens at the legislative level. For example, I received an email yesterday from Davis that they will not have PE or recess outside if the temps are over 100.

[redacted]

Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Sports and Wyndham Rewards, Inc. All rights reserved. Information, schedules, and cross country practice plan are under the control and management of the coaches and athletes. [illegible] it is [illegible] 100 degrees or more in September. These athletes deserve to [illegible] these conditions all summer. That said, coaches are required to give breaks and water frequentl
Their handbook (attached, pgs 78-79), states:

20220907_BarclaysSummerLTO

Heat Acclimatization

Before participating in the preseason practice period, all student-athletes should undergo a pre-participation medical examination administered by a qualified medical professional. The examination can identify predisposing factors related to a number of safety concerns, including the identification of youths at particular risk for exertional heat illness.

The heat-acclimatization period is defined as the initial 14 consecutive days of preseason practice for all student athletes. The goal of the acclimatization period is to enhance exercise heat tolerance and the ability to exercise safely and effectively in warm to hot conditions. This period should begin on the first day of practice or conditioning before the regular season. Any practices or conditioning conducted before this time should not be considered part of the heat-acclimatization period.

Regardless of the conditioning program and conditioning status leading up to the first formal practice, all student athletes (including those who arrive at preseason practice after the first day of practice) should follow the 14-day heat-acclimatization plan. During the preseason heat acclimatization period, if practice occurs on 6 consecutive days, student-athletes should have 1 day of complete rest (no conditioning, walk-throughs, practices, etc).

Days on which athletes do not practice due to a scheduled rest day, injury, or illness do not count toward the heat-acclimatization period. For example, an athlete who sits out the third and fourth days of practice during this time (e.g., Wednesday and Thursday) will resume practice as if on day 3 of the heat-acclimatization period when returning to play on Friday.

Definitions

A ***practice*** is defined as the period of time a participant engages in a coach-supervised, school approved, sport or coaching related physical activity. Each individual practice should last no more than three (3) hours. Warm-up, stretching, and cool down activities are part of the 3-hour practice time. Regardless of ambient temperature conditions, all conditioning and weight-room activities should be considered part of practice.

A ***walk-through*** is defined as a teaching opportunity with the athletes not wearing protective equipment (e.g., helmets, shoulder pads, catcher's gear, shin guards) or using other sport-related equipment (e.g., footballs, blocking sleds, pitching machines, soccer balls, marker cones). The walk-through is not part of the 3-hour practice period, can last no more than 1 hour per day, and does not include conditioning or weight-room activities.

A ***recovery period*** is defined as the time between the end of 1 practice or walk-through and the beginning of the next practice or walk-through. During this time, athletes should rest in a cool environment, with no sport or conditioning related activity permitted (e.g., speed or agility drills, strength training, conditioning, or walk-through). Treatment with the athletic trainer is permissible.

Requirements

A. Days 1 through 5 of the heat-acclimatization period consist of the first 5 days of formal practice. During this time, athletes may not participate in more than one (1) practice per day.

B. If a practice is interrupted by inclement weather or heat restrictions, the practice should recommence once conditions are deemed safe. Total practice time should not exceed 3 hours in any one (1) day.

C. A 1-hour maximum walk-through is permitted during days 1–5 of the heat-acclimatization period; how ever, a 3-hour recovery period should be inserted between the practice and walk-through (or vice versa).

D. During days 1–2 of the heat-acclimatization period, in sports requiring helmets or shoulder pads, a helmet is to be the only protective equipment permitted. During days 3–5, helmets and shoulder pads are permitted. Beginning on day 6, all protective equipment may be worn and full contact may begin.

i. On days 3–5, contact with blocking sleds and tackling dummies may be initiated.

ii. Full-contact sports: 100% live contact drills should begin no earlier than day 6.

E. A minimum of 1 rest day shall occur following 6 consecutive practice days.

F. Beginning no earlier than day 6 and continuing through day 14, double-practice days must be followed by a single-practice day. On single-practice days, 1 walk-through is permitted, separated from the practice by at least 3 hours of continuous rest. When a double-practice day is followed by a rest day, another double-practice day is permitted after the rest day.

G. On a double-practice day, neither practice shall exceed 3 hours in duration, nor shall student-athletes participate in more than 5 total hours of practice. Warm-up, stretching, cool-down, walk through, conditioning, and weight-room activities are included as part of the practice time. The two practices should be separated by at least 3 continuous hours in a cool environment.

Because the risk of exertional heat illnesses during the preseason heat-acclimatization period is high, it is strongly recommended that an athletic trainer be on site before, during, and after all practices.

Stay safe and healthy,

Jodi Parker
Health Education Specialist
Title IVA Coordinator
250 E 500 S | Salt Lake City, UT 84114
P: 801-538-7734| jodi.parker@schools.utah.gov
Utah State Board of Education

Subscribe to be on our Health and Physical Education Team using the Utah Education Network (UEN) Mailing List!

From: Davis, Teri <Teri.Davis@schools.utah.gov>
Sent: Wednesday, September 7, 2022 11:16 AM
To: Sarah Roundy (DHHS) <saroundy@utah.gov>; Parker, Jodi <Jodi.Parker@schools.utah.gov>
Subject: RE: Heat related illness

I believe there are not any policies on this right now other than hydrate participants who are playing sports and having water available. I believe we should have a proactive voice in this to guide coaches and administrators as to being safe. Maybe it should come from the health department, USBE Health and P.E. as we are looking at PE classes also. Good question!

Kind wishes,

Teri Davis
Physical Education Specialist/Curriculum Content Specialist
Utah State Board of Education
Teaching and Learning
250 E 500 S | Salt Lake City, UT 84114
P: 801-538-7655

"Life is either a daring adventure or nothing." Helen Keller

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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From: Sarah Roundy (DHHS) <saroundy@utah.gov>
Sent: Wednesday, September 7, 2022 11:04 AM
To: Parker, Jodi <Jodi.Parker@schools.utah.gov>; Davis, Teri <Teri.Davis@schools.utah.gov>
Subject: Heat related illness

Good morning

Our directors are wondering if there are any heat related policies from USBE and/or UHSAA. There is a perception that the UHSAA is remarkably quiet on this issue, given the current hea wave. Is there a need for us to have a stronger, more proactive voice on this topic?

Any information/direction would be appreciated.

--
Sarah Roundy
Healthy Environment Active Living (HEAL)
O: 801.538.9454
saroundy@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
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BettySue Hinkson MSN RN-BC NCSN
Utah School Nurse Consultant

Utah Department of Health and Human Services
Health Environments Active Living (HEAL)

P.O. Box 142107
Salt Lake City, UT 84114-2107
(801) 419-1078 - cell
bhinkson@utah.gov
heal.health.utah.gov/schools/school-nursing/

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: Fwd: Virtual & In-Person Training Opportunities from the FamilyPlanning Division
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, Ashley Beyer <abeyer@utah.gov>, Lisa Martin <lmartin@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, Carrie Dunford <carrie.dunford@imail.org>
DATE: 09/09/2022 09:51

Greetings, You might all already be aware of FPE and what they're offering here but wanted to pass it along in case you weren't:

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Thu, Sep 8, 2022 at 4:52 PM
Subject: Fwd: Virtual & In-Person Training Opportunities from the Family Planning Division
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

---------- Forwarded message ---------
From: **Utah Family Planning Division** <hello@fpeutah.org>
Date: Thu, Sep 8, 2022 at 10:56 AM
Subject: Virtual & In-Person Training Opportunities from the Family Planning Division
To: <lbaksh@utah.gov>

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FAMILY PLANNING ELEVATED

ASCENT

It's back to school season and the Family Planning Division is excited to announce

[redacted]

a number of virtual trainings to keep those pencils (and minds) sharp! We'll be kicking off this fall with plenty of CME-filled activities and opportunities to connect with family planning providers and experts across the state of Utah. Check out what we have to offer below!

Family Planning Elevated is happy to announce an opportunity to attend an approximately one-hour live CE webinar on Hormonal Contraceptives. The training will include an overview of pharmacy-provided methods, side effects, counseling points, and how to incorporate contraceptive provision into pharmacy workflow.
Join us to learn about best practices for contraceptive dispensing as well as a review of person-centered counseling strategies. This training is designed for pharmacists who want to increase their skills and knowledge base around contraceptives.
CME Credit is available and details will be provided at the event!

Register

Meet our Presenters

Dr. Misha Pangasa, MD

Dr. Pangasa is a Complex Family Planning Fellow at the University of Utah. Prior to joining the Utah team, Misha worked as a general OB/GYN at Massachusetts General Hospital. Her research interests include language and messaging regarding reproductive rights and care and its impact on individual and group decision making.

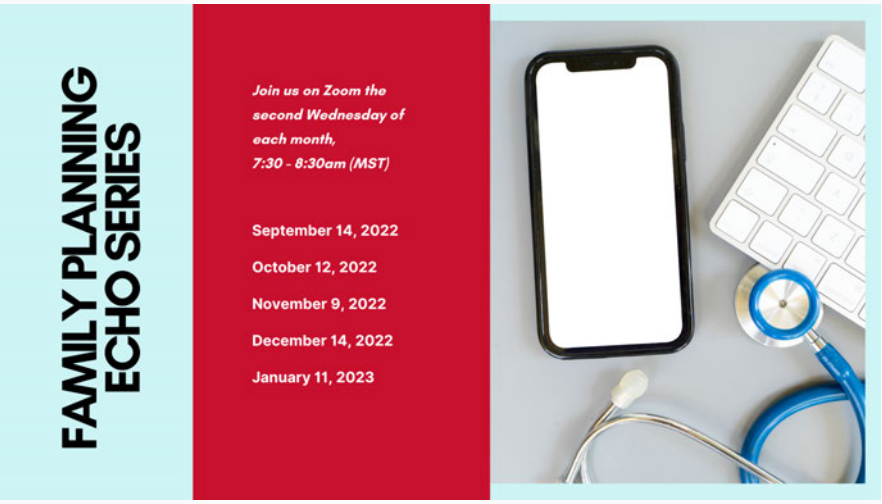
Dr. Rebecca Simmons, PhD, MPH

Dr. Simmons is a Research Assistant Professor at the University of Utah in the Department of Obstetrics and Gynecology. Dr. Simmons directs the evaluation for Family Planning Elevated, and works on other implementation research, including HER Salt Lake. Her research interests and expertise include fertility awareness-based methods, comprehensive contraceptive

Bio

access, health technology, and implementation science.

Bio



What pain management options exist for IUD placement? How can I help my patient select the right birth control pill? Can the hormonal IUD really be used as emergency contraception? You've got questions, and the Division of Family Planning at the University of Utah has answers!

Join us on Zoom the second Wednesday of each month, 7:30 - 8:30 am, to connect with local experts in family planning, discuss clinical cases, and share best practices for providing comprehensive person-centered family planning care. Hosted by the University of Utah's Division of Family Planning. View session schedule and past recordings here, and check out all current U of U Health ECHO series here.

Questions? Contact Erica Torres at erica.torres@hsc.utah.edu.

Register

Join us for a unique and exciting in-person training with Project ARIISE!

Project ARIISE (Addressing Racial Inequities through Interprofessional Simulation and Experiential Learning) is made possible through a grant from the Josiah Macy Jr. Foundation

---

We look forward to seeing you!
Family Planning Elevated & ASCENT Center for Sexual and Reproductive Health

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Salt Lake City, UT 84132-0002

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--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

Utah Department of Health & Human Services
Family Health

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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[redacted]

[redacted]

SUBJECT: Report for America helps us tell more stories
FROM: Jessica Sweeney | The Salt Lake Tribune <donate@sltrib.com>
TO: Michelle <mhofmann@utah.gov>
DATE: 14/09/2022 07:31

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RFA alumna Becky Jacobs brought us hundreds of stories highlighting the issues Utah women face, such as the effects of the overturned Roe v. Wade Supreme Court decision. RFA alumnus Zak Podmore covered water and land use issues like the land/power struggles challenging San Juan County.

In 2021, Alixel Cabrera joined The Tribune to focus on reporting for the west side of the Salt Lake Valley. Alixel has written about pollution issues, west side population growth, and intimate stories of community members supporting each other.

In 2022, we welcomed two new Report for America team members: Bethany Baker and Leto Sapunar. Bethany is the first dedicated video journalist in the Tribune's history. Leto will tackle business and tech, focusing on sustainability and accountability.

In the coming days, you'll hear from The Tribune's RFA reporters and RFA alumni about the importance of their reporting and why they were called to action.

How can I help?

[redacted]

Report for America supports local journalism across the U.S. by focusing on topics and regions that are underserved. Report for America covers half of each reporter's salary.

As a nonprofit we can't continue this fight without you, the community we serve. The Tribune, like other RFA newsrooms, is seeking donations to support the balance.

Donate to our Report For America journalists here and keep the fight for truth and accountability alive.

Donate to fund RFA journalists

Thank you,

Jessica Sweeney
Development Director

Prefer to mail a check?
The Salt Lake Tribune
90 S. 400 West, Suite 600
Salt Lake City, UT 84101

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SUBJECT: Re: MHA Course Planning
FROM: Amalia Caamano <Amalia.Sandra@hsc.utah.edu>
TO: Steven Hayworth <steven.hayworth@hsc.utah.edu>
CC: Michelle Hofmann <mhofmann@utah.gov>, Peter Weir <peter.weir@utah.edu>
DATE: 14/09/2022 09:34

Hi Steven,

Thanks for taking on week 5. Peter asked me to help out with the discussion post that week (although I know that is your week). I was thinking of either doing a discussion post on the pandem shortening life expectancy in Indigenous Communities (bringing in the data component--- I have an unpublished discussion post that has this prompt). However, I'm currently at a health analytics conference and they spoke about substance abuse programs for pregnant women - I thought this was also really interesting. Let me know which of those sounds better- of course we can chat tonight/Friday. Just wanted to give you a heads up on what I'm thinking.

See ya tonight for class,

Amalia

From: Steven Hayworth <steven.hayworth@hsc.utah.edu>
Sent: Tuesday, September 13, 2022 1:25:11 PM
To: Peter Weir <peter.weir@utah.edu>; Amalia Caamano <Amalia.Sandra@hsc.utah.edu>; Michelle Hofmann <mhofmann@utah.gov>
Subject: Re: MHA Course Planning

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Hi Peter –

You bet! We'll keep driving forward in your stead. Week 5 is mine, so I'll review and guide the discussion on Friday (09.16).

Thanks for the heads up! Enjoy your time OOO.

All the best,
Steven H.

Steven M. Hayworth, MPH
Director of Population Health, Clinical Services
University of Utah Health Medical Group
127 South 525 East | Business Services Building
618-304-2032 (cell) | 801-587-5927 (office) | steven.hayworth@hsc.utah.edu

HEALTH
UNIVERSITY OF UTAH

From: Peter Weir <peter.weir@utah.edu>
Date: Tuesday, September 13, 2022 at 12:12 PM
To: Amalia Caamano <Amalia.Sandra@hsc.utah.edu>, Steven Hayworth <steven.hayworth@hsc.utah.edu>, Michelle Hofmann <mhofmann@utah.gov>
Subject: MHA Course Planning

I'll be out of the office on Friday. I hope you guys still meet to keep each other updated.

pw

From: peter.weir@utah.edu
When: 3:30 PM - 4:30 PM September 16, 2022
Subject: MHA Course Planning
Location: Zoom Meeting (see below)

[redacted]

Call me with any questions – 801 230-1983

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TO: Amalia Caamano <Amalia.Sandra@hsc.utah.edu>
CC: Michelle Hofmann <mhofmann@utah.gov>, Peter Weir <peter.weir@utah.edu>
DATE: 14/09/2022 10:06

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Hi Amalia –

Awesome. Thank you so much for taking the lead on the posts and proposing these two very interesting discussion! That's a tough call. High-Risk Moms is very topical to Peter's & work and interest right now. So, I'd like to see what you come up with. If you don't have time or not much is coming up around it, then let's go with the COVID Life Expectancy Disp discussion. Regardless, yes, let's chat more tonight!

Thanks again for the updated, Amalia, and for taking this on!

See everyone tonight!

All the best,
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TO: davidlitvack@utah.gov, natewinters@utah.gov, swatkins@utah.gov, tracygruber@utah.gov, Michelle Hofmann <mhofmann@utah.gov>
CC: "Krisann Humphreys Baco..." <krisannbacon@utah.gov>
DATE: 14/09/2022 13:49

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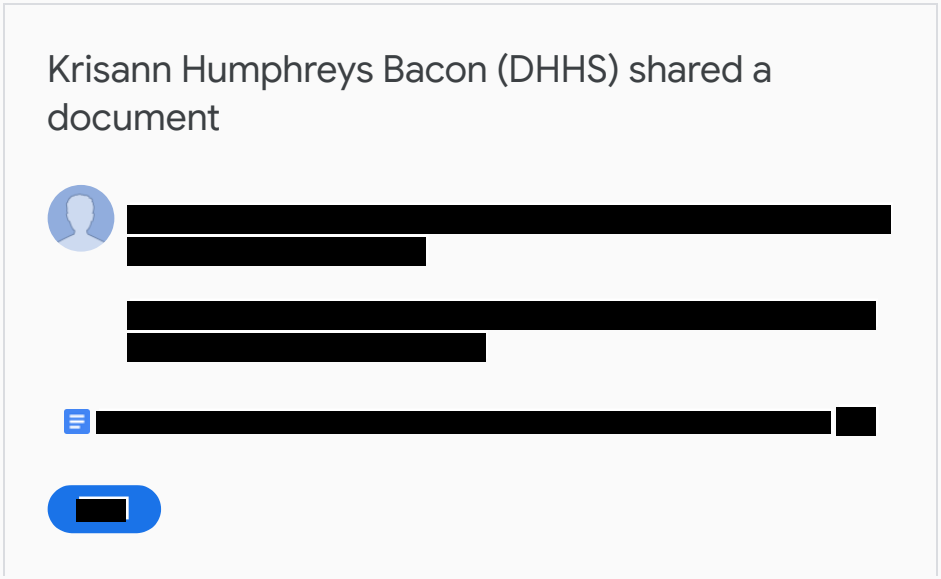

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Krisann Humphreys Bacon (DHHS) shared a document

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DATE: 14/09/2022 14:04

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Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

Utah Department of
Health & Human
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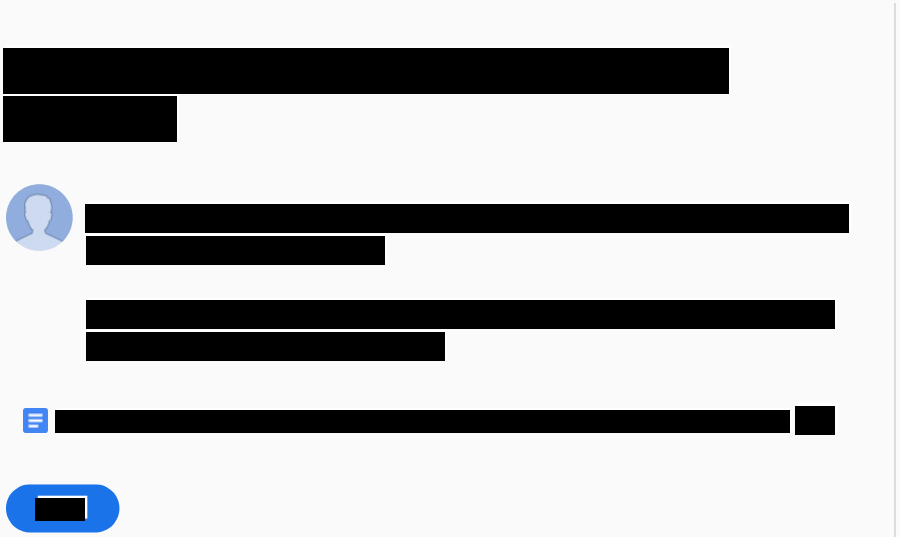
[redacted]

[redacted]

Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]



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DATE: 14/09/2022 14:13

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Utah Department of Health & Human Services

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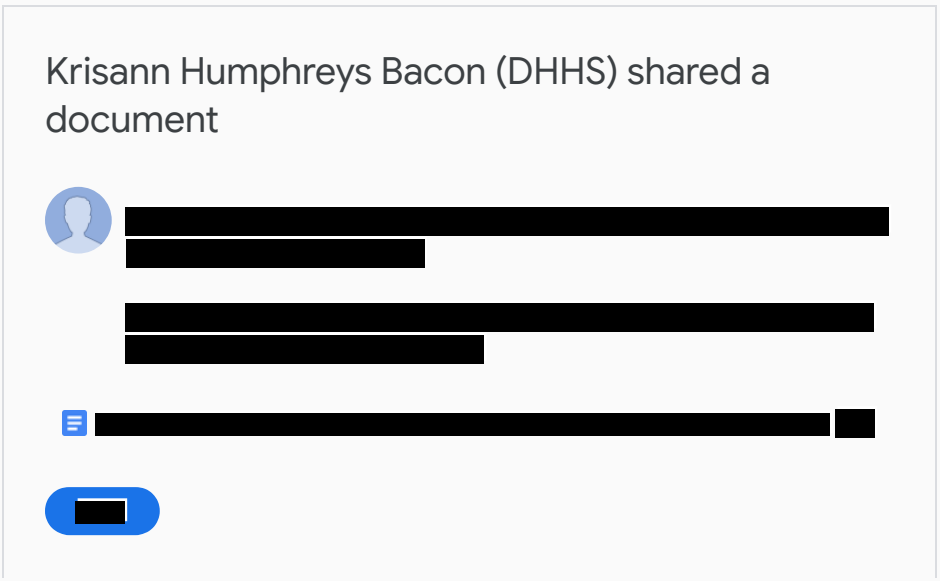

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DATE: 14/09/2022 17:49

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SUBJECT: (P) COVID Dashboard Aggregate Daily File
FROM: USIIS@utah.gov
TO: usiis@utah.gov, ktsuyuki@utah.gov, hecurtin@utah.gov, mhofmann@utah.gov, jessicapayne@utah.gov, jsurkis@utah.gov, cdcimmnaa1@utah.gov, jdemeny@utah.gov, tpotvien@utah.gov
DATE: 15/09/2022 07:03

State of Utah USIIS Program - Emailed Attachment.

SUBJECT: ASTHO Welcomes New President
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 15/09/2022 08:32

View this email in your browser.

astho™

PUBLIC HEALTH WEEKLY

September 15, 2022

A Q&A with Anne Zink, ASTHO's New President

ASTHO is thrilled to welcome Anne Zink, MD, FACEP as our new president. Zink is a practicing emergency room physician and serves as the chief medical officer for the Alaska Department of Health.

In a conversation with ASTHO, she spoke about her hopes for the future of public health and her goals as president. Zink plans to focus her presidency on improving health information systems to empower the public, healthcare providers, and the public health workforce with the tools and information they need to promote individual and population health. Get all the details in this Q&A.

READ

Leveraging State and Federal Policy to Reduce Maternal Illness and Death

There are significant disparities in pregnancy-related outcomes in the United States. The U.S. maternal mortality rate is higher than many other high-income countries and severe maternal morbidity continues to rise. Additionally, many people of color experience higher maternal mortality when compared to their white counterparts.

With many of these deaths considered preventable, state and federal policymakers are taking steps to improve health outcomes for pregnant people. Learn how in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

ASTHO Welcomes Its 80th President | On Sept. 13 at ASTHO's annual Assembly of Members meeting, **Anne Zink, MD, FACEP (SHO-AK)** began her term as the 80th president of ASTHO. She succeeds **Nirav Shah, MD, JD, (SHO-ME)** who has held the position since January 2021. We thank Dr. Shah for his service and leadership during one of the most difficult challenges public health has faced, and we look forward to Dr. Zink's term as president. **Learn more in our latest press release**.

ASTHO Names New Board Leadership | Also this week, ASTHO announced its other newly elected leaders, including **Steven J. Stack, MD, MBA, (SHO-KY)** president-elect, and **Scott Harris, MD, MPH, (SHO-AL)** secretary-treasurer. **Visit here to learn more about ASTHO's leadership and governance.**

Inaugural DELPH Cohort Graduates | The **Diverse Executives Leading in Public Health** (DELPH) program, co-created by ASTHO and the Satcher Health Leadership Institute at Morehouse School of Medicine, celebrated the graduation of its first cohort at ASTHO's 2022 Fall Leadership Summit. Sixteen scholars completed a 10-month long program focused on fine tuning their leadership skills, expanding their public health network, and connecting with colleagues focused on growth. Meet the graduating class and learn more about their accomplishments in **the DELPH Magazine** now.

New Article in the American Journal of Public Health | ASTHO and the University of Washington co-authored a new article on the growing climate crisis and what it will take to get state and territorial health agencies ready to respond to the effects of climate change on public health. **Check out the full article for more.**

Public Health Stretched Thin | ASTHO CEO Michael Fraser spoke with *The Nation's Health* about the impact of the COVID-19 pandemic on the regular functions of healthcare and public health, outside of managing the pandemic itself. Many critical functions were set aside and public health is racing to make up for lost time. **Learn more about COVID-19's "health debt" now.**

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Thank you for being a long-time subscriber to ***Public Health Weekly***—we greatly appreciate your support! But did you know that we have more great newsletters to keep you up-to-date on the latest and greatest from ASTHO?

Subscribe to our ***Events*** list and be the first to hear about our webinars, trainings, summits, and more—there's always something new coming your way.

Want to learn more about public health policy? Our ***Legislative Alerts*** provide you with exclusive analysis of emerging health legislation at the federal and state levels.

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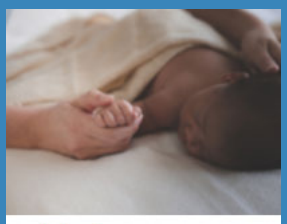
LATEST ASTHO RESOURCES AND EVENTS

Report

Hiring Practices That Support State Integration of Community Health Workers

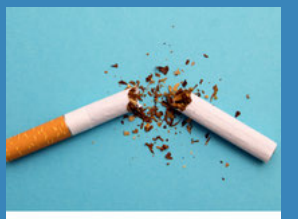
READ



New Resource

Supporting Pregnant and Postpartum Women with Opioid Use Disorder: An Infographic Series

CHECK IT OUT



Brief

Using Medicaid Datasets to Measure Tobacco Use: A Review

READ

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

astho PUBLIC HEALTH REVIEW MORNING EDITION

- **Youth Worried About Climate Change** | Rachael Banks (SHO-OR)
- **Meet ASTHO's New President** | Anne Zink (SHO-AK), ASTHO President
- **ASTHO's Outgoing President** | Nirav Shah (SHO-ME)
- **ASTHO's Impact on Public Health** | Michael Fraser, ASTHO CEO
- **Training for Diverse Public Health Pros** | Jill Miller, Alameda County Public Health Department

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PUBLIC HEALTH REVIEW PODCAST

- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
- **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC

astho PUBLIC HEALTH REVIEW

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

LISTEN

ASTHO IN THE NEWS

- **As public health does double duty, everyday work falls behind.** | *The Nation's Health* | Michael Fraser, ASTHO CEO
- **AmeriCorps Hopes to Breathe Life into Public Health Workforce.** | *Governing* | ASTHO
- **NIAA Announces Its 12th Annual Antibiotic Symposium.** | *NIAA* | Abraham Kulungara, ASTHO
- **The Victims of a Victimless Crime: The Future of Organized Retail Crime.** | *Loss Prevention Magazine* | Marcus Plescia, ASTHO CMO
- **Biden Administration says a new COVID-19 vaccination campaign could begin within days.** | *Al Jazeera* | Marcus Plescia, ASTHO CMO

Press Room | Careers | Events | Funding

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[redacted]

[redacted]

SUBJECT: Top Stories: Utah GOP Reps. Birkeland, Lisonbee say their threat to abortions providers was only their 'opinion,' not a legal document
FROM: The Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 18/09/2022 08:09

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sltrib.com

TOP STORIES

[redacted]

Sunday, September 18, 2022

By Nicole Weaver

Utah GOP Reps. Birkeland, Lisonbee say their threat to abortions providers was only their 'opinion,' not a legal document

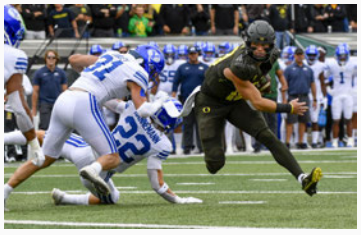
The letters, signed by a group of Utah House Republicans, threatened prosecution for people who provide or fund abortions while an injunction keeps Utah's trigger law on hold.

Read More

How a Utah teen's death inspired a dark legend, a fictional 'journal,' and a rock opera

Alden Barrett's death in 1971 helped feed 'Satanic panic' fears, and now a Utah rock band is telling his story.

Read more.



BYU put itself into the national discussion a week ago. For its encore performance, a flat thud vs. No. 25 Oregon

The Ducks knocked off BYU 41-20 in a game where the Cougars were overmatched in nearly every aspect.

Read more.

Utah authors sign letter decrying 'plague of book banning'

Bans are targeting people of color and LGBTQ+ authors, says the letter, signed by more than 40 writers.

Read more.

Utes football leave non-conference season with plenty of lessons — and some concerns

The No. 14 Utes are 2-1 heading into Pac-12 play.

Read more.

Quick Hits

• Here are 8 celebrities — and more — to look for at Utah's FanX.

• Brigham Young's most famous daughter was a 'very forceful, dominant personality' — sound familiar?

• Scott D. Pierce: Networks' new fall shows aren't great, which isn't good for local stations

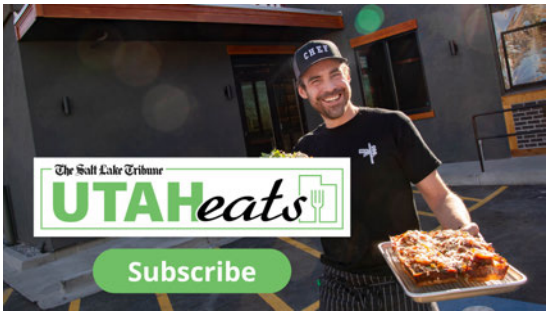
• There isn't a blueprint for being the first Black QB to start at BYU, so Jaren Hall is making his own

• Cardiff Fork trails in Cottonwood Canyon are closed. Where are they and

how did we get here?

• State and local governments working together show hope for addressing homelessness in Utah, the Editorial Board writes.

• Matthew Bowman: How the religious right fueled what the media get wrong about Christians



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SUBJECT: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
CC: "Braden Ainsworth (DHHS)" <bainsworth@utah.gov>, "Brandi Frandsen (DHHS)" <btfrands@utah.gov>, "Rebekka Wilkinson (DHHS)" <rnwilkinson@utah.gov>, "Tyler Fisher (DHHS)" <tfisher@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "Andreas Rohrwasser (DHHS)" <arohrwasser@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Ethan Farnsworth (DHHS)" <efarnsworth@utah.gov>, "Al Romeo (DHHS)" <alromeo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
DATE: 19/09/2022 12:40

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.
- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in variou budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the [redacted]

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%

[redacted]

of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).			
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin	
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?	

HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Ethan Farnsworth?
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)

[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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Amanda Slater (DHHS) marked an action item as done in the following document

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: How You Can Use Data to Improve Health Equity
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 22/09/2022 08:21

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PUBLIC HEALTH WEEKLY

September 22, 2022

Improving Health Equity With Data

PUBLIC HEALTH REVIEW

Health equity is a top priority for many health agencies. Public health leaders can use performance management systems to advance health equity goals by systematically collecting and monitoring data to track results and identify opportunities for improvement.

On the latest episode of the Public Health Review podcast, ASTHO senior executive consultant Nicole Alexander-Scott (Rhode Island), Harry Chen (Alabama), and Montana's state health improvement coordinator Anna Bradley discuss how the current equity efforts can integrate with established performance management practices. Listen to the episode to learn more.

LISTEN

State and Territorial Health Policies Strengthening Emergency Preparedness Efforts

Public health has been grappling with an onslaught of challenges, such as COVID-19, monkeypox, increasing firearm homicide, and widespread flood waves. In the wake of such emergencies, public health preparedness is more critical than ever.

State and territorial preparedness policy priorities could indicate potential areas of focus for federal agencies as they work to reinvigorate preparedness and better meet current challenges. Check out those priorities in this week's Health Policy Update.

READ

THIS WEEK'S HIGHLIGHTS

SepticSmart Week 2022 | Each third week of September, EPA's **Decentralized Wastewater Management Memorandum of Understanding Partnership** commemorates SepticSmart Week, an opportunity for health agencies at all jurisdictional levels to share educational resources about onsite wastewater treatment system upkeep. This year, ASTHO has commemorated the 10th anniversary of the occasion by signing a proclamation. **Read the proclamation** and learn more about septic care and safety.

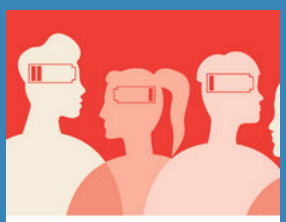
New Healthy Aging Learning Module | ASTHO has a new module available designed to support public health agencies in integrating healthy aging into public health frameworks and support partners that serve older adults. Take advantage of this self-paced resource and **register here**.

[redacted]

First Issue of the DELPH Magazine | In honor of the inaugural cohort of the Diverse Executives Leading in Public Health (DELPH) program, ASTHO has a new publication available. The DELPH Magazine features detailed profiles of the cohort and insightful think pieces from leaders at ASTHO and Satcher Health Leadership Institute at Morehouse School of Medicine. Check out the full issue of **the DELPH Magazine** now**.**

Insight and Inspiration | ASTHO has a new upcoming webinar as part of Insight and Inspiration, a series designed to motivate public health professionals and develop their leadership skills. **Stephen Shedletzky**, executive coach and one of Simon Sinek's master trainers, will present Sinek's Golden Circle framework and help attendees identify the WHY that drives their work. **Learn more and register here.**

LATEST ASTHO RESOURCES AND EVENTS



Blog

Building a Culture of Care: Leadership in Public Health Agencies

READ

Blog

Promoting Successful Wastewater Treatment Programs

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Podcast

Revitalizing Public Health Through Connection

LISTEN NOW

Video

Partnering with the Autism Community on Inclusive Emergency Preparedness

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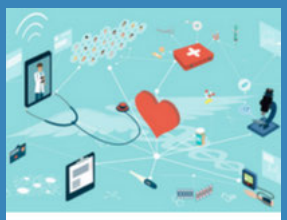

Blog

State Primary Care Offices Expand Access to Care and Improve Health Equity

READ

Blog

Men and Firearms: Proven Public Health Interventions to Curb Violence

READ

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **ACEs Legislative Scan** | Jonathan Purtle, New York University School of Global Public Health
- **Managing Septic Grants** | Lance Gregory, Virginia Department of Health
- **ASTHO's New President-Elect** | Steven Stack (SHO-KY)
- **Maternal Health Crisis Blueprint** | Jamila Perritt, Physicians for Reproductive Health
- **New PH Job Website** | Joanne Pearsol, ASTHO

LISTEN

PUBLIC HEALTH REVIEW PODCAST

- **Improving Health Equity With Data** | Nicole Alexander-Scott (alumni-RI) | Harry Chen (alumni-VT) | Anna Bradley, MS, Montana Department of Public Health and Human Services
- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network

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ASTHO IN THE NEWS

- **Assessing the Global COVID-19 Response: Hard Lessons for the U.S. |** *Governing* | Michael Fraser, ASTHO CEO
- **Lack of Data Still Blunts US Response to Outbreaks.** | *The New York Times* | Anne Zink (SHO-AK), ASTHO president
- **FDA releasing millions of Moderna boosters as states warn of shortages. |** *The Washington Post* | Marcus Plescia, ASTHO CMO
- **Parents hesitate to give kids under 5 COVID-19 vaccine, worrying health officials. |** *The Washington Post* | Kimberlee Wyche-Etheridge, ASTHO staff
- **COVID-19 testing providers scale back despite worries of another winter surge. |** *NBC News* | Marcus Plescia, ASTHO CMO

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SUBJECT: UMA MediByte: Overdose Deaths Persist
FROM: "Utah Medical Association" <mark@utahmed.org>
TO: "Michelle G. Hofmann, MD MPH" <mhofmann@utah.gov>
DATE: 22/09/2022 08:46

TO: Michelle G. Hofmann, MD MPH 9/22/2022

Overdose Deaths Persist Despite Reduced Opioid Prescribing

Even as deaths from illicit drugs like fentanyl are rising, a new American Medical Association report shows a sharp decrease nationwide in opioid prescribing over the past decade. In Utah, opioid prescribing has decreased over 33% since 2012. Not only has the number of opioid prescriptions decreased, so has dosage strength, measured in morphine milligram equivalents.

Despite physicians' efforts nationwide, the study revealed spikes in overdoses and deaths related to illicitly manufactured fentanyl, methamphetamine, and cocaine.

Other News

Utah Medicaid Claims Delayed

Earlier this week, Utah Medicaid sent a notice informing Utah physicians and health care providers that all provider payments would be delayed due to problems with the claims processing system. No further information has been sent since the initial notice on Monday 9/19, but as new information becomes available, we will pass it along. In the meantime, Medicaid's customer service line is (801) 538-6155 or toll-free 1-800-662-9651.

Utah's Dept. of Health & Human Services (DHHS) recently noted that a new Medicaid claims payment system, originally planned for deployment in January 2023 will be delayed until April 2023, with training for physicians and other providers occurring in February and March, with a system freeze in March for transfer of data and processes from the old system to the new.

Nearly 10% of Americans suffer from depression

HealthDay (9/19) reports, “Nearly 10% of Americans suffer from depression, with the mood disorder increasing fastest among teens and young adults,” researchers concluded after examining data drawn from the 2015-2020 National Survey on Drug Use and Health. In fact, “between 2015 and 2020, incidence of depression reached 9% among Americans 12 and older,” while “among teens and young adults, the depression rate stood at 17% in 2020, the researchers found.” One researcher “said it’s possible that growing feelings of helplessness and economic distress are fueling depression, the leading mental health disorder in the nation,” and “the COVID-19 pandemic has only made mental health worse.” The findings were published online Sept. 19 in the American Journal of Preventive Medicine.

UMA Responds to Legislative Threat

UMA has publicly denounced the practice of threatening criminal prosecution of physicians for practicing their profession in conformity with current law. UMA was responding specifically to a letter signed by several Utah legislators last week which seems to threaten physicians with future prosecution for performing an abortion outside the bounds of Utah’s trigger law (which is currently stayed under an injunction), even if the practice is legal currently.

“The criminalization of medical practice is no trivial matter,” says UMA President Mark R. Greenwood, MD. “Physicians need to be able to rely on clear, established laws and regulations to help inform them as to what is permitted and how they can best serve their patients. Threats of retroactive prosecution if current law is someday altered because the trigger law goes into effect does not stand up to legal scrutiny.”

The Association recognizes there is some confusion regarding applicable laws since the recent *Dobbs* decision overturned *Roe v Wade*. UMA appreciates the Utah State Legislature’s Office of Legislative Research and General Counsel’s document entitled “Abortion in Utah After Dobbs” dated July 2022. The document clearly states that physicians are currently operating under law that is only slightly different than before the Dobbs decision, since HB 136 went into effect making elective abortions legal only up to 18 weeks instead of up to 20 weeks. The document also makes clear the preliminary injunction stays the enforcement of SB 174 (Utah’s trigger law) which would outlaw elective abortions altogether.

“Regardless of whether one supports or opposes the changes proposed to Utah law, physicians need clarity regarding what is and is not legal,” said Dr. Greenwood. “Ex post facto law is prohibited by the U.S. Constitution for good reason. All citizens have the right to pursue their lives and activities without the threat that they may be in legal jeopardy tomorrow for acts which are legal today.”

News From the AMA

Building back adult vaccination rates calls for real-time data
The U.S. has seen an uptick in vaccine-preventable diseases. An immunization expert lists the reasons behind falling adult vaccination rates and the actionable steps that can be taken. **Learn what can be done**.

Focus turns to Senate action to cut physicians' prior auth strain
It's time to call on your senators to help our older adult patients avoid the care delays posed by prior authorization in Medicare Advantage plans. **Hear more from AMA President Jack Resneck Jr., M.D.**

What programs, resident physicians are doing to manage fatigue
Program-level interventions such as night float and duty-hour limitations are among the more effective methods for keeping residents rested. **Learn the techniques that work**.

Learn how your primary care practice can help prevent suicide
Primary care practices can help patients at risk for suicide or potential self-harm. Be ready with a message of hope and a safety plan. **Get started now**.

Toolkit shows how developers can link health equity to innovation
A new AMA resource offers insight into how digital health solution developers can ensure their products and services meaningfully advance health equity. **See how the toolkit drives equitable health innovation**.

National Headlines

Covid Still Kills, but the Demographics of Its Victims Are Shifting (KHN)

US Adults Should Get Routine Anxiety Screening, Panel Says (AP)

AMA-AHA Surprise Billing Lawsuit Dropped (Modern Healthcare)

STDs Chlamydia, Syphilis, Gonorrhea Increased In US In 2021 (Bloomberg)

Welcome to New UMA Members

We welcome each of you to Utah's house of medicine. If there is anything we can do to assist you, don't hesitate to call the UMA office (801-747-3500) and ask.

In the meantime, did you know that UMA Members can get invaluable financial advice and counsel from UMA Financial Services experts free of charge? Members are also eligible for special discounts from Verizon Wireless, on hotels, care rentals and even various entertainment venues when travelling. Group purchasing discounts are also available via arrangements with Provista/Vizient for our members. Logon to the UMA website and visit the Member Benefits page for details.

If you have trouble logging in, or cannot recall your login credentials, contact Mark Fotheringham or Paige De Mille at the UMA office for assistance.

Upcoming Events

2023 Doctor's Day at the Legislature

February 8, 2023
State Capitol Office Building

Save the date for Utah physicians' opportunity to visit with state legislators and help educate them on the issues important to your patients and your profession. This is a great opportunity to see how Utah law is made and make your voice heard.

Public Health Info

Reports from UDOH

The following data reports and announcements are available from the Utah Department of Health:

- Up-to-Date Utah Coronavirus Statistics
- Coronavirus Treatments: Info for Medical Providers
- COVID Therapeutics Locator

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

SUBJECT: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
CC: "Paul Ray (DHHS)" <pray@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 23/09/2022 17:41

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- Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention

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Marc B. Watterson
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Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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FROM: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 23/09/2022 23:50

SUID Legislative Report

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CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 24/09/2022 14:47

Thanks Teresa

On Fri, Sep 23, 2022, 11:51 PM Teresa Brechlin (DHHS) <tbrechlin@utah.gov> wrote:
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Psychotropic Medication Oversight Panel

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 24/09/2022 18:38

Marc, I tried to get into and would like to make edits in several of these reports, and they aren't set up to provide edit or comment access---are you able to fix this? (like the SUID report, the firs
tobacco item (compliance checks), the birth certificate report, and the AI/AN report---there may be others that I didn't try)

Thank you,
HB

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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[redacted]

SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 25/09/2022 07:35

Same. Please grant access to these reports so we can do the necessary review as quickly as possible given the timeline.

Have these reports gone through PAE for review for editing? There are several line edits I find myself making. It would be good to have a line editor review these reports. If they don't have tha capability, let me know. We may need to find an editor in the department.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Sat, Sep 24, 2022 at 6:38 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:
Marc, I tried to get into and would like to make edits in several of these reports, and they aren't set up to provide edit or comment access---are you able to fix this? (like the SUID report, the first tobacco item (compliance checks), the birth certificate report, and the AI/AN report---there may be others that I didn't try)

Thank you,
HB

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
EDO -

Below is a table of the latest batch of Legislative Required Reports. Please conclude your review by COB next Friday (September 30th) so I can turn them into the legislature on time.

We are still waiting for the links to three reports. I have Cc'd those staff and their immediate supervisors so they can reply to this thread with those links once they are ready for EDO revie
The three reports are:

- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.
- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.
- Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention

Here are the reports ready for your review:

Report	Code	Who is Writing	Current Status	Approv
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	Augus
Suicide technical assistance program--technical assistance to health care organizations in the preceding year	62A-15-121(5)	Brent Kelsey (Carol Ruddell)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	H[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	

[redacted]

The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin	
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	[redacted]
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless and Ashley Moretz?	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Winters/Kendall Woffinden	[redacted]
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker	[redacted]
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Bree Barbeau	[redacted]
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	[redacted]
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	(Guy re [redacted] fting volunta from p
Psychotropic medication oversight	80-2-503.5	Tonya Myrup	Psychotropic Medication Oversight Panel
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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[redacted]

SUBJECT: Re: Legislative Alert: Federal Home Visiting Reauthorization BillMoves Forward
FROM: "Elizabeth VanSant-Webb (DHHS)" <elizabethvw@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 26/09/2022 12:18

Happy to provide any updates, Tracy. I'd say just keep your fingers crossed that this is what passes in December. Anything past December will be MUCH more difficult to get through Congress as most home visiting champions are retiring.

Heather asked a couple of other questions in chat today, so I'll provide my responses here so everyone can reference them later as needed (but don't hesitate to ask at any time! I can easily pull this information again):

Match Requirement:
If we are able to count our current funding, which is $522,000 annually, we will be fine to meet these requirements until FY2026. We would need $597,396 (or an increase of $75,396) by FY2026 and $987,752 by FY2027 (with a total increase from current funding levels of $390,356). However, based on this current bill, this would require us to shift our standard of service provision to meet the MIECHV standard (with the same required performance measures). That's definitely possible and since the match won't be required for a few years, we have a great running start. It will take work on our end to do, but the payoffs will be great in the long run, as we'll then be able to have a more robust picture of the impacts of visiting across the state (i.e. I want to do this anyway, regardless of home visiting's funding future).

Who is best served by/benefits from home visiting?
It's important to remember that we must reference the evidence-base for home visiting (otherwise, we cannot guarantee the amazing outcomes and ROI that makes this a compelling service/intervention--it then would not fall under my program, as it would be more broad case management). I would suggest we move forward with the definition MIECHV uses, since we'll nee to increase all service provision to this standard as a result of the match requirement:

- Pregnant parents or families with a child age 5 and younger
- Priority should be given to families that meet at least one (1) of the following MIECHV Eligibility Criteria:
  - Low income (at or below 100% of the Federal Poverty Level)
  - Pregnant and under the age of 21
  - History of child abuse or neglect, or history of interactions with child welfare services
  - History of substance abuse or in need of substance abuse treatment
  - Tobacco use
  - Low student achievement
  - A child with developmental delays or disability
  - A household member who is serving or has served in the U.S. armed forces
- If the Home Visiting Program has an open caseload for enrollment, priority should be given to those who meet multiple MIECHV Eligibility Criteria.

The various home visiting models use more nuanced definitions, but I suggest we leave that to our contractors to work through, as they receive targeted technical assistance from model implementation specialists.

Optimal Coverage:

- Currently, we have funding and capacity to serve 2.6% of children under 5 living in poverty in Utah (611 families). If we could reach, at minimum, 10% of these children (2,317), I'd say we'd be doing a great job!
- However, because home visiting is a long-term intervention (2+ years, depending on the model), families only have to qualify (or meet the definition above) at the time of enrollment. Ideally, we should see changes to income and stressors over time, which would actually increase the need.
- We would also need to increase our intake and referral processes to account for expansion--we have to find these families somewhere and we need to strengthen our early childhood infrastructure to do this. I'm already talking to Help Me Grow Utah about how they can support this.

Estimated Costs & ROI:

- The following are current annual costs for PAT and NFP. Many programs supplement with local tax dollars, so adjustments for inflation are likely needed:
  - PAT: $5,880 per family
  - NFP: $6,935 per family
- The cost to serve 10% of children under 5 living in poverty in Utah would be around $15.5 million.
- With the proposed formula in MIECHV reauthorization, by FY2027, we would have $8.375 million--this would enable us to serve approximately 1,300 families, or 5.5% of children under living in poverty in Utah.
  - While 5.5% may be sufficient, the ROI for home visiting is very strong ($5.70 in savings for every $1 of taxpayer dollars spent). As a result, we should push to get closer to that 10%.
    - ROI for 5.5% (current projected funding): $47.738 million
    - ROI for 10%: $88.35 million
- *Side note:* As home visiting expands, the team at the state level will need to expand as well to ensure we're able to conduct appropriate contract monitoring processes. I currently have program specialists positions on my team. If we are to expand into each LHD, I would estimate we need 5-6.

Other Considerations:
While Heather didn't ask about this, I want to share some very important considerations to keep in mind for any home visiting expansion conversations that I may not be a part of:

- **Voluntary Participation:** Participation in evidence-based home visiting services requires at least 2 year commitment from families to ensure outcomes (depending upon the home visiting model used)--if families feel pressure to participate, this undermines the relationship-based approach of the service, thus undermining the ability of home visitors to impact parer child, and family outcomes.
- **Sustainable funding is critical:** I understand this is not always a guarantee for grand-funded work, but short-term or one-time funding undercuts contractors' ability to implement the model with fidelity, thus compromising the outcomes guaranteed by the evidence-base.

[redacted]

A bit of a history lesson: Utah received one-time competitive federal funding for home visiting back in 2014-ish. This had disastrous impacts for the field--programs had to close, people lost jobs, and stakeholder confidence in DOH and OHV was badly damaged (I still hear concerns about this 6 years later and am continuing to repair relationships across the state from this. Some LHDs have said they will never work with home visiting again!). This was a learning on the federal government's part as well and they no longer provide short-term funding for home visiting. Each MIECHV reauthorization is in 5-year increments and it is now exclusively formula-based and doesn't vary more than 5% each year to ensure sustainability of service provision. We should approach any funding opportunities for home visiting with the same mindfulness.

Let me know if you have any further questions.
Elizabeth

On Sun, Sep 25, 2022 at 7:00 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Elizabeth,

Thank you for the great overview of the proposal. That's very helpful.

If there are any important changes to the proposal as this moves through Congress, please let Noel know so she can keep us in the loop. We often don't know about issues without staff like you elevating these discussions. You are the expert and the closest to the information.

Thanks again!
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Sep 23, 2022 at 9:31 AM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

Good morning,

I've been following the development of this bill closely and I've been waiting for you all to ask for my thoughts! Overall, this bill is really *really* great! Here are some quick bullet points of ho this will impact Utah:

- **Maintenance of Effort:** The maintenance of effort requirements will continue. However, this will be based on the past MOE, which is $0. This is incredibly beneficial for Utah, as th MOE requirement will be set for 5 years (the entire period of reauthorization).
- **Needs Assessment:** We will not need to update the needs assessment. While the current needs assessment quickly became outdated (it was completed in 2020), I believe we ha sufficient data in other areas of DFH to help inform home visiting expansion. I've been in conversations with the DRP program manager about how we can plug in one of their epidemiologists into our work a bit more!
- **Reduction of administrative burden:** The intense levels of administrative work and reporting for MIECHV is unlike many other federal grants. It's becoming a common complaint amongst MIECHV awardees and some states are starting to turn down this funding as a result. In this bill, they'll be working to reduce the hours by at least 15%. *This has incredibl implications for Utah's home visiting team and the DFH finance team.* Currently the admin work impedes our ability to fully dive into the significant amount of data we have to really push toward more meaningful outcomes.
- **Virtual Home Visiting:** As we've all learned virtual services are here to stay, but the current rules last only until the public health emergency ends. This means that we will be able better serve families in the ways that they want and better accommodate their needs and schedules.
- **Match requirements:** This is a big shift! Currently we do not have a match requirement for MIECHV. This proposal is 25% (or for every $3 in federal funds, the state must spend $ but it's tiered up over time (I'll explain below what that looks like for Utah). Regardless of whether this bill is passed or not, a match is very likely in the future for MIECHV. The following is not public, but was made available to state home visiting administrators via a membership organization called the Association of State and Tribal Home Visiting Initiative (ASTHVI--we're a member):
  - It's unclear if the match can be *any* state funds.
  - Any match will likely need to be for home visiting provided at the MIECHV standard of service provision (this includes all the data collection, screening, and reporting).
    - While this is a concern for some state administrators, I think this is actually a good thing. It will allow us to better report on the same metrics across the state to have a better sense of where we are. Currently, we collect very little data for state-funded home visiting.
  - New funding in this upcoming federal fiscal year will likely count for the match requirement.
    - This is great timing with all of the conversations happening with home visiting in the state right now!
- **How much funding and what's Utah's share?:** I received a memo from the Congressional Research Service, via ASTHVI, regarding the estimates of program funding with this current proposal. Again, I was told this is not publicly available, but okay to share it within my agency. Let me know if you'd like to see the full 11 page document, but here's the summary for us:
  - FY2021: (for comparison, this is our current annual award amount--MIECHV awards have 2 years of availability)
    - $3.162 million
  - FY2023:
    - Base Amount: $4.451 million
    - Match: $0
    - Required match spending from Utah: $0
    - Total: $4.451 million
  - FY2024: **match requirement starts**
    - Base Amount: $4.451 million
    - Match: $776,000
    - Required match spending from Utah: $258,758
    - Total: $5.227 million
  - FY2025:
    - Base Amount: $4.451 million
    - Match: $1.195 million
    - Required match spending from Utah: $398,264
    - Total: $5.646 million
  - FY2026:
    - Base Amount: $4.451 million
    - Match: $1.792 million
    - Required match spending from Utah: $597,396
    - Total: $6.243 million
  - FY2027:
    - Base Amount: $4.451 million
    - Match: $2.936 million
    - Required match spending from Utah: $987,752
    - Total: $7.387 million

Let me know if you have any more questions after reading through all of this. Happy to answer any and all that arise for you!

Elizabeth

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

On Fri, Sep 23, 2022 at 7:29 AM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:
Good morning:
Please respond to Tracy and team.
Thank you,
Noël

Sent from my iPhone

Begin forwarded message:

From: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
Date: September 22, 2022 at 9:01:08 PM MDT
To: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
Cc: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
Subject: Fwd: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward

Please share your thoughts on this legislation when the Home Visiting Team has time to review it. Given the budget cycle for the state, we may need to determine whether we would ne additional MOE from Utah to try to draw down Utah's full allotment. Do you know how much Utah is eligible to receive with this new proposal?

Thanks.
Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **ASTHO** <pr@astho.org>
Date: Thu, Sep 22, 2022 at 10:13 AM
Subject: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward
To: <tracygruber@utah.gov>

View this email in your browser.

astho™

Sept. 22, 2022

Federal Home Visiting Reauthorization Bill Moves Forward

This week, leaders in both the House Ways and Means Committee and Energy and Commerce Committee introduced the Jackie Walorski Maternal and Child Home Visiting Reauthorization Act (H.R. 8876), which reauthorizes the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program. The bill passed out of the House Ways and Means Committee by a vote of 41-0 with one abstention.

It is essential to note that the MIECHV program is a mandatory program, and this bill proposes significant changes to its overall funding. After a careful review by the ASTHO government affairs team, we strongly encourage that state legislative staff and maternal and child health teams carefully review the bill text and summary. This legislation is complex with new maintenance of effort, state matching requirements for a new grant program, and changes to an administrative cap that could uniquely impact state and territorial federal home visiting programs.

The press release, summary of the legislation, section-by-section summary, and bill text are available for review.

Outlook: The full House of Representatives will consider the bill, then move it to the Senate. Offsetting the program's costs is yet to be addressed and is a priority for Congress. However, this legislation was approved with broad bipartisan support, and the government affairs team believes it may be signed into law before the end of the calendar year. Funding for the current MIECHV program expires at the end of the month. Advocates expect Congress to approve a short-term extension of MIECHV as part of the continuing resolution bill that needs to pass before Sept. 30.

Questions: Considering this bill proposes changes to the MIECHV program, if S/THOs have any questions or concerns, please contact Carolyn McCoy.

Detailed Summary:
Currently, the MIECHV program receives approximately $400 million per year.

[redacted]

- This legislation proposes an increase in base funding to $500 million for FY23-FY27. The minimum base grant for an entity is $1 million.
- Starting in FY24-FY27, federal matching grant funds—in addition to base funding—are available to every eligible entity, guided by a formula that will focus on the number of children under five in poverty if they comply with specific statutory requirements on an increasing scale:
  - FY24 $50 million.
  - FY25 $100 million.
  - FY26 $150 million.
  - FY27 $300 million.
- To draw down its full allotment of federal matching grant funds, an entity must provide non-federal funds above their maintenance of effort requirement such that 25% of the total spending consists of non-federal funds.
  - Unobligated matching funds can be redistributed to another entity that can contribute to the non-federal matching funds.
  - The ASTHO government affairs team recommends carefully reviewing the legislation to see what funds can contribute to this new matching requirement.
- New maintenance of effort requirement for states and territories is based on the lesser total of non-federal funds expended in 2019 or 2021. The entity is not eligible for base or matching grants if this is not met.
  - The secretary may allow a grace period for an entity to come into compliance.
- Phased-in additional federal matching funding starting in FY24 is part of the requirement for entities to be eligible for the new federal matching grants, which requires a 25% state match (i.e., for every $1 in state funds, there is a $3 federal contribution). The non-federal matching funds are not applied to the maintenance of effort requirement.
  - The minimum state matching funds are as follows:
    - FY23: Federal matching funds are not required.
    - FY24: $776,000.
    - FY25: $1,000,000.
    - FY26: $1,500,000.
    - FY27: $2,000,000.
  - If a state cannot reach the required amount, the secretary of HHS can proportionately reduce the federal matching amount for that fiscal year.
- Limits state administrative spending to 10% of grants and an exception for not more than 5% at the discretion of the secretary of HHS.
  - This applies to an entity that directly provides home visits to families and not through a sub-recipient.
  - The entity is expanding services to a new community and has been providing services for fewer than three years.
- Allows limited ability to conduct virtual home visits and requires entities to demonstrate that they have met specific conditions. Service delivery models must include at least one in-person visit a year to qualify for federal funding.
- Doubles the tribal set-aside (from 3% to 6%) starting in FY23.
- Dedicated funding (2% set aside) for workforce support, retention, and case management.
- Set aside funding for research, evaluation, administration, and technical assistance.
- Establishes an outcomes dashboard and annual report to Congress on the program.
- Requires HHS to work with partners to reduce administrative burden.
- Maintains a strong focus on evidence-based home visiting models and practices.

###

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[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of
Health & Human Services
Family Health

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--

Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of
Health & Human Services
Family Health

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[redacted]

SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 26/09/2022 13:36

My apologies. I thought when I sent the original email that it had a pop-up to give everyone access. I'll go through and do that now.

Tracy, to your question, it is my understanding that the assigned Comms team members should also be part of the OU review process. We will build that into the PowerDMS system once we g
that up and going. I'll also emphasize that with ELT.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: Document shared with you: "Legislative Report Drinking While PregnantPrevention Media and Education Campaign FY2022"
FROM: "Marc Watterson (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: mhofmann@utah.gov
CC: aslater@utah.gov, natechecketts@utah.gov, natewinters@utah.gov, rebeccab@utah.gov, thales@utah.gov
DATE: 26/09/2022 13:46

Marc Watterson (DHHS) shared a document

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because mwatterson@utah.gov shared a document with you from Google Docs.

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[redacted]

SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 26/09/2022 15:42

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 27/09/2022 05:27

Thank you!

Tracy S. Gruber
Executive Director

[redacted]

O: 435.772.6550
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FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Elizabeth VanSant-Webb (DHHS)" <elizabethvw@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Noel Taxin (DHHS)" <ntaxin@utah.gov>
DATE: 27/09/2022 05:44

Thank you Elizabeth! This is incredibly helpful.

When I oversaw the Intergenerational Poverty Initiative, home visiting was a prime policy recommendation we supported each year but it just continually eroded and fewer and fewer families were able to receive the services and attain the benefits of this evidence-based intervention. I look forward to discussing this further.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of
Health & Human
Services

On Mon, Sep 26, 2022 at 12:19 PM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

Happy to provide any updates, Tracy. I'd say just keep your fingers crossed that this is what passes in December. Anything past December will be MUCH more difficult to get through Congress, as most home visiting champions are retiring.

Heather asked a couple of other questions in chat today, so I'll provide my responses here so everyone can reference them later as needed (but don't hesitate to ask at any time! I can easily pull this information again):

Match Requirement:
If we are able to count our current funding, which is $522,000 annually, we will be fine to meet these requirements until FY2026. We would need $597,396 (or an increase of $75,396) by FY2026 and $987,752 by FY2027 (with a total increase from current funding levels of $390,356). However, based on this current bill, this would require us to shift our standard of service provision to meet the MIECHV standard (with the same required performance measures). That's definitely possible and since the match won't be required for a few years, we have a great running start. It will take work on our end to do, but the payoffs will be great in the long run, as we'll then be able to have a more robust picture of the impacts of visiting across the state (i.e. want to do this anyway, regardless of home visiting's funding future).

Who is best served by/benefits from home visiting?

[redacted]

It's important to remember that we must reference the evidence-base for home visiting (otherwise, we cannot guarantee the amazing outcomes and ROI that makes this a compelling service/intervention--it then would not fall under my program, as it would be more broad case management). I would suggest we move forward with the definition MIECHV uses, since we'll need to increase all service provision to this standard as a result of the match requirement:

- Pregnant parents or families with a child age 5 and younger
- Priority should be given to families that meet at least one (1) of the following MIECHV Eligibility Criteria:
  - Low income (at or below 100% of the Federal Poverty Level)
  - Pregnant and under the age of 21
  - History of child abuse or neglect, or history of interactions with child welfare services
  - History of substance abuse or in need of substance abuse treatment
  - Tobacco use
  - Low student achievement
  - A child with developmental delays or disability
  - A household member who is serving or has served in the U.S. armed forces
- If the Home Visiting Program has an open caseload for enrollment, priority should be given to those who meet multiple MIECHV Eligibility Criteria.

The various home visiting models use more nuanced definitions, but I suggest we leave that to our contractors to work through, as they receive targeted technical assistance from model implementation specialists.

Optimal Coverage:

- Currently, we have funding and capacity to serve 2.6% of children under 5 living in poverty in Utah (611 families). If we could reach, at minimum, 10% of these children (2,317), I'd say we'd be doing a great job!
- However, because home visiting is a long-term intervention (2+ years, depending on the model), families only have to qualify (or meet the definition above) at the time of enrollment. Ideally, we should see changes to income and stressors over time, which would actually increase the need.
- We would also need to increase our intake and referral processes to account for expansion--we have to find these families somewhere and we need to strengthen our early childhood infrastructure to do this. I'm already talking to Help Me Grow Utah about how they can support this.

Estimated Costs & ROI:

- The following are current annual costs for PAT and NFP. Many programs supplement with local tax dollars, so adjustments for inflation are likely needed:
  - PAT: $5,880 per family
  - NFP: $6,935 per family
- The cost to serve 10% of children under 5 living in poverty in Utah would be around $15.5 million.
- With the proposed formula in MIECHV reauthorization, by FY2027, we would have $8.375 million--this would enable us to serve approximately 1,300 families, or 5.5% of children under 5 living in poverty in Utah.
  - While 5.5% may be sufficient, the ROI for home visiting is very strong ($5.70 in savings for every $1 of taxpayer dollars spent). As a result, we should push to get closer that 10%.
    - ROI for 5.5% (current projected funding): $47.738 million
    - ROI for 10%: $88.35 million
- *Side note:* As home visiting expands, the team at the state level will need to expand as well to ensure we're able to conduct appropriate contract monitoring processes. I currently have 2 program specialists positions on my team. If we are to expand into each LHD, I would estimate we need 5-6.

Other Considerations:

While Heather didn't ask about this, I want to share some very important considerations to keep in mind for any home visiting expansion conversations that I may not be a part of:

- **Voluntary Participation:** Participation in evidence-based home visiting services requires at least 2 year commitment from families to ensure outcomes (depending upon the home visiting model used)--if families feel pressure to participate, this undermines the relationship-based approach of the service, thus undermining the ability of home visitors to impact parent, child, and family outcomes.
- **Sustainable funding is critical:** I understand this is not always a guarantee for grand-funded work, but short-term or one-time funding undercuts contractors' ability to implement the model with fidelity, thus compromising the outcomes guaranteed by the evidence-base.
  - *A bit of a history lesson:* Utah received one-time competitive federal funding for home visiting back in 2014-ish. This had disastrous impacts for the field--programs had to close, people lost jobs, and stakeholder confidence in DOH and OHV was badly damaged (I still hear concerns about this 6 years later and am continuing to repair relationships across the state from this. Some LHDs have said they will never work with home visiting again!). This was a learning on the federal government's part as well and they no longer provide short-term funding for home visiting. Each MIECHV reauthorization is in 5-year increments and it is now exclusively formula-based and doesn't vary more than 5% each year to ensure sustainability of service provision. We should approach any funding opportunities for home visiting with the same mindfulness.

Let me know if you have any further questions.
Elizabeth

On Sun, Sep 25, 2022 at 7:00 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Elizabeth,

Thank you for the great overview of the proposal. That's very helpful.

If there are any important changes to the proposal as this moves through Congress, please let Noel know so she can keep us in the loop. We often don't know about issues without staff li you elevating these discussions. You are the expert and the closest to the information.

Thanks again!
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

On Fri, Sep 23, 2022 at 9:31 AM Elizabeth VanSant-Webb (DHHS) <elizabethvw@utah.gov> wrote:

Good morning,

I've been following the development of this bill closely and I've been waiting for you all to ask for my thoughts! Overall, this bill is really *really* great! Here are some quick bullet points of how this will impact Utah:

- **Maintenance of Effort:** The maintenance of effort requirements will continue. However, this will be based on the past MOE, which is $0. This is incredibly beneficial for Utah, as the MOE requirement will be set for 5 years (the entire period of reauthorization).
- **Needs Assessment:** We will not need to update the needs assessment. While the current needs assessment quickly became outdated (it was completed in 2020), I believe we have sufficient data in other areas of DFH to help inform home visiting expansion. I've been in conversations with the DRP program manager about how we can plug in one of the epidemiologists into our work a bit more!
- **Reduction of administrative burden:** The intense levels of administrative work and reporting for MIECHV is unlike many other federal grants. It's becoming a common complaint amongst MIECHV awardees and some states are starting to turn down this funding as a result. In this bill, they'll be working to reduce the hours by at least 15%. *This has incredible implications for Utah's home visiting team and the DFH finance team.* Currently the admin work impedes our ability to fully dive into the significant amount of data we have to really push toward more meaningful outcomes.
- **Virtual Home Visiting:** As we've all learned virtual services are here to stay, but the current rules last only until the public health emergency ends. This means that we will be able to better serve families in the ways that they want and better accommodate their needs and schedules.

[redacted]

- **Match requirements:** This is a big shift! Currently we do not have a match requirement for MIECHV. This proposal is 25% (or for every $3 in federal funds, the state must spend $1), but it's tiered up over time (I'll explain below what that looks like for Utah). Regardless of whether this bill is passed or not, a match is very likely in the future for MIECHV. Th following is not public, but was made available to state home visiting administrators via a membership organization called the Association of State and Tribal Home Visiting Initiatives (ASTHVI--we're a member):
    - It's unclear if the match can be *any* state funds.
    - Any match will likely need to be for home visiting provided at the MIECHV standard of service provision (this includes all the data collection, screening, and reporting).
        - While this is a concern for some state administrators, I think this is actually a good thing. It will allow us to better report on the same metrics across the state to hav a better sense of where we are. Currently, we collect very little data for state-funded home visiting.
    - New funding in this upcoming federal fiscal year will likely count for the match requirement.
        - This is great timing with all of the conversations happening with home visiting in the state right now!
- **How much funding and what's Utah's share?:** I received a memo from the Congressional Research Service, via ASTHVI, regarding the estimates of program funding with this current proposal. Again, I was told this is not publicly available, but okay to share it within my agency. Let me know if you'd like to see the full 11 page document, but here's the summary for us:
    - FY2021: (for comparison, this is our current annual award amount--MIECHV awards have 2 years of availability)
        - $3.162 million
    - FY2023:
        - Base Amount: $4.451 million
        - Match: $0
        - Required match spending from Utah: $0
        - Total: $4.451 million
    - FY2024: **match requirement starts**
        - Base Amount: $4.451 million
        - Match: $776,000
        - Required match spending from Utah: $258,758
        - Total: $5.227 million
    - FY2025:
        - Base Amount: $4.451 million
        - Match: $1.195 million
        - Required match spending from Utah: $398,264
        - Total: $5.646 million
    - FY2026:
        - Base Amount: $4.451 million
        - Match: $1.792 million
        - Required match spending from Utah: $597,396
        - Total: $6.243 million
    - FY2027:
        - Base Amount: $4.451 million
        - Match: $2.936 million
        - Required match spending from Utah: $987,752
        - Total: $7.387 million

Let me know if you have any more questions after reading through all of this. Happy to answer any and all that arise for you!

Elizabeth

On Fri, Sep 23, 2022 at 7:29 AM Noel Taxin (DHHS) <ntaxin@utah.gov> wrote:

Good morning:
Please respond to Tracy and team.
Thank you,
Noël

Sent from my iPhone

Begin forwarded message:

From: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
Date: September 22, 2022 at 9:01:08 PM MDT
To: "Noel Taxin (DHHS)" <ntaxin@utah.gov>
Cc: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
Subject: Fwd: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward

Please share your thoughts on this legislation when the Home Visiting Team has time to review it. Given the budget cycle for the state, we may need to determine whether we would need additional MOE from Utah to try to draw down Utah's full allotment. Do you know how much Utah is eligible to receive with this new proposal?

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Utah Department of Health & Human Services

---------- Forwarded message ---------
From: **ASTHO** <pr@astho.org>
Date: Thu, Sep 22, 2022 at 10:13 AM
Subject: Legislative Alert: Federal Home Visiting Reauthorization Bill Moves Forward
To: <tracygruber@utah.gov>

View this email in your browser.

[redacted]

Sept. 22, 2022

Federal Home Visiting Reauthorization Bill Moves Forward

This week, leaders in both the House Ways and Means Committee and Energy and Commerce Committee introduced the Jackie Walorski Maternal and Child Home Visiting Reauthorization Act (H.R. 8876), which reauthorizes the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program. The bill passed out of the House Ways and Means Committee by a vote of 41-0 with one abstention.

It is essential to note that the MIECHV program is a mandatory program, and this bill proposes significant changes to its overall funding. After a careful review by the ASTHO government affairs team, we strongly encourage that state legislative staff and maternal and child health teams carefully review the bill text and summary. This legislation is complex with new maintenance of effort, state matching requirements for a new grant program, and changes to an administrative cap that could uniquely impact state and territorial federal home visiting programs.

The press release, summary of the legislation, section-by-section summary, and bill text are available for review.

Outlook: The full House of Representatives will consider the bill, then move it to the Senate. Offsetting the program's costs is yet to be addressed and is a priority for Congress. However, this legislation was approved with broad bipartisan support, and the government affairs team believes it may be signed into law before the end of the calendar year. Funding for the current MIECHV program expires at the end of the month. Advocates expect Congress to approve a short-term extension of MIECHV as part of the continuing resolution bill that needs to pass before Sept. 30.

Questions: Considering this bill proposes changes to the MIECHV program, if S/THOs have any questions or concerns, please contact Carolyn McCoy.

Detailed Summary:
Currently, the MIECHV program receives approximately $400 million per year.

- This legislation proposes an increase in base funding to $500 million for FY23-FY27. The minimum base grant for an entity is $1 million.
- Starting in FY24-FY27, federal matching grant funds—in addition to base funding—are available to every eligible entity, guided by a formula that will focus on the number of children under five in poverty if they comply with specific statutory requirements on an increasing scale:
  - FY24 $50 million.
  - FY25 $100 million.
  - FY26 $150 million.
  - FY27 $300 million.
- To draw down its full allotment of federal matching grant funds, an entity must provide non-federal funds above their maintenance of effort requirement such that 25% of the total spending consists of non-federal funds.
  - Unobligated matching funds can be redistributed to another entity that can contribute to the non-federal matching funds.
  - The ASTHO government affairs team recommends carefully reviewing the legislation to see what funds can contribute to this new matching requirement.
- New maintenance of effort requirement for states and territories is based on the lesser total of non-federal funds expended in 2019 or 2021. The entity is not eligible for base or matching grants if this is not met.
  - The secretary may allow a grace period for an entity to come into compliance.
- Phased-in additional federal matching funding starting in FY24 is part of the requirement for entities to be eligible for the new federal matching grants, which requires a 25% state match (i.e., for every $1 in state funds, there is a $3 federal contribution). The non-federal matching funds are not applied to the maintenance of effort requirement.
  - The minimum state matching funds are as follows:
    - FY23: Federal matching funds are not required.
    - FY24: $776,000.
    - FY25: $1,000,000.
    - FY26: $1,500,000.
    - FY27: $2,000,000.
  - If a state cannot reach the required amount, the secretary of HHS can proportionately reduce the federal matching amount for that fiscal year.
- Limits state administrative spending to 10% of grants and an exception for not more than 5% at the discretion of the secretary of HHS.
  - This applies to an entity that directly provides home visits to families and not through a sub-recipient.
  - The entity is expanding services to a new community and has been providing services for fewer than three years.
- Allows limited ability to conduct virtual home visits and requires entities to demonstrate that they have met specific conditions. Service delivery models must include at least one in-person visit a year to qualify for federal funding.
- Doubles the tribal set-aside (from 3% to 6%) starting in FY23.

- Dedicated funding (2% set aside) for workforce support, retention, and case management.
- Set aside funding for research, evaluation, administration, and technical assistance.
- Establishes an outcomes dashboard and annual report to Congress on the program.
- Requires HHS to work with partners to reduce administrative burden.
- Maintains a strong focus on evidence-based home visiting models and practices.

###

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of Health & Human Services
Family Health

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--
Elizabeth VanSant-Webb, MAT, MEd (she/her)
Program Manager, Home Visiting Program
Office of Maternal and Child Health, Division of Family Health
C: 385.271.7231
elizabethvw@utah.gov
homevisiting.utah.gov

Utah Department of Health & Human Services
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SUBJECT: Top Stories: Is rapid intervention key to addressing homeless camps? SLC thinks so.
FROM: Salt Lake Tribune <newsletters@sltrib.com>
TO: Michelle Hofmann <mhofmann@utah.gov>
DATE: 27/09/2022 06:48

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sltrib.com

TOP STORIES

Tuesday, September 27, 2022

By Jeff Dempsey

How to prevent large homeless camps: Get them when they're small, says SLC

The city's rapid intervention team aims to send people into shelters and services early on.

Read More

After BYU racism allegations, experts say a more robust conversation about fan behavior is still needed

The increase in high-profile incidents at sporting events highlights a problem in need of a solution.

Read more.

Here's where to find a good neighborhood coffee shop in the Salt Lake Valley

Break away from the chains and check out these cozy spots to work or just sit and sip.

Read more.

She's known for 'Real Housewives of SLC,' but Heather Gay has built her own booming business

And Beauty Lab + Laser, in Murray and soon in Riverton, is also a pop culture landmark.

Read more.

Draper takes Geneva Rock to court over Point of the Mountain quarry expansion

The city is trying to block the gravel producer's attempt to evade local land-use rules.

Read more.

Will Utah finally take meaningful action to confront homelessness?

Now should be the time, writes Robert Gehrke.

Read more.

Quick Hits

• It's not just about the money. Here's what Utah parents say would persuade them to work more.

• Utah A.G. Sean Reyes backed GOP Sen. Lindsey Graham's efforts to delay questioning in the 2020 presidential election probe.

• Mike Lee called the arrest of a Planned Parenthood protester charged in the assault of an elderly volunteer FBI "overreach."

• Utah's Tabby Mountain got caught up in a political hailstorm, according to a whistleblower complaint. Here are key takeaways from the failed sale.

• A Latter-day Saint author is tackling new territory in his new novella: religion and horror.

• A man was arrested Monday on suspicion of fatally shooting his girlfriend in Salt Lake City.

• With help from his LDS wife turned stripper, Oath Keepers founder Stewart Rhodes was once a promising Yale law student.

• Utah football's Brant Kuithe will miss the remainder of the season.

[redacted]

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SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 27/09/2022 14:04

ı Public Notice

Documents Updated

- Pharmacy_2022_08_23_Draft_Agenda(2).pdf - 8/23/22 2:17 PM
- Pharmacy_2022_08_23_Handouts.pdf - 8/23/22 2:17 PM
- Pharmacy_2022_08-23_Audio.mp3 - 8/25/22 3:07 PM
- Pharmacy_2022_08_23_Approved_Minutes.pdf - 9/27/22 2:04 PM

Utah State Board of Pharmacy

State Board of Pharmacy meeting

Notice Date & Time: 8/23/22 8:30 AM

ption/Agenda:

2nd Agenda
UTAH BOARD OF PHARMACY
North Conference Room 160 E 300 S Salt Lake City UT
August 23, 2022 | 8:30 A.M.

DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone: [redacted] Pin: [redacted]

This agenda is subject to change up to 24 hours prior to the meeting.

ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve July 26, 2022, Meeting Minutes
3. Board Chair & Vice Chair Vote

DISCUSSION ITEMS AM:
- Investigation Report - Camille Farley
- CSD Update - Jeff Henrie
- Document Storage
- Rule Updates
- Guidance; Self-Administered Ulipristal
- Extension Request Guidelines
- Outreach Topics - Ashley Beyer
- Insulin Emergency Fills
- MPJE/NABP
- Emergency Hormonal Contraception
- Newsletter Topics
- Due Date: October 1

APPOINTMENTS:
12:00 pm Compliance Report-Bernice Palama
12:10 pm Super Drug & Herbal Store, Probationary Interview
12:15 pm Spence's Pharmacy, Probationary Interview

COORESPONDENCE
NACDS; DEA policies

NEXT SCHEDULED MEETING: Tuesday September 27, 2022
2022 Board Meetings Tentatively Scheduled
Oct 25, Nov 29, Dec 20.

Newsletter Submission Deadlines
2022 October 1; 2023 January 1, April 1, July 1, October 1.
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Uta 84115, 801-530- 6628 or toll-free in Utah only 866-275-3675. Posted to Public Website: 8-19-2022

of Special Accommodations:

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of Electronic or telephone participation:

Electronic participation may be planned for this meeting.

nformation:

ɔn:

160 East 300 South - North Conference Room 1st floor, Salt Lake City, 84111

ɛt information:

Lisa Martin , lmartin@utah.gov, (801)530-6628

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[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

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SUBJECT: New Test Highlights - September 2022
FROM: "ARUP Labs" <alice.to@mail.aruplab.com>
TO: <mhofmann@utah.gov>
DATE: 28/09/2022 09:26

New and updated tests, additional clinician resources, and the latest ARUP news

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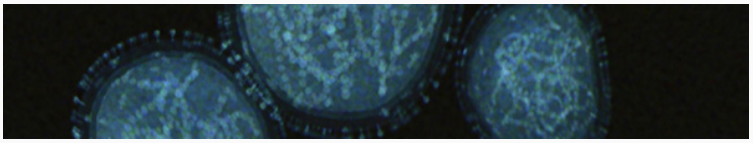
ARUP LABORATORIES

New Test Highlights

These highlighted new tests may help you provide improved patient care and save health system costs.



Orthopoxvirus/Monkeypox Infection Testing

ARUP's orthopoxvirus test has been optimized using state-of-the-art instrumentation and an automated specimen extraction process. These optimizations allow for reduced turnaround times and the ability to upscale testing capacity, if needed.

The U.S. Department of Health and Human Services has declared a public health emergency as a result of the ongoing outbreak of monkeypox. Healthcare providers should be on the alert for patients who manifest symptoms consistent with monkeypox. Testing should also be considered when a patient has had contact with someone with confirmed or probable monkeypox, when a patient has had close or intimate contact with a person in a community with high monkeypox activity, or when a patient has been in an area with confirmed cases of monkeypox.

3005716 Orthopoxvirus (includes monkeypox virus) by PCR

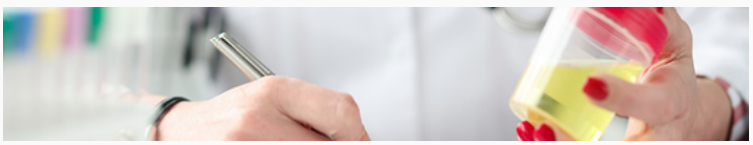
Impact on Patient Care

If the test result is positive, patients should take the necessary steps to protect themselves and others until they have completely recovered from the infection. Clinicians should consult their state health department if a monkeypox infection or exposure is suspected.

Additional Education

ARUP Consult: Monkeypox

Orthopoxvirus/Monkeypox Infection Testing (Frequently Asked Questions)



Two New Expanded Drug Profiles Offered

ARUP is now offering two new drug profiles that use liquid chromatography-tandem mass spectrometry (LC-MS/MS) to detect 127 drugs and drug metabolites. The new profiles require a reduced specimen quantity, improved analytic sensitivity, and defined drug reporting thresholds.

3004833 Drug Profile, Expanded Targeted Panel by LC-MS/MS, Serum/Plasma

[redacted]

[This has replaced Drug Screen (Nonforensic), Serum **0090499**.]

3005060 Drug Profile, Expanded Targeted Panel by LC-MS/MS, Urine
[This has replaced Drug Screen (Nonforensic), Urine, Qualitative **0090500**.]

Impact on Patient Care

Multidrug analysis can be useful in situations in which the identity or class of the drug or drugs of interest is not known. Detection of drug exposure enables emergency medical care and clinical management as needed. The reduced specimen quantity requirement may be especially helpful for assessing pediatric patients for accidental overdoses/exposures.

Additional Education

For more information about ARUP's expanded drug profiles, see the Drug Profile, Expanded Targeted Panels Test Fact Sheet on ARUP Consult.

For more information about Emergency Toxicology, see the ARUP Consult topic. For more information about a comprehensive approach to clinical toxicology testing, see the ARUP Consult topic Clinical Toxicology topic.

New Multigene Lynch Syndrome Panel

ARUP's new Lynch syndrome panel utilizes massively parallel sequencing (MPS, also known as next generation sequencing [NGS]) and other molecular techniques to confirm a molecular diagnosis of Lynch syndrome in patients with suspected Lynch syndrome or those with a family history consistent with Lynch syndrome. ARUP's multigene MPS panel allows testing of all Lynch syndrome genes at the same time, which reduces the need for reflex serial testing of single mismatch repair (MMR) genes, thus enabling earlier diagnosis.

3001605 Lynch Syndrome Panel, Sequencing and Deletion/Duplication

Impact on Patient Care

Lynch syndrome is the most common form of inherited colorectal cancer (CRC). Patients with Lynch syndrome are also predisposed to other cancers such as endometrial, ovarian, stomach, and small bowel. Testing only the four MMR genes and the EPCAM deletion (known to cause Lynch syndrome), without testing additional CRC-related genes, can maximize the clinical yield. This testing approach can also minimize the burden on the physician and patient when variants of uncertain significance are detected in genes that are less well characterized for their association with Lynch syndrome.

Additional Education

For more information about the Lynch syndrome panel, see the Lynch Syndrome Panel Test Fact Sheet on ARUP Consult.

For more information about Lynch syndrome, also known as hereditary nonpolyposis colorectal cancer (HNPCC), see the ARUP Consult Lynch Syndrome topic.

New Pharmacogenetics Panel for Psychotropics

ARUP's new pharmacogenetics (PGx) panel for psychotropics assesses the genetic risk of abnormal drug metabolism for medications commonly prescribed by psychiatrists, such as psychostimulants, antidepressants, antipsychotics, anxiolytics, and other categories of drugs. The test includes two classes of genes, those with known gene-drug interactions that are supported by guidelines from the Clinical Pharmacogenetics Implementation Consortium (CPIC), Association for Molecular Pathology (AMP), or Dutch Pharmacogenetics Working Group (DPWG), and another set with level 3 evidence linking the genes to psychotropic medications according to PharmGKB. The test features a supplemental document that highlights how each gene can affect metabolism of each drug.

3004471

Pharmacogenetics Panel: Psychotropics

Impact on Patient Care

Germline pharmacogenetics (PGx) describes genetic variations associated with drug response that may predispose a patient to the risk for drug-related toxicity, nonstandard dose requirements, or a lack of therapeutic benefit. PGx testing can be considered before prescribing select drugs to detect clinically significant variants, aid in determining the proper medication and the right dose, reduce the high number of nonresponders (on average, 30–60% of patients), and prevent or reduce adverse drug reactions (ADRs). PGx testing may also be relevant when investigating an ADR, including therapeutic failure. Patients may benefit from PGx testing if they have not received relief from their current medication, they have a family or personal history of unexpected outcomes from certain medications, they take multiple medications, or they want to be proactive and determine their drug metabolism phenotype before taking a new medication.

Additional Education

For more information about PGx testing, see the Pharmacogenetics Panel for Psychotropics Test Fact Sheet on ARUP Consult.

For more information about PGx, see the ARUP Consult Germline Pharmacogenetics topic.

Information about how hospitals can save money by reducing the number of injuries or deaths due to drug reactions can be found on ARUP's Pharmacogenetics web page.

Noninvasive Prenatal Testing (NIPT)

NIPT is a first- or second-tier screening test for the most common fetal aneuploidy disorders (trisomy 13, trisomy 18, trisomy 21 [Down syndrome], Turner syndrome, sex chromosome aneuploidies [XXX, XXY, XYY].

3003043 Non-Invasive Prenatal Aneuploidy Screen by Cell-Free DNA Sequencing

Impact on Patient Care

NIPT is the most sensitive and specific screening test available for common chromosome aneuploidies. It is noninvasive, introduces no risk of miscarriage, and requires only one blood sample. Multiple professional guidelines support the use of NIPT as a screening test for all pregnant women. ARUP's noninvasive prenatal testing uses massively parallel whole genome sequencing and is powered by a fully automated workflow, reducing the risk of human error and enabling decreased turnaround times.

Additional Education

Noninvasive Prenatal Testing (NIPT)
Women's Health: Pregnancy and Prenatal Testing

Newborn Drug Testing in Meconium by LC-MS/MS

Consider this testing in patients with a history of high-risk behavior (eg, history of substance use, misuse, or abuse), minimal or no prenatal care, unexplained obstetric events, or in infants with unexplained neurologic complications, unexpected intrauterine growth restrictions, or drug withdrawal symptoms.

3004583 Drug Detection Panel, Meconium, Qualitative

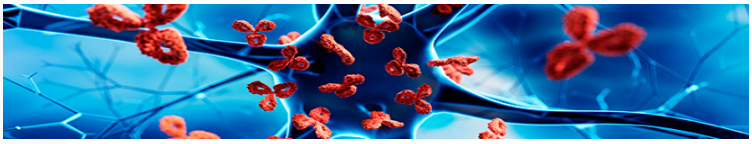
0092316 Drugs of Abuse Confirmation/Quantitation - Cannabinoids (Marijuana) - Meconium

Impact on Patient Care

Timely detection of in utero drug exposure is critical to detect and manage the symptoms associated with intoxication, and withdrawal syndrome, and the long-term social and medical needs of exposed neonates.
ARUP's neonatal drug testing options in test for 45 plus drugs and drug metabolites in meconium or umbilical cord tissue and use highly sensitive and specific qualitative liquid chromatography and tandem mass spectrometry (LC-MS/MS).

Additional Education

Newborn Drug Screening - Meconium and Umbilical Cord Tissue



Antibody Testing for Paraneoplastic Neurologic Syndromes, Autoimmune Encephalitis, and Related Disorders

Order antibody testing for suspected paraneoplastic neurologic syndromes (PNSs) or related disorders to detect relevant antibodies and distinguish between similar disorders.

3004510 Amphiphysin Antibody, IgG, CSF

3004512 Dipeptidyl Aminopeptidase-Like Protein 6 (DPPX) Antibody, IgG by IFA With Reflex to Titer, CSF

3004517 Paraneoplastic Reflexive Panel, CSF

Impact on Patient Care

Antibody testing for PNSs and related conditions may aid in diagnosis, direct a focused search for cancer, differentiate autoimmune neurologic diseases from the neurotoxic effects of chemotherapy, enable the monitoring of immune responses of seropositive patients during cancer therapy, and detect early evidence of cancer recurrence in previously seropositive patients.
ARUP offers comprehensive panels for the evaluation of PNSs, neuromuscular junction disorders, and/or encephalitis in the presence or absence of malignancy, as well as directed panels that are more cost-effective. These options enable clinicians to choose the testing that best suits the clinical scenario. ARUP's tests include antibodies with significant clinical impact that cover an estimated 95–99% of disease cases.

Additional Education

Paraneoplastic Neurologic Syndromes and Associated Disorders
Autoimmune Neuropathies - Neuropathic Disease

In the News

New Research From ARUP and Others Provides Diagnostic Guidance on DDX41-Associated Myeloid Neoplasms

ARUP partnered with six different institutions to create pathogenic variant landscape mapping of inherited myeloid neoplasms. The research took a close look at the recently identified germline variant DDX41, a protein-coding gene found in inherited blood cancers, and resulted in guidelines on the diagnosis and clinical management of affected patients.

Read article.

Study Coauthored by ARUP Expert Sheds Light on Emergency Department Workers' Risk of Getting COVID-19

Patricia Slev, PhD, section chief of Immunology at ARUP Laboratories, coauthored a study to identify the risk factors that emergency department healthcare personnel encountered while providing patient care before vaccination against COVID-19 was available. Slev provided expert guidance on appropriate molecular diagnostic and antibody tests provided by ARUP for the study.

Read article.

New Equation to Assess Kidney Function Addresses Racial Disparity in Kidney Disease Diagnosis, Treatment

Through a multifaceted effort, ARUP has implemented a new Chronic Kidney Disease Epidemiology Collaboration (CKD-EPI) equation that eliminates a race coefficient from the previous iteration that was applied for individuals who self-identified as Black. Adoption of the change is based on scientific principles and statistics and is a step towards ensuring optimal outcomes for patients in all demographic groups.

Read article.

ARUP's New Monkeypox Test Can Be Performed on More Specimen Types on High-Throughput Instruments

To help address the overflow of testing in public health labs, ARUP now offers the Orthopoxvirus (includes monkeypox virus) by PCR test. The test has been validated for an automated specimen extraction method that optimizes workflow, improves turnaround times, and allows for capacity expansion if needed.

Read article.

Q&A with ARUP's Michael T. Pyne: Developing an NGS Assay for HIV-1 Antiretroviral Drug Resistance

Research and Development (R&D) scientist Michael T. Pyne answers questions regarding the challenges, specifics, and outcomes of the development of a highly sensitive antiretroviral resistance drug assay using next generation sequencing (NGS) for HIV type 1.

Read article.

Enhanced Reports

The following tests will now include new enhanced reports that are easier to read and feature graphical representation of results:

- **2012259** Keratan Sulfate, Quantitative by LC-MS/MS, Urine
- **3003487** Mucopolysaccharidoses Type 4A/6 Total Chondroitin Sulfate and Dermatan Sulfate with NRE (Sensi-Pro®) Quantitative, Serum
- **3003539** Mucopolysaccharidoses Type 4A/6 Total Chondroitin Sulfate and Dermatan Sulfate with NRE (Sensi-Pro®) Quantitative, Urine
- **3003552** Mucopolysaccharidoses Type 1/2, Total Heparan Sulfate and NRE (Sensi-Pro®) Quantitative, Urine
- **3003566** Mucopolysaccharidoses Type 1/2, Total Heparan Sulfate and NRE (Sensi-Pro®) Quantitative, Serum or Plasma

We Value Your Feedback

Let us know what information we can provide to help you serve your patients, clinicians, and health system.

If you have questions about these tests, please contact Client Services.
If you have questions about your interface build, please contact Interface Support.

See all New Tests and Hotline Documents.

Contact Client Services
call 800-522-2787 | email clientservices@aruplab.com | online chat aruplab.com

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Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: ASTHO Invited to the White House
FROM: "Public Health Weekly" <pr@astho.org>
TO: mhofmann@utah.gov
DATE: 29/09/2022 08:59

View this email in your browser.

astho™

PUBLIC HEALTH WEEKLY

September 29, 2022

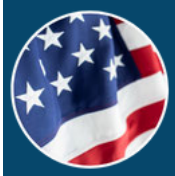
Improving School Workforce Capacity to Address Youth Mental Health

The youth mental health crisis has created a need for state public health officials to work collaboratively to improve workforce capacity and strengthen prevention systems for youth.

ASTHO's School Behavioral Health Advisory Committee explored ways to improve youth mental health outcomes and found that the school system offers opportunities to strengthen systems of care. Learn more about the committee's considerations in this new brief article.

READ

Legislative Alert: Summary of FY23 Continuing Resolution



This past Tuesday, Congressional leaders released the text of the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 (H.R. 6833), which is expected to be approved and signed into law before the end of the month. This continuing resolution provides funding for the federal government through Dec. 16—avoiding government shutdown—as well as several critical programs like home visitation for at-risk children and the 988 Lifeline.

Check out ASTHO's latest legislative alert for more details about the act and its impact on public health.

READ

THIS WEEK'S HIGHLIGHTS

ASTHO Visits White House for Recovery Month Summit | In honor of National Recovery Month, the White House held a summit on Sept. 23 where the administration introduced new actions and funding to address the overdose epidemic and support recovery. ASTHO's Carolyn Mullen, senior vice president of government affairs and public relations, and Jeffrey Ekoma of the government affairs team **were in attendance**. You can **hear more about their experience in this episode** of ASTHO's daily newscast.

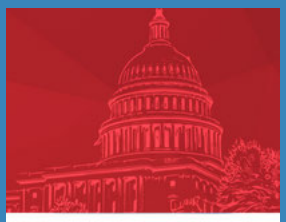
[redacted]

ASTHO Attends White House Conference on Hunger, Nutrition, and Health | ASTHO CEO Michael Fraser attended yesterday's White House Conference on Hunger, Nutrition, and Health, a unique convening of advocates, lawmakers, and experts to end hunger, improve nutrition and physical activity, and reduce disparities. Learn more about the event and ASTHO's work to promote healthier eating policies in **our latest press release**.

Staying in Gear this Fall | Immediate Past ASTHO President Nirav Shah (SHO-ME) joined **Maine Calling**, a local Maine radio station, to provide an update on COVID-19, boosters, the flu, and more. While Shah understands that many folks are over the pandemic, he reminded his audience that "from a public health perspective, we are not taking our foot off the gas."

Insight and Inspiration | Join ASTHO on Oct. 23 for our upcoming Insight and Inspiration webinar with **Stephen Shedletzky**, executive coach and one of Simon Sinek's master trainers. Don't miss Shedletzky present Sinek's Golden Circle framework and help attendees identify the WHY that drives their work. **Learn more and register here.**

LATEST ASTHO RESOURCES AND EVENTS



New Resource

Legislative Alert - Federal Home Visiting Reauthorization Bill Moves Forward

READ

Report

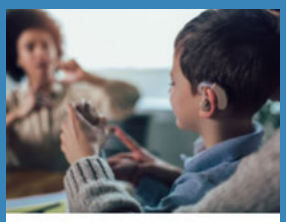
Going Beyond Regulatory Compliance for Lead Testing in Water

READ

Video

Building Innovative Public Health Internship Programs: A Q&A with Laura Parajón

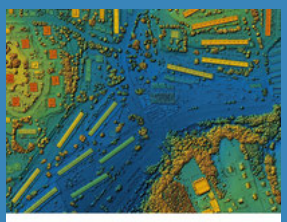
WATCH HERE



Blog

Embedded: COVID-19 Vaccination and the d/Deaf Community

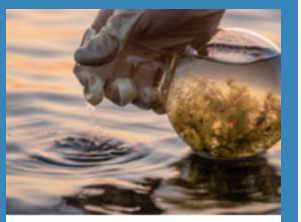
READ



Blog

States Use Data Visualization Tools to Address Health Concerns

READ



Report

Strategies for Messaging about Harmful Algal Blooms: Lessons from State Listening Sessions

READ

THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

- **Classroom Mental Health** | Sharon Rouse, National Center for School Mental Health
- **Oregon's Regional Health Equity Coalitions** | Jeffrey Elkins, ASTHO
- **Minnesota Eyes Maternal Disparities** | Brooke Cunningham, Minnesota Department of Health
- **Tracking Polio in New York** | James McDonald, DrPH, Delaware, 1951

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

- **Urging COVID-19 Booster Uptake** | Steven Stack (SHO-KY), ASTHO president-elect

LISTEN

PUBLIC HEALTH REVIEW PODCAST

PUBLIC HEALTH REVIEW

- **Improving Health Equity With Data** | Nicole Alexander-Scott (alumni-RI) | Harry Chen (alumni-VT) | Anna Bradley, MS, Montana Department of Public Health and Human Services
- **Revitalizing Public Health Through Connection** | Greg Holzman (alumni-MT) | Paula Tran (SHO-WI) | Meredith Alexander, ASTHO
- **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
- **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network

LISTEN

ASTHO IN THE NEWS

- **'Shocking' Rise in STIs During COVID Alarms Health Workers.** | *The Pews Charitable Trust* | Kate Heyer, ASTHO
- **The United States is prepared for terrorists, not anti-vaxxers. |** *Raw Story* | Marcus Plescia, ASTHO CMO
- **Is COVID 'Under Control' in the US? Experts Say Yes. |** *Kaiser Health News* | Marcus Plescia, ASTHO CMO
- **Moderna Covid-19 Booster Shortage Leads to Fewer Appointments at Pharmacies. |** *The Wall Street Journal* | Marcus Plescia, ASTHO CMO

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Did you know that we have great newsletters to keep you up-to-date on the latest and greatest from ASTHO? Check out **our newsletter page** to subscribe to any and all of our offerings.

Press Room | Careers | Events | Funding

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[redacted]

SUBJECT: Documents Updated for Utah State Board of Pharmacy
FROM: support@utah.gov
TO: mhofmann@utah.gov
DATE: 29/09/2022 14:15

Public Notice

Documents Updated

- Pharmacy_2022_08_23_Draft_Agenda(2).pdf - 8/23/22 2:17 PM
- Pharmacy_2022_08_23_Handouts.pdf - 8/23/22 2:17 PM
- Pharmacy_2022_08-23_Audio.mp3 - 8/25/22 3:07 PM
- Pharmacy_2022_08_23_Approved_Minutes.pdf - 9/27/22 2:04 PM
- Pharmacy_2022_08_23_Signed_Minutes.pdf - 9/29/22 2:14 PM

Utah State Board of Pharmacy

State Board of Pharmacy meeting

Notice Date & Time: 8/23/22 8:30 AM

ption/Agenda:

2nd Agenda
UTAH BOARD OF PHARMACY
North Conference Room 160 E 300 S Salt Lake City UT
August 23, 2022 | 8:30 A.M.

DUE TO COVID-19, Electronic attendance is available and recommended
GOOGLE MEET JOINING INFO:
[redacted]
Phone: [redacted] Pin: [redacted]

This agenda is subject to change up to 24 hours prior to the meeting.

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

ADMINISTRATIVE BUSINESS:
1. Call Meeting to Order
2. Read and Approve July 26, 2022, Meeting Minutes
3. Board Chair & Vice Chair Vote

DISCUSSION ITEMS AM:
- Investigation Report - Camille Farley
- CSD Update - Jeff Henrie
- Document Storage
- Rule Updates
- Guidance; Self-Administered Ulipristal
- Extension Request Guidelines
- Outreach Topics - Ashley Beyer
- Insulin Emergency Fills
- MPJE/NABP
- Emergency Hormonal Contraception
- Newsletter Topics
- Due Date: October 1

APPOINTMENTS:
12:00 pm Compliance Report-Bernice Palama
12:10 pm Super Drug & Herbal Store, Probationary Interview
12:15 pm Spence's Pharmacy, Probationary Interview

COORESPONDENCE
NACDS; DEA policies

NEXT SCHEDULED MEETING: Tuesday September 27, 2022
2022 Board Meetings Tentatively Scheduled
Oct 25, Nov 29, Dec 20.

Newsletter Submission Deadlines
2022 October 1; 2023 January 1, April 1, July 1, October 1.
Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Uta 84115, 801-530- 6628 or toll-free in Utah only 866-275-3675. Posted to Public Website: 8-19-2022

of Special Accommodations:

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of Electronic or telephone participation:

Electronic participation may be planned for this meeting.

nformation:

on:

160 East 300 South - North Conference Room 1st floor, Salt Lake City, 84111

t information:

PBM-00005342 , lmartin@utah.gov, (801)530-6628

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[redacted]

Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

[redacted]

SUBJECT: FW: FN: Input on Fiscal Note for 2023FL0171
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "GOMB_LFA_Requests@utah.gov" <GOMB_LFA_Requests@utah.gov>, "Amanda Slater(DHS)" <aslater@utah.gov>, Austin Preston <austinpreston@utah.gov>, "Borski,Heather" <HBORSKI@utah.gov>, David Litvack <davidlitvack@utah.gov>, "Hales,Tonya" <THALES@utah.gov>, Marc Watterson <mwatterson@utah.gov>, MichelleHofmann <mhofmann@utah.gov>, "Moss, Don" <donmoss@utah.gov>, Nate Winters<natewinters@utah.gov>, Nathan Checketts <natechecketts@utah.gov>, "Ray,Paul" <pray@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Shari Watkins<SWATKINS@utah.gov>, Taylor Kauffman <tckauffman@utah.gov>, Tracy Gruber<tracygruber@utah.gov>
DATE: 30/09/2022 16:05

Hi Taylor - Please provide your input in the fiscal note system for the attached bill by the end of Friday, October 7th. The final fiscal note must be completed ahead of October interim. Also explain in detail differences in cost estimates for similar parts in this bill compared to https://le.utah.gov/~2022/bills/static/HB0220.html.

-----Original Message-----
From: Legislative Automated Email System <boyd@le.utah.gov>
Sent: Friday, September 30, 2022 3:15 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; fiscalnotes@agutah.gov; brianjensen@utah.gov; benelson@utah.gov; chet.loftis@pehp.org; Dan.Andersen@urs.org; dschuring@utah.gov; Dave.Hansen@pehp.org; davidlitvack@utah.gov; davidlund@agutah.gov; dee.larsen@urs.org; gcottrell@utah.gov; ggopez@agutah.gov; Jfhart@utah.gov; jakehennessy@utah.gov; jenevans@utah.gov; Jill Parker <jparker@ualhd.org>; jshaw@utah.gov; kburt@utah.gov; kimbeck2@utah.gov; kharvey@utah.gov; kharvey@utah.gov; mwatterson@utah.gov; mwatterson@utah.gov; natechecketts@utah.gov; nmjohansen@utah.gov; natetalley@utah.gov; natewinters@utah.gov; nharrison@utah.gov; pwlee@utah.gov; Paul.Anderton@pehp.org; pray@utah.gov; pray@utah.gov; panjewierden@utah.gov; rmstringham@utah.gov; ryancowley@utah.gov; swatkins@utah.gov; shellyjackson@utah.gov; swang@utah.gov; swang@utah.gov tnorthrup@utah.gov; tjfornelius@utah.gov; tbudd@utah.gov; tracygruber@utah.gov; xthomas@utah.gov; xthomas@utah.gov
Subject: FN: Input on Fiscal Note for 2023FL0171

2023FL0171, Postpartum Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsecure.utah.gov%2Fufn%2F&data=05%7C01%7Crfrandsen%40le.utah.gov%7Cfab732930d0540dcd8e908daa328d66e%7Caa13953832ab4071953f2070ac88bcf and completing a response.

SUBJECT: (yes two bills) FW: FN: Input on Fiscal Note for 2023FL0177
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "Amanda Slater (DHS)" <aslater@utah.gov>, Austin Preston<austinpreston@utah.gov>, "Borski, Heather" <HBORSKI@utah.gov>, David Litvack<davidlitvack@utah.gov>, "Hales, Tonya" <THALES@utah.gov>, Marc Watterson<mwatterson@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, "Moss, Don"<donmoss@utah.gov>, Nate Winters <natewinters@utah.gov>, Nathan Checketts<natechecketts@utah.gov>, "Ray, Paul" <pray@utah.gov>, Rebecca Brown<rebeccab@utah.gov>, Shari Watkins <SWATKINS@utah.gov>, Taylor Kauffman<tckauffman@utah.gov>, Tracy Gruber <tracygruber@utah.gov>
CC: "GOMB_LFA_Requests@utah.gov" <GOMB_LFA_Requests@utah.gov>
DATE: 30/09/2022 16:05

Hi Taylor - Please provide your input in the fiscal note system for the attached bill by the end of Friday, October 7th. The final fiscal note must be completed ahead of October interim. Also explain in detail differences in cost estimates for similar parts in this bill compared to https://le.utah.gov/~2022/bills/static/HB0220.html.

-----Original Message-----
From: Legislative Automated Email System <boyd@le.utah.gov>
Sent: Friday, September 30, 2022 3:16 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; fiscalnotes@agutah.gov; brianjensen@utah.gov; benelson@utah.gov; chet.loftis@pehp.org; Dan.Andersen@urs.org; dschuring@utah.gov; Dave.Hansen@pehp.org; davidlitvack@utah.gov; davidlund@agutah.gov; dee.larsen@urs.org; gcottrell@utah.gov; ggopez@agutah.gov; Jfhart@utah.gov; jakehennessy@utah.gov; jenevans@utah.gov; Jill Parker <jparker@ualhd.org>; jshaw@utah.gov; kburt@utah.gov; kimbeck2@utah.gov; kharvey@utah.gov; kharvey@utah.gov; mwatterson@utah.gov; mwatterson@utah.gov; natechecketts@utah.gov; nmjohansen@utah.gov; natetalley@utah.gov; natewinters@utah.gov; nharrison@utah.gov; pwlee@utah.gov; Paul.Anderton@pehp.org; pray@utah.gov; pray@utah.gov; panjewierden@utah.gov; rmstringham@utah.gov; ryancowley@utah.gov; swatkins@utah.gov; shellyjackson@utah.gov; swang@utah.gov; swang@utah.gov tnorthrup@utah.gov; tjfornelius@utah.gov; tbudd@utah.gov; tracygruber@utah.gov; xthomas@utah.gov; xthomas@utah.gov
Subject: FN: Input on Fiscal Note for 2023FL0177

2023FL0177, Pregnancy Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsecure.utah.gov%2Fufn%2F&data=05%7C01%7Crfrandsen%40le.utah.gov%7C1c104866f710408176ce08daa328fd00%7Caa13953832ab4071953f2070ac88bcfe and completing a response.

SUBJECT: DHHS Legislatively Required Reports
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Seth Anderson <sanderson@le.utah.gov>, Mark Andrews <markandrews@le.utah.gov>

[redacted]

[redacted] Top Stories: Avenues 'cottages' rezone approved despite heavy pushback

CC: DHHS_EDO <dhhsedo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "Al Romeo (DHHS)" <alromeo@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>, "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Carol Ruddell (DHHS)" <cgruddell@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Linda Wininger (DHHS)" <lindaw@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, Jill Parker <jparker@ualhd.org>
DATE: 30/09/2022 18:11

HHS Staff -

Attached are the following DHHS legislatively required reports due by October 1st, 2022:

- DHHS | LHD Recommendations on Birth Certificate Fees (HB 341, 2022)
- Suicide Prevention Technical Assistance Report
- Health Coverage Improvement Program Report
- Adult Autism Treatment Program Advisory Committee
- Hepatitis C Outreach Pilot Program
- Drinking While Pregnant Prevention Media and Education Campaign
- Air Ambulance Rates Report

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

Utah Department of
Health & Human Services
Legislative Affairs

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SUBJECT: MDMA-assisted therapy for PTSD Evidence Review
FROM: LAUREN HEATH <lauren.heath@utah.edu>
TO: Michelle Hofmann <mhofmann@utah.gov>, Mark Rapaport<mark.rapaport@hsc.utah.edu>, Jennifer Strohecker <jstrohecker@utah.gov>,Pete Caldwe
DHS <pgcaldwell@utah.gov>
CC: Joanne LaFleur <Joanne.Lafleur@pharm.utah.edu>, Kristin Ann Knippenberg<k.knippenberg@utah.edu>, MONET LULOH <Monet.Luloh@pharm.utah.edu>, "VALERIEGONZALES" <Valerie.Gonzales@pharm.utah.edu>
DATE: 30/09/2022 19:07

Hello,

Happy Friday. Attached is our phase 2 evidence review of MDMA-assisted therapy for the treatment of PTSD. Please let me know if you have any questions or concerns about the report.

We are still working on the psilocybin for depression evidence review. I'm hoping to put together some preliminary information (ie, our findings so far) before the Task Force meeting next week; I anticipate finishing that on Monday or Tuesday next week.

Pete, will you please share the MDMA report with the rest of the Task Force? I will also put a copy of it in the Task Force Ubox folder.

Best Regards,

Lauren

Lauren Heath, PharmD, MS, BCACP
Pharmacist, Drug Regimen & Review Center

University of Utah College of Pharmacy
30 South 2000 East Salt Lake City, UT 84112
https://pharmacy.utah.edu/pharmacotherapy/drrc

[redacted]

SUBJECT: Re: Medicaid coverage for pregnancy
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Neil Abercrombie <nabercrombie@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>
DATE: 24/06/2022 05:51

Neil,

Please let us know when she and Mayor Wilson want to meet. I also bcc'd you on an email from Rep. Peterson on behalf of Republican women in the Legislature.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Jun 22, 2022 at 9:15 PM Neil Abercrombie <nabercrombie@utah.gov> wrote:

> Tracy and Nate,
>
> Attached is a proposal from Rep. Lesser, she is hoping to get together in the next few weeks to discuss more. Would love to have you two join the meeting if possible.
>
> Thanks,
>
> Neil
>
> --
>
> **NEIL ABERCROMBIE** | SR. ADVISOR OF LEGISLATIVE AFFAIRS AND POLICY
> OFFICE OF GOV. SPENCER J. COX
> STATE OF UTAH
> 801.910.9086

SUBJECT: Fwd: Resources for Mothers and Families
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>, Paul Ray DHS <pray@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>
DATE: 24/06/2022 06:25

Good morning.

Please see Rep. Peterson's email, on behalf of the women in the Legislature.

I think in order to get this information to them as quickly as possible, I think we just create a simple spreadsheet that has the name of the program, ages served and a **brief** summary of the program. I think you can indicate whether it is federal, state or both, in terms of funding. You can see in my email, I told them we would provide the most basic information so we can turn the request around quickly. We can always come back with number of people served and budget, which I suspect will be the next question.

I would like Marc or Paul to take lead on getting this started. I believe Marc is still out this week. I think if we can have this turned around as quickly as possible that would be great. It should not take a ton of work if this gets pushed down to the appropriate staff who know their programs best. We all know why timing is important for them.

Thanks!
Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

[redacted] Fireworks, spotlighting service, and more

---------- Forwarded message ---------
From: **Tracy Gruber (DHS)** <tracygruber@utah.gov>
Date: Fri, Jun 24, 2022 at 5:18 AM
Subject: Re: Resources for Mothers and Families
To: Karen Peterson <kpeterson@le.utah.gov>
Cc: Karianne Lisonbee <karilisonbee@le.utah.gov>, Ann Millner <amillner@le.utah.gov>, Cheryl K. Acton <cacton@le.utah.gov>, Melissa Ballard <mballard@le.utah.gov>, stephaniegricius@gmail.com <stephaniegricius@gmail.com>, Kera Birkeland <kbirkeland@le.utah.gov>, Christine Watkins <christinewatkins@le.utah.gov>, Marsha Judkins <mjudkins@le.utah.gov>, Judy Rohner <jrohner@le.utah.gov>, Candice Pierucci <cpierucci@le.utah.gov>, Susan Pulsipher <susanpulsipher@le.utah.gov>

Representative Peterson,

Thank you for reaching out to us. Our department does provide programs and resources to women who fit into these categories. We have programs from prenatal through early childhood, as well as programs for families who have children with disabilities.

We are happy to provide this information. For speed, we will simply provide the name of the program and a brief summary. That will allow us to get you the information quickly and then we can provide any additional information that may be helpful. Please let us know when you would like to receive the information. We will have our team begin working on it today.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Jun 23, 2022 at 9:29 PM Karen Peterson <kpeterson@le.utah.gov> wrote:

> Tracy,
>
> The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also have observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.
>
> Thank you, we appreciate your help.
>
> Warm Regards,
>
> **Karen M. Peterson**
> District 13
> Utah House of Representatives

SUBJECT: SCOTUS abortion opinion
FROM: Stephanie Saperstein <stephaniesaperstein@utah.gov>
TO: Tony Patterson <tonypatterson@utah.gov>, Clover Meaders <crmeaders@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 24/06/2022 08:19

[redacted]

-Stephanie

--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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[redacted]

[redacted] Fireworks, spotlighting service, and more

SUBJECT: DRAFT - DHHS Abortion FAQs
FROM: "Joe Dougherty DHS (via Google Docs)" <drive-shares-noreply@google.com>
TO: natechecketts@utah.gov
CC: aslater@utah.gov, brittanyhuff@utah.gov, bdorff@utah.gov, carmenrichins@utah.gov, chaley@utah.gov, crmeaders@utah.gov, cmeaders@utah.gov, davidlitvack@utah.gov, hborski@utah.gov, jnp@utah.gov, jstrohecker@utah.gov, jennyjohnson@utah.gov, katieengland@utah.gov, kristigrimes@utah.gov, lbaksh@utah.gov, lindaw@utah.gov, lpnilson@utah.gov, mwatterson@utah.gov, mhofmann@utah.gov, ntaxin@utah.gov, pray@utah.gov, sbolivar@utah.gov, stephaniesaperstein@utah.gov, tonypatterson@utah.gov, thales@utah.gov, tracygruber@utah.gov
DATE: 24/06/2022 08:29

Joe Dougherty DHS shared a document

Unknown profile [redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because joedougherty@utah.gov shared a document with you from Google Docs.

Logo for Google Docs

SUBJECT: Security at DHHS Facilities
FROM: Nate Winters DHS <natewinters@utah.gov>
TO: DHHS ELT <DHHS_ELT@utah.gov>
CC: "Tyson Walker (DHS)" <tysonwalker@utah.gov>
DATE: 24/06/2022 08:32

Good Morning ELT,

[redacted]

Please let me know if you have any questions.

Thanks,

Nate

Nate Winters
Deputy Director
C: 801.450.2098
natewinters@utahg.gov
hs.utah.gov
health.utah.gov

SUBJECT: DRAFT - DHHS Abor... - @natechecketts@utah.gov @jstrohecker@...
FROM: "Brook Dorff (DHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 09:02

[redacted]

[redacted] Fireworks, spotlighting service, and more

Tonya Hales (thales@utah.gov) mentioned you in a comment in the following document

[redacted]

[redacted]

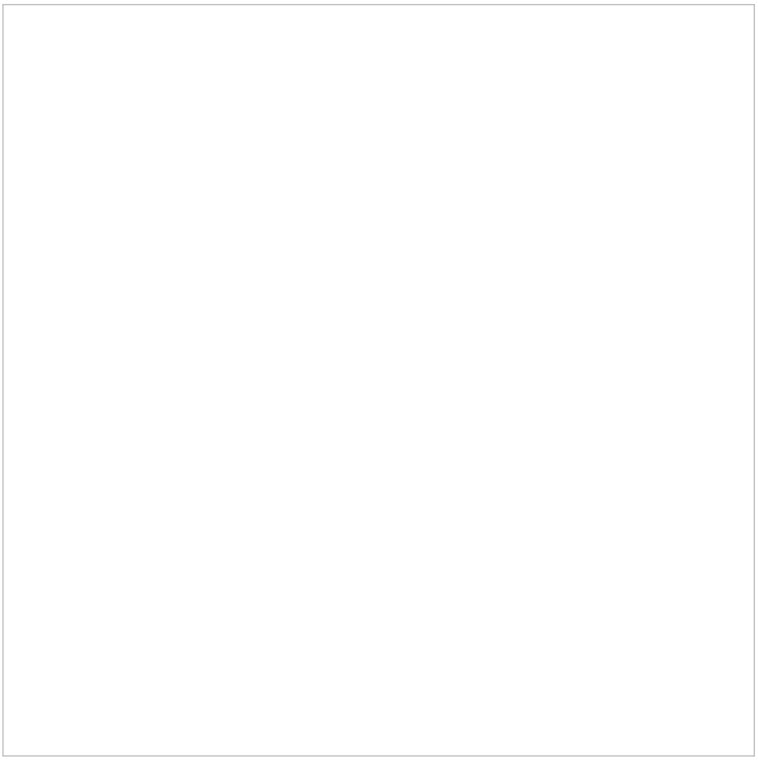
[redacted]

As pro-life advocates, this administration is equally committed to supporting women and families in Utah. We all need to do more to support mothers, pregnant women, and children facing poverty and trauma."

# # #

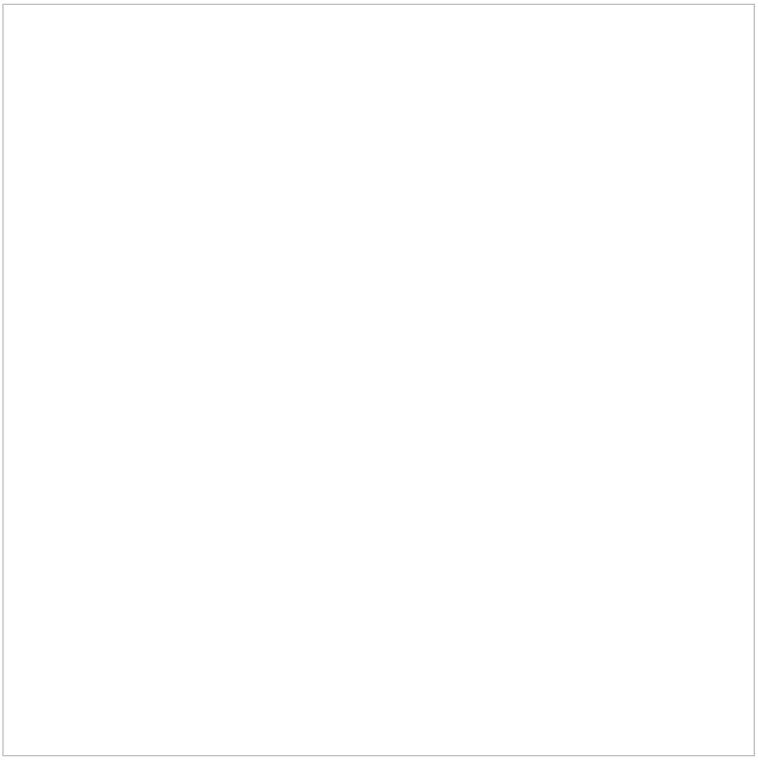
SUBJECT: Fireworks, spotlighting service, and more
FROM: Office of Gov. Spencer Cox <govcomm@utah.gov>
TO: <natechecketts@utah.gov>
DATE: 24/06/2022 09:41

View this email in your browser



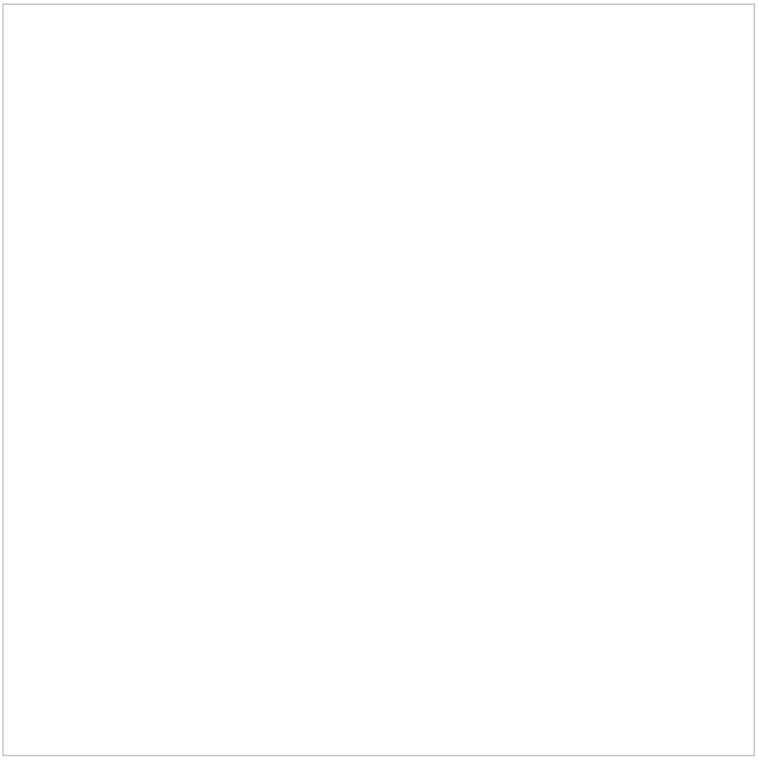
Happy Friday from #OneUtah, a weekly update from the office of Gov. Spencer J. Cox. Here's your recap of what we did this week, what's on the horizon, and more. Reply to this email with any questions or suggestions regarding the newsletter. And thank you for subscribing!

[redacted]



Vote!

We encourage every eligible voter to cast their ballot in the Tuesday, June 28 primary election. Your vote is your voice. So please vote and help us shape our great state. If you have any questions, visit vote.utah.gov.



Fireworks safety

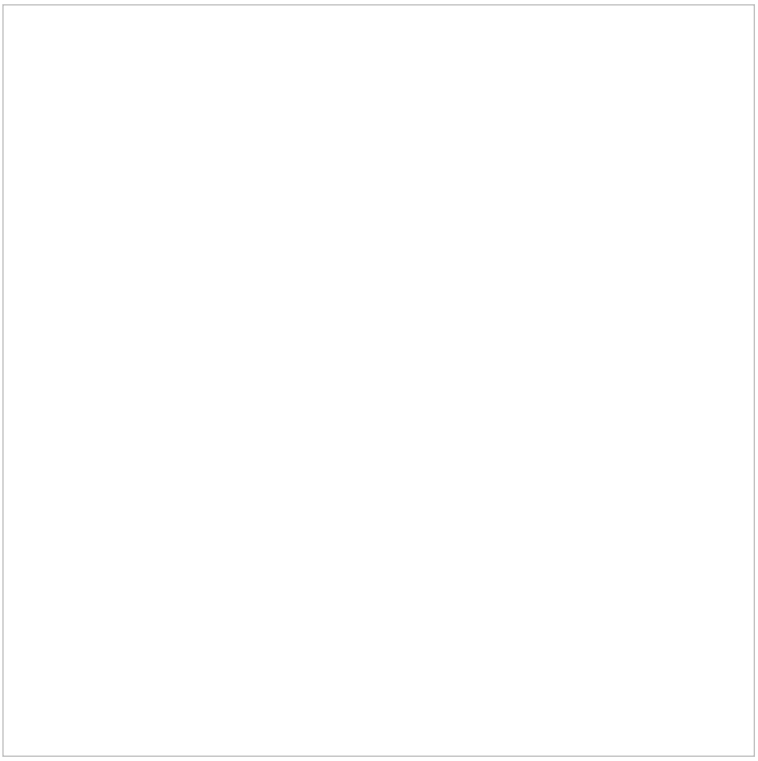
We met with firefighters and local officials to encourage Fire Sense as we head into fireworks season. Current drought conditions have made Utah a tinderbox and fire danger is extremely high statewide. In fact, 100% of the state is in drought and 83% of the state is in extreme drought or worse.

Firework sales begin today. If you choose to use fireworks this summer, please be smart and safe about it. Remember:

- Only use fireworks only during legal times and designated holidays.
- Keep a fire extinguisher and water nearby.
- Use fireworks away from dry grass — and never use them on state and federal lands, and all private lands outside cities and towns; and.
- Use extreme caution when lighting aerial fireworks.

You can always find the latest on fireworks safety and local restrictions at firemarshal.utah.gov/department-services/fireworks/.

We know that wildfires from fireworks are preventable. Last year, Utahns used good Fire Sense and cut human-caused wildfires by 51% — that's more than 500 fires that never started. As we gear up for summer celebrations, let's all stay vigilant and use good Fire Sense.



The Supreme Court's ruling

This administration has been dedicated to giving a voice to the most vulnerable in our society, including the unborn. We wholeheartedly support today's Supreme Court ruling and are encouraged to see abortion law will be left to elected state representatives.

As pro-life advocates, this administration is equally committed to supporting women and families in Utah. We all need to do more to support mothers, pregnant women, and children facing poverty and trauma.

Working together to keep Americans safe

We're heartbroken by recent gun violence, and we are committed to helping make a change.

We're proud to join a bipartisan group of governors who are coming together to make recommendations and identify solutions that give state and local leaders effective tools designed to stop mass shootings and instill confidence in our communities and schools.

Every state is unique, but we can all agree that there are common sense ways to keep our schools and communities safe in a manner consistent with the demands of the American people. Stay tuned for updates.

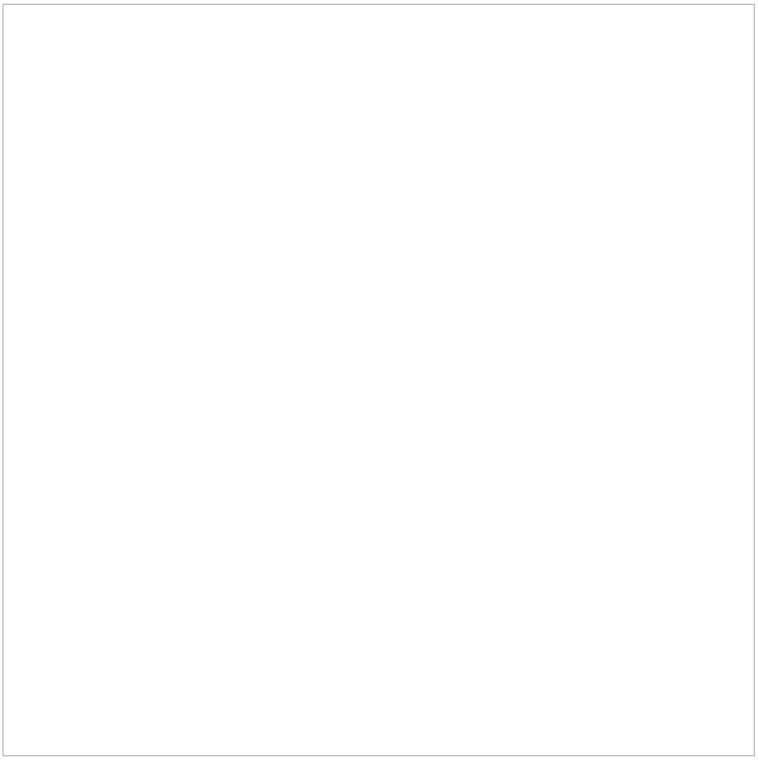
Recognizing Utah's Spirit of Service

Like so many Utahns, we know how important it is to give back, which is why we're thrilled to introduce the awardees of the inaugural Governor's Spirit of Service Awards. Out of more than 100 nominations, this year we honored:

- **Cristina Diaz de Leon**, who created Rancho Market COVID-19 vaccine clinics, advanced inclusion and cultural celebrations, empowered youth, led out on service projects, and strongly believed in "meeting people where they are". Unfortunately, she passed away from lung cancer on Jan. 22, 2022, and her family accepted the award in her honor.
- **Artes de México en Utah**, which creates cultural awareness, provides diverse perspectives, builds understanding and cross-cultural competence, helps the Latino-Hispanic youth connect with their roots and be proud of their multicultural heritage.
- **The Little Lambs Foundation for Kids**, which provides comfort kits for children placed into foster care, emergency shelters, and escaping domestic violence, Northern Utah's only direct service diaper bank, has distributed over 1.75 million diapers to Utah families.
- **Andilynn Chambers**, a 10-year-old with a very giving heart. She asks for donations rather than birthday gifts, and has donated more than 1,000 items to the local homeless shelters, domestic violence shelters, and The Christmas Box House.
- **Lenise Peterman**, the volunteer mayor of Helper. She was nominated for working tirelessly on behalf of her community, being a key volunteer for the city revitalization committee, writing grants for the city, securing key partnerships, and acting as a mentor to aspiring change-makers.
- **Ruff Haven Crisis Sheltering Center**, which works to prevent individuals from having to surrender their pets by providing shelter when someone is experiencing a crisis, temporary hardships, medical emergencies and more.
- **Emily Rojo Mendoza**, who tutors fellow Kearns HS students, helps at food banks, serves as the president of the My Kearns Evidence 2 Success Youth Council, has raised thousands of dollars for the local food pantries and the homeless youth resource center.

- **Ken Vaughn III**, who has been in a wheelchair for 20 years, is an active volunteer board member and webmaster for nonprofit Chairbound Sportsman, and helps fundraise and coordinate outdoor adventures for disabled persons.
- **Moab Multicultural Center**, which works to help the homeless find a place to sleep and make sure the less fortunate families in Moab get food for dinner.

These awardees are why Utah leads the nation in volunteerism and service work. You can read more about them here.



Opening Utah's new state corrections facility

This week marked a big moment for the Department of Corrections and Utah as we celebrated the largest construction project in our state's history: We officially cut the ribbon at the new Utah State Correctional Facility. We're proud of this effort to provide a safe and secure facility that's also conducive to recovery and rehabilitation.

What makes this building different? There's increased programming space for education, vocational training, and treatment; greater access to medical care and resources; and improved working environments for staff.

We applaud the individuals who have dedicated more than five years to this project: Jerry Jensen; Bryan Taylor; Capt. Matthew Coates; Lt. Bisera Habibija; Lt. Michael Millward; Elizabeth Brown; Steven Turley; and Mike Ambre.

We'd also like to thank the dedicated Department of Corrections staff. Corrections is not an easy career. It can be dangerous and thankless — and it can mean long hours. But it's a vital part of keeping us all safe. Inmates will be moving to the new facility from the Draper prison site in the coming weeks.

Forward this email to a friend!

CDC authorizes COVID vaccines for children

The Centers for Disease Control and Prevention issued recommendations for vaccinating children 5 years of age and younger against COVID-19, which clears the way for the nearly 241,000 Utah children to get vaccinated!

Additionally, the FDA has authorized both the Pfizer and Moderna mRNA vaccines for use with all ages (6 months and older) eligible for COVID-19 vaccinations. Previously, only the Pfizer vaccine was available for children younger than 18.

Vaccines for this youngest age group are on the way. According to the Utah Department of Health and Human Services, providers have already ordered 32,300 doses of the vaccines.

Providers such as local health departments, select pharmacies, and doctor's offices are offering vaccinations to the youngest Utahns over the next several days to weeks. For more information visit www.coronavirus.utah.gov/vaccine/ or call the COVID-19 hotline at 1-800-456-7707.

Good government in action

The town of Lynndyl in Millard County now has water, thanks to the quick action of state and local officials. Lynndyl has two wells powered by pumps. The state allocated $1.75 million to help the town build new drinking water infrastructure, but before that could happen, the pumps failed yesterday afternoon. The water shortage was not due to drought.

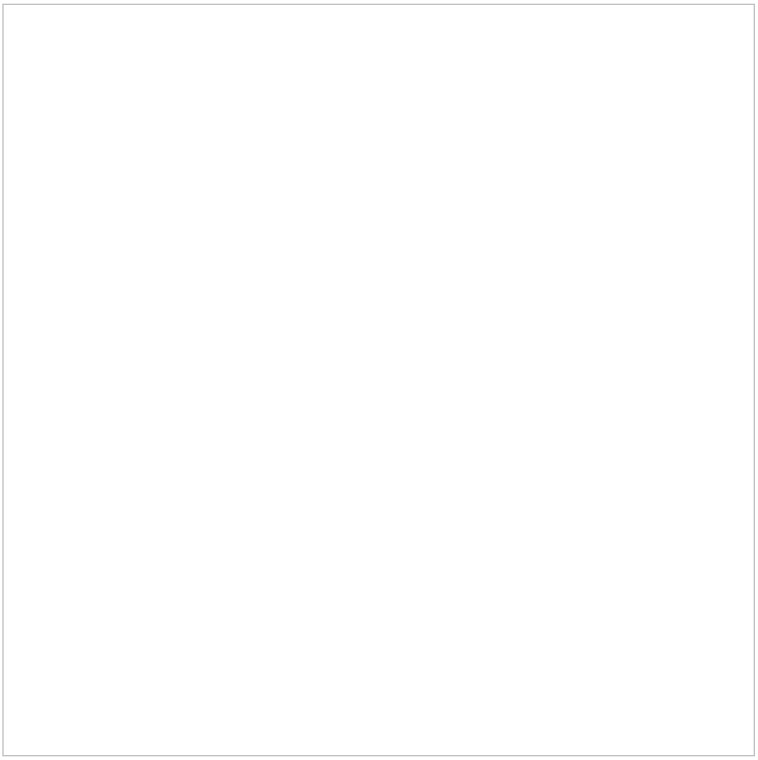
When the Department of Environmental Quality and Department of Public Safety got word, they reached out to work with Lynndyl and Delta City officials to expedite hauling water into the town and to see if the pumps could be fixed.

By 9 p.m., water was on the way with LiquaDry from the neighboring town of Abraham hauling water to Lynndyl. DEQ helped install a new pump and ensured the water was safe to drink.

In the meantime, the Governor's Office of Economic Opportunity is working with Millard County to secure $113,000 in emergency funds to keep the water flowing until the grant money comes through.

"After talking with Gov. Cox last night, everything ran more smoothly," Lynndyl Mayor Briar Proctor said. "A huge thank you to the surrounding cities, the state and everyone who helped us. It's been an overwhelming amount of help."

We're grateful to DEQ, DPS, Go Utah, Delta City, Lynndyl City, LiquaDry and Millard County for coordinating so quickly and efficiently to make sure this town of 120 has water. This is good government in action!

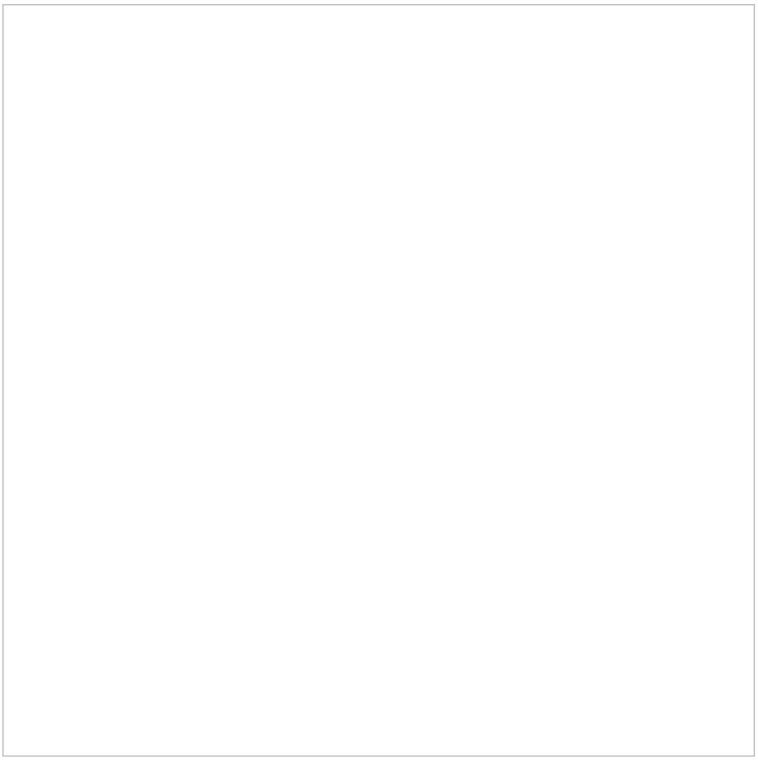


State flag design preview

We're excited by the enthusiasm around a new state flag! Lt. Gov. Henderson and members of the Utah State Flag Task Force got a sneak peek of some of the 5,000 flag designs that have been submitted by the public..

Finalists were not selected at the preview event.

The new state flag aspires to reflect on Utah's past while uniting us with new symbolism and a shared identity. Learn more about the process and timeline here.

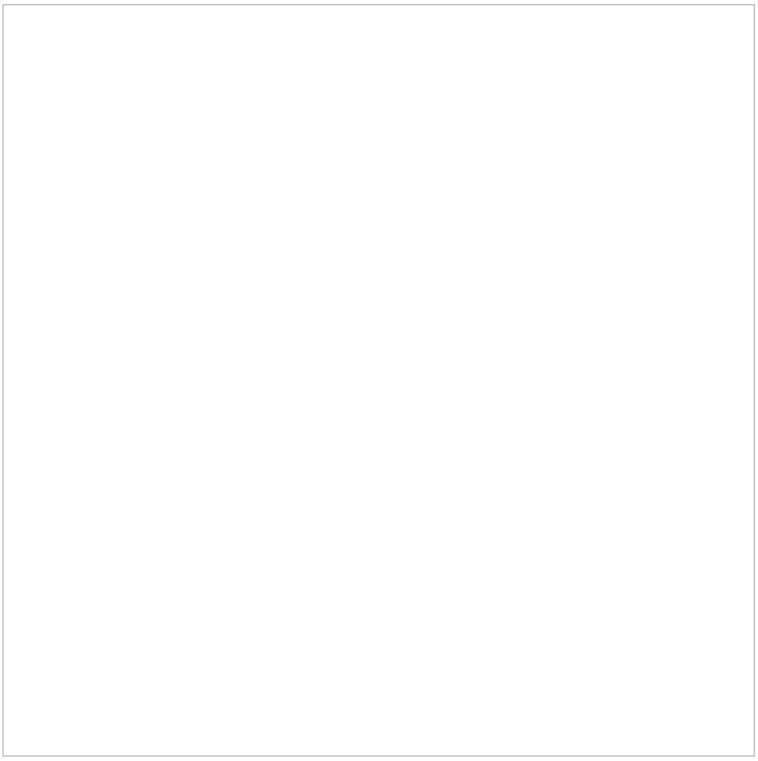


A discussion about America's future

We're looking forward to our discussion with author Jonathan Martin about his book, "This Will Not Pass."

The book explores how both of our political parties confronted a series of national traumas, including the coronavirus pandemic, the January 6 attack on the Capitol, and the political brinksmanship of President Biden's first year in the White House.

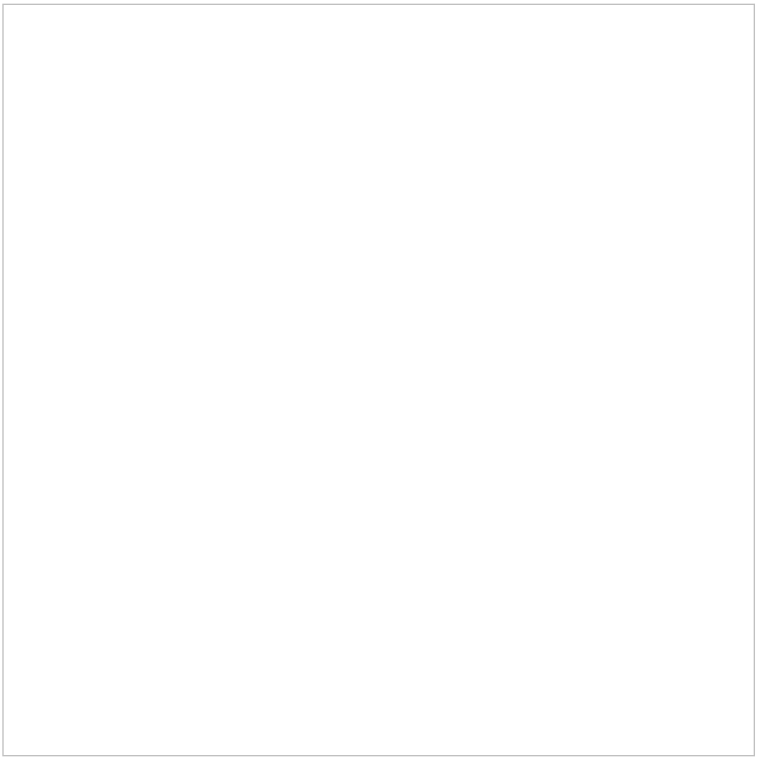
Join us for this free event at the Hinckley Institute of Politics at the University of Utah on Thursday, June 30, at 6:30 p.m. Hope to see you there!



Supporting local: Red Iguana 2

This week we were able to stop by Red Iguana 2 for a quick – and delicious — lunch. We especially loved the puntas de filete and queso.

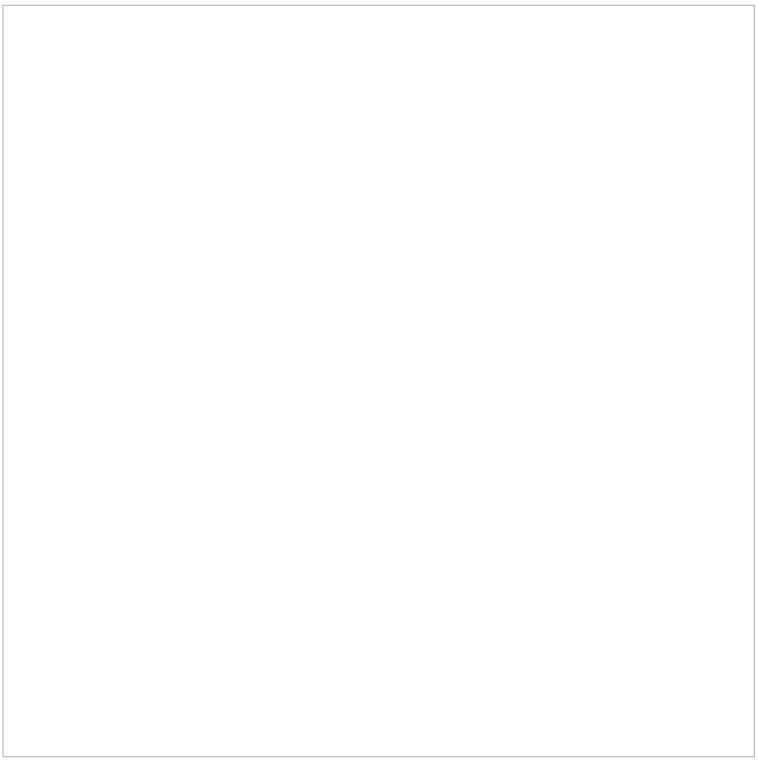
The Cardenas family has proudly served the Salt Lake Valley since 1965, and we're sure they'll be satisfying hungry patrons for decades to come. We're always happy to see small family businesses thriving. Let us know what your favorite local restaurant is here!



Meeting with faith leaders

Faith leaders are a central part of the fabric of our community. This week we met with 31 different faith leaders from across the state of Utah.

Faith groups strengthen and illuminate our relationship with a higher power, but they also maintain cultural traditions, reinforce moral values and create community. We can't thank each of them enough for their guidance, goodness, and charity.



ICYMI

- More good economic news: Salt Lake City was ranked No. 4 by the Wall Street Journal in its annual rankings of the hottest job markets in the country. Provo was ranked No. 2 in smaller metro areas.
- Yes, Utah experienced a tornado this past week. In fact, we've averaged two per year since 1950. The good news is that this one was in a remote part of Duchesne County resulting in no structural damage or injuries. If you find yourself facing a tornado, try to take shelter in a low place like a ditch or ravine. If indoors, get into a basement, or a room without windows.
- We had a fun opportunity to talk about a more hopeful version of politics with Vermont State Sen. Becca Balint and Slate host Amanda Ripley. Listen here!
- Lt. Gov. Henderson welcomed the Consul General of the Republic of Georgia to the Capitol on Tuesday. He said he had a “wonderful visit to Utah.”
- Courtesy of the Utah Office of Energy Development: Here are four energy saving tips to help you beat this summer heat!
- Preparing for a backcountry adventure can look a little different for each outing and individual, but the benefits of a well-planned trip help ensure safety in the wilderness. Find a few first hand tips from Escalante-based guide and search and rescue volunteer Rick Green here!
- We had yet another great jobs report. Our unemployment rate remains at a historic low, and our job growth is one of the best in the U.S. We’re proud of the hard-working Utahns who contribute to the most robust economy in the nation.

Coming up

- June 24: Join Utah First Lady Abby Cox at the Show Up for Summer Service kickoff event tonight from 4 p.m. to 9 p.m.! Connect with local nonprofits to find the perfect service opportunity for you and your family or friends to do this summer.
- June 28: The Primary Election is less than one week away! If you have any questions, contact your county clerk or go to www.vote.utah.gov.
- June 30: Join us for a lively discussion with author Jonathan Martin about his book, “This Will Not Pass.” This free event will be held at the Hinckley Institute of Politics at 6:30 p.m. No registration required.
- June 30: This is the last day to apply for a Utah Manufacturing Modernization Grant! This grant supports Utah businesses to modernize, establish, relocate, retain, or develop manufacturing in the state. The Legislature created the grant program to modernize Utah companies’ manufacturing, increase supply chain resilience, and lessen American dependence on foreign manufacturing.
- July 1: Lt. Gov. Henderson will join the leadership of the newly consolidated Utah Department of Health & Human Services to celebrate its new vision and to reflect on its origins, which date back to Utah’s first female state senator – suffragist, doctor and visionary – Martha Hughes Cannon.
- July 12: All Utah educators are invited to attend Show Up Utah’s free conference focused on professional and personal wellness. Learn more here.

Get involved!

Looking for a new job opportunity? From great employee benefits to versatile work schedules, the career opportunities with the state are truly endless. Join Team Utah today!

Those looking to volunteer can also consider more than 300 boards and commissions. Find out which openings are available and how you can get involved here!

Get in touch!

[redacted] Fireworks, spotlighting service, and more

You can reach the Governor's Office here. And you can follow us on Twitter, Facebook, Instagram, TikTok, and YouTube for the latest news and updates.

Contact the Governor's Office

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350 N. State Street
Suite 200 P.O. Box 142220
Salt Lake City, UT 84114-2220

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SUBJECT: Share request for "Draft Questions for Attorneys Regarding Abortion Changes"
FROM: "Jackson Murphy (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 10:40

Share a document?

Unknown profile [redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because jjmurphy@utah.gov requested access to a document in Google Docs.

Logo for Google Docs

SUBJECT: DRAFT - DHHS Abor... - @carmenrichins@utah.gov Would we also...
FROM: "Carmen Richins (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 10:47

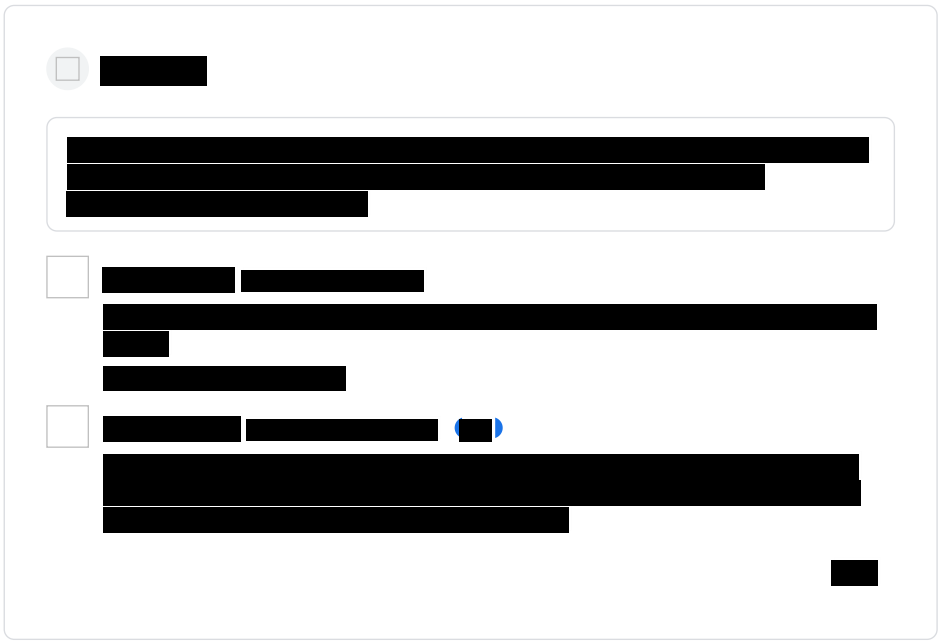
[redacted]

[redacted]

Fireworks, spotlighting service, and more

Carmen Richins (carmenrichins@utah.gov) mentioned you in an action item in the following document

[redacted]



Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

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SUBJECT: DRAFT - DHHS Abor... - @carmenrichins@utah.gov Would we also...
FROM: "Clover Meaders (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 11:29

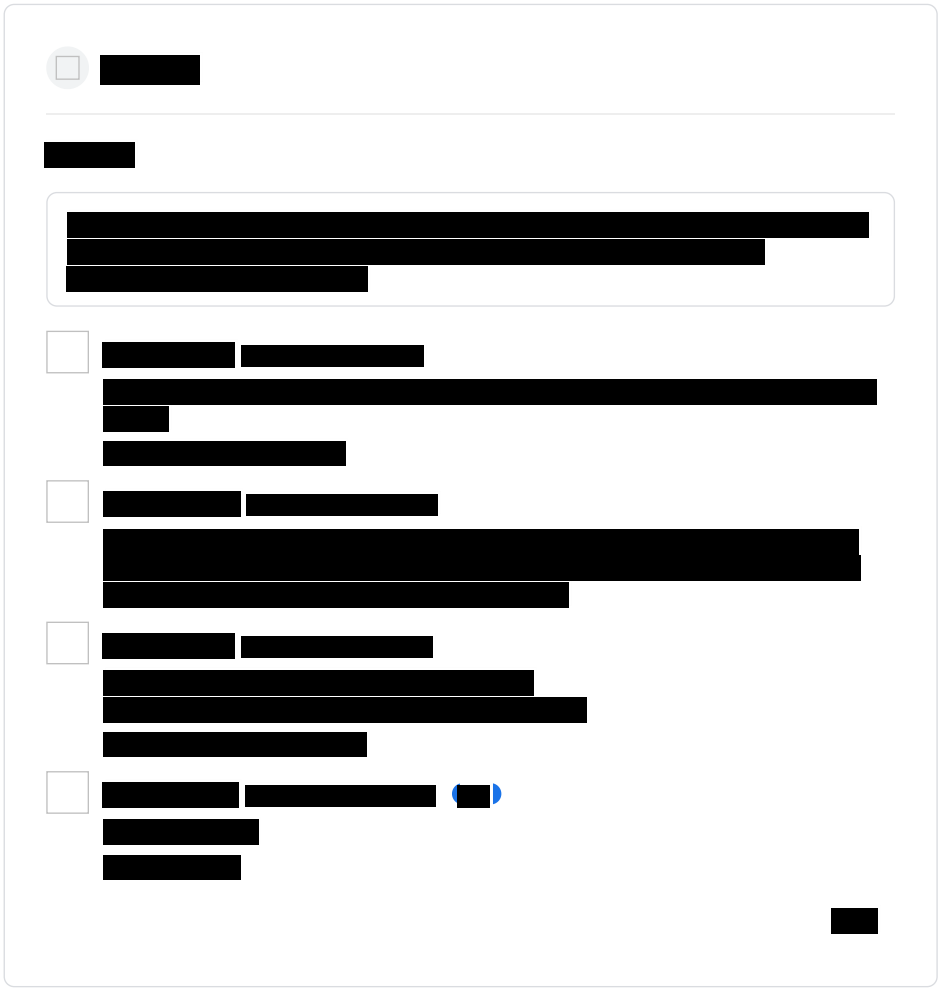
[redacted]

[redacted]

Fireworks, spotlighting service, and more

Clover Meaders marked an action item as done in the following document

[redacted]



Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

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SUBJECT: DRAFT - DHHS Abortion FAQs
FROM: "Clover Meaders (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 11:41

New activity in the following document

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] Fireworks, spotlighting service, and more

Google Docs sends you. You cannot reply to this email.

SUBJECT: Share request for "Draft Questions for Attorneys Regarding Abortion Changes"
FROM: "Kathy Bounous (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 11:59

Share a document?

Unknown profile [redacted]

[redacted]

[redacted]

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You have received this email because kathybounous@utah.gov requested access to a document in Google Docs.

Logo for Google Docs

SUBJECT: DRAFT - DHHS Abortion FAQs
FROM: "Tony Patterson (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 12:13

New activity in the following document

[redacted]

[redacted]

[redacted]

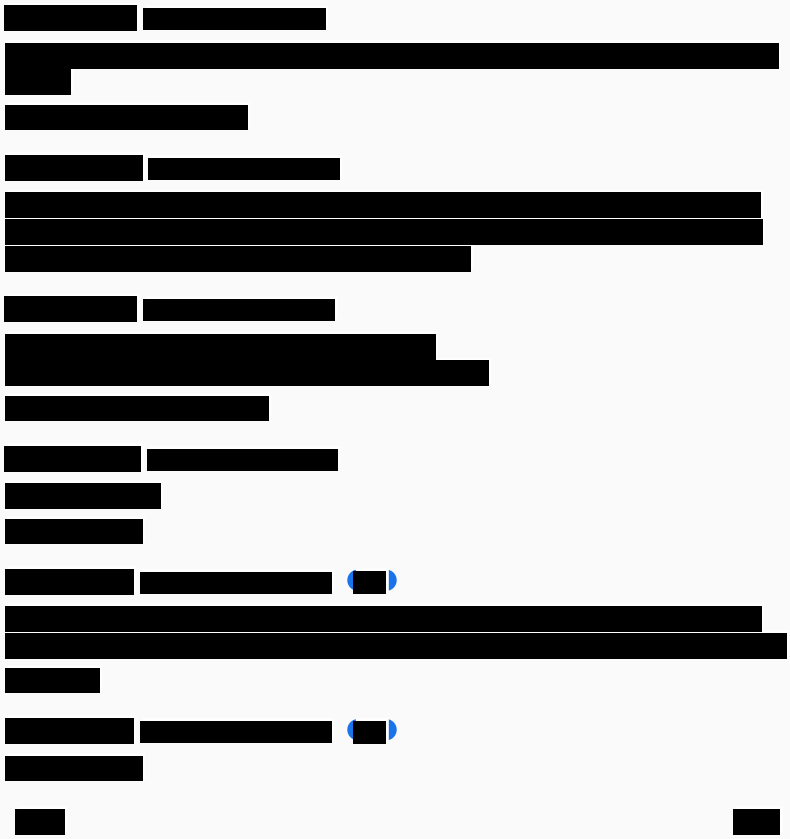
[redacted]

[redacted]

[redacted]

[redacted]

[redacted]



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You have received this email because you are a participant in the updated discussion threads. Change what Google Docs sends you. You cannot reply to this email.

SUBJECT: DHHS EDO
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: "Heather Barnum (DHS)" <reply-106989973896876856555@profiles.google.com>,Michelle Hofmann <mhofmann@utah.gov>,Trudy Ellis DHS <trudyellis@utah.gov>,"David Litvack (DHS)" <davidlitvack@utah.gov>,Heather Borski <hborski@utah.gov>, Rebecca Brown <rebeccab@utah.gov>,Amanda Slater DHS <aslater@utah.gov>,"Tracy Gruber (DHS)" <tracygruber@utah.gov>,Nate Checketts <natechecketts@utah.gov>,Lori Erickson DHS <llerickson@utah.gov>,Nate Winters DHS <natewinters@utah.gov>,Tonya Hales <thales@utah.gov>, Tonya Merton <tmerton@utah.gov>
DATE: 24/06/2022 12:28

Joe Dougherty DHS, 2022-06-24 11:28:24
If you want to watch the LG's interview, Brian Mullahy streamed it here: https://www.facebook.com/Brianvh=e

About 6:13 into the video, she begins discussing that Utah is a family friendly state and that we should be more family friendly. She said that doesn't just mean being anti abortion, but it can include making contraceptives easier to obtain.

David Litvack (DHS), 2022-06-24 11:31:26
Thanks Joe!

Joe Dougherty DHS, 2022-06-24 12:05:22
One other update from the team on July 1 the new website will have a soft launch and be live on Monday. Not for the general public, but for you fine people.

Joe Dougherty DHS, 2022-06-24 12:05:39
Sorry, not for the general public to know...just this group for now.

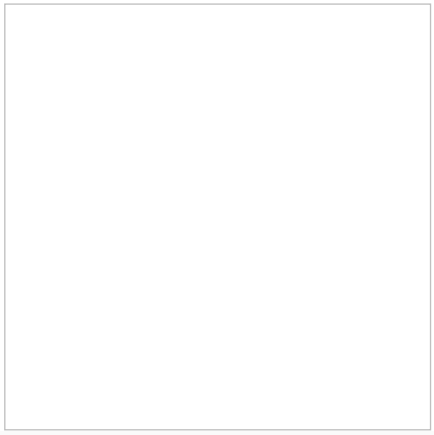
SUBJECT: Fwd: TODAY 3PM ET: Call with Senior White House Officials on theSupreme Court Decision in Dobbs v. Jackson
FROM: Jon Pierpont <jonpierpont@utah.gov>
TO: Gordon Larsen <gordonlarsen@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Nate Checketts <natechecketts@utah.gov>
DATE: 24/06/2022 12:38

[redacted]

[redacted] Fireworks, spotlighting service, and more

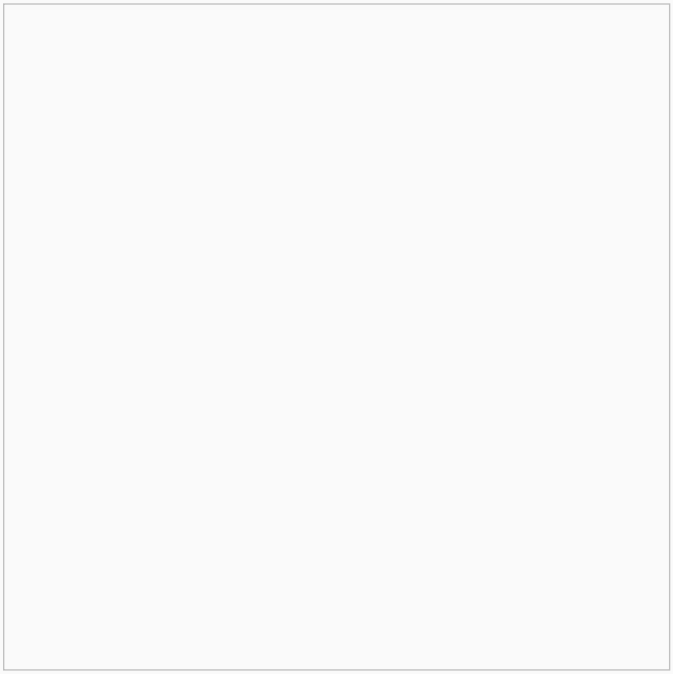
JON S. PIERPONT | CHIEF OF STAFF
OFFICE OF GOV. SPENCER J. COX
STATE OF UTAH

---------- Forwarded message ---------
From: **White House Intergovernmental Affairs** <IGA46@who.eop.gov>
Date: Fri, Jun 24, 2022 at 12:14 PM
Subject: TODAY 3PM ET: Call with Senior White House Officials on the Supreme Court Decision in Dobbs v. Jackson
To: <jonpierpont@utah.gov>



June 24, 2022

TODAY at 3 PM ET White House Call on the Dobbs v. Jackson Women's Health Organization Decision



Partners,

Today, the Supreme Court expressly took away a Constitutional right from the American

[redacted]

[redacted] Fireworks, spotlighting service, and more

people.

Join Administration officials for a call at 3pm ET TODAY to hear more about the Supreme Court's ruling and the fight ahead.

- **DATE:** TODAY, Friday 6/24/22
- **TIME:** 3pm ET
- **REGISTRATION:** https://pitc.zoomgov.com/webinar/register/WN_aiGU4ScyQwahxYLHRv2XoA

This call is closed to the press, and this invitation is non-transferable.

Earlier today, the President and Attorney General made clear that the Administration will defend a woman's bedrock right to travel from her home to a state that allows abortion. In addition, the President directed the Department of Health and Human Services to ensure critical abortion medications are available to the fullest extent possible.

Key Links:

- President Biden's Remarks on the Supreme Court Decision
- Attorney General Garland's Statement
- Secretary Becerra's Statement

Thank you.

White House Intergovernmental Affairs

SUBJECT: Re: TODAY 3PM ET: Call with Senior White House Officials on theSupreme Court Decision in Dobbs v. Jackson
FROM: Gordon Larsen <gordonlarsen@utah.gov>
TO: Jon Pierpont <jonpierpont@utah.gov>
CC: "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Nate Checketts <natechecketts@utah.gov>
DATE: 24/06/2022 12:45

Thanks. I'll jump on. I don't expect anything useful to come from it, but I'll let you know.

Sent from my iPhone

On Jun 24, 2022, at 12:38 PM, Jon Pierpont <jonpierpont@utah.gov> wrote:

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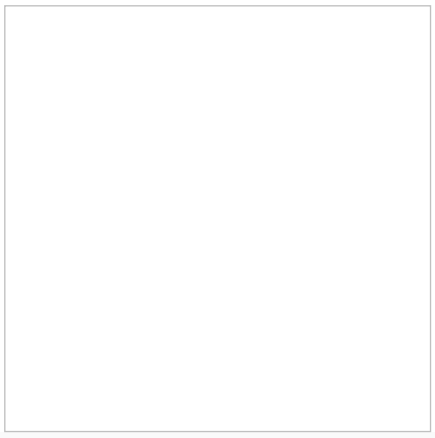
JON S. PIERPONT | CHIEF OF STAFF
OFFICE OF GOV. SPENCER J. COX
STATE OF UTAH

---------- Forwarded message ---------
From: **White House Intergovernmental Affairs** <IGA46@who.eop.gov>
Date: Fri, Jun 24, 2022 at 12:14 PM
Subject: TODAY 3PM ET: Call with Senior White House Officials on the Supreme Court Decision in Dobbs v. Jackson
To: <jonpierpont@utah.gov>

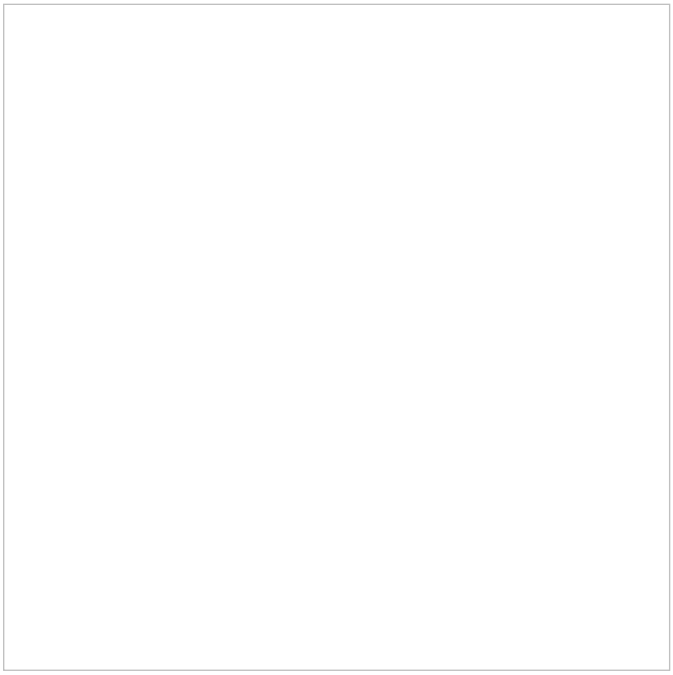


June 24, 2022

TODAY at 3 PM ET White House Call on the Dobbs v. Jackson Women's Health Organization Decision

[redacted]

[redacted] Fireworks, spotlighting service, and more



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Key Links:

- President Biden's Remarks on the Supreme Court Decision
- Attorney General Garland's Statement
- Secretary Becerra's Statement

Thank you,

White House Intergovernmental Affairs

SUBJECT: Fwd: Statement from CMS Administrator Chiquita Brooks-LaSure onAccess to Reproductive Health Care
FROM: Tonya Hales <thales@utah.gov>
TO: Joe Dougherty DHS <joedougherty@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>
DATE: 24/06/2022 14:11

Just forwarding as an FYI - some may have seen this.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

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---------- Forwarded message ---------
From: **Centers for Medicare & Medicaid Services** <cmslists@subscriptions.cms.hhs.gov>

[redacted]

[redacted] Fireworks, spotlighting service, and more

Date: Fri, Jun 24, 2022 at 2:05 PM
Subject: Statement from CMS Administrator Chiquita Brooks-LaSure on Access to Reproductive Health Care
To: <thales@utah.gov>

Centers for Medicare & Medicaid Services

Newsroom

[redacted]

FOR IMMEDIATE RELEASE
June 24, 2022

Contact: CMS Media Relations
CMS Media Inquiries

Statement from CMS Administrator Chiquita Brooks-LaSure on Access to Reproductive Health Care:

A woman's right to make decisions about her health is essential. As we review today's Supreme Court decision, as the Administrator of the Centers for Medicare & Medicaid Services, I will do everything in my authority to ensure that people have the choice of when and how to start a family.

Today, more than 150 million people are served by Medicare, Medicaid and CHIP, and the Affordable Care Act, including more than 80 million women and girls. To you I say: CMS will continue working to maintain and expand access to the full range of reproductive health care services across the lifespan—that includes IUDs, emergency contraception, oral contraception, other forms of contraception, and abortion care within our legal authority. It is our fundamental value that reproductive health care is critical to ensuring that everyone can build healthy lives with economic security.

###

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You're getting this message because you subscribed to get email updates from the Centers for Medicare & Medicaid Services (CMS).

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SUBJECT: Fwd: Resources for Mothers and Families
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Tonya Hales <thales@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 24/06/2022 14:30

Origin for the request of program resources for women

On Fri, Jun 24, 2022 at 6:25 AM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

> Good morning.
>
> Please see Rep. Peterson's email, on behalf of the women in the Legislature.
>
> I think in order to get this information to them as quickly as possible, I think we just create a simple spreadsheet that has the name of the program, ages served and a **brief** summary of the program. I think you can indicate whether it is federal, state or both, in terms of funding. You can see in my email, I told them we would provide the most basic information so we can turn the request around quickly. We can always come back with number of people served and budget, which I suspect will be the next question.
>
> I would like Marc or Paul to take lead on getting this started. I believe Marc is still out this week. I think if we can have this turned around as quickly as possible that would be great. It should not take a ton of work if this gets pushed down to the appropriate staff who know their programs best. We all know why timing is important for them.
>
> Thanks!
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

---------- Forwarded message ---------
From: **Tracy Gruber (DHS)** <tracygruber@utah.gov>
Date: Fri, Jun 24, 2022 at 5:18 AM
Subject: Re: Resources for Mothers and Families
To: Karen Peterson <kpeterson@le.utah.gov>
Cc: Karianne Lisonbee <karilisonbee@le.utah.gov>, Ann Millner <amillner@le.utah.gov>, Cheryl K. Acton <cacton@le.utah.gov>, Melissa Ballard <mballard@le.utah.gov>, stephaniegricius@gmail.com <stephaniegricius@gmail.com>, Kera Birkeland <kbirkeland@le.utah.gov>, Christine Watkins <christinewatkins@le.utah.gov>, Marsha Judkins <mjudkins@le.utah.gov>, Judy Rohner <jrohner@le.utah.gov>, Candice Pierucci <cpierucci@le.utah.gov>, Susan Pulsipher <susanpulsipher@le.utah.gov>

Representative Peterson,

Thank you for reaching out to us. Our department does provide programs and resources to women who fit into these categories. We have programs from prenatal through early childhood, as well as programs for families who have children with disabilities.

We are happy to provide this information. For speed, we will simply provide the name of the program and a brief summary. That will allow us to get you the information quickly and then we can provide any additional information that may be helpful. Please let us know when you would like to receive the information. We will have our team begin working on it today.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

On Thu, Jun 23, 2022 at 9:29 PM Karen Peterson <kpeterson@le.utah.gov> wrote:

Tracy,

The Republican women in the legislature have been discussing how we best support women prior to a pregnancy, through a pregnancy, and after they give birth. We were hoping you could help us highlight existing programs the state provides for these scenarios. We do not want to duplicate existing services and we want to amplify what already exists. If you also have observations about where you see gaps, we would welcome your thoughts. I have copied the Republican women, and would ask you to reply all.

Thank you, we appreciate your help.

Warm Regards,

Karen M. Peterson
District 13
Utah House of Representatives

SUBJECT: Fwd: FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
FROM: Tonya Hales <thales@utah.gov>
TO: Carmen Richins <carmenrichins@utah.gov>, Charla Haley <chaley@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Clover Meaders <crmeaders@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Jenny Johnson <jennyjohnson@utah.gov>, Joel Hoffman <jhoffman@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>, Kristi Grimes <kristigrimes@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Linda Wininger <lindaw@utah.gov>, Lynne Nilson <lpnilson@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Paul Ray DHS <pray@utah.gov>, Tony Patterson <tonypatterson@utah.gov>
DATE: 24/06/2022 15:09

Many may have already received this - but sending as FYI

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
From: **'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF** <medicaiddirector@utah.gov>
Date: Fri, Jun 24, 2022 at 2:51 PM
Subject: FACT SHEET: President Biden Announces Actions In Light of Today's Supreme Court Decision on Dobbs v. Jackson Women's Health Organization
To: <medicaiddirector@utah.gov>

To view this email as a web page, click here. June 24, 2022

HHS IEA - Office of Intergovernmental and External Affairs

Dear Emma,

FACT SHEET:
President Biden Announces Actions In Light of Today's Supreme Court Decision on *Dobbs v. Jackson Women's Health Organization*

Today, President Biden announced actions that his Administration is taking to protect women who will face the grave consequences of today's Supreme Court decision. This decision expressly took away a Constitutional right from the American people that it had recognized for nearly 50 years – a woman's right to choose, free from government interference.

This decision will have devastating consequences in the lives of women around the country.

The President made clear that the only way to secure a woman's right to choose is for Congress to restore the protections of *Roe* as federal law. Until then, he has announced

two actions the Administration is taking to protect women.

Protecting the Right to Seek Medical Care

As the Attorney General made clear, women must remain free to travel safely to another state to seek the care they need.

A person has the right to travel between states for whatever reason they want – it is no one else's business – especially the government's. If a woman lives in a state that restricts abortion, the Supreme Court's decision does not prevent her from traveling from her home to a state that allows it.

If any state or local official tries to interfere with women exercising this basic right, the Biden Administration will fight that deeply un-American attack.

Protecting Access to Medication

The President directed the Secretary of Health and Human Services to protect women's access to critical medications for reproductive health care that are approved by the Food and Drug Administration—including essential preventive health care like contraception and medication abortion.

More than 20 years ago, the FDA approved mifepristone to safely end an early pregnancy; this drug is also commonly used to treat miscarriages. The American Medical Association and the American College of Obstetricians and Gynecologists wrote to President Biden and Vice President Harris, asking the federal government to protect access to this care. In the face of threats from state officials saying they will try to ban or severely restrict access to medication for reproductive health care, the President directed the Secretary of Health and Human Services to identify all ways to ensure that mifepristone is as widely accessible as possible in light of the FDA's determination that the drug is safe and effective—including when prescribed through telehealth and sent by mail.

Find more information here.

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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This email was sent by: U.S. Department of Health and Human Services
200 Independence Avenue, S.W., Washington, DC, 20201 US

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SUBJECT: Fwd: Please read Re: Friday Group Meditation Reminder
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>, Monica Jimenez <mjimenez@utah.gov>
DATE: 24/06/2022 15:18

Please advise.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted] Fireworks, spotlighting service, and more

---------- Forwarded message ---------
From: **Dennis Hooper** <dhooper@utah.gov>
Date: Fri, Jun 24, 2022 at 2:23 PM
Subject: Fwd: Please read Re: Friday Group Meditation Reminder
To: Tracy Gruber (DHS) <tracygruber@utah.gov>

Tracyl sent out a reminder for group meditation in the Cannon Health Building.today, I received this out of office reply from one of your Finance Managers. It is highly offencive and borders on the Hatch Act violation. I would hope that you could have it removed.
Thank You
Dennis Hooper
Utah Office of Inspector General.

---------- Forwarded message ---------
From: **Kayla Lengyel** <klengyel@utah.gov>
Date: Fri, Jun 24, 2022 at 1:06 PM
Subject: Please read Re: Friday Group Meditation Reminder
To: <dhooper@utah.gov>

[redacted]

[redacted]

If any urgent needs arise, please contact my manager, Ryan Roberts. ryaneroberts@utah.gov
Please send EED/K12 grant approvals to Brock Jackson for signature. bbjackson@utah.gov
Please send invoices to Ali Trowbridge to process. atrowbridge@utah.gov

--
Kayla Lengyel, M.P.P.
Finance Manager I
C: 385.382.3801
klengyel@utah.gov
https://health.utah.gov/

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--

Dennis M. Hooper
Auditor CIGA

(801) 538-6546
dhooper@utah.gov
Utah Office of Inspector General
288 North 1460 West; P.O. Box 143103
Salt Lake City, UT 84114-3103

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SUBJECT: Document shared with you: "DRAFT - DHHS Abortion FAQs"
FROM: "Nate Checketts (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: jenrobison@utah.gov
DATE: 24/06/2022 15:43

Nate Checketts shared a document

Unknown profile [redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
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SUBJECT: DRAFT - DHHS Abortion FAQs
FROM: "Brook Dorff (DHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 16:18

New activity in the following document

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are a participant in the updated discussion threads. Change what Google Docs sends you. You cannot reply to this email.

SUBJECT: DRAFT Abortion me... - @natechecketts@utah.gov this has been...
FROM: "Brook Dorff (DHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 24/06/2022 16:58

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Brook Dorff (DHS) (bdorff@utah.gov) assigned you an action item in the following document

[redacted]

Open

View files with action items assigned to you

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google Docs sends you.
You can reply to this email to reply to the discussion.

SUBJECT: Re: Please read Re: Friday Group Meditation Reminder
FROM: Monica Jimenez <mjimenez@utah.gov>
TO: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>
DATE: 24/06/2022 17:36

Tracy,

[redacted]

Best,
Monica

Monica Jimenez
Division of Human Resource Management
HR Field Director
385.228.0242

On Fri, Jun 24, 2022 at 3:18 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Please advise.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

---------- Forwarded message ---------
From: **Dennis Hooper** <dhooper@utah.gov>
Date: Fri, Jun 24, 2022 at 2:23 PM
Subject: Fwd: Please read Re: Friday Group Meditation Reminder
To: Tracy Gruber (DHS) <tracygruber@utah.gov>

Tracy I sent out a reminder for group meditation in the Cannon Health Building today, [redacted]
Thank You
Dennis Hooper
Utah Office of Inspector General.

---------- Forwarded message ---------
From: **Kayla Lengyel** <klengyel@utah.gov>
Date: Fri, Jun 24, 2022 at 1:06 PM
Subject: Please read Re: Friday Group Meditation Reminder
To: <dhooper@utah.gov>

[redacted]

[redacted]

If any urgent needs arise, please contact my manager, Ryan Roberts. ryaneroberts@utah.gov
Please send EED/K12 grant approvals to Brock Jackson for signature. bbjackson@utah.gov
Please send invoices to Ali Trowbridge to process. atrowbridge@utah.gov

--
Kayla Lengyel, M.P.P.
Finance Manager I
C: 385.382.3801
klengyel@utah.gov
https://health.utah.gov/

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If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.

--

Dennis M. Hooper
Auditor CIGA

(801) 538-6546
dhooper@utah.gov
Utah Office of Inspector General
288 North 1460 West; P.O. Box 143103
Salt Lake City, UT 84114-3103

This email and its attachments may contain confidential information and/or protected health information (PHI) subject to protection under law, including the Health Insurance Portability and Accountability Act (HIPAA). If you are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any review, dissemination, distribution, printing or copying of this email message and/or any attachments is strictly prohibited. If you have received this transmission in error, please notify the sender immediately at (801) 538-6546 and permanently delete this email and any attachments

Message secured by Google Message Encryption, powered by ZixCorp

SUBJECT: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: Joe Dougherty DHS <joedougherty@utah.gov>

[redacted]

[redacted] Fireworks, spotlighting service, and more

TO: DHHS_EDO <dhhsedo@utah.gov>
DATE: 24/06/2022 18:19

---------- Forwarded message ---------
From: **Aundrea Peterson** <aundreapeterson@le.utah.gov>
Date: Fri, Jun 24, 2022 at 6:13 PM
Subject: S.B. 174 Abortion Prohibition Amendments Now in Effect
To: Aundrea Peterson <aundreapeterson@le.utah.gov>
CC: Alexa Roberts <aroberts@le.utah.gov>

For Immediate Release
June 24, 2022

Contacts
Aundrea Peterson
Utah Senate
801-791-3365 | aundreapeterson@le.utah.gov

Alexa Roberts
Utah House of Representatives
801-865-5882 | aroberts@le.utah.gov

S.B. 174 Abortion Prohibition Amendments Now in Effect

SALT LAKE CITY – In accordance with state statute, the Legislative Branch's general counsel determined S.B. 174 *Abortion Prohibition Amendments* meets the legal requirements to take effect, following the U.S. Supreme Court's ruling regarding abortion.

In 2020, the Utah Legislature passed S.B. 174, prohibiting all elective abortions in Utah, except in rare circumstances involving rape, incest or medical emergency, contingent on the U.S. Supreme Court ruling.

On June 24, 2022, the U.S. Supreme Court issued a ruling that overturned Roe v. Wade, giving states the right to choose their abortion regulations. The U.S. Supreme Court's official opinion was sent to the Legislature's general counsel to determine if Utah's statute may take effect.

Members of the Legislative Management Committee (LMC) have been notified and the bill is now in effect. Utah code is updated to reflect the changes.

Attached is the official communication from the legislative general counsel informing LMC that the bill is in effect. The letter also addresses H.B. 166 (2019) *Down Syndrome Nondiscrimination Abortion Act*.

###

SUBJECT: Re: Please read Re: Friday Group Meditation Reminder
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Monica Jimenez <mjimenez@utah.gov>
CC: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
DATE: 24/06/2022 19:10

[redacted]

Thanks,

Nate

On Fri, Jun 24, 2022 at 5:37 PM Monica Jimenez <mjimenez@utah.gov> wrote:
Tracy,

[redacted]

Best,
Monica

[redacted]

[redacted] Fireworks, spotlighting service, and more

Monica Jimenez
Division of Human Resource Management
HR Field Director
385.228.0242

On Fri, Jun 24, 2022 at 3:18 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
Please advise.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Dennis Hooper** <dhooper@utah.gov>
Date: Fri, Jun 24, 2022 at 2:23 PM
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Dennis Hooper
Utah Office of Inspector General.

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Subject: Please read Re: Friday Group Meditation Reminder
To: <dhooper@utah.gov>

[redacted]

[redacted]

If any urgent needs arise, please contact my manager, Ryan Roberts. ryaneroberts@utah.gov
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--

[redacted]

Dennis M. Hooper
Auditor CIGA

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dhooper@utah.gov
Utah Office of Inspector General
288 North 1460 West; P.O. Box 143103
Salt Lake City, UT 84114-3103

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Message secured by Google Message Encryption, powered by ZixCorp

SUBJECT: A very late team update for (6.24.2022) Supreme Court ruling, meetMartha, learn about Recovery Services, plus some great awards and resourcesfor your mental health
FROM: "Utah Dept of Health and Human Services (DHS)" <dhhs@utah.gov>
TO: undisclosed-recipients:;
BCC: HS_ALLDHS@utah.gov
DATE: 24/06/2022 19:34

Utah Department of Health & Human Services

Team update

Dear Team:

Today, the Supreme Court of the United States released a 213-page opinion overturning the 1973 Roe v. Wade decision. With its opinion today, the Supreme Court says that there is no longer a fundamental right to abortion. Decisions about what is and isn't allowed is now up to the states.

Quoting from the intro to the opinion: *Abortion presents a profound moral issue on which Americans hold sharply conflicting views. Some believe fervently that a human person comes into being at conception and that abortion ends an innocent life. Others feel just as strongly that any regulation of abortion invades a woman's right to control her own body and prevents women from achieving full equality. Still others in a third group think that abortion should be allowed under some but not all circumstances, and those within this group hold a variety of views about the particular restrictions that should be imposed.*

Abortion is by no means a simple issue. Please remember that your co-workers have a range of feelings and personal opinions about this. We need to be extra cautious in the workplace about expressing our personal opinions because there are differing beliefs. As a reminder, you may not use official state resources to express personal views on this decision.
Please be extra sensitive to the thoughts of others, including co-workers. We will continue to monitor employee and building safety.

In official capacities, if you are contacted about the law by partners or the public, please direct inquiries to DHHS@utah.gov. Until we can provide further clarification, please do not engage with the general public about how the law is going to be interpreted.

We are continuing to analyze the potential impacts from the Supreme Court's decision.

Here are the facts we know right now as they pertain to Utah and the Utah Department of Health and Human Services:

- In the 2020 General Session, the Utah Legislature passed SB 174, which we were notified this evening, is now in effect, following a report from legislative general counsel to the Legislative Management Committee.
  The bill lists some specific responsibilities of DHHS.

And now... the rest of this fabulous, and very late, email!

- Thank you to the 530+ of you who tuned in live to our **All Hands Q&A on Thursday**. If you missed it, you can watch the replay here.

- This week, we'd also like to make your acquaintance with the Office of Recovery Services, led by the trusty Liesa Stockdale. You might know them as the "child support office," but that's not all they do: https://youtu.be/Q2imWsc7btk

[redacted]

- **Martha is on the move!**

  We are so excited to host a traveling exhibit on Dr. Martha Hughes Cannon at our MASOB and Cannon Health buildings over the next 2 weeks. The exhibit starts this Friday, June 24, through June 30. Then, the exhibit will be moved to the Cannon Health building on July 1, **which also happens to be the 165th anniversary of Dr. Cannon's birth AND our new agency's birthday**!

  The exhibit will be at the Cannon building until July 8. We will also be holding a media event honoring the life of Dr. Cannon and celebrating the birth of our new agency on July 1 at the Utah Capitol. We are thrilled to begin this new journey with each of you and honor those who have come before us.

- **Nate Checketts... thank you!**

  With the upcoming merger, comes a handful of leadership changes, including a new role for Utah Department of Health Executive Director Nate Checketts. Under DHHS, Nate will become a department deputy director over our Health Administration section. Recently, Gov. Cox and Lt. Gov. Henderson, recognized Nate for his work to lead the pandemic response while maintaining effective leadership to oversee the management of the Department of Health's responsibilities. They said he is a model public servant reflecting the values of humility, selflessness and steady leadership. Nate is pictured here with his wife, Ginger.

- Congratulations are also in order to Caitlyn Jasumback and Rachelle Boulton! Both were recognized at the Council of State and Territorial Epidemiologists conference. **Caitlyn was a finalist** for the Robert Wood Johnson Foundation Award for Outstanding Epidemiology Practice in Addressing Racial and Ethnic Disparities for her work "Does Discrimination Influence Prevention Healthcare Among Under Served Population?" Rachelle was awarded **CSTE's Distinguished Leader Award**. This is a huge honor for both of them!! People from around the nation are envious of our data systems and informatics

- **Mental and physical health**
  During our all-hands call and during Gov. Cox's employee town hall this week, we received questions about the leave hours that are available for taking care

of our mental health. Please take advantage of these benefits.

As of Jan. 1, 2022, Gov. Cox granted 4 hours of admin leave to address mental health issues, to be used during the calendar year.
Starting July 1, our department will make 4 hours available for the next fiscal year, ending June 30, 2023.
We have also worked with Blomquist Hale to hire an individual who can be available to be a mental health resource.
Keep in mind that you may also use 4 hours of leave for wellness and health checkups. Please talk to your supervisor before using this leave.
Tracy also reminded us that we can use any accumulated sick leave for mental or physical health time off.

- **ECO Passes**
  We're conscious of the cost of fuel. We make UTA ECO Passes available for free to all employees. If you apply, you need to use them at least 15 times per quarter. Please contact your finance officer to sign up. Please see our FAQ document to get started:ECO Pass FAQs

P.S.
Tracy's Open Door hours are most Fridays, for all staff from 1 p.m. to 3 p.m. Please reach out to Trudy Ellis (trudyellis@utah.gov) to request time on Tracy's schedule.

SUBJECT: Document shared with you: "DRAFT - DHHS Abortion FAQs"
FROM: "Nate Checketts (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: natewinters@utah.gov
DATE: 24/06/2022 19:46

Nate Checketts shared a document

Unknown profile [redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because natechecketts@utah.gov shared a document with you from Google Docs.

Logo for Google Docs

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[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Fwd: A very late team update for (6.24.2022) Supreme Court ruling,meet Martha, learn about Recovery Services, plus some great awards andresources for your mental health
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Nate Checketts <natechecketts@gmail.com>, Ginger Checketts <nateandginger@yahoo.com>
DATE: 24/06/2022 20:07

On Fri, Jun 24, 2022 at 7:34 PM Utah Dept of Health and Human Services (DHS) <dhhs@utah.gov> wrote:

Utah Department of Health & Human Services

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Dear Team:

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[redacted]

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[redacted]

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P.S.
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SUBJECT: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Brittany Huff <brittanyhuff@utah.gov>, "Brook Dorff (DHS)" <bdorff@utah.gov>, Carmen Richins <carmenrichins@utah.gov>, Charla Haley <chaley@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>, Jenny Johnson <jennyjohnson@utah.gov>, Katie England DHS <katieengland@utah.gov>, Kristi Grimes <kristigrimes@utah.gov>, Laurie Baksh <lbaksh@utah.gov>, Linda Wininger <lindaw@utah.gov>, Lynne Nilson <lpnilson@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Paul Ray DHS <pray@utah.gov>, Simon Bolivar <sbolivar@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Tony Patterson <tonypatterson@utah.gov>
DATE: 24/06/2022 20:11

On Fri, Jun 24, 2022 at 6:19 PM Joe Dougherty DHS <joedougherty@utah.gov> wrote:

---------- Forwarded message ---------
From: **Aundrea Peterson** <aundreapeterson@le.utah.gov>
Date: Fri, Jun 24, 2022 at 6:13 PM
Subject: S.B. 174 Abortion Prohibition Amendments Now in Effect
To: Aundrea Peterson <aundreapeterson@le.utah.gov>
CC: Alexa Roberts <aroberts@le.utah.gov>

For Immediate Release
June 24, 2022

Contacts
Aundrea Peterson
Utah Senate
801-791-3365 | aundreapeterson@le.utah.gov

Alexa Roberts
Utah House of Representatives
801-865-5882 | aroberts@le.utah.gov

S.B. 174 Abortion Prohibition Amendments Now in Effect

[redacted] Fireworks, spotlighting service, and more

SALT LAKE CITY – In accordance with state statute, the Legislative Branch's general counsel determined S.B. 174 *Abortion Prohibition Amendments* meets the legal requirements to take effect, following the U.S. Supreme Court's ruling regarding abortion.

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Members of the Legislative Management Committee (LMC) have been notified and the bill is now in effect. Utah code is updated to reflect the changes.

Attached is the official communication from the legislative general counsel informing LMC that the bill is in effect. The letter also addresses H.B. 166 (2019) *Down Syndrome Nondiscrimination Abortion Act*.

###

SUBJECT: Out of office Re: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: "Jenny Johnson" <jennyjohnson@utah.gov>
TO: natechecketts@utah.gov
DATE: 24/06/2022 20:11

Sorry to have missed you! I am currently recovering from knee surgery and will be out of the office for a couple of weeks.

If you are a member of the media, call our on-call Public Information Officer at 801-209-2591. Please note, this number does NOT receive text messages.

- If you have questions about COVID-19 content or materials, webpage updates, hotline issues, etc. contact Luisa Hansen or Charla Haley.
- If you have questions about the July 1 media event/Martha Hughes Cannon celebration, contact Emma Williams.
- If you need something reviewed or approved by the Public Affairs and Education team, send an email to dhhs@utah.gov and one of my amazing coworkers will get back with you.
- If you need something translated, contact Luisa Hansen or Edwin Espinel.
- For all other questions, contact Joe Dougherty.

--

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

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SUBJECT: New email address Re: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: "Clover Meaders" <cmeaders@utah.gov>
TO: natechecketts@utah.gov
DATE: 24/06/2022 20:11

I*This email is no longer valid. If you are trying to reach Clover Meaders, Assistant Attorney General, please email crmeaders@utah.gov. Thank you.*

--
Clover Meaders
Administrative Law Judge
Division of Medicaid and Health Financing
Administrative Hearings Unit
O: 801.538.6482
cmeaders@utah.gov
health.utah.gov
hs.utah.gov

Beginning July 1, 2022, we will be the Utah Department of Health & Human Services

[redacted]

SUBJECT: Out of the office Re: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: "Charla Haley" <chaley@utah.gov>
TO: natechecketts@utah.gov
DATE: 24/06/2022 20:11

Thank you for your email. I will be out of the office on annual leave beginning Friday, June 17, 2022 and back in the office on Monday, June 27, 2022. Please call the on call PIO at (801) 209-2591 for help with any media issues.

--

Charla Haley

Public Information Officer

C: 801.230.5927

On call PIO: 801-209-2591

chaley@utah.gov <chaley@utah.gov>

--
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SUBJECT: Fwd: S.B. 174 Abortion Prohibition Amendments Now in Effect
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Clover Meaders <crmeaders@utah.gov>
DATE: 24/06/2022 20:15

On Fri, Jun 24, 2022 at 8:11 PM Nate Checketts <natechecketts@utah.gov> wrote:

> On Fri, Jun 24, 2022 at 6:19 PM Joe Dougherty DHS <joedougherty@utah.gov> wrote:
>
> ---------- Forwarded message ---------
> From: **Aundrea Peterson** <aundreapeterson@le.utah.gov>
> Date: Fri, Jun 24, 2022 at 6:13 PM
> Subject: S.B. 174 Abortion Prohibition Amendments Now in Effect
> To: Aundrea Peterson <aundreapeterson@le.utah.gov>
> CC: Alexa Roberts <aroberts@le.utah.gov>

For Immediate Release
June 24, 2022

Contacts
Aundrea Peterson
Utah Senate
801-791-3365 | aundreapeterson@le.utah.gov

Alexa Roberts

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Utah House of Representatives
801-865-5882 | aroberts@le.utah.gov

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###

[redacted]

[redacted]

--

[redacted]

[redacted]

SUBJECT: Re: TODAY 3PM ET: Call with Senior White House Officials on theSupreme Court Decision in Dobbs v. Jackson
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Gordon Larsen <gordonlarsen@utah.gov>
CC: Jon Pierpont <jonpierpont@utah.gov>, Nate Checketts <natechecketts@utah.gov>
DATE: 24/06/2022 20:49

I'm sorry I missed this call.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Fri, Jun 24, 2022 at 12:45 PM Gordon Larsen <gordonlarsen@utah.gov> wrote:
Thanks. I'll jump on. I don't expect anything useful to come from it, but I'll let you know.

Sent from my iPhone

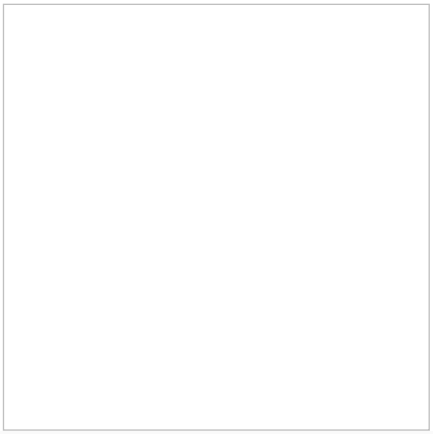
On Jun 24, 2022, at 12:38 PM, Jon Pierpont <jonpierpont@utah.gov> wrote:

JON S. PIERPONT | CHIEF OF STAFF
OFFICE OF GOV. SPENCER J. COX
STATE OF UTAH

---------- Forwarded message ---------
From: **White House Intergovernmental Affairs** <IGA46@who.eop.gov>
Date: Fri, Jun 24, 2022 at 12:14 PM
Subject: TODAY 3PM ET: Call with Senior White House Officials on the Supreme Court Decision in Dobbs v. Jackson
To: <jonpierpont@utah.gov>

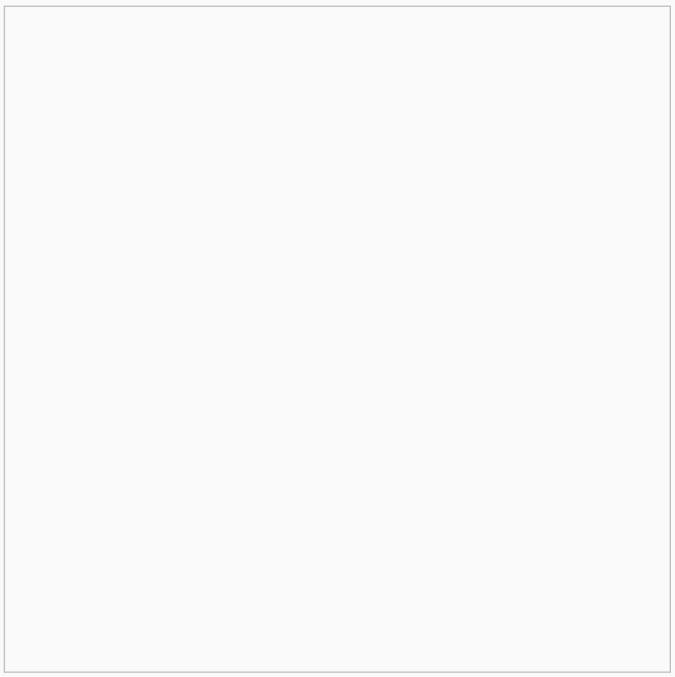
[redacted]

[redacted] Fireworks, spotlighting service, and more



June 24, 2022

TODAY at 3 PM ET White House Call on the Dobbs v. Jackson Women's Health Organization Decision



Partners,

Today, the Supreme Court expressly took away a Constitutional right from the American people.

Join Administration officials for a call at 3pm ET TODAY to hear more about the Supreme Court's ruling and the fight ahead.

- **DATE:** TODAY, Friday 6/24/22
- **TIME:** 3pm ET
- **REGISTRATION:** https://[redacted].com/webinar/register/WN_aiGU4ScyQwahxYLHRv2XoA
- **This call-in is not to be shared. This invitation is non-transferable.**

SUBJECT: AG Draft AG Respo... - @natechecketts@utah.gov @tracygruber@...
FROM: "Clover Meaders (Google Docs)" <[redacted]@docs.google.com>
TO: natechecketts@utah.gov
DATE: 25/06/2022 09:25

Earlier today, the President and Attorney General made clear that the Administration will defend a woman's bedrock right to travel from her home to a state that allows abortion. In addition, the President directed the Department of Health and Human Services to ensure critical abortion medications are available to the fullest extent possible.

Key Links:

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Clover Meaders (cmeaders@utah.gov) mentioned you in a comment in the following document

- [redacted]
- Attorney General Garland's Statement
- Secretary Becerra's Statement

[redacted]

[redacted]

[redacted]

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[redacted]

Office of Intergovernmental Affairs · 1600 Pennsylvania Ave NW · Washington, DC 20500-0005 · USA · 202-456-1111

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google Docs sends you.
You can reply to this email to reply to the discussion.

[redacted]

[redacted]

--
[redacted]

SUBJECT: DHHS EDO
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: "Heather Barnum (DHS)" <reply-106989973896876856555@profiles.google.com>,Michelle Hofmann <mhofmann@utah.gov>,Trudy Ellis DHS <trudyellis@utah.gov>,"David Litvack (DHS)" <davidlitvack@utah.gov>,Heather Borski <hborski@utah.gov>, Rebecca Brown <rebeccab@utah.gov>,Amanda Slater DHS <aslater@utah.gov>,"Tracy Gruber (DHS)" <tracygruber@utah.gov>,Nate Checketts <natecheckets@utah.gov>,Lori Erickson DHS <llerickson@utah.gov>,Nate Winters DHS <natewinters@utah.gov>,Tonya Hales <thales@utah.gov>, Tonya Merton <tmerton@utah.gov>
DATE: 27/06/2022 10:51

Joe Dougherty DHS, 2022-06-27 09:51:18
We have had requests from our program that works with the abortion module to put out some factual information. They've been asked for it by partners. Brook has put together a nice explanatory post we'd like to put on Instagram.

Joe Dougherty DHS, 2022-06-27 09:52:02
Here are the graphics we'd like to use
I shared "[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:09
I shared &quot[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:21
I shared &quot[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:27
I shared &quot[redacted]

[redacted]kK_RndffNaa0P8wzT0okAgHxxHutY46VjAl2AEJclcxqwSOYVz88YOwaBUeSyHVSpp1CJKjymrekRCyhrh8d1nB6w4PtCklPBIIqaWdMEVNI
here to view.

Joe Dougherty DHS, 2022-06-27 09:52:34
I shared &quot[redacted]

Joe Dougherty DHS, 2022-06-27 09:52:40
I shared [redacted]

Joe Dougherty DHS, 2022-06-27 09:53:26
Basically a user would swipe through these images on our Instagram post. Request is coming from Lynn and Laurie

Tonya Hales, 2022-06-27 09:59:42
Hi Joe - thanks for sharing this. One thing that I think may draw additional questions is the concept of "severe brain abnormality" and just wonder if it might help to add that extra bit about it excluding such conditions as Down Syndrome... just a thought

David Litvack (DHS), 2022-06-27 10:31:04
Thanks Joe! I think the information looks good. I just went back and looked over our FAQ document, but just want to confirm that all of the information being provided in the proposed instagram has been confirmed and finalized.

Joe Dougherty DHS, 2022-06-27 10:48:03
Hi David, yes, all information was verified and approved.

Tonya, at this time, we would like to leave out information about Down syndrome. I think there's a time for it, but I think we would prefer to be reactive in case those questions come up.

David Litvack (DHS), 2022-06-27 10:51:17
Thank you Joe! I think it would be good to document the requests for information we are getting in case we get any questions from stakeholders on why we are putting this information out there now. I hope that makes sense.

Joe Dougherty DHS, 2022-06-27 10:53:10
Thank you! I will try to chase that down.

Michelle Hofmann, 2022-06-27 12:23:21
Joe...on the 5th graphic regarding contraception, can we anchor to the medical community and state law rather than the medical community alone? In general nothing prevents state law from diverging on recommnedations from the medical community and I think it is important to call out this alignment that

[redacted]

currently exists.

Joe Dougherty DHS, 2022-06-27 12:27:53
Thanks, Michelle

David Litvack (DHS), 2022-06-27 12:29:15
Great suggestion Michelle!

Tonya Hales, 2022-06-27 12:31:05
Thanks Joe.

Joe Dougherty DHS, 2022-06-27 13:08:14
Hi friends!

We are gathering some $$ to send Jenny Johnson a Doordash gift card. If you did not hear, she had an emergency knee surgery, and will be at home for the next few weeks. A few have asked if you could contribute to a gift.

There is no obligation to participate, but if you would like to, you can send Brook Dorff money via Venmo to contribute. We're hoping to gather all donations for her by Wednesday 5pm.

[redacted]
Venmo is: [redacted]. If Venmo asks you the last 4 digits of her phone number, they are [redacted]. Please indicate it's for Jenny in the memo

Rebecca Brown, 2022-06-27 14:40:12
Judge blocks Utah's abortion trigger law temporarily for 14 days https://kutv.com/news/local/judge-blocks-utahs-abortion-trigger-law-temporarily
https://kutv.com/news/local/judge-blocks-utahs-abortion-trigger-law-temporarily

David Litvack (DHS), 2022-06-27 14:50:39
Thanks Becky

Nate Checketts, 2022-06-27 14:51:51
The stay delays the need for the infographics. However, if they are needed later, here are my thoughts:

Nate Checketts, 2022-06-27 14:53:37
[redacted]

Nate Checketts, 2022-06-27 14:54:42
[redacted]

Nate Checketts, 2022-06-27 14:57:43
[redacted]

Joe Dougherty DHS, 2022-06-27 14:57:45
[redacted]

Nate Checketts, 2022-06-27 14:58:46
A message was edited in Google Chat; view the updated message on [redacted]

Joe Dougherty DHS, 2022-06-27 14:59:55
[redacted]

SUBJECT: New Language added to AG Draft Response
FROM: Tony Patterson <tonypatterson@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 27/06/2022 12:35

Nate and Tonya,

Based on a Third Circuit Court of Appeals case that addresses the issue of the CMS Letters to State Medicaid Directors dated February 12, 1998, additional language has been added to the AG Draft Responses.

While we do not know how the Tenth Circuit Court of Appeals would respond, the Third Circuit case is the only opinion addressing Tonya's question.

For convenience, here is the additional language:

[redacted]

[redacted]

[redacted]

[redacted]

Tony

--
Tony R. Patterson
Assistant Attorney General
P.O. Box 140835
Salt Lake City, Utah 84114-0835
Phone: (385) 414-0662
Fax: (801)
tonypatterson@utah.gov
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[redacted]

SUBJECT: Fwd: New Language added to AG Draft Response
FROM: Nate Checketts <natechecketts@utah.gov>

[redacted]

[redacted] Fireworks, spotlighting service, and more

TO: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
DATE: 27/06/2022 13:38

On Mon, Jun 27, 2022 at 12:36 PM Tony Patterson <tonypatterson@utah.gov> wrote:
Nate and Tonya,

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SUBJECT: Re: New Language added to AG Draft Response
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
DATE: 27/06/2022 13:54

Please ask Stephanie if we can share this with Kathy or put it in our legal analysis document.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Jun 27, 2022 at 1:38 PM Nate Checketts <natechecketts@utah.gov> wrote:

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SUBJECT: Fwd: New Language added to AG Draft Response
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Stephanie Saperstein <stephaniesaperstein@utah.gov>
DATE: 27/06/2022 13:59

[redacted]

On Mon, Jun 27, 2022 at 1:54 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
[redacted].

Tracy
Tracy S. Gruber
Executive Director
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SUBJECT: Re: New Language added to AG Draft Response
FROM: Nate Checketts <natechecketts@utah.gov>
TO: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
DATE: 27/06/2022 14:00

Will do

On Mon, Jun 27, 2022 at 1:54 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
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SUBJECT: Re: New Language added to AG Draft Response
FROM: Stephanie Saperstein <stephaniesaperstein@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
DATE: 27/06/2022 14:16

[redacted]

On Mon, Jun 27, 2022 at 2:00 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 1:54 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
[redacted].

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--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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SUBJECT: Re: New Language added to AG Draft Response
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Stephanie Saperstein <stephaniesaperstein@utah.gov>
DATE: 27/06/2022 14:20

[redacted]

Thanks,

Nate

On Mon, Jun 27, 2022 at 2:17 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

[redacted]

On Mon, Jun 27, 2022 at 2:00 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 1:54 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
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[redacted]

[redacted] Fireworks, spotlighting service, and more

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--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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SUBJECT: Re: New Language added to AG Draft Response
FROM: Stephanie Saperstein <stephaniesaperstein@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
DATE: 27/06/2022 15:25

[redacted]

[redacted]

On Mon, Jun 27, 2022 at 2:20 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

Thanks,

Nate

On Mon, Jun 27, 2022 at 2:17 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 2:00 PM Nate Checketts <natechecketts@utah.gov> wrote:
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For convenience, here is the additional language:

[redacted]

[redacted]

Tony

--
Tony R. Patterson
Assistant Attorney General
P.O. Box 140835
Salt Lake City, Utah 84114-0835
Phone: (385) 414-0662
Fax: (801)
tonypatterson@utah.gov
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Assistant Attorney General
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Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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[redacted]

SUBJECT: Re: New Language added to AG Draft Response
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Stephanie Saperstein <stephaniesaperstein@utah.gov>
DATE: 27/06/2022 15:33

[redacted]

On Mon, Jun 27, 2022 at 3:25 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 2:20 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

Thanks,

Nate

On Mon, Jun 27, 2022 at 2:17 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 2:00 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 1:54 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
[redacted]

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Jun 27, 2022 at 1:38 PM Nate Checketts <natechecketts@utah.gov> wrote:

On Mon, Jun 27, 2022 at 12:36 PM Tony Patterson <tonypatterson@utah.gov> wrote:
Nate and Tonya,

Based on a Third Circuit Court of Appeals case that addresses the issue of the CMS Letters to State Medicaid Directors dated February 12, 1998, additional language has been added to the AG Draft Responses.

While we do not know how the Tenth Circuit Court of Appeals would respond, the Third Circuit case is the only opinion addressing Tonya's question.

For convenience, here is the additional language:

[redacted]

[redacted]

Tony

--
Tony R. Patterson
Assistant Attorney General
P.O. Box 140835
Salt Lake City, Utah 84114-0835
Phone: (385) 414-0662
Fax: (801)
tonypatterson@utah.gov
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Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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SUBJECT: Re: New Language added to AG Draft Response
FROM: Nate Checketts <natechecketts@utah.gov>
TO: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
DATE: 27/06/2022 15:34

Stephanie is going to add it as a red line change to the legal review document and notify Kathy.

Thanks,

Nate

On Mon, Jun 27, 2022 at 1:54 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
Please ask Stephanie if we can share this with Kathy or put it in our legal analysis document.

Tracy
Tracy S. Gruber

Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Jun 27, 2022 at 1:38 PM Nate Checketts <natechecketts@utah.gov> wrote:

> On Mon, Jun 27, 2022 at 12:36 PM Tony Patterson <tonypatterson@utah.gov> wrote:
> Nate and Tonya,
>
> Based on a Third Circuit Court of Appeals case that addresses the issue of the CMS Letters to State Medicaid Directors dated February 12, 1998, additional language has been added to the AG Draft Responses.
>
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>
> For convenience, here is the additional language:
>
> [redacted]
>
> Tony
>
> --
> Tony R. Patterson
> Assistant Attorney General
> P.O. Box 140835
> Salt Lake City, Utah 84114-0835
> Phone: (385) 414-0662
> Fax: (801)
> tonypatterson@utah.gov
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SUBJECT: Re: New Language added to AG Draft Response
FROM: Stephanie Saperstein <stephaniesaperstein@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
DATE: 27/06/2022 15:38

[redacted].

On Mon, Jun 27, 2022 at 3:34 PM Nate Checketts <natechecketts@utah.gov> wrote:
Sounds good to me. Thanks!

On Mon, Jun 27, 2022 at 3:25 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:

[redacted]

[redacted]

[redacted]

On Mon, Jun 27, 2022 at 2:20 PM Nate Checketts <natechecketts@utah.gov> wrote:

[redacted]

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For convenience, here is the additional language:

[redacted]

Tony

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Tony R. Patterson
Assistant Attorney General
P.O. Box 140835
Salt Lake City, Utah 84114-0835

[redacted]

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SUBJECT: Folder shared with you: "Abortion infographics"
FROM: "Joe Dougherty DHS (via Google Drive)" <drive-shares-dm-noreply@google.com>

[redacted]

TO: natechecketts@utah.gov
DATE: 27/06/2022 15:40

Joe Dougherty DHS shared a folder

Unknown profile [redacted]

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because joedougherty@utah.gov shared a file or folder located in Google Drive with you.

Logo for Google Drive

SUBJECT: DRAFT - DHHS Abor... - @sbolivar@utah.gov @natechecketts@uta...
FROM: "Brook Dorff (DHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 27/06/2022 15:51

Brook Dorff (DHS) (bdorff@utah.gov) mentioned you in a comment in the following document

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Open

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

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SUBJECT: Re: (Invitation) Press Conference Tomorrow: HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, Dobbs v. Jackson Women's Health
FROM: Tonya Hales <thales@utah.gov>
TO: Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>
DATE: 27/06/2022 16:01

[redacted] Fireworks, spotlighting service, and more

In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

To view this email as a web page, click here. June 27, 2022

HHS IEA - Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

LOGISTICAL INFORMATION
Details are subject to change.

WHO: HHS Secretary Xavier Becerra

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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200 Independence Avenue, S.W., Washington, DC, 20201 US

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SUBJECT: DRAFT Abortion me... - @natechecketts@utah.gov
FROM: "Sarah Welliver DHS (Google Docs)" <comments-noreply@docs.google.com>

[redacted]

[redacted] Fireworks, spotlighting service, and more

TO: natechecketts@utah.gov
DATE: 27/06/2022 16:05

Sarah Welliver DHS (swelliver@utah.gov) assigned you an action item in the following document

[redacted]

View files with action items assigned to you

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

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SUBJECT: Re: New Language added to AG Draft Response
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Stephanie Saperstein <stephaniesaperstein@utah.gov>
DATE: 27/06/2022 16:39

[redacted]

On Mon, Jun 27, 2022 at 3:38 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 3:34 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

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[redacted]

On Mon, Jun 27, 2022 at 2:20 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

Thanks,

Nate

On Mon, Jun 27, 2022 at 2:17 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 2:00 PM Nate Checketts <natechecketts@utah.gov> wrote:
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[redacted].

Tracy
Tracy S. Gruber

[redacted]

Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Jun 27, 2022 at 1:38 PM Nate Checketts <natechecketts@utah.gov> wrote:

> On Mon, Jun 27, 2022 at 12:36 PM Tony Patterson <tonypatterson@utah.gov> wrote:
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> Tony
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> Tony R. Patterson
> Assistant Attorney General
> P.O. Box 140835
> Salt Lake City, Utah 84114-0835
> Phone: (385) 414-0662
> Fax: (801)
> tonypatterson@utah.gov
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Environment and Health Division
Assistant Attorney General

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Salt Lake City, Utah 84114-0851

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SUBJECT: Re: New Language added to AG Draft Response
FROM: Stephanie Saperstein <stephaniesaperstein@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
DATE: 27/06/2022 16:41

[redacted]

On Mon, Jun 27, 2022 at 4:39 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

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[redacted]

[redacted]

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[redacted]

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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Tony

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Tony R. Patterson
Assistant Attorney General
P.O. Box 140835
Salt Lake City, Utah 84114-0835
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Fax: (801)
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[redacted] Fireworks, spotlighting service, and more

--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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SUBJECT: DRAFT Abortion me... - @natechecketts@utah.gov
FROM: "Joe Dougherty DHS (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 27/06/2022 16:46

Sarah Welliver DHS (swelliver@utah.gov) mentioned you in an action item in the following document

[redacted]

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Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google Docs sends you.
You can reply to this email to reply to the discussion.

SUBJECT: DRAFT Abortion me... - @natechecketts@utah.gov
FROM: "David Litvack (DHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 27/06/2022 17:04

[redacted]

[redacted] Fireworks, spotlighting service, and more

Sarah Welliver DHS (swelliver@utah.gov) mentioned you in an action item in the following document

[redacted]

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Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google Docs sends you.
You can reply to this email to reply to the discussion.

SUBJECT: Re: R386-702 publication
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Janae Duncan <janaeduncan@utah.gov>, Sam LeFevre <slefevre@utah.gov>, Cindy Burnett <cburnett@utah.gov>, Rachelle Boulton <rboulton@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Jonah Shaw DHS <jshaw@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Skyla Allen <skylaallen@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>
DATE: 27/06/2022 18:11

[redacted]

Thanks,

Nate

On Mon, Jun 13, 2022 at 8:37 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:

Nate,

I recommend approval for publication of the following proposed rule amendment:

[redacted]

-Stephanie

--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

[redacted]

Phone: 801-680-7690

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SUBJECT: Re: New Language added to AG Draft Response
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Stephanie Saperstein <stephaniesaperstein@utah.gov>
DATE: 27/06/2022 18:34

[redacted]

Thanks,

Nate

On Mon, Jun 27, 2022 at 4:41 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 4:39 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 3:38 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 3:34 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 3:25 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 2:20 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

Thanks,

Nate

On Mon, Jun 27, 2022 at 2:17 PM Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 2:00 PM Nate Checketts <natechecketts@utah.gov> wrote:
[redacted]

On Mon, Jun 27, 2022 at 1:54 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
[redacted]

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Jun 27, 2022 at 1:38 PM Nate Checketts <natechecketts@utah.gov> wrote:

On Mon, Jun 27, 2022 at 12:36 PM Tony Patterson <tonypatterson@utah.gov> wrote:
Nate and Tonya,

[redacted]

Based on a Third Circuit Court of Appeals case that addresses the issue of the CMS Letters to State Medicaid Directors dated February 12, 1998, additional language has been added to the AG Draft Responses.

While we do not know how the Tenth Circuit Court of Appeals would respond, the Third Circuit case is the only opinion addressing Tonya's question.

For convenience, here is the additional language:

[redacted]

Tony

--
Tony R. Patterson
Assistant Attorney General
P.O. Box 140835
Salt Lake City, Utah 84114-0835
Phone: (385) 414-0662
Fax: (801)
tonypatterson@utah.gov
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--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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--
Stephanie M. Saperstein
Section Director, Health Section

[redacted]

Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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--
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Environment and Health Division
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Phone: 801-680-7690

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--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
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SUBJECT: Re: (Invitation) Press Conference Tomorrow: HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, Dobbs v. Jackson Women's Health
FROM: "David Litvack (DHS)" <davidlitvack@utah.gov>
TO: Tonya Hales <thales@utah.gov>
CC: Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>
DATE: 28/06/2022 05:33

Thanks Tonya!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

[redacted]

[redacted] Fireworks, spotlighting service, and more

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:
In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

To view this email as a web page, click here. June 27, 2022

HHS IEA - Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

LOGISTICAL INFORMATION
Details are subject to change.

WHO: HHS Secretary Xavier Becerra

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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200 Independence Avenue, S.W., Washington, DC, 20201 US

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[redacted]

[redacted] Fireworks, spotlighting service, and more

SUBJECT: Re: (Invitation) Press Conference Tomorrow: HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, Dobbs v. Jackson Women's Health
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>
CC: Tonya Hales <thales@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>
DATE: 28/06/2022 05:37

Thank you.

Who is planning to listen?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Jun 28, 2022 at 5:33 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:
Thanks Tonya!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:
In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

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LOGISTICAL INFORMATION
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[redacted]

[redacted] Fireworks, spotlighting service, and more

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WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

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Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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SUBJECT: Re: (Invitation) Press Conference Tomorrow: HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, Dobbs v. Jackson Women's Health
FROM: Rebecca Brown <rebeccab@utah.gov>
TO: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
CC: Amanda Slater DHS <aslater@utah.gov>, "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 28/06/2022 05:46

I had my 9 am slot open so I will be planning to listen to it.

On Tue, Jun 28, 2022 at 5:37 AM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
> Thank you.
>
> Who is planning to listen?
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

On Tue, Jun 28, 2022 at 5:33 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:
> Thanks Tonya!

[redacted]

[redacted] Fireworks, spotlighting service, and more

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:
In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

To view this email as a web page, click here. June 27, 2022

HHS IEA - Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

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U.S. Department of Health and Human Services
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Washington, D.C. 20201

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[redacted]

Fireworks, spotlighting service, and more

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--

Rebecca A. Brown, LCSW
Assistant Deputy Director
She/Her/Hers
C: 385.227.9672
rebeccab@utah.gov

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SUBJECT: Re: New Language added to AG Draft Response
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
DATE: 28/06/2022 06:19

Thanks.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Jun 27, 2022 at 3:34 PM Nate Checketts <natechecketts@utah.gov> wrote:
Stephanie is going to add it as a red line change to the legal review document and notify Kathy.

Thanks,

Nate

On Mon, Jun 27, 2022 at 1:54 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:
Please ask Stephanie if we can share this with Kathy or put it in our legal analysis document.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Jun 27, 2022 at 1:38 PM Nate Checketts <natechecketts@utah.gov> wrote:

[redacted]

[redacted] Fireworks, spotlighting service, and more

On Mon, Jun 27, 2022 at 12:36 PM Tony Patterson <tonypatterson@utah.gov> wrote:

Nate and Tonya,

Based on a Third Circuit Court of Appeals case that addresses the issue of the CMS Letters to State Medicaid Directors dated February 12, 1998, additional language has been added to the AG Draft Responses.

While we do not know how the Tenth Circuit Court of Appeals would respond, the Third Circuit case is the only opinion addressing Tonya's question.

For convenience, here is the additional language:

[redacted]

Tony

--
Tony R. Patterson
Assistant Attorney General
P.O. Box 140835
Salt Lake City, Utah 84114-0835
Phone: (385) 414-0662
Fax: (801)
tonypatterson@utah.gov
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[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: DRAFT Abortion me... - @natechecketts@utah.gov
FROM: "Sarah Welliver DHS (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 28/06/2022 10:18

Sarah Welliver DHS marked an action item as done in the following document

[redacted]

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SUBJECT: Dobbs and more - this Thursday, June 30
FROM: Mercer <marketing.reply@mercer.com>
TO: natechecketts@utah.gov
DATE: 28/06/2022 11:46

[redacted]

[redacted] Fireworks, spotlighting service, and more

Mercer Logo

Dobbs and more

The new shape of work webinar

Register now

As employers focus on strategic planning for 2023 and beyond, the need to attract and retain employees in a tough labor market is top of mind. Compensation alone doesn't build the kind of engagement and sense of belonging that a well-designed benefit program can.

Join us for a discussion of the Dobbs decision and women's reproductive health. We'll also cover results from our recent Health & Benefit Strategies for 2023 Report. Gain insight into how employers are reworking benefit programs to meet new needs and expectations – and deliver total well-being in 2023.

Register now

Register now

Date
Thursday
June 30, 2022

Time
12:00 PM ET

Questions
Contact
Erin Jones

FB Link Twit

A business of Marsh McLennan

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www.mercer.us

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SUBJECT: Brown & Peisch (Utah Medicaid's Contract Attorneys) States Advisory22-20: Supreme Court Overturns Roe v. Wade with Possible Implications for Medicaid
FROM: Tonya Hales <thales@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>

[redacted]

[redacted] Fireworks, spotlighting service, and more

CC: Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Tony Patterson <tonypatterson@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 28/06/2022 16:23

Hello All,

[redacted]

Thanks,

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

On Tue, Jun 28, 2022 at 5:33 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Thanks Tonya!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:

In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

On Mon, Jun 27, 2022 at 3:44 PM 'HHS Office of Intergovernmental and External Affairs' via Director's Office DMHF <medicaiddirector@utah.gov> wrote:

To view this email as a web page, click here.

June 27, 2022

HHS IEA - Office of Intergovernmental and External Affairs

Press Conference: At President Biden's Direction, HHS Secretary Becerra to Announce Action in Response to Supreme Court Decision, *Dobbs v. Jackson Women's Health*

Following the overturning of *Roe v Wade*, U.S. Department of Health and Human Services Secretary Xavier Becerra will hold a press conference TOMORROW, Tuesday, June 28, 2022, to unveil an action plan at President Biden's direction.

LOGISTICAL INFORMATION
Details are subject to change.

[redacted]

[redacted] Fireworks, spotlighting service, and more

WHO: HHS Secretary Xavier Becerra

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

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200 Independence Avenue, S.W., Washington, DC, 20201 US

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SUBJECT: Fwd: A very late team update for (6.24.2022) Supreme Court ruling,meet Martha, learn about Recovery Services, plus some great awards andresources for your mental health
FROM: Shari Watkins <swatkins@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
DATE: 28/06/2022 18:42

I'm so glad you were recognized for this.

Sent from my iPhone

Begin forwarded message:

From: "Utah Dept of Health and Human Services (DHS)" <dhhs@utah.gov>
Date: June 24, 2022 at 7:34:08 PM MDT
To: undisclosed-recipients:;
Subject: A very late team update for (6.24.2022) Supreme Court ruling, meet Martha, learn about Recovery Services, plus some great awards and resources for your mental health

Utah Department of Health & Human Services

Team update

Dear Team:

[redacted] Fireworks, spotlighting service, and more

Today, the Supreme Court of the United States released a 213-page opinion overturning the 1973 Roe v. Wade decision. With its opinion today, the Supreme Court says that there is no longer a fundamental right to abortion. Decisions about what is and isn't allowed is now up to the states.

Quoting from the intro to the opinion: *Abortion presents a profound moral issue on which Americans hold sharply conflicting views. Some believe fervently that a human person comes into being at conception and that abortion ends an innocent life. Others feel just as strongly that any regulation of abortion invades a woman's right to control her own body and prevents women from achieving full equality. Still others in a third group think that abortion should be allowed under some but not all circumstances, and those within this group hold a variety of views about the particular restrictions that should be imposed.*

Abortion is by no means a simple issue. Please remember that your co-workers have a range of feelings and personal opinions about this. We need to be extra cautious in the workplace about expressing our personal opinions because there are differing beliefs. As a reminder, you may not use official state resources to express personal views on this decision.
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We are continuing to analyze the potential impacts from the Supreme Court's decision.

Here are the facts we know right now as they pertain to Utah and the Utah Department of Health and Human Services:

- In the 2020 General Session, the Utah Legislature passed SB 174, which we were notified this evening, is now in effect, following a report from legislative general counsel to the Legislative Management Committee.
  The bill lists some specific responsibilities of DHHS.

And now... the rest of this fabulous, and very late, email!

- Thank you to the 530+ of you who tuned in live to our **All Hands Q&A on Thursday**. If you missed it, you can watch the replay here.

- This week, we'd also like to make your acquaintance with the Office of Recovery Services, led by the trusty Liesa Stockdale. You might know them as the "child support office," but that's not all they do: https://youtu.be/Q2imWsc7btk

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  The exhibit will be at the Cannon building until July 8. We will also be holding a media event honoring the life of Dr. Cannon and celebrating the birth of our new agency on July 1 at the Utah Capitol. We are thrilled to begin this new journey with each of you and honor those who have come before us.

- **Nate Checketts... thank you!**

[redacted]

With the upcoming merger, comes a handful of leadership changes, including a new role for Utah Department of Health Executive Director Nate Checketts. Under DHHS, Nate will become a department deputy director over our Health Administration section. Recently, Gov. Cox and Lt. Gov. Henderson, recognized Nate for his work to lead the pandemic response while maintaining effective leadership to oversee the management of the Department of Health's responsibilities. They said he is a model public servant reflecting the values of humility, selflessness and steady leadership. Nate is pictured here with his wife, Ginger.

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- **Mental and physical health**
  During our all-hands call and during Gov. Cox's employee town hall this week, we received questions about the leave hours that are available for taking care of our mental health. Please take advantage of these benefits.
  As of Jan. 1, 2022, Gov. Cox granted 4 hours of admin leave to address mental health issues, to be used during the calendar year.
  Starting July 1, our department will make 4 hours available for the next fiscal year, ending June 30, 2023.
  We have also worked with Blomquist Hale to hire an individual who can be available to be a mental health resource.
  Keep in mind that you may also use 4 hours of leave for wellness and health checkups. Please talk to your supervisor before using this leave.
  Tracy also reminded us that we can use any accumulated sick leave for mental or physical health time off.

- **ECO Passes**
  We're conscious of the cost of fuel. We make UTA ECO Passes available for free to all employees. If you apply, you need to use them at least 15 times per quarter. Please contact your finance officer to sign up. Please see our FAQ document to get started:ECO Pass FAQs

[redacted] Fireworks, spotlighting service, and more

P.S.
Tracy's Open Door hours are most Fridays, for all staff from 1 p.m. to 3 p.m. Please reach out to Trudy Ellis (trudyellis@utah.gov) to request time on Tracy's schedule.

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[redacted]

Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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[redacted]

SUBJECT: Re: Brown & Peisch (Utah Medicaid's Contract Attorneys) StatesAdvisory 22-20: Supreme Court Overturns Roe v. Wade with PossibleImplications for Medicaid
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Tonya Hales <thales@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Amanda Slater DHS <aslater@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Tony Patterson <tonypatterson@utah.gov>, Clover Meaders <cmeaders@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 29/06/2022 05:14

Thanks Tonya.

[redacted]

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

On Tue, Jun 28, 2022 at 4:24 PM Tonya Hales <thales@utah.gov> wrote:

Hello All,
Just sharing as an FYI - Brown & Peisch (B&P) is Utah Medicaid's external consulting legal firm. One of the things B&P do as part of the contract we have with them, is to periodically send out general legal "advisories" about Medicaid-related issues.

Attached is the advisory we received from B&P today regarding the SCOTUS decision impact on state Medicaid programs.

Thanks,

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

On Tue, Jun 28, 2022 at 5:33 AM David Litvack (DHS) <davidlitvack@utah.gov> wrote:

Thanks Tonya!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Mon, Jun 27, 2022 at 3:58 PM Tonya Hales <thales@utah.gov> wrote:

In case you didn't see this, forwarding as an FYI.

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

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LOGISTICAL INFORMATION
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WHO: HHS Secretary Xavier Becerra

[redacted]

[redacted] Fireworks, spotlighting service, and more

WHEN: TOMORROW, Tuesday, June 28, 2022, at 11:00 AM ET.

WHERE: HHS Humphrey Building, 200 Independence Ave SW, Washington, DC 20201
Livestream: www.hhs.gov/live

PRESS: Press interested in attending must RSVP to gabriela.sibori@hhs.gov and follow all recommended protocol.

Watch the Livestream Press Conference Here

Marvin Figueroa, Director
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200 Independence Avenue, S.W.
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SUBJECT: Dobbs & Medicaid
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Kathy Bounous <kathybounous@utah.gov>, Neil Abercrombie <nabercrombie@utah.gov>, Rhonda Bailey <rhonda@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>
DATE: 29/06/2022 05:16

Attached is a letter we received from counsel that the department contracts with on Medicaid. Within the letter is also a link to a statement from AG Garland on medication that I did not previously see.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

SUBJECT: Re: A very late team update for (6.24.2022) Supreme Court ruling,meet Martha, learn about Recovery Services, plus some great awards andresources for your mental health
FROM: Nate Checketts <natechecketts@utah.gov>
TO: Shari Watkins <swatkins@utah.gov>
DATE: 29/06/2022 07:54

It was super nice! We had lunch with the Governor, First Lady, LG, Chief, Tracy, Tonya, and Heather. They gave me a declaration and a letter of recognition from the Governor.

[redacted]

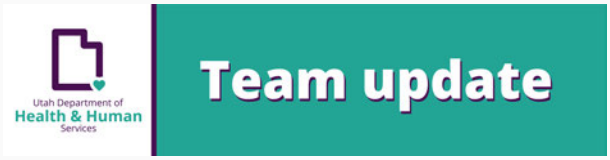
[redacted] Fireworks, spotlighting service, and more

On Tue, Jun 28, 2022 at 6:42 PM Shari Watkins <swatkins@utah.gov> wrote:
I'm so glad you were recognized for this.

Sent from my iPhone

Begin forwarded message:

From: "Utah Dept of Health and Human Services (DHS)" <dhhs@utah.gov>
Date: June 24, 2022 at 7:34:08 PM MDT
To: undisclosed-recipients:;
Subject: A very late team update for (6.24.2022) Supreme Court ruling, meet Martha, learn about Recovery Services, plus some great awards and resources for your mental health



Dear Team:

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[redacted]

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[redacted]

[redacted]

SUBJECT: Some pro-life ideas to improve pregnancy related services.
FROM: Raymond Ward <rayward@le.utah.gov>
TO: "Tracy Gruber (DHS)" <tracygruber@utah.gov>, nate checketts<natechecketts@utah.gov>
DATE: 29/06/2022 19:45

Hi Tracy and Nate -

I hear from Neil Abercrombe that the Governor is interested in doing some things to provide better pregnancy related services to women in light of the trigger law.

It makes sense to me that from a pro-life viewpoint, we as a state ought to be interested in more than just eliminating abortion, but also in making sure that a pregnancy turns out well for her and her child.

If you guys in are sorting through possible policy recommendations, I wanted to put some of my top ones in your hopper for consideration. (And I will, of course, be bringing this up as best I can with my legislative colleagues as well)

Here are some things that I think would make things better for women and show actual action on the part of the state to being pro-life for women as they plan for and go through pregnancy and childbirth.

1. Raise the Income eligibility to be covered for pregnancy Medicaid to 200% of the poverty level. Currently women between 138 and 200 may really struggle to get coverage and pre-natal health care.
2. Provide 12 months of post partum coverage. The first year of the baby's life can be very chaotic. Getting health care for herself (including if desired to get back on highly effective birth control) can be impossible if we cut folks off of coverage 60 days after the birth of the child.
3. Cover family planning services up to 250% of the poverty level. This is similar to what was discussed a couple of years back in the legislature for the lower threshold of 100% of the poverty level. The stakes are much higher for a women if abortion is not an option for her, and she is not in a position to care for another child if she does get pregnant, so making it easier for lower income individuals to access birth control would be a good help to them.
4. Provide 12 months of continuous eligibility to children on Medicaid. We have discussed this several times in the legislature, but haven't every quite found the funding. Maybe now is the right time.
5. Apply for the CHIP "unborn child" option. This is for women who are not here legally, but their child when it is born, will be here legally, and entitled to Medicaid services. This allows for coverage during the pregnancy, so the baby has a better chance to be born health.
6. Set a minimum set of services that we want to have available across the state to women who have a substance use disorder. This could include peer support, or home visitation, or coverage of inpatient rehab. Currently the services of this nature that are available are very spotty across the state, mostly just available in Salt Lake County. This item - it we plan correctly - could be funded from the opioid settlement, and so wouldn't have to come from general fund.

I have attached a brief prepared by Dr. Jessica Sanders who is with the family planninc division at the University of Utah. (And I think she has presented at MCAC, so you might already have this.) In it you will see many of these same ideas, as well as some others.

I am not sure how this will play out, but I would love to be involved if we are discussing ways to make our healthcare services better for women surrounding pregnancy and childbirth related issues.

Thanks,

RW

SUBJECT: Re: Some pro-life ideas to improve pregnancy related services.
FROM: "Tracy Gruber (DHS)" <tracygruber@utah.gov>
TO: Raymond Ward <rayward@le.utah.gov>
CC: nate checketts <natechecketts@utah.gov>
DATE: 30/06/2022 05:44

Rep. Ward,

[redacted]

[redacted] Fireworks, spotlighting service, and more

Thank you for emailing these suggestions. We are discussing many of these policies that you have championed in years past. This provides a great summary of those ideas. The PPT is also very helpful.

We look forward to following up on future conversations and any additional policies we may be evaluating that will be of interest to you. Also, we are here to provide research and data analysis to the extent we are able on any policy ideas you and your colleagues need analyzed and input from any of our subject matter experts.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Jun 29, 2022 at 7:45 PM Raymond Ward <rayward@le.utah.gov> wrote:

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Thanks,

RW

[redacted]

[redacted]

[redacted]

SUBJECT: AG Draft AG Respo... - Add: “Additional Question re: Pharmac...
FROM: "Tracy Gruber DHHS (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 02/07/2022 09:08

Tracy Gruber DHHS (tracygruber@utah.gov) mentioned you in a suggestion in the following document

[redacted]

[redacted]

[redacted]

He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Fri, Jul 1, 2022 at 5:45 PM Marc Watterson <mwatterson@utah.gov> wrote:

Thanks Tracy. We'll make sure this is ready to send out by COB on Tuesday.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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On Fri, Jul 1, 2022 at 2:20 PM Tracy Gruber (DHS) <tracygruber@utah.gov> wrote:

Thank you!

I would like to get this formatted since we will be sending it to all lawmakers.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

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Tracy
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[redacted]

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Paul Ray DHS shared a spreadsheet

Unknown profile Paul Ray DHS (pray@utah.gov) has invited you to **edit** the following spreadsheet:

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because pray@utah.gov shared a spreadsheet with you from Google Sheets.

Logo for Google Sheets

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swelliver@utah.gov
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FROM: Tonya Hales <thales@utah.gov>
TO: Nate Checketts <natecheckettts@utah.gov>
CC: Jeff Nelson <jeffnelson@utah.gov>, Brian Roach <broach@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 05/07/2022 15:13

Thanks Nate,

Jen et al, I think we need to add, at a minimum, some information about the following items:

Medicaid - Early Periodic Screening Diagnosis and Treatment Program (EPSDT) - much of this coverage applies to pregnant women too.
Medicaid - Autism related services for EPSDT eligible individuals
Medicaid Home & Community Based Services (HCBS) waivers - Technology Dependent Waiver - Medically Complex Children's Waiver - DSPD waivers services children and youth with intellectual and developmental disabilities
Medicaid - School Based Services

Then - do we know if SUMH has contributed/would like to contribute anything to the document? I feel like there's been a fair amount of work about depression during and after pregnancy?

There may be other services or programs that should be added that haven't come to mind. Nate, are you okay if theyopulate the shared document they already have access to, and when they confirm their updates are complete, we can copy and paste to the other document?

Thanks,
Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

On Tue, Jul 5, 2022 at 2:36 PM Nate Checketts <natecheckettts@utah.gov> wrote:
> The department has moved this info to another document. Please let Tonya or me know if you have any changes and we can load them into the other document.
>
> Thanks,
>
> Nate
>
> On Mon, Jul 4, 2022 at 5:19 PM Nate Checketts (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

[redacted]

[redacted] Fireworks, spotlighting service, and more

Nate Checketts shared a spreadsheet

Unknown profile [redacted]

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because natechecketts@utah.gov shared a spreadsheet with you from Google Sheets.

Logo for Google Sheets

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SUBJECT: Re: Spreadsheet shared with you: "State Resources for Mothers and Families"
FROM: Jeff Nelson <jeffnelson@utah.gov>
TO: Tonya Hales <thales@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>, Brian Roach <broach@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 05/07/2022 17:01

I added some comments in **bold** to the original document.

Thanks!

Jeff

On Tue, Jul 5, 2022 at 3:14 PM Tonya Hales <thales@utah.gov> wrote:

> Thanks Nate,
>
> Jen et al, I think we need to add, at a minimum, some information about the following items:

Medicaid - Early Periodic Screening Diagnosis and Treatment Program (EPSDT) - much of this coverage applies to pregnant women too.
Medicaid - Autism related services for EPSDT eligible individuals
Medicaid Home & Community Based

[redacted]

Services (HCBS) waivers
- Technology Dependent Waiver
- Medically Complex Children's Waiver
- DSPD waivers services children and youth with intellectual and developmental disabilities

Medicaid - School Based Services

Then - do we know if SUMH has contributed/would like to contribute anything to the document? I feel like there's been a fair amount of work about depression during and after pregnancy?

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Thanks,

Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
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C: 801-349-5775
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On Tue, Jul 5, 2022 at 2:36 PM Nate Checketts <natechecketts@utah.gov> wrote:

The department has moved this info to another document. Please let Tonya or me know if you have any changes and we can load them into the other document.

Thanks,

Nate

On Mon, Jul 4, 2022 at 5:19 PM Nate Checketts (via Google Sheets) <drive-shares-dm-noreply@google.com> wrote:

Nate Checketts shared a spreadsheet

Unknown profile [redacted]

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
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[redacted]

[redacted] Fireworks, spotlighting service, and more

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[redacted]

SUBJECT:
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>,Nate Checketts <natecheckettts@utah.gov>
DATE: 06/07/2022 11:49

David Litvack (DHS) Nate Checketts have joined the conversation, 2022-07-06 10:49:34

Joe Dougherty DHS, 2022-07-06 10:51:42
Media question: Regarding a medical professional who is supposed to verify that a rape has been reported to police before performing an abortion... Has there been any uniform, state-wide guidance issued to medical professionals and law enforcement from the department regarding how the verification process should work? The law currently in effect has this same requirement, KSL says. So they are moving forward with some reporting on this today.

David Litvack (DHS), 2022-07-06 10:59:31
Joe - I am not aware of any state-wide guidance. Would it be good to check with Dr. Hofmann, as well? Also, what current law is KSL referencing? Is it the law that just went into effect that was held-up in court?

Nate Checketts, 2022-07-06 11:10:03

[redacted]

DHHS does not have the statutory authority to provide direction to medical professionals or law enforcement regarding verification of rape before providing an abortion.

Nate Checketts, 2022-07-06 11:10:52
Possible that direction would come from DOPL and/or county prosecutors.

David Litvack (DHS), 2022-07-06 11:11:18
Great point Nate!

Joe Dougherty DHS, 2022-07-06 11:11:38
Thanks, Nate. But like David said, this requirement to verify isn't currently in state law, is it?

Nate Checketts, 2022-07-06 11:12:06
It's on hold for the two weeks

Nate Checketts, 2022-07-06 11:13:05
The law has been passed and legislative counsel has determined the law has been triggered. However, the judge has stayed the law for two weeks.

Joe Dougherty DHS, 2022-07-06 11:17:15
But that requirement wasn't in any previous abortion law, right?

Nate Checketts, 2022-07-06 11:20:34
Looks like there was some reporting language already in 76-7-331 but we would want AGs to check before saying something definitive

Joe Dougherty DHS, 2022-07-06 11:26:53
Thanks, Nate.

Joe Dougherty DHS, 2022-07-06 11:27:08
Definitely some different wording.

David Litvack (DHS), 2022-07-06 11:29:28
That is what I am looking at now; I agree with Nate, it does look like there is a current requirement for the physician (76-7-302 also) to verify a rape has been reported to law enforcement, but I am not finding any language about the how or if that is required to be reported to DHHS. Physicians are currently required to report to DHHS the "reason" for the abortion, but that does not specifically include verification that a rape has been reported to law enforcement.

David Litvack (DHS), 2022-07-06 11:29:43
I agree with Nate C's guidance to engage AGs office

Joe Dougherty DHS, 2022-07-06 14:17:25
I just chatted with Stephanie. [redacted]

Joe Dougherty DHS, 2022-07-06 14:19:14
This is basically what Stephanie said.

Joe Dougherty DHS, 2022-07-06 14:26:58
Just wanted you to be aware that you were on the same legal page!

David Litvack (DHS), 2022-07-06 14:27:36
Thank you

[redacted]

[redacted]

[redacted]

SUBJECT: Re: Covid vax info
FROM: "Leisha Nolen (DHHS)" <lnolen@utah.gov>
TO: Laura Munson <lauramunsonrn@gmail.com>
CC: Nate Checketts <natechecketts@utah.gov>, Navina Forsythe <navina@utah.gov>, Sam LeFevre <slefevre@utah.gov>
DATE: 06/07/2022 17:13

Thank you for reaching out about your concerns. We appreciate your dedication as an advocate for your patients.

The Utah Department of Health and Human Services does not collect information about side effects of vaccines, instead information related to adverse events after vaccination is collected by VAERS (Vaccine Adverse Events Reporting System), which is managed by the Centers for Disease Control and Prevention (CDC) and Food and Drug Administration (FDA). The CDC website provides information about the most commonly observed side effects https://www.cdc.gov/coronavirus/2019-ncov/vaccines/expect/after.html. The vast majority of people have either no or very mild symptoms post vaccine. This data showed that the Johnson and Johnson COVID-19 vaccine was associated with a slight increase in myocarditis in young men. Because of this data CDC no longer recommends Johnson and Johnson as the first line vaccine. You will find ANY significant side effect is exceedingly rare, with significant problems only occurring in a few people out of millions who received the vaccine.

It is the responsibility of the clinician to discuss the risk and benefits of any medical action with their patient, not just for COVID vaccines but for any procedure or treatment, and is not tracked by DHHS. There are no specific trainings or consent forms from DHHS. However, numerous training opportunities and informational sessions regarding the COVID-19 vaccine are offered by various groups are shared for those interested on our provider listserv email.

The overwhelming evidence shows that the COVID-19 vaccines are safe for all people unless they have a specific allergy to one of the components. This includes pregnant women and their fetuses. In contrast, the risk of COVID-19 infection is significant. We encourage you to work with your patients find which vaccine is right for them. The CDC provides information for people with specific medical problems https://www.cdc.gov/coronavirus/2019-ncov/vaccines/recommendations/specific-groups.html.

Thank you for your work and concern.

Leisha Nolen

On Fri, Jul 1, 2022 at 7:08 PM Laura Munson <lauramunsonrn@gmail.com> wrote:

> Dear Leisha Nolen;
>
> My name is Laura Munson. I am an RN in Utah. I have questions regarding data on adverse reactions to the different Covid Vaccines. Many patients want to know which reactions are most likely in each of the options, the prevalence of such reactions per age group and underlying patient medical conditions, including pregnancy. I have also been asked to help patients who have adverse reactions which are and sometimes are not acknowledged by their physicians. This impacts the ability to achieve effective care.

[redacted]

[redacted] Fireworks, spotlighting service, and more

Does Utah have detailed data on adverse events happening locally? How often is the data on events and trends updated? Where can I find a detailed and updated consent form? Does the Health Department have a training program for medical professionals where they learn how to handle expected adverse events and get patients the help they need? How is the Health Department monitoring informed consent? What honest information regarding the pros and cons of these shots are being provided to the public as has been done with other pharmaceutical products?

Thank you for your time and attention to this matter.

Sincerely,
Laura Munson RN

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[redacted]

SUBJECT: Fwd: A Message from Marc Harrison, MD on the Recent Supreme Court Decision
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>, Heather Borski <hborski@utah.gov>, Nate Winters DHS <natewinters@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Nate Checketts <natechecketts@utah.gov>
DATE: 07/07/2022 08:43

Michelle shared this with me at the end of last week. I think it's useful given the dialogue with DCFS.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Fri, Jul 1, 2022 at 8:50 PM Michelle Hofmann <Michelle.Hofmann@hsc.utah.edu> wrote:
Worthwhile read on Dr. Harrison's response to the overturning if RVW

Sent from my iPhone

Begin forwarded message:

From: Physician and APP Professional Affairs <PhysicianandAPPProfessionalAffairs@imail.org>
Date: July 1, 2022 at 4:00:18 PM MDT
To: Michelle Hofmann <michelle.hofmann@hsc.utah.edu>
Subject: A Message from Marc Harrison, MD on the Recent Supreme Court Decision

July 1, 2022

A Message from Marc Harrison, MD on the Recent Supreme Court Decision

As we head into the holiday weekend, I would like to address the recent United States Supreme Court decision that ultimately overturned *Roe v. Wade*. The decision further empowers state legislatures to make their own laws governing pregnancy termination. This is already leading to new state laws across the country that will set new and different rules regarding abortion.

It's an issue that is deeply personal to many Americans, with passionate sentiments on all sides. I personally feel saddened by the division we're seeing play out on the news and in social media. Intermountain cannot resolve the deep cultural divide on this issue. But I ask that all caregivers continue to set the standard of civility and mutual understanding-recognizing and respecting we all have different personal opinions about this issue.

For health systems like ours, there's added confusion as to what it all means for our patients, our caregivers, and our communities. I'd like to address this uncertainty. Earlier this week, Intermountain's Chief Clinical Officer Dr. JP Valin provided an update on what this ruling means for caregivers who live in Idaho and Utah where new laws are taking effect. We will continue to be transparent and provide you with as much clarity as possible during this uncertain transition to a state-based approach to abortion laws.

For caregivers who specifically practice in the area of women's health, I've heard from many of you who are concerned about your potential legal liability as new state rules are enacted. As you all know, Intermountain has not performed elective abortions, yet pregnancy terminations have been performed for a host of clinical reasons. There are other clinical practices-around miscarriages, for example-where caregivers may be understandably confused as new laws are implemented. In addition to regularly informing you of these new policies, Intermountain will always support every caregiver who follows the law and practices evidence-based medicine.

[redacted]

What about our role in public policy making? Just as we have before, we will be passionate advocates for all our caregivers. In this case, especially those who practice in the area of women's health. This will include working with relevant authorities, including prosecutors and elected officials, in ensuring that as new changes are considered, they don't lead to unintended consequences that put our caregivers or patients at risk.

In conclusion, I want to promise you the following: We will always follow the law. We will always keep you informed. We will always have your back. This approach will continue to empower us to fulfill our mission of helping people live the healthiest lives possible.

Thank you for all you do for our patients. And please have a safe and fun holiday weekend.

Marc Harrison, MD
President and CEO

This is an internal message from Intermountain Healthcare's Office of Physician-APP Professional Affairs

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[redacted]

SUBJECT:
FROM: Joe Dougherty DHS <joedougherty@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>,"Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/07/2022 10:09

Joe Dougherty DHS, 2022-07-07 09:09:00
FYI, here's the KSL story from last night. KSL is putting the onus on the legislature to clarify the law. https://ksltv.com/498446/utah-abortion-laws-unclear-on-reporting-verification-process-for-sexual-assault-victims/

David Litvack (DHS), 2022-07-07 09:25:10
Thanks Joe - I saw the story last night and agree with you that the reporter is definitely placing the responsibility on the legislature to answer these questions

SUBJECT: Utah's Abortion Law
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Ginger Checketts <nateandginger@yahoo.com>
DATE: 07/07/2022 10:40

https://ksltv.com/498446/utah-abortion-laws-unclear-on-reporting-verification-process-for-sexual-assault-victims/

SUBJECT: waiver follow up questions - Waiver for Technology Dependent,Medically Fragile Individuals
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "GOMB_LFA_Requests@utah.gov" <GOMB_LFA_Requests@utah.gov>, "Amanda Slater(DHS)" <aslater@utah.gov>, Austin Preston <austinpreston@utah.gov>, "Borski,Heather" <HBORSKI@utah.gov>, David Litvack <davidlitvack@utah.gov>, "Hales,Tonya" <THALES@utah.gov>, "mwatterson@utah.gov" <mwatterson@utah.gov>,Michelle Hofmann <mhofmann@utah.gov>, "Moss, Don" <donmoss@utah.gov>, NateWinters <natewinters@utah.gov>, Nathan Checketts <natechecketts@utah.gov>,"Ray, Paul" <pray@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Shari Watkins<SWATKINS@utah.gov>, Tracy Gruber <tracygruber@utah.gov>, Xochiatl Thomas<xthomas@utah.gov>
DATE: 07/07/2022 11:59

[redacted] Fireworks, spotlighting service, and more

- Washington – CMS approved Washington state's extension of Medicaid and CHIP coverage for 12 months after pregnancy under ARPA. As a result, up to an additional 12,000 people annually will now have access to Medicaid or CHIP coverage for a full year after pregnancy. With this approval, an estimated 265,000 Americans annually in 15 states and D.C. have gained access to 12 months of postpartum coverage through ARPA. As a reminder, SHVS published an issue brief that examines the ARPA postpartum coverage extension.

See More

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State Health and Value Strategies
174 John Bonna Bennington Building
Princeton, NJ 08540

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>
CC: "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, Marc Watterson <mwatterson@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 12/07/2022 10:42

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:
Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:
Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!
–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 12/07/2022 15:28

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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[redacted]

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Executive Director
O: 435.772.6550
tracygruber@utah.gov

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Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

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Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

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From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

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Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 12/07/2022 15:29

*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

[redacted]

dhhs.utah.gov

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[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: FYI
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>
DATE: 15/07/2022 05:10

This is a pretty long article about the potential gaps in the trigger law. No need to reply. Simply and FYI.

https://www.ksl.com/article/50439640?utm_source=twitter&utm_medium=social&utm_campaign=utah&utm_content=health

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TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 15/07/2022 17:19

Did this get finalized?

Tracy
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Executive Director
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SUBJECT: Fwd: Abortion Education Module
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: Tracy Gruber <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 18/07/2022 06:21

Good Morning Tracy & Nate -

I followed-up with Laurie Baksh regarding the clarifying information the Lt. Governor requested regarding the informed consent module if Utah's trigger law goes into effect. Based on guidance from the AG's office, there will be no changes to what sections of the Abortion Education Module individuals will review. As I understand it in reviewing the current statute -- which is not changed by the trigger law -- the physician's office or abortion clinic is the responsible party to inform their patient about the informed consent module. Under current statute, as described in Laurie's e-mail, a physician is "not guilty" of violating the informed consent requirement (including the education module) under certain conditions involving rape, incest, and endangerment of the life or physical health of the mother.

It does raise a really interesting question. If state law already recognizes that the informed consent process and education module may be unnecessary in situations of rape, incest, and endangerment of the life/physical health of the mother -- the only scenarios in which an abortion would be allowed under the trigger law -- is there a need to continue to provide the education module? Of course, this question is not for us to decide; however, I think there is value in providing the Lt. Governor this clarifying information and presenting her with this question.

Thoughts?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **David Litvack (DHHS)** <davidlitvack@utah.gov>
Date: Fri, Jul 15, 2022 at 1:04 PM
Subject: Re: Abortion Education Module
To: Laurie Baksh (DHHS) <lbaksh@utah.gov>
Cc: Noel Taxin <ntaxin@utah.gov>, Lynne Nilson (DHHS) <lpnilson@utah.gov>, Heather Borski <hborski@utah.gov>, Clover Meaders <crmeaders@utah.gov>

Laurie -

Thank you! This is very helpful information for me to start and will reach-out to you if I have any additional questions.

Thank you!

David

David Litvack
Deputy Director
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O: 385.382.6099
davidlitvack@utah.gov

[redacted]

On Fri, Jul 15, 2022 at 10:05 AM Laurie Baksh (DHHS) <lbaksh@utah.gov> wrote:

Hi David -

We don't have a clear answer to this question. There is no language in the current code that specifically provides direction on who and who is not required to view the module, the language is about what the physician is required to provide and document. SB174 does not repeal any of the requirements related to the informed consent module.

In 76-7-305, Informed Consent Requirements (https://le.utah.gov/xcode/Title76/Chapter7/76-7-S305.html), subsection 8 states:
(8) A physician is not guilty of violating this section for failure to furnish any of the information described in Subsection (2) (information module) or (3) (face to face consultation), or for failing to comply with Subsection (5) (ultrasound), if:
(a) the physician can demonstrate by a preponderance of the evidence that the physician reasonably believed that furnishing the information would have resulted in a severely adverse effect on the physical or mental health of the pregnant woman;
(b) in the physician's professional judgment, the abortion was necessary to avert: (i) the death of the woman on whom the abortion is performed; or (ii) a serious risk of substantial and irreversible impairment of a major bodily function of the woman on whom the abortion is performed;
(c) the pregnancy was the result of rape or rape of a child, as described in Sections 76-5-402 and 76-5-402.1;
(d) the pregnancy was the result of incest, as defined in Subsection 76-5-406(2)(j) and Section 76-7-102; or
(e) at the time of the abortion, the pregnant woman was 14 years old or younger.

Section 76-7-305.5 of the Utah Code (https://le.utah.gov/xcode/Title76/Chapter7/76-7-S305.5.html) outlines the requirements of the informed consent module. This section of the statute notes that the Department may develop a version of the module that omits the information about the responsibility of the father and child support (2)(j) and (2)(k) if the pregnancy is the result of rape. The rest of the module components are left for viewing. We did incorporate this into the development. The module asks the viewer if the pregnancy is a result of rape and if they respond "yes", they skip these sections as they progress through to the completion certificate. There is no reference to incest in this section of the code.

[redacted]

Laurie

On Fri, Jul 15, 2022 at 6:56 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Laurie -

I hope you are doing well. I have a clarifying question regarding the Abortion Education Module post-SB 174. If the new law goes into effect, will individuals seeking an abortion due to rape or incest be required to complete the Abortion Education Module as it is currently or will the individual be required to review only certain sections of the module? If only certain sections will be required to be completed, do you know which sections they are?

As context, this question came-up in a recent meeting with the Lt. Governor and she would appreciate clarification on the Abortion Education Module for victims of rape and incest if the new law takes effect.

I hope my question makes sense. When I look at the FAQs it does not sound like there will be any changes to what sections of the education module will be required, but I do want to clarify and provide that information to the Lt. Governor.

Thank you!

David
David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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--
Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

[redacted]

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 06:22

Tracy -

I am just reviewing this now.

Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.

Just my immediate thoughts.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Did this get finalized?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted] Fireworks, spotlighting service, and more

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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(b)the executive director of the Department of Health or the executive director's designee;
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(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
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Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:
Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:
Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!
—
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position

has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: Re: Abortion Education Module
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 18/07/2022 09:01

Thanks David!

I will follow up with her and cc you. We also need to follow up on the pharmacy participation issue.

Tracy S. Gruber
Executive Director

On Jul 18, 2022, at 6:21 AM, David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

I followed-up with Laurie Baksh regarding the clarifying information the Lt. Governor requested regarding the informed consent module if Utah's trigger law goes into effect. Based on guidance from the AG's office, there will be no changes to what sections of the Abortion Education Module individuals will review. As I understand it in reviewing the current statute -- which is not changed by the trigger law -- the physician's office or

[redacted]

abortion clinic is the responsible party to inform their patient about the informed consent module. Under current statute, as described in Laurie's e-mail, a physician is "not guilty" of violating the informed consent requirement (including the education module) under certain conditions involving rape, incest, and endangerment of the life or physical health of the mother.

It does raise a really interesting question. If state law already recognizes that the informed consent process and education module may be unnecessary in situations of rape, incest, and endangerment of the life/physical health of the mother -- the only scenarios in which an abortion would be allowed under the trigger law -- is there a need to continue to provide the education module? Of course, this question is not for us to decide; however, I think there is value in providing the Lt. Governor this clarifying information and presenting her with this question.

Thoughts?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **David Litvack (DHHS)** <davidlitvack@utah.gov>
Date: Fri, Jul 15, 2022 at 1:04 PM
Subject: Re: Abortion Education Module
To: Laurie Baksh (DHHS) <lbaksh@utah.gov>
Cc: Noel Taxin <ntaxin@utah.gov>, Lynne Nilson (DHHS) <lpnilson@utah.gov>, Heather Borski <hborski@utah.gov>, Clover Meaders <crmeaders@utah.gov>

Laurie -

Thank you! This is very helpful information for me to start and will reach-out to you if I have any additional questions.

Thank you!

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Fri, Jul 15, 2022 at 10:05 AM Laurie Baksh (DHHS) <lbaksh@utah.gov> wrote:

> Hi David -
>
> We don't have a clear answer to this question. There is no language in the current code that specifically provides direction on who and who is not required to view the module, the language is about what the physician is required to provide and document. SB174 does not repeal any of the requirements related to the informed consent module.
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>
> Section 76-7-305.5 of the Utah Code (https://le.utah.gov/xcode/Title76/Chapter7/76-7-S305.5.html) outlines the requirements of the informed consent module. This section of the statute notes that the Department may develop a version of the module that omits the information about the responsibility of the father and child support (2)(j) and (2)(k) if the pregnancy is the result of rape. The rest of the module components are left for viewing. We did incorporate this into the development. The module asks the viewer if the pregnancy is a result of rape and if they respond "yes", they skip these sections as they progress through to the completion certificate. There is no reference to incest in this section of the code.

[redacted]

[redacted]

Laurie

On Fri, Jul 15, 2022 at 6:56 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Laurie -

I hope you are doing well. I have a clarifying question regarding the Abortion Education Module post-SB 174. If the new law goes into effect, will individuals seeking an abortion due to rape or incest be required to complete the Abortion Education Module as it is currently or will the individual be required to review only certain sections of the module? If only certain sections will be required to be completed, do you know which sections they are?

As context, this question came-up in a recent meeting with the Lt. Governor and she would appreciate clarification on the Abortion Education Module for victims of rape and incest if the new law takes effect.

I hope my question makes sense. When I look at the FAQs it does not sound like there will be any changes to what sections of the education module will be required, but I do want to clarify and provide that information to the Lt. Governor.

Thank you!

David

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Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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Laurie Baksh, MPH
Manager, Maternal and Infant Health Program
Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

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[redacted]

SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Brook Dorff (DHHS)" <bdorff@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 12:59

The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.

Thank you!

–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

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C: 385.321.6473
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Executive Director
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Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!
–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200

[redacted]

Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: Re: Roseman RFP - HB2, item 84
FROM: "Nate Winters (DHHS)" <natewinters@utah.gov>
TO: "Kyle Larson (DHHS)" <kblarson@utah.gov>
CC: "Paul Ray (DHHS)" <pray@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, Eric Tadehara DHS <erictadehara@utah.gov>, Shanel Long DHS <shlong@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Marc Titcomb (DHS)" <marctitcomb@utah.gov>, VARONICA LITTLE <vlittle@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>
DATE: 18/07/2022 16:01

Thanks!

On Mon, Jul 18, 2022 at 4:00 PM Kyle Larson (DHHS) <kblarson@utah.gov> wrote:

Hey, I talked with VaRonica, she's up to her neck in writing a no-cost extension. She said, however, that the RFP has not gone out yet and that we were waiting for some clarification from EDO. I believe she's going to forward me the email of where we're at and we can go from there.

Thanks!

Kyle Larson
Administrative Services Director
C: 801.518.0325
kblarson@Utah.gov
https://dsamh.utah.gov/

[redacted]

On Mon, Jul 18, 2022 at 3:12 PM Kyle Larson (DHHS) <kblarson@utah.gov> wrote:
We got an appropriation through HB2, Item 84 for General Restricted Funds, $2,800,000. Language was " (Hollins) Approve $2.8 million one-time from $5.5 million fund balance available in the Opioid Litigation Settlement Restricted Account for the funding item entitled "Support for Pregnant Moms with Substance Use Disorder". Links to info below

(Motions for Consideration (blue) - 2022 General Session) (Slide from SSA) (Roseman University)

I believe we contacted the sponsor and we all agreed this wasn't going directly to Roseman, but was meant for an RFP.

Varonica, do you recall anything else about this? Do we have a KF already in process?

Kyle Larson
Administrative Services Director
C: 801.518.0325
kblarson@Utah.gov
https://dsamh.utah.gov/

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 16:21

Brent is supportive of having Craig Povey as the department's designee. He is going to talk to his team and see who he wants to represent OSUMH.

Thanks,

Nate

On Mon, Jul 18, 2022 at 1:00 PM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:
The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.

Thank you!

–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

On Mon, Jul 18, 2022 at 6:22 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Tracy -

I am just reviewing this now.

Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.

Just my immediate thoughts.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Did this get finalized?

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Jul 12, 2022 at 3:28 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Statue actually requires that we have four representatives on the Council:

(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs

[redacted]

C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--

Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

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Thanks!

–

Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777

[redacted]

Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

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Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

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SUBJECT: Re: Intent Language
FROM: "Nate Winters (DHHS)" <natewinters@utah.gov>
TO: "Kyle Larson (DHHS)" <kblarson@utah.gov>
CC: "Paul Ray (DHHS)" <pray@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, VARONICA LITTLE <vlittle@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>
DATE: 18/07/2022 16:51

Paul - do you want to get clarification on this?

On Mon, Jul 18, 2022 at 4:04 PM Kyle Larson (DHHS) <kblarson@utah.gov> wrote:
Here's the email chain where it stopped regarding the Roseman RFP.

Kyle Larson
Administrative Services Director
C: 801.518.0325
kblarson@Utah.gov
https://dsamh.utah.gov/

---------- Forwarded message ---------
From: **VaRonica Little (DHHS)** <vlittle@utah.gov>
Date: Mon, Jul 18, 2022 at 4:02 PM
Subject: Fwd: Intent Language
To: Kyle Larson DHS <kblarson@utah.gov>

This was the last email about the HB2 funds, we still don't know if the report in HB2 Item 80 is to guide the RFP or not. Here is the language
The Legislature intends that the Department of Human Services report back to the Social Services Appropriation Subcommittee no later than August 10, 2022 on how much it would cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive the following services:
(1) a licensed social worker to help connect women with state services they are determined to need and are eligible to receive;
(2) a peer support program; and
(3) home visitation services through the child's first birthday.
The Legislature further intends that the performance measures by which the program would be measured would include the following:
(1) the rate of a diagnosis of neonatal abstinence syndrome at the time of delivery in the areas where the program has been implemented; and
(2) the number of NICU days related to any substance use disorder in the areas where the program has been implemented.

VaRonica Little
Program Administrator- State Opioid Response Grants
State Opioid Treatment Authority
C: 801.450.0992
vlittle@utah.gov
dsamh.utah.gov

[redacted] Fireworks, spotlighting service, and more

---------- Forwarded message ---------
From: **Nate Winters DHS** <natewinters@utah.gov>
Date: Tue, May 3, 2022 at 1:20 PM
Subject: Re: Intent Language
To: Kyle Larson (DHS) <kblarson@utah.gov>
Cc: Blaine Thomas <bsthomas@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, Eric Tadehara DHS <erictadehara@utah.gov>, Spencer Hall DHS <spencerhall@utah.gov>, Varonica Little DHS <vlittle@utah.gov>

We can't spend the money over multiple years without intent language. We could set it up as a signer year contract with an option to extend and ask for the language next session. It sounds like there is a willing sponsor already.

On Tue, May 3, 2022 at 1:17 PM Kyle Larson (DHS) <kblarson@utah.gov> wrote:
Nate, how in the world can we do that without intent language? We'll also have issues with non-lapse if they want us to roll that forward.

Kyle Larson
Administrative Services Director
C: 801.518.0325
kblarson@Utah.gov
https://dsamh.utah.gov/

On Tue, May 3, 2022 at 1:12 PM Eric Tadehara DHS <erictadehara@utah.gov> wrote:
Hey all,

One more fun thing that came up in a meeting Varonica and I were in today. Rep Ward said the intent for the $2.8 is to be spent over 3 years which greatly changes our interpretation.

Nate, can we add this to the list of things to get clarification on?

Thanks!

Eric Yoshio Jesús Tadehara, LCSW, MPA
He/Him/His
Assistant Director, Office of Substance Use and Mental Health
C: 801.699.0895
erictadehara@utah.gov
dsamh.utah.gov

On Mon, May 2, 2022 at 12:06 PM Nate Winters DHS <natewinters@utah.gov> wrote:
Sorry - I forwarded the wrong email this morning.

---------- Forwarded message ---------
From: **Sean C. Faherty** <sfaherty@le.utah.gov>
Date: Mon, May 2, 2022 at 9:57 AM
Subject: RE: Intent Language
To: Nate Winters DHS <natewinters@utah.gov>
CC: Xochiatl Thomas DHS <xthomas@utah.gov>, Nate Checketts <natecheckettts@utah.gov>, Tracy Gruber (DHS) <tracygruber@utah.gov>, Tonya Hales <thales@utah.gov>, Brent Kelsey <bkelsey@utah.gov>, Shari Watkins <swatkins@utah.gov>, mwatterson@utah.gov <mwatterson@utah.gov>

Good Morning Nate (and everyone!)
You are correct in the assumption that the competitive process language goes along with the "supporting pregnant moms with substance use disorders" funding.
Thanks for the question and please let me know if I can be of any more help.
Seán

From: Nate Winters DHS <natewinters@utah.gov>
Sent: Wednesday, April 27, 2022 5:09 PM
To: Sean C. Faherty <sfaherty@le.utah.gov>
Cc: Xochiatl Thomas DHS <xthomas@utah.gov>; Nate Checketts <natecheckettts@utah.gov>; Tracy Gruber (DHS) <tracygruber@utah.gov>; Tonya Hales <thales@utah.gov>; Brent Kelsey <bkelsey@utah.gov>; Shari Watkins <swatkins@utah.gov>; mwatterson@utah.gov
Subject: Intent Language

Hi Sean,

Just wanted some clarification on some intent language. In HB 2 Item 84, there is an appropriation from the Opioid Restricted Fund of $2.8M. It is our understanding that the intent is that this is for supporting pregnant moms with substance use disorders. In HB 3 Item 245, there is intent language for this directing a competitive process for disbursing the funds. I'm wanting to make sure that intent language in the Bill of Bills is intended for this funding as we are reading it.

[redacted]

Thanks,

Nate

Nate Winters
Deputy Director
Department of Human Services
C: 801.450.2098
natewinters@utah.gov
health.utah.gov
hs.utah.gov

Beginning July 1, 2022, we will be the Utah Department of Health & Human Services

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TO: "Nate Winters (DHHS)" <natewinters@utah.gov>
CC: "Kyle Larson (DHHS)" <kblarson@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, VARONICA LITTLE <vlittle@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>
DATE: 18/07/2022 17:01

You bet!!

On Mon, Jul 18, 2022 at 4:51 PM Nate Winters (DHHS) <natewinters@utah.gov> wrote:
Paul - do you want to get clarification on this?

On Mon, Jul 18, 2022 at 4:04 PM Kyle Larson (DHHS) <kblarson@utah.gov> wrote:
Here's the email chain where it stopped regarding the Roseman RFP.

Kyle Larson
Administrative Services Director
C: 801.518.0325
kblarson@Utah.gov
https://dsamh.utah.gov/

---------- Forwarded message ---------
From: **VaRonica Little (DHHS)** <vlittle@utah.gov>
Date: Mon, Jul 18, 2022 at 4:02 PM
Subject: Fwd: Intent Language
To: Kyle Larson DHS <kblarson@utah.gov>

This was the last email about the HB2 funds, we still don't know if the report in HB2 Item 80 is to guide the RFP or not. Here is the language
The Legislature intends that the Department of Human Services report back to the Social Services Appropriation Subcommittee no later than August 10, 2022 on how much it would cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive the following services:
(1) a licensed social worker to help connect women with state services they are determined to need and are eligible to receive;
(2) a peer support program; and
(3) home visitation services through the child's first birthday.

The Legislature further intends that the performance measures by which the program would be measured would include the following:
(1) the rate of a diagnosis of neonatal abstinence syndrome at the time of delivery in the areas where the program has been implemented; and
(2) the number of NICU days related to any substance use disorder in the areas where the program has been implemented.

VaRonica Little
Program Administrator- State Opioid Response Grants
State Opioid Treatment Authority
C: 801.450.0992
vlittle@utah.gov
dsamh.utah.gov

---------- Forwarded message ---------
From: **Nate Winters DHS** <natewinters@utah.gov>
Date: Tue, May 3, 2022 at 1:20 PM
Subject: Re: Intent Language
To: Kyle Larson (DHS) <kblarson@utah.gov>
Cc: Blaine Thomas <bsthomas@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, Eric Tadehara DHS <erictadehara@utah.gov>, Spencer Hall DHS <spencerhall@utah.gov>, Varonica Little DHS <vlittle@utah.gov>

We can't spend the money over multiple years without intent language. We could set it up as a signer year contract with an option to extend and ask for the language next session. It sounds like there is a willing sponsor already.

On Tue, May 3, 2022 at 1:17 PM Kyle Larson (DHS) <kblarson@utah.gov> wrote:
Nate, how in the world can we do that without intent language? We'll also have issues with non-lapse if they want us to roll that forward.

Kyle Larson
Administrative Services Director
C: 801.518.0325
kblarson@Utah.gov
https://dsamh.utah.gov/

On Tue, May 3, 2022 at 1:12 PM Eric Tadehara DHS <erictadehara@utah.gov> wrote:
Hey all,

One more fun thing that came up in a meeting Varonica and I were in today. Rep Ward said the intent for the $2.8 is to be spent over 3 years which greatly changes our interpretation.

Nate, can we add this to the list of things to get clarification on?

Thanks!

Eric Yoshio Jesús Tadehara, LCSW, MPA
He/Him/His
Assistant Director, Office of Substance Use and Mental Health
C: 801.699.0895
erictadehara@utah.gov
dsamh.utah.gov

On Mon, May 2, 2022 at 12:06 PM Nate Winters DHS <natewinters@utah.gov> wrote:
Sorry - I forwarded the wrong email this morning.

---------- Forwarded message ---------
From: **Sean C. Faherty** <sfaherty@le.utah.gov>
Date: Mon, May 2, 2022 at 9:57 AM
Subject: RE: Intent Language
To: Nate Winters DHS <natewinters@utah.gov>
CC: Xochiatl Thomas DHS <xthomas@utah.gov>, Nate Checketts <natechecketts@utah.gov>, Tracy Gruber (DHS) <tracygruber@utah.gov>, Tonya Hales <thales@utah.gov>, Brent Kelsey <bkelsey@utah.gov>, Shari Watkins <swatkins@utah.gov>, mwatterson@utah.gov <mwatterson@utah.gov>

Good Morning Nate (and everyone!)
You are correct in the assumption that the competitive process language goes along with the "supporting pregnant moms with substance use disorders" funding.

[redacted]

Thanks for the question and please let me know if I can be of any more help.
Seán

From: Nate Winters DHS <natewinters@utah.gov>
Sent: Wednesday, April 27, 2022 5:09 PM
To: Sean C. Faherty <sfaherty@le.utah.gov>
Cc: Xochiatl Thomas DHS <xthomas@utah.gov>; Nate Checketts <natecheckettts@utah.gov>; Tracy Gruber (DHS) <tracygruber@utah.gov>; Tonya Hales <thales@utah.gov>; Brent Kelsey <bkelsey@utah.gov>; Shari Watkins <swatkins@utah.gov>; mwatterson@utah.gov
Subject: Intent Language

Hi Sean,

Just wanted some clarification on some intent language. In HB 2 Item 84, there is an appropriation from the Opioid Restricted Fund of $2.8M. It is our understanding that the intent is that this is for supporting pregnant moms with substance use disorders. In HB 3 Item 245, there is intent language for this directing a competitive process for disbursing the funds. I'm wanting to make sure that intent language in the Bill of Bills is intended for this funding as we are reading it.

Thanks,

Nate

Nate Winters
Deputy Director
Department of Human Services
C: 801.450.2098
natewinters@utah.gov
health.utah.gov
hs.utah.gov

Beginning July 1, 2022, we will be the Utah Department of Health & Human Services

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--
Paul Ray
Assistant Director
Office of Legislative Affairs
C: 801-540-0714
pray@utah.gov

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SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 18/07/2022 20:22

Thank you.

Please let me know if you need anything further.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Jul 18, 2022 at 4:22 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Brent is supportive of having Craig Povey as the department's designee. He is going to talk to his team and see who he wants to represent OSUMH.

Thanks,

Nate

On Mon, Jul 18, 2022 at 1:00 PM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:
The members of USBE would like to finalize the committee. I've asked Jenny and Joe to respond to them with our designations, once they're decided.

Thank you!

–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

On Mon, Jul 18, 2022 at 6:22 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Tracy -

I am just reviewing this now.

Based on the statute and the DHHS organizational chart, I would recommend that we designate Craig Povey as your designee (since prevention is a part of the Office of Health Prevention & Promotion) and request that Brent Kelsey participate or designate someone from the Office of Substance Abuse & Mental Health (perhaps, Leah Coburn as Brook recommended). What I like about Brook's suggestion is it can help ensure a connection between prevention of substance use and treatment.

Just my immediate thoughts.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Fri, Jul 15, 2022 at 5:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Did this get finalized?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Jul 12, 2022 at 3:29 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
*Statute

+David Litvack (DHHS)

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Jul 12, 2022 at 3:28 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
Statue actually requires that we have four representatives on the Council:
(b)the executive director of the Department of Health or the executive director's designee;
(c)the director of the Division of Substance Abuse and Mental Health or the director's designee;
(d)the director of the Division of Child and Family Services or the director's designee;
(e)the director of the Division of Juvenile Justice Services or the director's designee;

It appears that the statute ((5)(a-g)) purposefully created the Advisory Council in a way that had a majority of the members with expertise in Underage Drinking and Substance Abuse Prevention. If we were to consolidate these four into just one, it would disrupt the make-up of the body and leave Superintendents and State School Board members without the full scope of subject matter experts statute tries to create.

I have added David and Heather to this thread to get their thoughts. It seems like Al's group has focused specifically on preventing maternal alcohol consumption. I'm not sure if that is the best fit as the aim of this Advisory Council is to help give input as the Program is taught to kids three different times:

- 4th or 5th grade
- 7th or 8th grade
- 9th or 10th grade

I'll let David and Heather chime in to see if Al or another staff from the "health prevention" side might be a best fit as the Executive Director's designee.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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[redacted]

On Tue, Jul 12, 2022 at 10:43 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you for the email and I'm sorry for the delayed response.

My preference would be for us to have one representative from DHHS. Do we know if this is a statutory requirement that DOH and DHS have a representative? If it's statutory, we need to let Marc Watterson (cc'd) know so that we can have the code changed to only specify the DHHS ED or designee. I don't think we need two representatives. Craig can represent the department as my designee. However, if the code requires one from DOH and one from DHS, Craig can serve as well as Al.

Since this overlaps with the Healthcare Administration Section, I cc'd Nate.

Please let me know what we find out and how I can support. I think someone needs to get in touch with USBE as soon as possible to let them know that we are comfortable with Craig serving while we try to sort out the legal requirements.

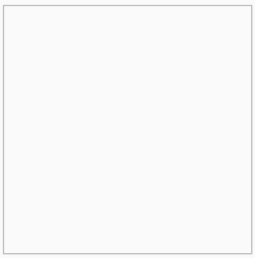
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Jul 12, 2022 at 10:01 AM Jenny Johnson (DHHS) <jennyjohnson@utah.gov> wrote:

Al Romeo (MotherToBaby program/Maternal & Infant Health) also facilitates an advisory committee focused on alcohol use during pregnancy. Perhaps there is a way to link all of these efforts together or at least facilitate updates from each group to staff so we can coordinate efforts?

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov



On Mon, Jul 11, 2022 at 11:13 AM Brook Dorff (DHHS) <bdorff@utah.gov> wrote:

Hi Tracy!

I received this request from USBE. The executive director of the UDOH needs to either attend or designate someone to attend.

Craig PoVey, who manages the SHARP survey, has agreed to attend to represent DHS when we were previously split. I would recommend Leah Colburn from the OSUMH also attend as she supports youth and parents substance abuse programs. I'm happy to respond, but wanted to forward this along. I'm not sure if deputy directors wanted to attend, or if you wanted to keep it at the program level.

Thanks!

–

Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

[redacted] Fireworks, spotlighting service, and more

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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[redacted] Fireworks, spotlighting service, and more

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[redacted]

[redacted]

[redacted]

SUBJECT: Re: Underage Drinking Advisory Council
FROM: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 19/07/2022 09:26

Nate, will Brent report back to you? I'm happy to reach out to USBE with names and contact info but am unclear if Brent or you are doing this.

--
Jenny Johnson, MPH, CHES
Public Information Officer
C: 385.290.7826
jennyjohnson@utah.gov

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David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

[redacted]

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+David Litvack (DHHS)

Marc B. Watterson
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Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

********** IMPORTANT MESSAGE **********

[redacted]

[redacted] Fireworks, spotlighting service, and more

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Executive Director
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tracygruber@utah.gov

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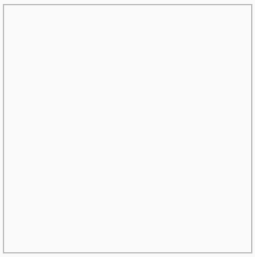
jennyjohnson@utah.gov



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Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM

[redacted]

Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
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TO: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Brook Dorff (DHHS)" <bdorff@utah.gov>, Joe Dougherty DHS <joedougherty@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 19/07/2022 09:36

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CC: "Jenny Johnson (DHHS)" <jennyjohnson@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)"

[redacted]

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DATE: 19/07/2022 09:52

Eric Tadehara will be the SUMH designee.

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Thanks!
–
Brook Dorff, MA, CHES (she/her)
Public Information Officer
C: 801.556.0633
24-hour media line: 801.520.2777
Spanish media line: 385.264.2685
bdorff@utah.gov

---------- Forwarded message ---------
From: **Albornoz, Tanya** <Tanya.Albornoz@schools.utah.gov>
Date: Mon, Jul 11, 2022 at 10:55 AM
Subject: Underage Drinking Advisory Council
To: Brook Dorff <bdorff@utah.gov>
Cc: Stebbing, Clarissa <Clarissa.Stebbing@schools.utah.gov>

Hi Brook -

I am reaching out to you for help because we have been attempting to contact someone from DOH to be a part of the Underage Drinking Prevention Program Advisory Council as described in 53G-10-406(5). The statute requires USBE to include "**the executive director of the Department of Health or the executive director's designee**" as a part of the council. I am wondering if you can help us identify who at DHHS may be able to fulfill this requirement for us and help us contact them.

By way of background and context, the Botvin LifeSkills Training program was selected as the approved Underage Drinking and Substance Abuse Prevention program, and since that five-year contract will end June 30, 2023, the Utah State Board of Education is getting ready to put out another Request for Proposals (RFP). In preparation for the RFP process, we would like to bring the Underage Drinking Prevention Program Advisory Council together this summer so we can gather their input for the RFP.

USBE's Substance Use Prevention Specialist, Clarissa Stebbing (who is cc'd on this email), has reached out several times to different people in DOH trying to contact someone to fulfill this requirement and has not received any responses. She is trying to get the council put together so that she can get a summer meeting on the council members' schedules and move forward with the new RFP. We would like to be able to identify who is going to be on the council by the end of the week, if possible.

We are also wondering, now that UDOH and DHS have merged, do you think we still need to have someone who was part of UDOH as a participant on the council or can Craig Povey (who has already agreed to participate) serve as the representative for both roles?

Feel free to contact us with any questions or forward this email to someone who may be more appropriate to help us with this. I am just not sure who else to reach out to at this point. I would generally reach out to the DHS Education Liaison, but I have heard that the person that was formerly in that position has since left. Thanks in advance for any help you can provide.

Tanya Albornoz, CSW
Coordinator for Prevention and Student Services
Utah State Board of Education
250 E 500 S
PO Box 144200
Salt Lake City, UT 84114-4200
Office: 801-538-7812
Cell: 385-321-0974
Email: tanya.albornoz@schools.utah.gov

For all training requests, please complete this survey.

The prevention specialists at USBE are now working together on all prevention related matters. Please send any prevention related requests to ***prevention@schools.utah.gov***

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SUBJECT: You're invited: Dobbs, labor market and more - Jul 28
FROM: Mercer <marketing.reply@mercer.com>
TO: natechecketts@utah.gov
DATE: 19/07/2022 13:58

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[redacted] Fireworks, spotlighting service, and more

Your top questions answered – Dobbs, labor market and more

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With each passing day, labor markets around the world are changing more and more. These shifts, along with the ever-changing regulatory landscape, can impact companies in a variety of different ways.

Join us as we continue the discussion on the Dobbs decision and women's reproductive health and get your top questions answered. We'll also share insights from our latest research to help employers understand how to navigate today's most pressing issues, including recessionary concerns, inflation and labor market challenges.

Register now

Register now

Date
Thursday,
July 28, 2022

Time
12:00 PM ET

Questions
Contact
Erin Jones

FB Link Twit

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[redacted]

[redacted]

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[redacted]

SUBJECT: CMS Statement on State Trigger Laws
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
CC: "Tonya Hales (DHHS)" <thales@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 21/07/2022 14:49

You might have already heard about this, but CMS did release a statement a few weeks ago regarding trigger laws in states surrounding abortion. ASTHO shared this with me today:

https://www.cms.gov/newsroom/press-releases/statement-cms-administrator-chiquita-brooks-lasure-access-reproductive-health-care

It sounds like ASTHO is also talking about bringing states together with trigger laws to discuss a number of different issues (i.e. Medicaid, medications, etc.). Hopefully you are also hearing from ASTHO staff that may be working with State Medicaid Directors.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Internal Committe... - @natechecketts@utah.gov @thales@utah....
FROM: "Marc Watterson (DHHS) (Google Sheets)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/07/2022 15:47

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Marc Watterson (DHHS) (mwatterson@utah.gov) mentioned you in a comment in the following document

[redacted]

[redacted]

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Marc Watterson (DHHS) (mwatterson@utah.gov) mentioned you in a comment in the following document

[redacted]

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SUBJECT: Abortion Discussion (McCay/HHS)
FROM: Kendly White <kwhite@le.utah.gov>
TO: "Nathan Checketts (DHS)" <natechecketts@utah.gov>, Daniel McCay<DMcCay@le.utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>
DATE: 22/07/2022 15:40

[redacted]

[redacted]

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[redacted]

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+(Tacoma)

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US (Tacoma)
US (Houston)
US
US (New York)
US (Washington DC)
US (Chicago)
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US
Meeting ID: [redacted]
Find your local number: [redacted]

Join by SIP
[redacted]

Join by H.323
[redacted] (US West)
(US East)
(India Mumbai)
(India Hyderabad)
(Amsterdam Netherlands)
(Germany)
(Australia Sydney)
(Australia Melbourne)
(Hong Kong SAR)
(Brazil)
(Canada Toronto)
(Canada Vancouver)
(Japan Tokyo)
(Japan Osaka)
Meeting ID: [redacted]

[redacted]

[redacted]

SUBJECT: Abortion Discussion (McCay/HHS)
FROM: Kendly White <kwhite@le.utah.gov>
TO: "Nathan Checketts (DHS)" <natechecketts@utah.gov>, Daniel McCay<DMcCay@le.utah.gov>, "Tracy Gruber (DHS)" <tracygruber@utah.gov>
DATE: 22/07/2022 15:50

[redacted]

[redacted]

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(Germany)
(Australia Sydney)
(Australia Melbourne)
(Hong Kong SAR)
(Brazil)
(Canada Toronto)
(Canada Vancouver)
(Japan Tokyo)
(Japan Osaka)
Meeting ID: [redacted]

[redacted]

[redacted] Fireworks, spotlighting service, and more

SUBJECT: Friendly Reminder: DHHS Grants Revenue ID: 233 assigned to you ispast due
FROM: "DHHS Grant Revenue - Do not reply" <dohsharepoint@utah.gov>
TO: davidlitvack@utah.gov, dhsedoapprovals@utah.gov, mhofmann@utah.gov,natechecketts@utah.gov, natewinters@utah.gov, sklenk@utah.gov,tracygruber@utah.gov
DATE: 24/07/2022 08:00

DHHS Grants Revenue Title V MCH Services Block Grant assigned to you is due ; please review and approve/reject the request by clicking here DHHS Grant 233.

Thank you,
DHHS Grants Admin

SUBJECT: Accepted: Abortion Discussion (McCay/HHS) @ Mon Aug 1, 2022 10:15am -10:45am (MDT) (Kendly White)
FROM: natechecketts@utah.gov
TO: Kendly White <kwhite@le.utah.gov>
DATE: 25/07/2022 21:35

natechecketts@utah.gov has accepted this invitation.

[redacted]

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[redacted] (Canada Toronto)
(Canada Vancouver)
[redacted] (Japan Tokyo)
[redacted] (Japan Osaka)
Meeting ID: [redacted]

When
Monday Aug 1, 2022 · 10:15am – 10:45am (Mountain Time - Denver)

Location
Zoom
View map

Organizer
Kendly White
kwhite@le.utah.gov

Guests
natechecketts@utah.gov - creator
Daniel McCay
Tracy Gruber (DHS)
View all guest info

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SUBJECT: Your questions answered - Dobbs and Labor Market Challenges |Thursday, Jul 28
FROM: Mercer <marketing.reply@mercer.com>
TO: natechecketts@utah.gov
DATE: 26/07/2022 12:04

[redacted]

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Register now

Register now

Date
Thursday,
July 28, 2022

Time
12:00 PM ET

Questions
Contact
Erin Jones

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SUBJECT: CDC Health Alert Network (HAN) Health Update 472: Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding
FROM: "Health Alert Network (CDC)" <healthalert@CDC.GOV>
TO: <CDC-HAN-PRIORITY-LIST@LISTSERV.CDC.GOV>
DATE: 30/07/2022 11:13

[redacted]

View this CDC HAN Health Update as a PDF.

This is an official
CDC HEALTH UPDATE

Distributed via the CDC Health Alert Network
July 30, 2022, 1:15 PM ET
CDCHAN-00472

Update for Clinicians on Monkeypox in People with HIV, Children and Adolescents, and People who are Pregnant or Breastfeeding

Summary
As of July 29, 2022, the Centers for Disease Control and Prevention (CDC) and state and local public health partners are reporting 5,189 cases of *Monkeypox virus* infections in the U States across 47 states, Washington, D.C., and Puerto Rico. CDC is also reporting multiple outbreaks of monkeypox have also been reported globally in 72 countries that do not norma report monkeypox activity. On Friday, July 22, CDC reported the first two cases of monkeypox in children in the United States during the current outbreak.

This Health Alert Network (HAN) Health Update serves to alert clinicians to clinical considerations for preventing, diagnosing, and managing monkeypox in people with HIV, children, adolescents, and people who are pregnant or breastfeeding.

Background
Since May 2022, CDC has been urging healthcare providers in the United States to be on alert for patients who have rash illnesses consistent with monkeypox. People with HIV, indivi who are immunocompromised, children, adolescents, and people who are pregnant or breastfeeding may be at risk for increased disease severity and adverse health outcomes assoc with monkeypox infection. Clinicians should be familiar with unique clinical considerations for monkeypox in these patient populations. A broad diagnostic approach is encouraged to distinguish *Monkeypox virus* infection from other causes of fever and rash illness. Testing should be performed on persons for whom monkeypox is suspected based on clinical presen or epidemiologic criteria. Clinicians should consult their state or territorial health department (State Contacts) or CDC through the CDC Emergency Operations Center (770-488-7100) soon as monkeypox is suspected.
CDC has issued clinical considerations for monkeypox infection in multiple populations including: people with HIV, children and adolescents, and people who are pregnant or breastfee These newly released clinical considerations complement existing clinical guidance for managing monkeypox and provide information on signs and symptoms of *Monkeypox virus* infe pre- and post-exposure prophylaxis; treatment; and infection control in these populations.

Recommendations and Information for Healthcare Providers on Monkeypox in People with HIV
In the current outbreak, available international summary surveillance data in the CDC-issued clinical considerations for people with HIV indicate 30-51% HIV prevalence among perso with monkeypox for whom HIV status was known. It is currently unknown whether HIV infection affects a person's risk of acquiring *Monkeypox virus* infection and developing disease a exposure.

Persons with advanced and uncontrolled HIV might be at higher risk for severe or prolonged monkeypox disease. Therefore, prophylaxis (e.g., vaccination), medical treatment and close monitoring are a priority for this population. Compared with other persons with monkeypox, case reports among persons with inadequately treated HIV who have CD4 counts ≤35 per mm^3 reported higher rates of secondary bacterial infection, more prolonged illness (and thereby also longer period of infectiousness), as well as a higher likelihood of a confluent o partially confluent rash, rather than discrete lesions. In contrast, recent reports of patients with HIV infection and monkeypox who are on effective antiretroviral therapy (ART) have note deaths or evident excess hospitalizations to date. Providers should consider both viral suppression and CD4 count in weighing the risk of severe outcomes from monkeypox for any pa with HIV.

The rash of monkeypox can be confused with other rash illnesses that are considered in people with HIV, including herpes zoster (shingles), scabies, molluscum contagiosum, herpes, syphilis, chancroid, lymphogranuloma venereum, allergic skin rashes, and drug eruptions. Immunocompromised persons, including persons with advanced, untreated or inadequately suppressed HIV, may present with an atypical rash, including a disseminated rash that may make diagnosis more challenging.

Prevention of monkeypox and infection control practices in the home or healthcare setting are the same regardless of peoples' HIV status. Post-exposure prophylaxis (PEP) and antivi treatments, including tecovirimat, are available for persons exposed to monkeypox or with *Monkeypox virus* infection. The safety and immunogenicity of JYNNEOS, a live, non-replicat viral vaccine, has been specifically established in people with HIV; however, immunogenicity among persons with HIV who have CD4 counts below 100 cells/mm^3 or who are not virologically suppressed remains unknown. ACAM2000, a replicating viral vaccine, should not be given to people with HIV (regardless of immune status). Antiviral treatments for monkeypox have few interactions with antiretroviral therapy. ART and opportunistic infection prophylaxis should be continued in all people with HIV who develop monkeypox.

Recommendations and Information for Healthcare Providers on Monkeypox in Children and Adolescents
Limited pediatric data on infection with the Congo Basin clade of *Monkeypox virus* suggest increased risk of severe disease in children younger than 8 years of age. Rare complication monkeypox include abscess, airway obstruction due to severe lymphadenopathy, cellulitis, corneal scarring, encephalitis, keratitis, pneumonia, and sepsis. The West African clade of *Monkeypox virus* involved in the current outbreak typically causes less severe disease than the Congo Basin clade.
Monkeypox virus can spread to children through contact with infectious body fluids (e.g., lesion exudates and respiratory secretions) of people or animals or through contact with fomite may occur in households and other close contact settings. The number of monkeypox cases among children in the United States is currently low; however, CDC acknowledges that the expanding U.S. outbreak and the possible risk for transmission in households and other settings may result in additional pediatric cases. Pediatric providers should be familiar with prevention, recognition, and testing considerations for monkeypox in children and adolescents.
Families should be counseled about preventing the spread of *Monkeypox virus* between children, caregivers, and household members in the home, including avoidance of contact with persons who have monkeypox, the body fluids of an infected person, and fomites (e.g., clothing, towels, bedding); wearing a well-fitting mask or respirator by the person with monkeyp and the contact (for children over 2 years of age) when interaction is unavoidable; and minimizing the number of caregivers for children with monkeypox. Particular attention should be made to keep children with monkeypox from scratching lesions or touching their eyes to prevent auto-inoculation and more severe illness. Caregivers should cover areas of broken ski with bandages to the extent possible and avoid direct skin-to-skin contact with the rash.
Children and adolescents who are close contacts of a person with monkeypox (e.g., household contact, other family member, caregiver, or friend) should be evaluated for illness and offered post-exposure prophylaxis with JYNNEOS or ACAM2000 (for children older than 12 months) or treatment when indicated. Monkeypox should be considered when children or adolescents present with signs or symptoms that could be consistent with the disease, especially if epidemiologic criteria are present. The rash of monkeypox can be confused with oth rash illnesses that are commonly considered in children including varicella (chickenpox); hand, foot, and mouth disease; measles; scabies; molluscum contagiosum; herpes; allergic sk rashes and syphilis (including congenital syphilis); and drug eruptions.
Data are limited on the effectiveness of PEP for children who have been exposed to monkeypox or treatment for children with illness, and no vaccines or other products are currently licensed for monkeypox prevention or treatment in children or adolescents. However, PEP should not be withheld from children or adolescents who are otherwise eligible. Decisions ab whether to offer PEP should take into account the patient's degree of exposure and the patient's individual risk of severe disease.

Prophylactic therapeutics that can be administered include vaccination, Vaccinia immune globulin, and antiviral medication. For almost all children and adolescents, vaccination is the preventive treatment that should be administered. Immune globulin or antivirals may also be considered for infants under 6 months of age, given their immature immune systems and possible decreased responses to vaccination.

Tecovirimat is currently being used as the first-line treatment for infection with *Monkeypox virus*, including for children and adolescents with severe disease or underlying medical condi that may increase risk for severe disease and those with complications from monkeypox. Individual risks and benefits must be considered prior to initiating tecovirimat. Other treatment such as Vaccinia immune globulin may be considered in unusual circumstances.

In pediatric inpatient care settings, infection control procedures for children with monkeypox infection should also consider the child's age and caregiving needs; family and caregiver preferences; the extent, severity, and course of the child's illness; and risks for severe monkeypox disease in exposed caregivers (e.g., pregnancy or immunocompromising conditions)

Recommendations and Information for Healthcare Providers on Monkeypox in People who are Pregnant or Breastfeeding
Data regarding *Monkeypox virus* infection during pregnancy are limited. It is unknown if pregnant people are more susceptible to acquiring *Monkeypox virus* infection or if illness is mo severe during pregnancy. Other poxviruses cause more severe infection during pregnancy. *Monkeypox virus* can be transmitted to the fetus during pregnancy and to the newborn by cl contact during and after birth. There are few case reports of spontaneous pregnancy loss and stillbirth, preterm delivery, and neonatal monkeypox infection; the frequency and circumstances for these outcomes are unknown. Whether *Monkeypox virus* is present in breast milk is unknown; however, it may be transmitted through close contact during breastfee Prevention measures for monkeypox infection are similar for pregnant and non-pregnant people. Pre- or post-exposure prophylaxis should be offered to people who are pregnant or

should not be used in people who are pregnant or breastfeeding.
During pregnancy, the cause of fever may be difficult to differentiate from other infections, such as intraamniotic infection (chorioamnionitis), until the monkeypox rash appears. Pregna patients with rashes initially considered characteristic of dermatoses of pregnancy (e.g., polymorphic eruption of pregnancy) or of more common infections (e.g., varicella zoster or sex transmitted infections) should be carefully evaluated for a monkeypox rash, and submission of specimens of lesions for monkeypox diagnosis should be considered, especially if the pe has any epidemiologic risk factors for monkeypox infection.
While most adults with *Monkeypox virus* infection experience self-limiting infection and recover within 2–4 weeks, pregnant and breastfeeding people should be prioritized for medical treatment, if needed, due to the probable increased risk of severe disease during pregnancy, risk of transmission to the fetus during pregnancy or to the newborn by close contact durin and after birth, and risk of severe infection in newborns. Treatment for *Monkeypox virus* infection should be offered to people who are pregnant or breastfeeding. The risks and benefits treatment options should be discussed with the patient.
Recommendations for infection prevention and control of monkeypox in healthcare settings are the same for pregnant and non-pregnant patients. Newborns born to people with monke should be placed in isolation, and healthcare personnel should follow infection prevention and control recommendations. Patients with monkeypox should be counseled about measure prevent risk of transmission of *Monkeypox virus* to their newborn from close contact and breastfeeding.

For More Information

- Clinical Considerations for Monkeypox in People Who are Pregnant or Breastfeeding | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Monkeypox in Children and Adolescents | Monkeypox | Poxvirus | CDC
- Clinical Considerations for Treatment and Prophylaxis of Monkeypox virus Infection in People with HIV | Monkeypox | Poxvirus | CDC
- Visit CDC-INFO or call CDC-INFO at 1-800-232-4636
- CDC 24/7 Emergency Operations Center (EOC) 770-488-7100

The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by provid credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

Categories of Health Alert Network messages

Health Alert	**Requires immediate action or attention. Conveys the highest level of importance about a public health event.**
Health Advisory	**Requires immediate action. Provides important information about a public health event.**
Health Update	**May require immediate action. Provides updated information about a public health event.**
HAN Info Service	**Does not require immediate action. Provides general information about a public health event.**

##This message was distributed to state and local health officers, state and local epidemiologists, state and local laboratory directors, public information officers, HAN coordinators, a clinician organizations##

[redacted] Fireworks, spotlighting service, and more

SUBJECT: Invitation: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (tracygruber@utah.gov)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: tracygruber@utah.gov, mhofmann@utah.gov, stephaniesaperstein@utah.gov
DATE: 01/08/2022 16:50

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
View all guest info

Reply for tracygruber@utah.gov

Yes No Maybe More options

Invitation from Google Calendar
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Forwarding this invitation could allow any recipient to send a response to the organizer, be added to the guest list, invite others regardless of their own invitation status, or modify your RSVP. Learn more

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If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.

SUBJECT: Invitation: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (stephaniesaperstein@utah.gov)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: stephaniesaperstein@utah.gov, mhofmann@utah.gov, tracygruber@utah.gov
DATE: 01/08/2022 16:50

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

[redacted]

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
View all guest info

Reply for stephaniesaperstein@utah.gov

Yes No Maybe More options

Invitation from Google Calendar
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SUBJECT: Invitation: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (mhofmann@utah.gov)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: mhofmann@utah.gov, stephaniesaperstein@utah.gov, tracygruber@utah.gov
DATE: 01/08/2022 16:50

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
View all guest info

Reply for mhofmann@utah.gov

Yes No Maybe More options

Invitation from Google Calendar
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SUBJECT: Accepted: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (natechecketts@utah.gov)
FROM: Stephanie Saperstein <stephaniesaperstein@utah.gov>

[redacted]

[redacted] Fireworks, spotlighting service, and more

TO: natechecketts@utah.gov
DATE: 01/08/2022 16:52

Stephanie Saperstein has accepted this invitation.

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
View all guest info

Invitation from Google Calendar
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SUBJECT: Re: Invitation: (V) Follow Up on Abortion Discussion @ Fri Aug 5,2022 8:30am - 9am (MDT) (tracygruber@utah.gov)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 01/08/2022 20:30

Neil also wants a recap. Is it best to include him on this meeting or do a separate meeting?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Aug 1, 2022 at 4:50 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

[redacted]

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
View all guest info

Reply for tracygruber@utah.gov

Yes No Maybe More options

Invitation from Google Calendar
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SUBJECT: Legislative Report Due by August 10
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Eric Tadehara (DHHS)" <erictadehara@utah.gov>
CC: Brent Kelsey DHS <bkelsey@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>
DATE: 01/08/2022 23:14

Eric -

Just checking in on the status of the following legislative required report. I have down in our records (DHHS Legislative Items Due_2022) that Brent asked you to take the lead on this specific report.

As a reminder, EDO would like at least one week prior to the due date to review the report and provide feedback. Please share the report with me and Shari when it is ready for EDO review.

Thanks!

HB 2, Item 80:

The Legislature intends that the Department of Human Services report back to the Social Services Appropriation Subcommittee no later than August 10, 2022 on how much it would cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive the following services: (1) a licensed social worker to help connect women with state services they are determined to need and are eligible to receive; (2) a peer support program; and (3) home visitation services through the child's first birthday. The Legislature further intends that the performance measures by which the program would be measured would include the following: (1) the rate of a diagnosis of neonatal abstinence syndrome at the time of delivery in the areas where the program has been implemented; and (2) the number of NICU days related to any substance use disorder in the areas where the program has been implemented.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Re: Abortion Discussion
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: Stephanie Saperstein <stephaniesaperstein@utah.gov>, Daniel Mccay <dmccay@le.utah.gov>, Brian Bean <bbean@le.utah.gov>
DATE: 02/08/2022 05:29

Thank you Nate.

I'm sorry I had to excuse myself before the discussion ended. I'm glad it continued in my absence and I look forward to a follow up. I will be out of the office from August 8 - 13. If the follow up meeting takes place during my time off, I will try to join.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Aug 1, 2022 at 12:12 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Stephanie,

[redacted]

Thanks,

Nate

Stephanie Saperstein
Attorney General's Office
stephaniesaperstein@utah.gov
801-680-7690

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SUBJECT: Re: Abortion Discussion
FROM: Daniel McCay <DMcCay@le.utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)"<natechecketts@utah.gov>
CC: Stephanie Saperstein <stephaniesaperstein@utah.gov>, Brian Bean<bbean@le.utah.gov>, Victoria Ashby <vashby@le.utah.gov>
DATE: 02/08/2022 06:10

All,

I'm working with OLRGC to determine the best way to work together. Victoria Ashby will be assigned to work on a bill
If we determine one is necessary. She is at a conference this week and will be back in the office next week.

[redacted]

Thank you for the connection to your AG Counsel.

Sincerely,

Senator Daniel McCay
M: (801) 810-4110
E: dmccay@le.utah.gov

NOTICE: This email is subject to Government Records Access and Management Act (Utah Code 63G Chapter 2). Any and all communications may be subject to public disclosure.

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Sent: Tuesday, August 2, 2022 5:29:54 AM
To: Nate Checketts (DHHS) <natechecketts@utah.gov>
Cc: Stephanie Saperstein <stephaniesaperstein@utah.gov>; Daniel McCay <DMcCay@le.utah.gov>; Brian Bean <bbean@le.utah.gov>
Subject: Re: Abortion Discussion

Thank you Nate.

I'm sorry I had to excuse myself before the discussion ended. I'm glad it continued in my absence and I look forward to a follow up. I will be out of the office from August 8 - 13. If the follow up meeting takes place during my time off, I will try to join.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Aug 1, 2022 at 12:12 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

Stephanie,

[redacted].

Thanks,

Nate

Stephanie Saperstein
Attorney General's Office
stephaniesaperstein@utah.gov
801-680-7690

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SUBJECT: Re: Abortion Discussion
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: Daniel McCay <DMcCay@le.utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Stephanie Saperstein <stephaniesaperstein@utah.gov>, Brian Bean <bbean@le.utah.gov>, Victoria Ashby <vashby@le.utah.gov>
DATE: 02/08/2022 06:13

Thank you!

[redacted]

[redacted] Fireworks, spotlighting service, and more

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Aug 2, 2022 at 6:10 AM Daniel McCay <DMcCay@le.utah.gov> wrote:

All,

I'm working with OLRGC to determine the best way to work together. Victoria Ashby will be assigned to work on a bill If we determine one is necessary. She is at a conference this week and will be back in the office next week.

Thank you for the connection to your AG Counsel.

Sincerely,

Senator Daniel McCay
M: (801) 810-4110
E: dmccay@le.utah.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Sent: Tuesday, August 2, 2022 5:29:54 AM
To: Nate Checketts (DHHS) <natechecketts@utah.gov>
Cc: Stephanie Saperstein <stephaniesaperstein@utah.gov>; Daniel McCay <DMcCay@le.utah.gov>; Brian Bean <bbean@le.utah.gov>
Subject: Re: Abortion Discussion

Thank you Nate.

I'm sorry I had to excuse myself before the discussion ended. I'm glad it continued in my absence and I look forward to a follow up. I will be out of the office from August 8 - 13. If the follow up meeting takes place during my time off, I will try to join.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Aug 1, 2022 at 12:12 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

Stephanie,

[redacted]

Thanks,

Nate

Stephanie Saperstein
Attorney General's Office
stephaniesaperstein@utah.gov
801-680-7690

[redacted]

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SUBJECT: 8.5.22 DHHS Weekly Briefing: Please Review and Add Appropriate Items
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: dhhsedo@utah.gov, "Joe Dougherty (DHHS)" <joedougherty@utah.gov>, "Melissa Stevens Dimond (DHHS)" <melissastevens@utah.gov>
DATE: 02/08/2022 09:43

Good morning,

Attached is the Governor's Weekly Briefing template for this week, please add items as needed.

I'm also attaching the index/catalogue of past items for your review to see if there are items from past reports we should provide updates for.

Here's a list of topics from the previous reports:

988 Launch
Administration for Children and Families Visit.
Bebtelovimab Supply
Block Grant Letter
CDC/FDA approval for COVID-19 vaccines for children 6 months+
Clinical Response Team for JJYS
Concerns about case file accuracy for DCFS
COVID-19 Test Kits in Libraries and Food Pantries
COVID-19 Therapeutics
DHHS Consolidation – IT Merge Planning
DHHS Results-Based Accountability Plan & Metrics
Disposal of Expired COVID Test Kits
EPA Letter.
FEMA Reimbursement
Improve Coordination w/Local Health Dept
Infant formula shortages
Interim Legislative session updates
Juvenile Justice and Youth Services (JJYS)
Martha Hughes Cannon Birthday and Merger Implementation Event
Medical Cannabis.
Monkeypox Update
Nicotine Lawsuit
Office of Medical Examiner–NY Times
OME Update
Opening of a new youth center in American Fork
PEHP Rebates
Policies Supporting Women, Children & Families
Public Health Infrastructure, Workforce, and Data Systems grant application
Renewal of Medicaid 1115 Waiver
SCOTUS
Senior Leadership Positions.
Trigger Law
UDDC
Utah Forensic Settlement Agreement (Utah State Hospital).
Utah Resources for Mothers and Families

Please let me know if you have any questions! Thank you!

[redacted]

[redacted]

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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[redacted]

C: 801-540-0714
pray@utah.gov

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--

Emma Chacon
Senior Consultant
C: 801-448-1543
echacon@utah.gov
https://medicaid.utah.gov/

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SUBJECT: Accepted: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (natechecketts@utah.gov)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: natechecketts@utah.gov
DATE: 02/08/2022 13:19

Tracy Gruber (DHHS) has accepted this invitation.

[redacted]

[redacted] Fireworks, spotlighting service, and more

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
View all guest info

Invitation from Google Calendar
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SUBJECT: Re: Invitation: (V) Follow Up on Abortion Discussion @ Fri Aug 5,2022 8:30am - 9am (MDT) (tracygruber@utah.gov)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
DATE: 02/08/2022 14:10

I'll add Neil.

On Mon, Aug 1, 2022 at 8:30 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Neil also wants a recap. Is it best to include him on this meeting or do a separate meeting?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Aug 1, 2022 at 4:50 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

[redacted]

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
View all guest info

Reply for tracygruber@utah.gov

Yes No Maybe More options

Invitation from Google Calendar
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SUBJECT: Invitation: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (nabercrombie@utah.gov)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: nabercrombie@utah.gov, mhofmann@utah.gov, stephaniesaperstein@utah.gov, tracygruber@utah.gov
DATE: 02/08/2022 14:11

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

[redacted]

[redacted] Fireworks, spotlighting service, and more

Recap discussion with Senator McCay and discuss issues that may need to be reviewed prior to the next meeting

When
Friday Aug 5, 2022 · 8:30am – 9am (Mountain Time - Denver)

Guests
natechecketts@utah.gov - organizer
mhofmann@utah.gov
stephaniesaperstein@utah.gov
tracygruber@utah.gov
nabercrombie@utah.gov
View all guest info

Reply for nabercrombie@utah.gov

Yes No Maybe More options

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SUBJECT: (V) PREP - Interim Session
FROM: mwatterson@utah.gov
TO: apinna@utah.gov, aslater@utah.gov, austinpreston@utah.gov, davidlitvack@utah.gov, "Heather Borski (DHHS)" <hborski@utah.gov>, joedougherty@utah.gov, jstrohecker@utah.gov, kharvey@utah.gov, mhofmann@utah.gov, natechecketts@utah.gov, natewinters@utah.gov, pray@utah.gov, rebeccab@utah.gov, swatkins@utah.gov, thales@utah.gov, tracygruber@utah.gov, trentbrown@utah.gov, trudyellis@utah.gov, xthomas@utah.gov, mwatterson@utah.gov
DATE: 02/08/2022 15:10

Notes and Outstanding Items:
Shari to reach out to get further clarification from LFA staff on some items.
Nate and Tonya to follow-up with Brent Kelsey and Eric Tedahara on presentations/reports/draft legislation
Questions that came up after 3pm:
* Not sure if Russell will be presenting on Services for Pregnant Women or if our Staff is being expected to present for the 20 minutes set aside?
* Will Nate Winters be presenting on the Performance Measures Audit follow-up?

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

[redacted]

[redacted] Fireworks, spotlighting service, and more

(V) PREP - Interim Session

Tuesday Aug 2, 2022 · 2pm – 3pm (Mountain Time - Denver)

Purpose: To verify the agenda items and requests of the Department (i.e. presentations).

Location
Join with Google Meet , MASOB-4-Admin 4058 (30) [Jamboard Smart Board, Projector, Web Cam]
View map

Guests
trudyellis@utah.gov - organizer
aslater@utah.gov
davidlitvack@utah.gov
Heather Borski (DHHS)
mhofmann@utah.gov
mwatterson@utah.gov
natechecketts@utah.gov
natewinters@utah.gov
pray@utah.gov
rebeccab@utah.gov
swatkins@utah.gov
thales@utah.gov
tracygruber@utah.gov
xthomas@utah.gov
joedougherty@utah.gov
trentbrown@utah.gov
apinna@utah.gov
jstrohecker@utah.gov
austinpreston@utah.gov
kharvey@utah.gov

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SUBJECT: Re: HHS Interim August
FROM: "Tonya Hales (DHHS)" <thales@utah.gov>
TO: "Brent Kelsey (DHHS)" <bkelsey@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 02/08/2022 18:13

Hi Brent,
One additional thing that came up after Nate jumped off the August SSA interim planning meeting call today was related to an item listed on the SSA August Afternoon tab of this document: Interim Committee - Detailed Agenda, line 53, shows "Services for Pregnant Women with Substance Use Disorder" the time slated for this item is 20 minutes and the thinking was that DHHS should be prepared to present on this report, so just wanted to confirm you are planning to present on this Brent, or someone in SUMH?

Thanks,
Tonya Hales
Assistant Deputy Director, Healthcare Administration
Executive Director's Office
She/Her/Hers
C: 801-349-5775
thales@utah.gov
dhhs.utah.gov

On Tue, Aug 2, 2022 at 3:10 PM Brent Kelsey (DHHS) <bkelsey@utah.gov> wrote:
Yes, I will be there.

On Tue, Aug 2, 2022 at 2:14 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Are you planning to attend the meeting in Tooele or have someone from your team there?

[redacted]

Thanks,

Nate

https://le.utah.gov/Interim/2022/pdf/00002247.pdf

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--
Brent Kelsey
Director
Office of Substance Use & Mental Health
288 N 1460 W
Salt Lake City, Utah 84116
Cell: 801-540-5242
Pronouns: He, Him, His

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SUBJECT: Re: HHS Interim August
FROM: "Brent Kelsey (DHHS)" <bkelsey@utah.gov>
TO: "Tonya Hales (DHHS)" <thales@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 02/08/2022 19:41

Yes. Planning on presenting. I plan on have Rebecca King with me. We will have a copy of the report to you by end of business tomorrow.

Sent from my iPhone

On Aug 2, 2022, at 6:13 PM, Tonya Hales (DHHS) <thales@utah.gov> wrote:

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She/Her/Hers
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thales@utah.gov
dhhs.utah.gov

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[redacted]

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[redacted]

[redacted]

SUBJECT: Document shared with you: "Section Leadership Copy - Pregnant Womenwith SUD - HB 2 Legislative Report - Updated to New Format"
FROM: "Tonya Hales (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: natechecketts@utah.gov
DATE: 03/08/2022 13:45

[redacted]

[redacted] Fireworks, spotlighting service, and more

Tonya Hales (DHHS) shared a document

Unknown profile Tonya Hales (DHHS) (thales@utah.gov) has invited you to **edit** the following document:

[redacted]

[redacted]

[redacted]

Logo for Google Docs

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because thales@utah.gov shared a document with you from Google Docs.

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[redacted]

[redacted] Fireworks, spotlighting service, and more

TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 04/08/2022 06:39

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **White House Office of Public Engagement** <ope@who.eop.gov>
Date: Wed, Aug 3, 2022 at 12:02 PM
Subject: Biden-Harris Actions to Protect Access to Reproductive Rights + Briefing Invite
To: <tracygruber@utah.gov>

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Women's Community Update

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Full RSVP link: https://pitc.zoomgov.com/webinar/register/WN_o-cY8LG8RmKJjynisskU5w

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All best,

[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Family Friendly Policies - Need to Meet
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 04/08/2022 07:25

Good morning,

Yesterday Marc and I met to discuss the ask of utilizing its comprehensive list of policies that are family friendly to develop a proposal for a package of policies. Yesterday afternoon Tracy informed me that the plan is for her and some of the senior leadership to meet with the LG on 8/15 (Tracy is that right?) to review the list so the timeline for getting this done is a bit more accelerated than I thought. Marc and I had discussed having a draft ready in a few weeks.

Tracy you also mentioned we need to touch base and understand what the LG's Office is working on. I'm looking for a time tomorrow, would 3-3:30 work for everyone or maybe 4:30-5:30? I can't see everyone's calendars.

I was planning on creating a templated document for us to work on together (I'll do that today) based on an outline we brainstormed yesterday. Here's the outline, would love feedback:

Thinking about families throughout the continuum starting with pregnancy and working through the family timeline. Each broader theme will have a desired result attached and the following elements:

1. What is the desired result?
2. What currently exists?
3. What needs to be fixed? What barriers exist? What policies need to change?
4. Statistical data

The broader themes:

1. Preventing unwanted pregnancies
2. Improving access to efficient adoption services (Marc I added this to the list I don't think we discussed yesterday)
3. Supporting pregnant women
4. Increasing economic supports for families
5. Increasing access to parenting support for families

Within each of the broader themes we'd focus on 1-2 policy recommendations, here's some examples we brainstormed yesterday (there are a lot of other areas we can focus on but these are some ideas):

1. Preventing unwanted pregnancies
    1. Focus on contraceptive access
        1. Understanding and removing barriers with regards to the standing order (Marc and I looked briefly at the standing order requirements and it seems obvious now why pharmacies don't want to engage but I'll do a bit more digging, turns out the standing order requires quite a bit of monitoring and evaluation from pharmacists including administering a self-assessment tool, and continued reviews at 3 months, 12 months, 24 months, 36 months, and 48 months). Here's a link to the standing order https://health.utah.gov/wp-content/uploads/ContraceptiveStandingOrderFINAL.pdf and here's a link to the approved self-assessment tool from DOPL https://dopl.utah.gov/pharm/hormonal_contraception_questionnaire.pdf. Apparently pharmacies can create their own but it has to be approved by us and I'm not sure what the mechanism/process in place is for pharmacies to get that approval?
2. Improving access to efficient adoption services
    1. Need to do more research on this issue but possibly providing more financial assistance

[redacted]

3. Supporting pregnant women
    1. Extending Medicaid postpartum coverage to pregnant women between 138% and 200% FPL to 12 months (this has been proposed in the past and there's lots of information out there from us and other states, I suggested we bring in Nate and Jen to talk this through)
4. Increasing economic supports for families
    1. Increasing incentives for child support compliance
    2. There are a lot of other policies to review and choose from
5. Increasing access to parenting support for families
    1. Expanding outreach and education on programs that exist such as parenting classes, home visiting opportunities, early childhood development programs, etc. . .

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: Biden-Harris Actions to Protect Access to Reproductive Rights +Briefing Invite
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 04/08/2022 08:53

The Medicaid travel provision is an interesting requirement since Medicaid abortion coverage is so limited. I don't see an issue for us on this one because our exceptions are similar to the Hyde Amendment exceptions.

Thanks,

Nate

On Thu, Aug 4, 2022 at 6:39 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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Date: Wed, Aug 3, 2022 at 12:02 PM
Subject: Biden-Harris Actions to Protect Access to Reproductive Rights + Briefing Invite
To: <tracygruber@utah.gov>

[redacted]

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All best,

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SUBJECT: Re: Biden-Harris Actions to Protect Access to Reproductive Rights +Briefing Invite
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
DATE: 04/08/2022 09:01

[redacted]

I was thinking the same thing, interesting proposal, doesn't our trigger law still allow for the Hyde Amendment exceptions anyway? I think our trigger law requires 'verification' on rape and incest meaning the person would've had to file a police report so that'll be an interesting thing to figure out if it goes into effect. Has there been guidance on that piece from CMS or the White House?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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[redacted]

[redacted] Fireworks, spotlighting service, and more

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FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
DATE: 04/08/2022 09:04

At a high level, we believe the Hyde Amendment language preempts the trigger law language and so Medicaid is planning to stay with its current coverage requirements.

Thanks,

[redacted]

[redacted] Fireworks, spotlighting service, and more

Nate

On Thu, Aug 4, 2022 at 9:01 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

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SUBJECT: Accepted: (V) Follow Up on Abortion Discussion @ Fri Aug 5, 20228:30am - 9am (MDT) (natechecketts@utah.gov)
FROM: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
TO: natechecketts@utah.gov
DATE: 04/08/2022 12:32

Michelle Hofmann (DHHS) has accepted this invitation.

[redacted]

[redacted]

[redacted]

SUBJECT: References on pregnancy medicaid/churn
FROM: Rosemary Lesser <rlesser@le.utah.gov>
TO: "Nathan Checketts (DHS)" <natechecketts@utah.gov>, Brian Roach<broach@utah.gov>
DATE: 05/08/2022 16:14

Hi Nate and Brian,
Thank you so much for joining me in the presentation for extending care for more Utah women. I'm attaching a thorough overview of the status of Medicaid coverage for pregnancy coverage. On p 18 of the doc is the reference to the 4 states that have created a separate enrollment period because of pregnancy. This paper from CO discussed their experience with churn:
https://www.sciencedirect.com/science/article/abs/pii/S1049386722000780
That experience is mirrored by reports from several other states in the second attachment.
I would also like your thoughts about funding this through the Medicaid expansion fund. I certainly would have no objection to appropriating this through the General fund. It seems that the decision to approve these two bills should not hinge on the funding mechanism. However, I would want to present it in the way that would allow for greater chance of passage.
I look forward to our ongoing collaboration.

Sincerely,
Rosemary

Rosemary Lesser, MD
Utah House of Representatives, District 10
Text: 385-278-3556

SUBJECT: Fwd: Integrated Healthcare - Amendment - R414-501 PreadmissionAuthorization, Retroactive Authorization, and Continued Stay Review
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Jennifer Strohecker <jstrohecker@utah.gov>
CC: Tonya Hales <thales@utah.gov>
DATE: 07/08/2022 16:32

One suggested change for this proposed rule amendment

Thanks,

Nate

On Wed, Jul 27, 2022 at 1:51 PM Jonah Shaw (DHHS) <jshaw@utah.gov> wrote:
Nate,

Attached for your review, is an amendment to R414-501 Preadmission Authorization, Retroactive Authorization, and Continued Stay Review. Please let me know if you have any questions or concerns.

Appreciatively,
Jonah Shaw
Administrative Rules Coordinator
C: 385 310-2389
jshaw@utah.gov
https://rules.utah.gov/

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[redacted]

[redacted]

[redacted]

SUBJECT: Fwd: QAZ: Question for you (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/08/2022 06:55

I received this response from my contact at Krogers, I can tell you that I've known people personally who've contacted some Smith's in the past year and were told that they must have an initial prescription first before Smith's will refill. It sounds like that might be due to some internal communication issues.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
From: **Montuoro, Jaime L** <jaime.montuoro@sfdc.com>
Date: Fri, Aug 5, 2022 at 9:18 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,

Here you go:

1. Does Krogers participate in this program? Yes
2. Why or why not? We recognize the importance of access to contraception for our patients. Our general stance is to support our pharmacists in practicing at the top of their license wherever possible and appreciate the fact that pharmacists are allowed in the state of Utah to provide this service.
3. Are there barriers that the State could help address? There are a few significant barriers to our ability to offer this service. I am not sure how the state may be able to assist, but the main barriers are listed here:
    a. Payment for the consultation. Patients must pay for the service out of pocket since insurance companies don't recognize pharmacists as providers. This particularly becomes an issue when pharmacists assess a patient and identify that the patient must be referred. Then either the pharmacist has provided the service up to that point for free or the patient pays for the assessment only to leave without a prescription, having to go to a different provider.
    b. Due to other priorities, our organization has not really promoted the service through our normal marketing channels. To be honest, pharmacy usually gets limited marketing support in general and it's usually focused on more established services like vaccines. We rely on word of mouth to spread awareness that the service is available, which is not very effective.
    c. As with many industries and especially in healthcare, our pharmacies are suffering from staffing shortages and high turnover. Mostly pharmacy technicians but also pharmacists. This, coupled with the COVID vaccine demand, and looking ahead to flu vaccine season/COVID boosters, capacity is a concern.

I hope this helps. I'd be happy to discuss further.
Thanks,
Jaime

[redacted]

[redacted] Fireworks, spotlighting service, and more

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

** **[EXTERNAL EMAIL]:** Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi Jaime,

I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Krogers regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does Krogers participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
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dhhs.utah.gov

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SUBJECT: Fwd: [EXTERNAL] QAZ: Question for you from Utah Department of Healthand Human Services (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>
DATE: 08/08/2022 08:25

Response from CVS, interesting challenge that we may be able to help address.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
From: **Rocchio, John N.** <John.Rocchio@cvshealth.com>
Date: Mon, Aug 8, 2022 at 7:39 AM
Subject: RE: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>, Talbott, Theresa M. <Theresa.Talbott@cvshealth.com>
Cc: Rocchio, John N. <John.Rocchio@cvshealth.com>

[redacted]

[redacted] Fireworks, spotlighting service, and more

Hello Krisann,
Thank you for the outreach. We are live with pharmacist based prescribing of hormonal contraceptives in many states and our teams have a roadmap to expansion. We are currently not live in Utah since we cannot leverage our universal digital tool for the patient assessment.

Other states permit our clinical teams to create a digital assessment form that incorporates all of the questions that would be part of the state form and transfers them over to our digital tool. We understand that this action is not allowed in Utah, which has impeded our ability to provide this service.

I am out-of-office this week as well, and I would happily wish to connect and see if we can rectify this matter upon my return.
Sincerely,
John

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 1:22 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Cc: Rocchio, John N. <John.Rocchio@CVSHealth.com>
Subject: Re: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Aug 5, 2022 at 11:05 AM Talbott, Theresa M. <Theresa.Talbott@cvshealth.com> wrote:

Hi, Krisann--
I am out of the office. Adding my colleague john to help answer the questions
Terry Talbott, R.Ph.
Lead Director
State Government Affairs
CVS Health
5704604394

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 12:58:30 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Subject: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Hi Theresa,

I don't know if we've met yet, I've worked with Larry in the past related to COVID-19. I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for CVS regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does CVS participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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[redacted]

[redacted]

[redacted]

[redacted]

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I am out-of-office this week as well, and I would happily wish to connect and see if we can rectify this matter upon my return.
Sincerely,
John

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 1:22 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Cc: Rocchio, John N. <John.Rocchio@CVSHealth.com>
Subject: Re: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Aug 5, 2022 at 11:05 AM Talbott, Theresa M. <Theresa.Talbott@cvshealth.com> wrote:

Hi, Krisann--
I am out of the office. Adding my colleague john to help answer the questions
Terry Talbott, R.Ph.
Lead Director
State Government Affairs
CVS Health
5704604394

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 12:58:30 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Subject: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Hi Theresa,

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It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does CVS participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Anna Fondario (DHHS)" <afondario@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 09:20

Hi Marc, my understanding is that since the SCI / BI Rehabilitation Fund is a payor of last resort, primary instances when cost-sharing occurs in Utah:

1. Medicaid / Medicare (as a result of job loss / insurance due to the injury)
2. Out-of-pocket

Typically participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, the program will study the issue more.

Cc'ed Teresa and Traci for additional input.

On Mon, Aug 8, 2022 at 8:35 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Janae and Anna -

Could you help come up with a response for Russell's question (see thread below)?

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022, 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

[redacted]

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[redacted]

[redacted] Fireworks, spotlighting service, and more

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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--

Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

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SUBJECT: Re: QAZ: Question for you (Time-sensitive)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/08/2022 10:23

Thanks!

Can Medicaid cover the consultation for Medicaid clients?

Tracy S. Gruber
Executive Director
O: 435.772.6550

[redacted]

tracygruber@utah.gov

On Mon, Aug 8, 2022 at 6:49 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

I received this response from my contact at Krogers, I can tell you that I've known people personally who've contacted some Smith's in the past year and were told that they must have an initial prescription first before Smith's will refill. It sounds like that might be due to some internal communication issues.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
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Date: Fri, Aug 5, 2022 at 9:18 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,

Here you go:

1. Does Krogers participate in this program? Yes
2. Why or why not? We recognize the importance of access to contraception for our patients. Our general stance is to support our pharmacists in practicing at the top of their license wherever possible and appreciate the fact that pharmacists are allowed in the state of Utah to provide this service.
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I hope this helps. I'd be happy to discuss further.
Thanks,
Jaime

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

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It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does Krogers participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office

[redacted]

C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: QAZ: Question for you (Time-sensitive)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Jennifer Strohecker <jstrohecker@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 08/08/2022 11:11

Jen,

Looping you into a discussion about pharmacists consulting and then dispensing contraception in Utah. Can you respond to Tracy's question about Medicaid's ability to pay for the pharmacist consultation that would support direct dispensing of the self-administered hormonal contraceptives?

Thanks,

Nate

On Mon, Aug 8, 2022 at 10:24 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Thanks!
>
> Can Medicaid cover the consultation for Medicaid clients?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Aug 8, 2022 at 6:49 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

> I received this response from my contact at Krogers, I can tell you that I've known people personally who've contacted some Smith's in the past year and were told that they must have an initial prescription first before Smith's will refill. It sounds like that might be due to some internal communication issues.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
From: **Montuoro, Jaime L** <jaime.montuoro@sfdc.com>
Date: Fri, Aug 5, 2022 at 9:18 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,

Here you go:

1. Does Krogers participate in this program? Yes
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I hope this helps. I'd be happy to discuss further.
Thanks,
Jaime

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

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Hi Jaime,

I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Krogers regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

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Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

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[redacted]

SUBJECT: Re: QAZ: Question for you (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: Jennifer Strohecker <jstrohecker@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 08/08/2022 14:07

Also, on a separate note it turns out the legislature passed HB 178 in 2021 allowing pharmacists to prescribe self-administered hormonal contraceptives, Jen do you have any insight into this effort/barriers/uptake?

https://le.utah.gov/xcode/Title58/Chapter17B/58-17b-S627.html

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

[redacted]

On Mon, Aug 8, 2022 at 11:11 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Jen,

Looping you into a discussion about pharmacists consulting and then dispensing contraception in Utah. Can you respond to Tracy's question about Medicaid's ability to pay for the pharmacist consultation that would support direct dispensing of the self-administered hormonal contraceptives?

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Sent: Friday, August 5, 2022 10:57 AM
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Subject: QAZ: Question for you (Time-sensitive)

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SUBJECT: Re: QAZ: Question for you (Time-sensitive)
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 08/08/2022 15:46

Hello Nate,

[redacted]

thanks for passing along the question.
A couple of items:
1. Medicaid does not reimburse for pharmacist consultative services.
2. Medicaid does reimburse for MTM (medication therapy management) services as of July 2022. A pharmacist could do an MTM consult on an individual receiving OCP's and be reimbursed for a consult.
3. As part of HB178 where pharmacists could consult (no reimbursement) and prescribe with HB178, there are 3 pharmacists registered with Medicaid as providers now.

Hope this helps. I can supply more info if needed.
Thanks
Jen

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SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>
TO: "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 16:51

Thank you Anna for the great information.

We can also let Russell know that we have built in more measures to look at this over time, so a few years of collecting data would be helpful.

Janae

On Mon, Aug 8, 2022 at 9:20 AM Anna Fondario (DHHS) <afondario@utah.gov> wrote:
Hi Marc, my understanding is that since the SCI / BI Rehabilitation Fund is a payor of last resort, primary instances when cost-sharing occurs in Utah:

1. Medicaid / Medicare (as a result of job loss / insurance due to the injury)
2. Out-of-pocket

Typically participants of the SCI / BI Rehabilitation Fund exhaust all cost-sharing options prior to application for the SCI / BI Rehabilitation Funds. As a result, the data elements weren't historically tracked so it is difficult to determine the net impact of these cost-sharing efforts. If the subcommittee intends to look at the impact of the cost-sharing efforts over time, rather than the one-year provided, the program will study the issue more.

Cc'ed Teresa and Traci for additional input.

On Mon, Aug 8, 2022 at 8:35 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
Janae and Anna -

Could you help come up with a response for Russell's question (see thread below)?

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022, 8:23 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

[redacted]

[redacted] Fireworks, spotlighting service, and more

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

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Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

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Janae Duncan
Division Director
C: 385.280.0312
janaeduncan@utah.gov

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[redacted]

[redacted] Fireworks, spotlighting service, and more

SUBJECT: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>
CC: "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 17:30

Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps this is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

It is the Department's understanding that cost sharing means:

- "The share of costs covered by your insurance that you pay out of your own pocket. This term generally includes deductibles, coinsurance, and copayments, or similar charges, but it doesn't include premiums, balance billing amounts for non-network providers, or the cost of non-covered services." (Glossary, HealthCare.gov)

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C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

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[redacted]

[redacted]

SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Anna Fondario (DHHS)" <afondario@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 08/08/2022 20:28

Thanks Marc, I like the response. In regards to the highlighted section referring to data elements - it is the additional data (measures) that the providers are now collecting from applicants. Let me know if more clarification is needed. Thanks all.

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Anna Fondario, MPH
Director, Office of Health Promotion and Prevention
O: 385.258.8537
afondario@utah.gov

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SUBJECT: SSA Report_Opioid Litigation Settlement Restricted Account
FROM: "Rebecca King (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 08/08/2022 20:58

New activity in the following document

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You have received this email because you are a participant in the updated items or subscribed to notifications on SSA Report_Opioid Litigation Settlement Restricted Account. Change what Google sends you. You cannot reply to this email.

SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 05:33

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FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa

[redacted]

[redacted] Fireworks, spotlighting service, and more

Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 08:08

Thank you, Marc, Anna, and team. I support David's edits, and otherwise don't have others to add.

HB

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>
> Please let us know if you have any questions.
>
> **Marc B. Watterson**
> Director
> Office of Legislative Affairs
> C: 385.321.6473
> mwatterson@utah.gov
>
> dhhs.utah.gov
>
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[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Re: FEEDBACK NEEDED: Response to LFA Questions regarding LegislativeRequired Reports for SSA - August 1, 2022
FROM: "Amanda Slater (DHHS)" <aslater@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 09:26

Thanks Marc. With David's edit this looks good to me.

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I do have a couple of minor edits & thoughts on the last paragraph for your thoughts:

"[redacted]

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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Taking responses from Janae and Anna (as well as IM's) I've put together the following proposed response. OFO has typically taken the lead on responses to LFA Staff so perhaps this is a bit more pointed than a normal response (especially the last paragraph), so you all might want to weigh in on this before we send our official response back...

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C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

[redacted]

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On Mon, Aug 8, 2022 at 8:23 AM Russell Frandsen <rfrandsen@le.utah.gov> wrote:

Hi Marc,

When you say more time is needed to study cost sharing options, what exactly do you mean? Do you plan to study the issue more? Will you only study more if the subcommittee requests it? How much time and effort would be required to do more study and come to a clearer conclusion? Thanks for the attached report.

From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Thursday, August 4, 2022 1:26 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Re: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

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CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Anna Fondario (DHHS)" <afondario@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, Traci Barney <tabarney@utah.gov>, Teresa Brechlin <tbrechlin@utah.gov>
DATE: 09/08/2022 10:53

Thank you for your much more eloquent phrasing David!

I will make those changes and send the response back to Russell.

Marc B. Watterson
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mwatterson@utah.gov

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SUBJECT: Fwd: QAZ: Question for you (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 09/08/2022 13:45

FYI from Walgreens

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
From: **West, Sally** <sally.west@walgreens.com>
Date: Tue, Aug 9, 2022 at 1:38 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,
We do not prescribe birth control at any of our locations in Utah. The main reason for this is that we do not currently have the capability to do medical billing for payment. I believe we are doing a pilot project on it in Idaho in order to determine if it makes sense for us to invest in new software to bill for these services. However, we do not have plans to extend the pilot anytime in the near future.

Sally

[redacted]

Sally West
Regional Director
Walgreens Government Relations
224-723-2650

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 05, 2022 11:35 AM
To: West, Sally <sally.west@walgreens.com>
Subject: Re: QAZ: Question for you (Time-sensitive)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Aug 5, 2022 at 11:53 AM West, Sally <sally.west@walgreens.com> wrote:

> Hi Krisann. I don't think we are participating because of the amount of time it takes the pharmacist to work with each patient. Let me double check this and get back with you on the answers. I should be able to have something back to you by Tuesday.
>
> Sally West
> Regional Director
> Walgreens State Government Relations
> 224-723-2650
>
> **From:** Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
> **Sent:** Friday, August 5, 2022 10:56 AM
> **To:** West, Sally <sally.west@walgreens.com>
> **Subject:** QAZ: Question for you (Time-sensitive)
>
> **CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Hi Sally,
>
> I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Walgreens regarding a particular issue.
>
> It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:
>
> 1. Does Walgreens participate in this program?
> 2. Why or why not?
> 3. Are there barriers that the State could help address?
>
> Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?
>
> **Krisann Bacon**
> Special Projects | Executive Director's Office
> C: 385.377.4168
> krisannbacon@utah.gov
> dhhs.utah.gov
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SUBJECT: Fwd: QAZ: Question for you (Time-sensitive)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Jennifer Strohecker <jstrohecker@utah.gov>
CC: Tonya Hales <thales@utah.gov>
DATE: 09/08/2022 14:27

FYI

On Tue, Aug 9, 2022 at 1:39 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
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krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Aug 5, 2022 at 11:53 AM West, Sally <sally.west@walgreens.com> wrote:

Hi Krisann. I don't think we are participating because of the amount of time it takes the pharmacist to work with each patient. Let me double check this and get back with you on the answers. I should be able to have something back to you by Tuesday.

Sally West
Regional Director
Walgreens State Government Relations
224-723-2650

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:56 AM
To: West, Sally <sally.west@walgreens.com>
Subject: QAZ: Question for you (Time-sensitive)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Sally,

I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Walgreens regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does Walgreens participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: [EXTERNAL] QAZ: Question for you from Utah Department of Healthand Human Services (Time-sensitive)
FROM: "Francesca Lanier (DHHS)" <flanier@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: Stephanie Saperstein <stephaniesaperstein@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, Krisann Humphreys Bacon <krisannbacon@utah.gov>
DATE: 09/08/2022 14:37

Hi Nate- I'm not familiar with the CVS tool however the issue that does come to mind is whether the tool is available to minors such that it would provide contraceptives to minors without parent consent. See Utah Code 76-7-322. Public funds for provision of contraceptive or abortion services restricted.

[redacted]

FL

On Aug 8, 2022, at 8:52 AM, Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

Do you have any insight into any barriers that Utah may have to CVS using their universal digital tool when prescribing hormonal contraception?

Thanks,

Nate

On Mon, Aug 8, 2022 at 8:19 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Response from CVS, interesting challenge that we may be able to help address.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
From: **Rocchio, John N.** <John.Rocchio@cvshealth.com>
Date: Mon, Aug 8, 2022 at 7:39 AM
Subject: RE: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>, Talbott, Theresa M. <Theresa.Talbott@cvshealth.com>
Cc: Rocchio, John N. <John.Rocchio@cvshealth.com>

Hello Krisann,
Thank you for the outreach. We are live with pharmacist based prescribing of hormonal contraceptives in many states and our teams have a roadmap to expansion. We are currently not live in Utah since we cannot leverage our universal digital tool for the patient assessment.

Other states permit our clinical teams to create a digital assessment form that incorporates all of the questions that would be part of the state form and transfers them over to our digital tool. We understand that this action is not allowed in Utah, which has impeded our ability to provide this service.

I am out-of-office this week as well, and I would happily wish to connect and see if we can rectify this matter upon my return.
Sincerely,
John

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 1:22 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Cc: Rocchio, John N. <John.Rocchio@CVSHealth.com>
Subject: Re: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Aug 5, 2022 at 11:05 AM Talbott, Theresa M. <Theresa.Talbott@cvshealth.com> wrote:

[redacted]

Hi, Krisann--
I am out of the office. Adding my colleague john to help answer the questions
Terry Talbott, R.Ph.
Lead Director
State Government Affairs
CVS Health
5704604394

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 12:58:30 PM
To: Talbott, Theresa M. <Theresa.Talbott@CVSHealth.com>
Subject: [EXTERNAL] QAZ: Question for you from Utah Department of Health and Human Services (Time-sensitive)

****** External Email - Use Caution ******

Hi Theresa,

I don't know if we've met yet, I've worked with Larry in the past related to COVID-19. I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for CVS regarding a particular issue.

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does CVS participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: NAMD/CMS Eligibility Policy Working Group | Notes from 8.8
FROM: Hannah Maniates <Hannah.Maniates@medicaiddirectors.org>
TO: "Mcleod, Shaunie (HCA)" <shaunie.mcleod@hca.wa.gov>,"margaret.clay@hca.wa.gov" <margaret.clay@hca.wa.gov>,"amy.dobbins@hca.wa.gov" <amy.dobbins@hca.wa.gov>, Jennifer Strohecker<jstrohecker@utah.gov>, "jeffnelson@utah.gov" <jeffnelson@utah.gov>,"julie.swenson@azahcccs.gov" <julie.swenson@azahcccs.gov>,"gina.carter@hhs.texas.gov" <gina.carter@hhs.texas.gov>,"hilary.davis@hhs.texas.gov" <hilary.davis@hhs.texas.gov>,"natechecketts@utah.gov" <natechecketts@utah.gov>, "Harris, Nicole"<nicolharri@pa.gov>
CC: Jack Rollins <jack.rollins@medicaiddirectors.org>
DATE: 09/08/2022 14:51

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Hi everyone,

Thank you for joining yesterday's discussion with CMS on CHIP eligibility policy! I've attached notes from the call. **We'd appreciate if you could keep a close hold on these notes and share them widely.**

Thank you!
Hannah

Hannah Maniates
Policy Analyst
National Association of Medicaid Directors (NAMD)
601 New Jersey Avenue NW, Suite 740| Washington, DC 20001
hannah.maniates@medicaiddirectors.org | Cell: 814-853-6540

[redacted]

SUBJECT: Document shared with you: "SSA Report_Opioid Litigation SettlementRestricted Account"
FROM: "Nate Checketts (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: tracygruber@utah.gov
DATE: 09/08/2022 22:07

[redacted]

Open

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because natechecketts@utah.gov shared a document with you from Google Docs.

Google logo

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SUBJECT: Fwd: Legislative Required Reports for SSA - August 1, 2022
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 09/08/2022 22:51

Hi Marc,
I realized I responded to Russell directly on the AP email but thought I'd share my responses with you and others on this one so you could weigh in on my response, if desired.

1. 2022 had 1,609 Medicaid clients taking both opioids and benzodiazepines. Statistically speaking how many of these clients will have adverse effects (hospital visits and death)?

Response:
Below are two citations which address rates of harm/death from concurrent opioid and benzodiazepine use.
This data is presented in addition to the statistic presented in the report that showed the death rate from combined opioid and benzodiazepine use was 10 times higher than that with opioids alone. (See: https://academic.oup.com/painmedicine/article/17/1/85/1752837

-The CDC published a report on opioid/benzo hospitalizations and death. From this, **"Benzodiazepines were involved in 6,982 (16.8%) of 41,496 overdose deaths during January 2019 - June 2020 reported by 23 states, with opioids involved in 6,384 (91.4%) benzodiazepine deaths."**
See: https://www.cdc.gov/mmwr/volumes/70/wr/mm7034a2.htm#:~:text=Benzodiazepines%20were%20involved%20in%206%2C982,6%2C384%20%2891.4

-A study published in the British Medical Journal found the following among 315,428 privately insured people aged 18-64 who filled at least one prescription for an opioid. Findings: Compared with opioid users who did not use benzodiazepines, concurrent use of both drugs was associated w/ an increased risk of ER visit or inpatient admission for opioid overdose...elimination of concurrent opioid and benzodiazepine use would reduce ER visits and inpatient admissions for opioid overdose by 15%. (see: https://www.bmj.com/content/356/bmj.j760)

2. Does the Department feel like there is nothing more that should be done to reduce the concurrent prescribing rate of opioids and benzodiazepines?

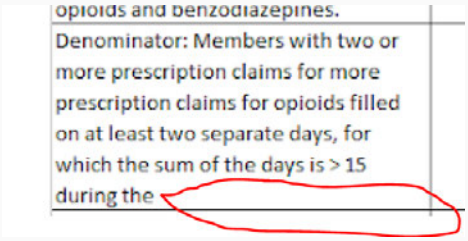
Response: The Department does believe that state mandated prescriber requirements when co-prescribing opioids and benzodiazepines would have a great impact, statewide, on reducing rates of opioid and benzodiazepine related harm. These provider requirements may include: checking the controlled substance database, documentation of counseling for risks of respiratory depression, prescribing of naloxone, coordinating with other prescribers, and documented attempts at deescalation / deprescribing of either the opioid or benzodiazepine. These are not Medicaid driven recommendations, but must be implemented statewide to change the provider responsibility when prescribing and managing individuals who receive both opioids and benzodiazepines.

3. Some of the text in the table on page four is cut off as shown in the picture below. Could you please update and resubmit? See the updated attached report.

---------- Forwarded message ---------
From: **Russell Frandsen** <rfrandsen@le.utah.gov>
Date: Mon, Aug 8, 2022 at 9:31 AM
Subject: RE: Legislative Required Reports for SSA - August 1, 2022
To: mwatterson@utah.gov <mwatterson@utah.gov>, Sean C. Faherty <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Tonya Hales (DHHS) <thales@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>

Hi Marc – Please help with the follow up questions on the attached concurrent prescription report below by the end of Wednesday, August 10th. Thanks for your work on the report.

1. 2022 had 1,609 Medicaid clients taking both opioids and benzodiazepines. Statistically speaking how many of these clients will have adverse effects (hospital visits and death)?
2. Does the Department feel like there is nothing more that should be done to reduce the concurrent prescribing rate of opioids and benzodiazepines?
3. Some of the text in the table on page four is cut off as shown in the picture below. Could you please update and resubmit?



From: Marc Watterson (DHHS) <mwatterson@utah.gov>
Sent: Monday, August 1, 2022 11:10 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; Sean C. Faherty <sfaherty@le.utah.gov>; Kimberly Madsen <kmadsen@le.utah.gov>
Cc: Tracy Gruber (DHHS) <tracygruber@utah.gov>; Nate Winters (DHHS) <natewinters@utah.gov>; Tonya Hales (DHHS) <thales@utah.gov>; Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>
Subject: Legislative Required Reports for SSA - August 1, 2022

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director

[redacted]

Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Re: QAZ: Question for you (Time-sensitive)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Marc Watterson (DHHS)" <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 10/08/2022 09:43

Thank you Jen! I have a follow up question based on my conversation with Walgreens, when billing MTM would the pharmacy have to have the ability for medical billing through a claim or can they bill that through normal pharmacy billing procedures? That has also been cited as a barrier by two of the major chain pharmacies.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Mon, Aug 8, 2022 at 3:46 PM Jennifer Strohecker (DHHS) <jstrohecker@utah.gov> wrote:
> Hello Nate,
> thanks for passing along the question.
> A couple of items:
> 1. Medicaid does not reimburse for pharmacist consultative services.
> 2. Medicaid does reimburse for MTM (medication therapy management) services as of July 2022. A pharmacist could do an MTM consult on an individual receiving OCP's and be reimbursed for a consult.
> 3. As part of HB178 where pharmacists could consult (no reimbursement) and prescribe with HB178, there are 3 pharmacists registered with Medicaid as providers now.
>
> Hope this helps. I can supply more info if needed.
> Thanks
> Jen
>
> On Mon, Aug 8, 2022 at 11:11 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
> > Jen,
> >
> > Looping you into a discussion about pharmacists consulting and then dispensing contraception in Utah. Can you respond to Tracy's question about Medicaid's ability to pay for the pharmacist consultation that would support direct dispensing of the self-administered hormonal contraceptives?
> >
> > Thanks,
> >
> > Nate
> >
> > On Mon, Aug 8, 2022 at 10:24 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
> > > Thanks!

[redacted]

Can Medicaid cover the consultation for Medicaid clients?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Mon, Aug 8, 2022 at 6:49 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

I received this response from my contact at Krogers, I can tell you that I've known people personally who've contacted some Smith's in the past year and were told that they must have an initial prescription first before Smith's will refill. It sounds like that might be due to some internal communication issues.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

---------- Forwarded message ---------
From: **Montuoro, Jaime L** <jaime.montuoro@sfdc.com>
Date: Fri, Aug 5, 2022 at 9:18 PM
Subject: RE: QAZ: Question for you (Time-sensitive)
To: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>

Hi Krisann,

Here you go:

1. Does Krogers participate in this program? Yes
2. Why or why not? We recognize the importance of access to contraception for our patients. Our general stance is to support our pharmacists in practicing at the top of their license wherever possible and appreciate the fact that pharmacists are allowed in the state of Utah to provide this service.
3. Are there barriers that the State could help address? There are a few significant barriers to our ability to offer this service. I am not sure how the state may be able to assist, but the main barriers are listed here:
    a. Payment for the consultation. Patients must pay for the service out of pocket since insurance companies don't recognize pharmacists as providers. This particularly becomes an issue when pharmacists assess a patient and identify that the patient must be referred. Then either the pharmacist has provided the service up to that point for free or the patient pays for the assessment only to leave without a prescription, having to go to a different provider.
    b. Due to other priorities, our organization has not really promoted the service through our normal marketing channels. To be honest, pharmacy usually gets limited marketing support in general and it's usually focused on more established services like vaccines. We rely on word of mouth to spread awareness that the service is available, which is not very effective.
    c. As with many industries and especially in healthcare, our pharmacies are suffering from staffing shortages and high turnover. Mostly pharmacy technicians but also pharmacists. This, coupled with the COVID vaccine demand, and looking ahead to flu vaccine season/COVID boosters, capacity is a concern.

I hope this helps. I'd be happy to discuss further.
Thanks,
Jaime

From: Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov>
Sent: Friday, August 5, 2022 10:57 AM
To: Montuoro, Jaime L <jaime.montuoro@sfdc.com>
Subject: QAZ: Question for you (Time-sensitive)

** **[EXTERNAL EMAIL]:** Do not click links or open attachments unless you recognize the sender and know the content is safe. **

Hi Jaime,

I hope all is well with you, I am working on a project for Department leadership unrelated to COVID and I'm wondering if you could provide me some insight for Krogers regarding a particular issue.

[redacted] Fireworks, spotlighting service, and more

It's related to the Utah Statewide Standing Order Pharmacist Dispensing of Hormonal Contraception and Utah Hormonal Contraceptive Self-Screening Questionnaire. I have just a few questions I'm hoping you can respond to:

1. Does Krogers participate in this program?
2. Why or why not?
3. Are there barriers that the State could help address?

Any other information or perspectives you have related to this issue would be greatly appreciated! I'm hoping you can respond by early next week if possible?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: SSA Report_Opioid... - @natechecketts@utah.gov reviewed. I j...
FROM: "Tracy Gruber (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 10/08/2022 10:38

[redacted]

[redacted] Fireworks, spotlighting service, and more

Tracy Gruber (DHHS) (tracygruber@utah.gov) assigned you an action item in the following document

[redacted]

View files with action items assigned to you

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google sends you. You can reply to this email to reply to the discussion.

SUBJECT:
FROM: Marc Watterson <mwatterson@utah.gov>
TO: "David Litvack (DHS)" <davidlitvack@utah.gov>,Heather Borski <hborski@utah.gov>,"Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 10/08/2022 10:42

David Litvack (DHS) Nate Checketts (DHHS) Heather Borski have joined the conversation, 2022-08-10 09:42:59

Marc Watterson, 2022-08-10 09:45:21
All comments have been resolved in the E-Cig Tax Report. We have one other report that is due by COB today (SAMH Pregnant Women/Opioid Settlement). Without objection, I would like to turn the E-cig Tax and SAMH reports in at the same time. Please let me know by 4:30 pm today if you do not want me to share the E-Cig Report with the LFA yet. At the very least, it needs to be turned in by this Friday.

Marc Watterson, 2022-08-10 09:48:07
Link to E-Cig Report:

Marc Watterson, 2022-08-10 09:48:10
[redacted]

SUBJECT:
FROM: Marc Watterson <mwatterson@utah.gov>
TO: Tonya Hales <thales@utah.gov>,"Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 10/08/2022 10:49

Tonya Hales Nate Checketts (DHHS) have joined the conversation, 2022-08-10 09:49:01

Marc Watterson, 2022-08-10 09:51:15
The SAMH Pregnant Women/Opioid Settlement report is due today. It appears all comments have been resolved (they added an Executive Summary). Without objection I plan to send the report in by COB today (approx. 5:00 pm).

Marc Watterson, 2022-08-10 09:51:18
Here is the link to the Report: [redacted]

Tonya Hales, 2022-08-10 09:58:59
I've reviewed already, but will wait for Nate to confirm. Also - I would recommend we add page numbers to the report.

[redacted]

Marc Watterson, 2022-08-10 10:25:46
Thanks Tonya. I've gone ahead and added the page numbers

Nate Checketts (DHHS), 2022-08-10 11:32:53
Thanks. I have reviewed. I had one question for Tracy but don't know if she has had a chance to look at my question. I will let you know if I hear from her. If not, please plan to send at COB today.

Marc Watterson, 2022-08-10 11:46:50
Thanks Nate

Nate Checketts (DHHS), 2022-08-10 11:49:15
Tracy has reviewed and OK'd the area where I had a question. The report is good to go.

Marc Watterson, 2022-08-10 11:50:23
Thanks Nate. I think we are just awaiting final approval on the ecig report now.

[redacted]

[redacted]

If you would like to unsubscribe from this ListServ LIST, please send an email to LIST@cdc.gov, enter CDC in the email Subject, and include the following "one" line in the Body of the email: signoff CDC-COVID19-ALL-STLT-UPDATE

SUBJECT: Re: Legislative Required Reports for SSA - August 1, 2022
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>, "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Tonya Hales (DHHS)" <thales@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 10/08/2022 17:39

Sean, Russell, and Kimberly -

Please see the attached report from DHHS due to SSA by August 10, 2022:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Thu, Aug 4, 2022 at 1:26 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached report from DHHS that was due to SSA by August 1, 2022:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing

The Department has one other report due to SSA in the coming days that is still being finalized:

- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Mon, Aug 1, 2022 at 11:10 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

Sean, Russell, and Kimberly -

Please see the attached reports from DHHS due to SSA by August 1, 2022:

- Antipsychotic Use in Serious Mental Illness
- Concurrent Prescriptions for Opioid and Benzodiazepines
- Urine Drug Testing Report

The Department has two other reports due to SSA in the coming days that are still being finalized:

- Net impact to the Spinal Cord and Brain Injury Rehabilitation Fund of implementing cost sharing (August 1)
- Cost to implement a statewide support program, that would qualify for expenditures from the Opioid Litigation Settlement Restricted Account, for pregnant women with substance use disorder to receive various services (August 10)

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473

[redacted]

mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Congressional Summer Wrap Up - What You Need to Know
FROM: "Public Health Weekly" <pr@astho.org>
TO: natechecketts@utah.gov
DATE: 11/08/2022 08:55

View this email in your browser.

Association of State and Territorial Health Officials

August 11, 2022

A Grassroots Leader's Vision for the Future Community Health Workforce

Community Health Workers (CHWs) have played an integral role in educating, connecting, and assisting vulnerable individuals throughout the COVID-19 pandemic.

ASTHO spoke with Denise Ortega-Smith, executive director of the National Association of Community Health Workers, about the critical work of CHWs. She discusses their roles in marginalized communities, and how public health can partner with and support CHWs.

A Not-So-Sleepy Summer: Q&A with ASTHO Federal Government Affairs

The Congressional summer session has come to a close, and several key issues are left hanging on the table. Whether public health will receive supplemental funding for the monkeypox and COVID-19 responses remains uncertain, and the FY23 appropriations bill faces a long road before it can be passed.

Check out the latest updates on discussions and actions between the House and Senate in this week's Federal

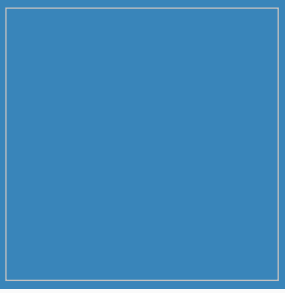
Learn more about this critical workforce.

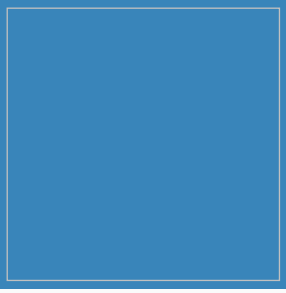
Healthy Policy Update.

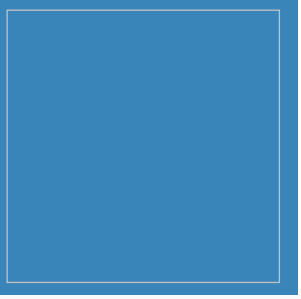
THIS WEEK'S HIGHLIGHTS

HHS Secretary Xavier Becerra has declared the monkeypox virus outbreak a national public health emergency. Read ASTHO Chief Medical Officer Marcus Plescia's **full statement on the federal declaration** and how state health departments are responding to the outbreak.

LATEST ASTHO RESOURCES AND EVENTS







THIS WEEK ON PUBLIC HEALTH REVIEW MORNING EDITION

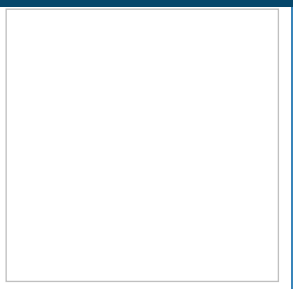
- Infectious Disease Planning | Winfred Reads, ASTHO
- New York Responds to Monkeypox | Lauren M. Bonner, ISHO Designee-at-Large
- New School Year, New COVID-19 Strategy | Rosalia Juliani, GHC-GT
- Optimistic About the PH Workforce | Dianne Pearce, ASTHO

[redacted]

Fireworks, spotlighting service, and more

• **Public Health is Underfunded** | J. Nadine Gracia, Trust for America's Health

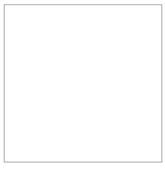
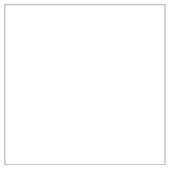
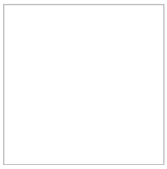
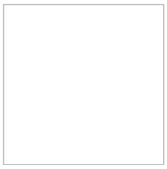
PUBLIC HEALTH REVIEW PODCAST



• **Substance Use During Pregnancy - Reducing Stigma of Treatment** | Joseph Kanter (SHO-LA) | Amy Ladley, Louisiana Perinatal Quality Collaborative
• **Making Sure Maine Youth Matter** | Sheila Nelson, Maine Center for Disease Control and Prevention | Kini-Ana Tinkham, Maine Resilience Building Network
• **Effects of COVID-19 on Tuberculosis Prevention, Detection, and Treatment** | José Romero (alumni-AR) | Philip LoBue, Division of TB Elimination, CDC
• **Older Adults and Healthy Aging** | Jewel Mullen (alumni-CT) | Elizabeth Head, Georgia Department of Public Health | Aline Stone, Division of Aging Services, Georgia Department of Human Services

ASTHO IN THE NEWS

• **States have permission to make their monkeypox vaccines go a lot farther.** | *The Washington Post* | Marcus Plescia, ASTHO
• **Most Parents Are Saying No to COVID-19 Vaccines for Toddlers.** | *The Wall Street Journal* | Marcus Plescia, ASTHO
• **Louisville receives $180,000 in grant funds to improve outdoor activities.** | *WLKY*

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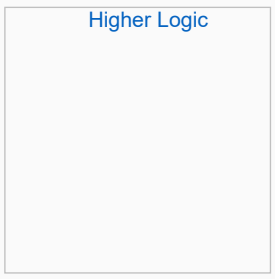

SUBJECT: Re: Document shared with you: "DRAFT v2 - DHHS PolicyRecommendations: Supporting Women, Children, and Families Talking Points.docx"
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>

[redacted]

[redacted] Fireworks, spotlighting service, and more

CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, Marc Watterson <mwatterson@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 11/08/2022 10:58

Sounds good, thanks! Just for context when we met last night (you might be able to tell from the document) we decided we should have three approaches, 1) An all-in comprehensive cover everything 2) A more moderate but still aggressive approach (this includes all the items that Paul, Marc, and I reviewed and think could be politically/legislatively viable), and 3) A moderate approach that includes a subset of option 2 but likely far less expensive.

Expanded access to contraception has proved to be a very deep rabbit hole, as described in the document despite past legislative efforts to encourage easier access through pharmacies there are a lot of barriers we've identified, some of which may be easier fixes such as the bureaucratic requirements the State has imposed. However, we will need our SMEs like Jen S., Dr. Hofmann, folks at DOPL, and others to weigh in on what the rationale was/is behind all of them.

The reimbursement issue for pharmacies/pharmacists for the evaluation and monitoring pieces are a big issue and not easily solved. It's not only that many insurers don't cover the evaluation cost (although Medicaid will for pharmacist prescriptions) it's also that pharmacy billing systems are not set up to bill for medical claims (which these are) and there seems to be a serious lack of understanding and awareness of these options overall. We're not sure what the fixes are or should be, and evaluating the total cost to the state may be tricky since I doubt we'll directly pay pharmacies to update their systems, although we could look at something like a tax incentive to encourage pharmacies to participate and update their billing systems. At any rate, we definitely need more time to study this, consult with the SMEs, and come up with solid proposals.

Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Thu, Aug 11, 2022 at 9:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thanks! I'll check on it again later and see how it's coming together.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Aug 11, 2022 at 7:56 AM Krisann Humphreys Baco... (via Google Docs) <drive-shares-dm-noreply@google.com> wrote:

[redacted]

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

[redacted]

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Fireworks, spotlighting service, and more

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

[redacted]

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SUBJECT: DRAFT v2 - DHHS P... - @mwatterson@utah.gov and @natechecket...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 11/08/2022 15:21

[redacted]

[redacted]

Fireworks, spotlighting service, and more

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SUBJECT: DRAFT v2 - DHHS P... - @mwatterson@utah.gov and @natechecket...
FROM: "Marc Watterson (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 11/08/2022 15:26

[redacted]

[redacted]

Fireworks, spotlighting service, and more

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[redacted]

[redacted]

SUBJECT: Fwd: Social Services Appropriations Agendas for Next Week
FROM: "Dallas Earnshaw (DHHS)" <dearnshaw@utah.gov>
TO: Brent Kelsey <BKELSEY@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Jeremy Christensen <jeremy@utah.gov>, Nathan Checketts <natechecketts@utah.gov>
DATE: 12/08/2022 16:57

I do not see anything specific to the Hospital
Unless directed I won't plan to attend in person.

Sent from my iPhone

Begin forwarded message:

> **From:** Jeannie Edens <JEdens@slco.org>
> **Date:** August 12, 2022 at 4:21:35 PM MDT
> **To:** Amanda Alkema <aalkema@utah.gov>, Beth Smith <beths@brmh.com>, Brent Kelsey <BKELSEY@utah.gov>, "Dallas Earnshaw;" <dearnshaw@utah.gov>, efklc@utah.gov, Eric Tadehara <erictadehara@utah.gov>, Juergan Korbanka <korbanka@wasatch.org>, Katherine Rhodes <katherine@uacnet.org>, Kevin Eastman <kevine@weberhs.org>, Mike Deal <mdeal@sbhcutah.org>, Travis Wood <travis@csclobby.com>
> **Cc:** Tim Whalen <TWhalen@slco.org>, Brian Currie <BCurrie@slco.org>, Zac Case <ZCase@slco.org>
> **Subject: Social Services Appropriations Agendas for Next Week**

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Hi all,

The SSA agenda's were just sent out.

Some of the items closest to us are:

- Justifications for 60 Annual Drug Test Maximum for Medicaid Clients
- Opioid Settlement Fund Recommendations from Social Services
- Explore the Validity of Drug Tests in Medicaid
- Services for Pregnant Women With Substance Abuse Disorder
- Affordable Housing Funding
- Mental Health and Youth in Rural Utah, What Programs and Funding Exist for them? Ages 3-21
- Improve Sharing of Information With the Utah Office of Inspector General
- Concurrent Prescribing of Two or More Antipsychotic Medications in Medicaid
- Recommendations to Reduce Concurrent Prescription Rate in Medicaid for Opioids and Benzodiazepines

Morning agenda here.
Afternoon agenda here.

Have a great weekend,

SALT LAKE COUNTY BEHAVIORAL HEALTH SERVICES

Jeannie Edens
Associate Director
BEHAVIORAL HEALTH SERVICES
Phone: 801-703-8080
Fax: 385-468-4740

If this e-mail contains confidential information as defined under 42 CFR part 2, the following applies: This information has been disclosed to you from records protected by federal confidentiality rules (42 CFR part 2). The federal rules prohibit you from making any further disclosure of information in this record that identifies a patient as having or having had a substance use disorder either directly, by reference to publicly available information, or through verification of such identification by another person unless further disclosure is expressly permitted by the written consent of the individual whose information is being disclosed or as otherwise permitted by 42 CFR part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose (see § 2.31). The federal rules restrict any use of the information to investigate or prosecute with regard to a crime any patient with a substance use disorder, except as provided at §§ 2.12(c)(5) and 2.65.

[redacted]

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SUBJECT: Re: Social Services Appropriations Agendas for Next Week
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Dallas Earnshaw (DHHS)" <dearnshaw@utah.gov>
CC: Brent Kelsey <BKELSEY@utah.gov>, Jeremy Christensen <jeremy@utah.gov>, Nathan Checketts <natechecketts@utah.gov>
DATE: 12/08/2022 17:02

That is correct Dallas, you all are off the hook for this month!

I spent so much time coordinating with those that were on the agenda I forgot to let people know if they were not on the agenda. Thanks for checking in.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Fri, Aug 12, 2022 at 4:57 PM Dallas Earnshaw (DHHS) <dearnshaw@utah.gov> wrote:
I do not see anything specific to the Hospital
Unless directed I won't plan to attend in person.

Sent from my iPhone

Begin forwarded message:

From: Jeannie Edens <JEdens@slco.org>
Date: August 12, 2022 at 4:21:35 PM MDT
To: Amanda Alkema <aalkema@utah.gov>, Beth Smith <beths@brmh.com>, Brent Kelsey <BKELSEY@utah.gov>, "Dallas Earnshaw;" <dearnshaw@utah.gov>, efklc@utah.gov, Eric Tadehara <erictadehara@utah.gov>, Juergan Korbanka <korbanka@wasatch.org>, Katherine Rhodes <katherine@uacnet.org>, Kevin Eastman <kevine@weberhs.org>, Mike Deal <mdeal@sbhcutah.org>, Travis Wood <travis@csclobby.com>
Cc: Tim Whalen <TWhalen@slco.org>, Brian Currie <BCurrie@slco.org>, Zac Case <ZCase@slco.org>
Subject: Social Services Appropriations Agendas for Next Week

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Morning agenda here.
Afternoon agenda here.

Have a great weekend,

SALT LAKE COUNTY BEHAVIORAL HEALTH SERVICES
Jeannie Edens
Associate Director
BEHAVIORAL HEALTH SERVICES
Phone: 801-703-8080
Fax: 385-468-4740

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[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Summary - Family ... - @mwatterson@utah.gov and @natechecket...
FROM: "Tracy Gruber (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 14/08/2022 12:48

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SUBJECT: Summary - Family Policy Options.docx
FROM: "Tracy Gruber (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 15/08/2022 09:32

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SUBJECT: Leavitt Partners Weekly Health Intelligence
FROM: Leavitt Partners <info@leavittpartners.com>
TO: natechecketts@utah.gov
DATE: 15/08/2022 09:56

[redacted]

General Newsletter Header 7

August 15, 2022

This Week in Health Policy News

On Friday, the House returned to Washington from its August recess andpassed the Inflation Reduction Act, sending the measure to President Biden's desk. While the Congressional Budget Office said it "expects that it will take a few weeks to fully analyze and estimate the act's budgetary effects," this week it did provide additional information with respect to the budgetary effects of the legislation. After the vote, the House resumed its recess until the beginning of September.

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Health Care Policy and Politics

On August 5, CMS released new information as states prepare for when the COVID-19 Public Health Emergency ends, specifically outlining the approved section 1902 (e)(14) waiver flexibilities from CMS. These waiver flexibilities support states' efforts to pursue strategies that facilitate the renewal process and ensure due process protections during the unwinding period following the end of the COVID-19 public health emergency. Staffing shortages and high-volume eligibility caseload work could cause many states to face substantial operational and system challenges.

On September 29, the National Biodefense Science Board (NBSB) will hold a public meeting. NBSB is responsible for advising HHS on present and upcoming chemical, biological, radiological, and nuclear threats. It also guides HHS in its disaster preparedness and response planning and work, including related to COVID-19. The meeting will be held virtually, and registration will be available on the Assistant Secretary for Preparedness and Response's website two weeks prior to the event.

On August 8, HRSA announced nearly $60 million of investments to grow the health care workforce and increase access to quality health care in rural communities. The funding includes $46 million from the American Rescue Plan. The investments will be dispersed by four programs within HRSA and support the following initiatives:

- The Rural Public Health Workforce Training Network Program is awarding nearly $46 million to 31 community-based organizations to expand public health clinical and operational capacity through workforce development. Additionally, a technical assistance provider was awarded $500,000 to develop formal training and certification programs.
- The Rural Residency Planning and Development Program is awarding $9.7 million to 13 organizations to establish new rural residency programs in rural communities to train resident

physicians in rural clinical settings.
- The Small Health Care Provider Quality Improvement Program is awarding $2.9 million to 15 community-based organizations to improve patient health outcomes and quality and delivery of care throughout rural counties.
- The Rural Veterans Health Access Program is awarding nearly $1 million to 3 organizations to improve access to health care services for veterans living in rural areas. This program is a collaboration between the Federal Office of Rural Health Policy and the Veterans Health Administration to strengthen partnerships between rural health providers and the VA system.

Innovation and Technology

Health IT vendor Cerner struck a settlement deal with the U.S Department of Labor to resolve claims that the company engaged in discriminatory hiring practices against qualified Black and Asian job applicants. Cerner agreed to pay $1.86 million in back pay and interest as part of a deal with federal regulators. Federal regulators claim they found statistically significant differences in the hiring rates for Black and Asian applicants compared to similarly qualified White applicants in their review of Cerner's hiring practices. (Article here)

Kaiser Permanente reported a thinned operating margin and nearly $1.3 billion net loss during its second quarter. The massive integrated nonprofit health system notched $23.47 billion in total operating revenues, representing a minor 0.9% dip from the second quarter of last year. A recent Kaufman Hall industrywide report also showed only marginal relief from expenses and middle non-COVID volume recovery through June. A Fitch Ratings update on nonprofit hospitals from mid-July warned that these challenges and broader inflation pressures will likely weigh down the sector through 2022. (Article here)

Health solutions firm, Availty, will acquire Diameter Health, a clinical data organization. Executives from both organizations highlight the ability to integrate and share data effectively between providers as the impetus for the deal. Availty will combine its real-time data sharing capabilities with the Diameter's data cleaning technology, which the organization refers to as "Upcycling". Both organizations cite the ability for the improved platform to transform the provision of value-based care. (Article here)

Intel's investment arm has made a $20 million investment into Biofourmis, a virtual care management company. The funds are an extension of Biofourmis' Series D capital raise which was announced earlier this year and brought the organization to unicorn status. This represents Intel's first digital health investment of the year following similar investments into AI medial imaging and surgical data analytics companies in the 2020 and 2021 respectively. Biofourmis intends to use the funding to expand its presence in the hospital system market in addition to expending on its current biomarkers and analytics services. (Article here)

A recent report from IBM found that data breaches for healthcare systems could cost in excess of $10 million, leading all other industry sectors. This figure is an increase of nearly $1 million from the previous year and is partly attributable to the increasing interconnectedness of healthcare technology. Healthcare has been one of the hardest hit industries in terms of data breaches and has seen the cost of such incidents increase by more than 41% since 2020. (Report here)

Coverage & Incentives

A new report from Robert Wood Johnson Foundation and Urban Institute Report analyzes CMS Marketplace 2022 enrollment data and HHS 2019 Medicaid enrollment data to demonstrate that if the 12 remaining non-expansion states implemented Medicaid expansion enrollment would increase by 3.7 million. The report details that this change may be most beneficial to Black women of reproductive age, a possible 53.7 percent drop in the uninsured rate of this group could be seen. (Article here, Report here)

Insuretech company Clover announced Monday that it's founder and CEO Vivek Garipalli will move on from his role at the end of the year. Current president and co-founder Andrew Toy will take Garipalli's place as CEO on January 1. Toy will oversee the recent growth of Clover which saw an increase in Medicare Advantage enrollment of 25% over last year and expects to enter 13 new counties in 2023. (Article here)

A new OIG report estimated that some Part D plans did not offer beneficiaries access to generic versions of hepatitis C drugs. The structure of Part D, including manufacturer rebates, may be incentivizing plans to steer customers to higher-cost drugs. The findings come as Part D plans could be in line for greater liability of drug costs under a landmark reform bill. OIG used prescription drug event data to calculate the proportion of Part D beneficiaries using the authorized generics in 2019 and 2020. In the first quarter of availability, less than 10% of Medicare patients and under 25% of Medicaid beneficiaries got the cheaper versions. (Article here)

United Healthcare is rebranding one of its fastest-growing health plan designs. Surest plans, first launched in 2016 as Bind, are available nationwide for self-funded employers and in 11 states for full insured plans. The plans offer several key features that offer employers greater visibility into the affordability of care, including no deductibles and coinsurance as well as upfront pricing. More than 150 employers use Surest at present, with more planning to sign on with the program ahead of 2023 open enrollment. (Article here)

Blue Cross Blue Shield of Michigan launched in partnership with Maven Clinic, will allow members to access a personalized app that guides them through the family planning process including pregnancy, postpartum and pediatrics. The goal is to address gaps in care and improve outcomes for both parents and babies. The solution is designed to serve as an extension to existing fertility and maternity benefits, offering supplemental support and education between scheduled prenatal and postpartum visits to a physician. (Article here)

Medicare Part D plans can expect to take a greater liability in 2024 for catastrophic costs under a newly passed Senate bill. The package's landmark policy to give Medicare drug price negotiating powers could help lower costs depending on what drugs the federal government chooses for negotiation. The overall impact financially for health insurers will reside in implementation of healthcare provisions in the Inflation Reduction Act. (Article here)

Payment and Delivery Transformation

A study assessing the impact of the Center for Medicare and Medicaid Services' (CMS's) End-Stage Renal Disease Treatment Choices (ETC) model found that participating facilities differed from non-participating facilities along patient demographic and facility ownership lines. Participating facilities also had a lower prevalence of living-donor transplantation, transplantation wait-listing, and peritoneal dialysis. The ETC model is mandatory for facilities located in selected geographies comprising about 30% of hospital referral regions. The authors express concern that this geographic randomization, rather than a patient- or facility-level randomization, will do a poorer job at creating comparable control and treatment groups and might lead CMS to underestimate the model's impact. (Article here)

In light of a recent CMS proposed rule relating to health equity and social determinants of health (SDOH), hospital stakeholders are increasing their efforts to incorporate SDOH into their core operations. Cal Hospital Compare, a consumer-facing hospital information collaborative, is helping advance this effort by exploring the use of geographic social needs indices and hospital patient origin information to compare and rank hospital-level social needs. Understanding that hospitals are uniquely positioned to identify and address SDOH challenges faced by their patient populations, Cal Hospital Compare expects this effort will help identify which hospital quality measures correlate with social needs, provide policy insights into SDOH assistance, recognize best practices, and develop collaborative interventions. (Article here)

Earlier this week, CVS Health revealed its plans to bid for home health-focused, value-based care (VBC) company Signify Health. Signify Health's focus on home-based care, along with its recent acquisition of Caravan Health, an accountable care organization with a large network of primary care practitioners, would help CVS Health achieve its aim of "establish[ing] a network of physician-led primary care centers with integrated virtual and home assets." This news comes a month after CVS Health reportedly bid for One Medical, which was recently acquired by Amazon. (Articles here and here)

As employers increasingly involve themselves more directly in managing the cost of employees' healthcare and driving health equity, patient-reported outcome measures (PROMs), which allow a provider to capture information directly from patients about their health and encourage a better understanding of the health status of an employee population, are getting attention from leading employers. These employers are encouraging their health system partners to adopt PROMs in their care delivery models by promoting the integration of patient-reported data into the electronic health record (EHR). Employers see opportunity for PROMs to 1) assess pretreatment differences, 2) strengthen patient-provider interactions, 3) allow for shared decision making, 4) demonstrate accountability for equitable health outcomes, and 5) ensure accurate representation of patients during clinical trials and research. (Article here)

Public Health and Prevention

As monkeypox cases increase across the United States, some communities are taking lessons from tracking the COVID-19 pandemic and applying it to monkeypox surveillance. A research team by the name of SCAN (Sewer Coronavirus Alert Network) comprised of scientists from universities across the United States including Stanford University, University of Michigan, and Emory University is now the leading entity in utilizing wastewater monitoring to detect monkeypox. Though California is attempting to gather wastewater data from all partners and public health agencies across the state it is not available for all regions, highlighting some shortcomings with this emerging public health tool. (Articles here and here)

Last week U.S health officials announced a new strategy to stretch the supply of monkeypox vaccine by decreasing the dosage contained within each shot. While the vaccine will continue to be administered in two doses four weeks apart, the vaccine will be approximately 1/5 of the original dosage. This dose-sparing approach comes after research suggests this lowered amount is nearly as effective. Currently, there are 1.7 million Americans who are considered to be at the highest risk for contracting monkeypox, and vaccinating this group would require over 3.2 million shots. At the same time, the U.S currently only has 440,000 total doses available. (Article here)

After the 988 Suicide & Crise Lifeline launched in July, many mental health providers, researchers, and advocates celebrated. However, some individuals who had experiences with the mental health system and advocates took to social media to voice concerns. Research shows that suicide rates increase drastically in the months after people are discharged from psychiatric hospitals. Officials from 988 recognize the risks of having law enforcement involved in mental health emergencies, but they also argue that dispatching police is the last resort to ensure safety from harm. But the question remains whether calling 988 provides alternative options. The U.S. doesn't have a national, government-run mental health hotline that pledges not to call the police, though there are several alternatives that aim to decrease law enforcement involvement. (Article here)

Leavitt Partners, 601 New Jersey Avenue NW, Suite 350, Washington, D.C. 20001, 801.538.5082

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SUBJECT:
FROM: Marc Watterson <mwatterson@utah.gov>
TO: Tonya Hales <thales@utah.gov>,"Nate Checketts (DHHS)" <natechecketts@utah.gov>,Brent Kelsey DHS <bkelsey@utah.gov>,"Eric Tadehara (DHHS)" <erictadehara@utah.gov>
DATE: 15/08/2022 10:50

Eric Tadehara (DHHS) Brent Kelsey DHS Tonya Hales Nate Checketts (DHHS) have joined the conversation, 2022-08-15 09:50:37

Marc Watterson, 2022-08-15 09:51:18
Brent and Eric - unless I missed them somewhere I cannot find slides to send to SSA for the follwoing items:

Marc Watterson, 2022-08-15 09:51:34
*Opioid Settlement Fund Recommendations from Social Services

Marc Watterson, 2022-08-15 09:51:49
*Mental Health and Youth in Rural Utah, What Programs and Funding Exist for Them? Ages 3-21

Marc Watterson, 2022-08-15 09:52:32
My notes indicate that you had hoped to prepare 3-4 slides each to help with the discussion for the two items

Eric Tadehara (DHHS), 2022-08-15 09:56:20
ooops, i will share

Eric Tadehara (DHHS), 2022-08-15 09:56:22
i thought i didd

Marc Watterson, 2022-08-15 10:08:09
Please send over ASAP. LFA is waiting for us to send over all materials. Thanks!

Marc Watterson, 2022-08-15 10:08:38
I have the one for "Pregnant Women with SUD", just not the other two.

Nate Checketts (DHHS), 2022-08-15 10:20:29
Eric, can you reshare those slides with me? I have not looked at them yet.

Eric Tadehara (DHHS), 2022-08-15 11:01:29
i've been trying to share them and it's not working, let me know if this work: [redacted]

Eric Tadehara (DHHS), 2022-08-15 11:02:25
i had to makee a new copy, i hope this one works, i was getting a corrupted file error before

Marc Watterson, 2022-08-15 11:03:30
Yes, I am able to access the Rural Mental Health slides you just shared

Eric Tadehara (DHHS), 2022-08-15 11:04:58
thanks, brett peterson asked me to put the slides 4/5 for JJYS

Marc Watterson, 2022-08-15 11:07:25
Eric, any update on the slides for:
*Opioid Settlement Fund Recommendations from Social Services

Brent Kelsey DHS, 2022-08-15 11:09:54
Because we are not actually presenting, i am not sure where this discussion will go. We have our previous slide decks that contain our previous recommendations. Not sure sending slides in response to questions we don't know is the best strategy

Marc Watterson, 2022-08-15 11:15:14
This is what is the notes for this agenda item from LFA:

Marc Watterson, 2022-08-15 11:15:16
Need specific recommendations with funding amounts. What is the process to propose funding requests from this funding source?

Brent Kelsey DHS, 2022-08-15 11:16:17
I thought we were told at the legislative prep meeting that this agenda item had changed and that Russell was now presenting?

Marc Watterson, 2022-08-15 11:16:43
You are correct

Brent Kelsey DHS, 2022-08-15 11:17:01
Do we know what he is presenting?

Marc Watterson, 2022-08-15 11:40:06
I have messaged him and asked.

Marc Watterson, 2022-08-15 11:40:09
We'll just need Nate to review the Rural Mental Health

Brent Kelsey DHS, 2022-08-15 11:40:44
Thanks.

Marc Watterson, 2022-08-15 12:09:12
No need for slides for Opioid Settlement

Marc Watterson, 2022-08-15 12:10:33
"DHHS just should be available for questions. I will prepare a summary of the task force recommendations provided in June (posted online as 4a under afternoon meeting"

Marc Watterson, 2022-08-15 12:16:49
*morning

Marc Watterson, 2022-08-15 12:16:57
Here is the link: [redacted]

SUBJECT: DHHS Slides and Resources for August 16 SSA Subcommittee Meeting
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Russell Frandsen <rfrandsen@le.utah.gov>, "Sean C. Faherty" <sfaherty@le.utah.gov>, Kimberly Madsen <kmadsen@le.utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "Angella Pinna (DHHS)" <apinna@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Austin Preston (DHHS)" <austinpreston@utah.gov>, "Kody Harvey (DHHS)" <kharvey@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Rebecca King (DHHS)" <rbarnett@utah.gov>, "Mark Brasher (DHHS)" <mbrasher@utah.gov>, "Diane Moore (DHHS)" <dmoore@utah.gov>
DATE: 15/08/2022 11:18

Sean, Russell, and Kim -

Please see the attached slides/one-pagers for tomorrow's SSA meeting.

We will send the final two to all of you ASAP. They are for the following agenda items:

- Opioid Settlement Fund Recommendations from Social Services
- Mental Health and Youth in Rural Utah, What Programs and Funding Exist for Them? Ages 3-21

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Summary - Family Policy Options.docx
FROM: "Tracy Gruber (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 15/08/2022 12:28

New activity in the following document

[redacted]

New

[redacted]

[redacted]

Open

[redacted]

[redacted] Fireworks, spotlighting service, and more

[redacted]

SUBJECT: Invitation: Hold for Discussion on Contraception Access PolicyRecomm... @ Wed Aug 17, 2022 5pm - 6pm (MDT) (natechecketts@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, jstrohecker@utah.gov
CC: natechecketts@utah.gov
DATE: 16/08/2022 11:40

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Greetings, Tracy has asked me to develop a policy recommendation to increase pharmacy participation in creating access to contraception for the Lieutenant Governor and Governor. There is some urgency, need to have something in 2-3 weeks. I'm also talking to DOPL so we can get an entire workgroup put together but wanted to get this on your calendars.
Jen, You are booked all week, is this time a possibility for you? Also, Tracy mentioned the new Pharmacy Director, I'm not sure who that is, can we include them as well and anyone else you think might make sense?

When
Wednesday Aug 17, 2022 · 5pm – 6pm (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
Michelle Hofmann (DHHS)
Laurie Baksh (DHHS)
jstrohecker@utah.gov
natechecketts@utah.gov - optional

View all guest info

Reply for natechecketts@utah.gov (your attendance is optional)

Yes No Maybe More options

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SUBJECT: Invitation: Second Appointment Option: Hold for Discussion onContrac... @ Fri Aug 19, 2022 8am - 9am (MDT) (natechecketts@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: jstrohecker@utah.gov, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>
CC: natechecketts@utah.gov
DATE: 16/08/2022 11:40

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Adding a second meeting due to the time sensitive nature of this.

Greetings, Tracy has asked me to develop a policy recommendation to increase pharmacy participation in creating access to contraception for the Lieutenant Governor and Governor. There is some urgency, need to have something in 2-3 weeks. I'm also talking to DOPL so we can get an entire workgroup put together but wanted to get this on your calendars.

Jen, You are booked all week, is this time a possibility for you? Also, Tracy mentioned the new Pharmacy Director, I'm not sure who that is, can we include them as well and anyone else you think might make sense?

When
Friday Aug 19, 2022 · 8am – 9am (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
jstrohecker@utah.gov
Laurie Baksh (DHHS)
Michelle Hofmann (DHHS)
natechecketts@utah.gov - optional

View all guest info

Reply for natechecketts@utah.gov (your attendance is optional)

Yes No Maybe More options

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SUBJECT: Invitation: Hold for Meeting with DOPL on Contraception AccessPolicy... @ Mon Aug 22, 2022 12pm - 1pm (MDT) (natechecketts@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: jstrohecker@utah.gov, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, lmartin@utah.gov, abeyer@utah.gov, lmarx@utah.gov
CC: natechecketts@utah.gov
DATE: 16/08/2022 12:01

[redacted]

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

Adding a second meeting due to the time sensitive nature of this.

Greetings, Tracy has asked me to develop a policy recommendation to increase pharmacy participation in creating access to contraception for the Lieutenant Governor and Governor. There is some urgency, need to have something in 2-3 weeks. I'm also talking to DOPL so we can get an entire workgroup put together but wanted to get this on your calendars.

Jen, You are booked all week, is this time a possibility for you? Also, Tracy mentioned the new Pharmacy Director, I'm not sure who that is, can we include them as well and anyone else you think might make sense?

When
Monday Aug 22, 2022 · 12pm – 1pm (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
jstrohecker@utah.gov
Laurie Baksh (DHHS)
Michelle Hofmann (DHHS)
lmartin@utah.gov
abeyer@utah.gov
lmarx@utah.gov
natechecketts@utah.gov - optional
View all guest info

Reply for natechecketts@utah.gov (your attendance is optional)

Yes No Maybe More options

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SUBJECT: University of Utah/SLCo Contraception Project and Free IUDs
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 16/08/2022 14:02

Hello (sorry for the length of this but I put snippets of what I found in italics if you're interested),

So I found the project that Tracy mentioned to me today, it was called HER Salt Lake (Highly Effective Reversible Contraceptive Initiative Salt Lake), they provided free birth control to more than 7,400 people (4,400 enrolled in the longitudinal study). http://www.hersaltlake.org/

Conclusions. Early contraceptive method switching and discontinuation are frequent outcomes of contraceptive use. These changes are common even with removal of contraceptive access barriers.

They also established a Reproductive Justice Community Advisory Board (RJ CAB) to advise the University of Utah Family Planning Division regarding contraceptive research, clinical care, and advocacy. There's not much information about it on the website but there is a contact email. Seems like this would be a group to engage with? Should I reach out? http://www.hersaltlake.org/rjcab

I've talked to DOPL and scheduled a series of meetings with internal staff and with DOPL over the next week.

Also, Colorado has seen a lot of success with a free LARC (or IUD) program, but it appears it was funded in the beginning by a private donor and then bridge funding came from foundations. https://cdphe.colorado.gov/fpp/about-us/colorados-success-long-acting-reversible-contraception-larc.

Some snippets from their 2017 report are interesting and could provide somewhat of a roadmap for us:

[redacted]

In 2007, a private funder chose Colorado to invest $27 million in expanding family planning services to reduce unintended pregnancy. Colorado had a national reputation for providing such services, a strong network of Title X family planning clinics, and a demonstrated willingness to expand access and use of LARCs.

During the implementation of the Colorado Family Planning Initiative between 2009 and 2015, the long-term goal was always to find sustainable funding to continue making a positive impact on the health and well-being of Colorado women.

In 2015, CDPHE worked with family planning advocates and legislators to secure sustainable funding to continue the Colorado Family Planning Initiative. While funding legislation was unsuccessful that year, the investment in public awareness paid off. Colorado foundations stepped forward with $2.1 million in bridge funding and the momentum obtained through positive media coverage, improved collaboration and enhanced legislative relationships led to the passage of a $2.5 million increase in funding for the CDPHE Family Planning Program in 2016.

With cost and access no longer an issue, the number of LARCs inserted nearly quadrupled in the first six years, and the percentage of LARC users in Title X clinics increased from 6.4 percent to 30.5 percent.

The Colorado Family Planning Initiative helped cut unintended pregnancy rates by 40 percent among women aged 15-19 and 20 percent for women aged 20-24 between 2009 and 2014.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: University of Utah/SLCo Contraception Project and Free IUDs
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 16/08/2022 14:05

Great info. Thanks!

On Tue, Aug 16, 2022 at 1:59 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

> Hello (sorry for the length of this but I put snippets of what I found in italics if you're interested),
>
> So I found the project that Tracy mentioned to me today, it was called HER Salt Lake (Highly Effective Reversible Contraceptive Initiative Salt Lake), they provided free birth control to more than 7,400 people (4,400 enrolled in the longitudinal study). http://www.hersaltlake.org/
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[redacted]

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: University of Utah/SLCo Contraception Project and Free IUDs
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 16/08/2022 14:33

You're welcome! I'll keep digging, do you think we should engage with that group?

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krisannbacon@utah.gov
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On Tue, Aug 16, 2022 at 2:05 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Great info. Thanks!

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FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 16/08/2022 14:40

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TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 16/08/2022 14:51

Sounds good, thank you!

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[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Fwd: HHS Approves 12-month Extension of Postpartum Medicaid and CHIPCoverage in Hawaii, Maryland, and Ohio
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 16/08/2022 16:22

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Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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From: **Center for Medicaid and CHIP Services (CMCS)** <Medicaid.gov@subscriptions.cms.hhs.gov>
Date: Tue, Aug 16, 2022 at 4:11 PM
Subject: HHS Approves 12-month Extension of Postpartum Medicaid and CHIP Coverage in Hawaii, Maryland, and Ohio
To: <Krisannbacon@utah.gov>

View in browser | Distributed by Center for Medicaid and CHIP Services (CMCS)

[redacted]

Medicaid.gov

HHS Approves 12-month Extension of Postpartum Medicaid and CHIP Coverage in Hawaii, Maryland, and Ohio

An estimated additional 34,000 people are now eligible for essential care for a full year after pregnancy, thanks to the American Rescue Plan and the Biden-Harris Administration's efforts to strengthen maternal health coverage.

Today, the U.S. Department of Health and Human Services (HHS), through the Centers for Medicare & Medicaid Services (CMS), approved the extension of Medicaid and Children's Health Insurance Program (CHIP) coverage for 12 months after pregnancy in Hawaii, Maryland, and Ohio. As a result, up to an additional 34,000 people annually – including 2,000 in Hawaii; 11,000 in Maryland; and 21,000 in Ohio – will now be eligible for Medicaid or Title XXI-funded Medicaid expansion CHIP coverage for a full year after pregnancy. With today's approval, in combination with previously approved state extensions, an estimated 318,000 Americans annually in 21 states and D.C. are eligible for 12 months of postpartum coverage. If all states adopted this option, as many as 720,000 people across the United States annually would be guaranteed Medicaid and CHIP coverage for 12 months after pregnancy.

The Biden-Harris Administration has made expanding access to high-quality, affordable health care a top priority – and because of the American Rescue Plan (ARP) and other Administration efforts, more people than ever before have health insurance coverage. Extending Medicaid postpartum coverage is an important part of these efforts.

"Thousands of families in Hawaii, Maryland, and Ohio will now be able to access the health care they need for a full year after pregnancy," said HHS Secretary Xavier Becerra. "The Biden-Harris Administration has made strengthening maternal health a top priority – and extending postpartum coverage not only improves health outcomes, but saves lives. Thanks to President Biden's American Rescue Plan, now more than 318,000 families across the country can have the peace of mind that comes with essential health care coverage. We applaud Hawaii, Maryland, and Ohio for joining our efforts to support healthy parents and babies and urge all other states to work with us in expanding access to this critical care."

The Biden-Harris Administration has championed policies to improve maternal health and equity since the President and Vice President first took office. In April 2021, President Biden issued the first-ever Presidential Proclamation marking Black Maternal Health Week. In December 2021, Vice President Harris hosted the first-ever White House Maternal Health Day of Action, where she announced important commitments to address the maternal health crisis. The Vice President also issued a Call to Action to the private and public sector to improve maternal health outcomes, where she urged states to extend Medicaid coverage for postpartum women from 2

months to 12 months and announced guidance for how states can extend their coverage. Additionally, she convened a historic meeting with Cabinet Secretaries and agency leaders to discuss the Administration's whole-of-government approach to addressing maternal mortality and morbidity. Today's announcement is part of HHS' ongoing effort to support safe pregnancies and childbirth, eliminate pregnancy-related health disparities, and improve health outcomes for parents and infants across our country.

In June, the White House released the Biden-Harris Administration's Blueprint for Addressing the Maternal Health Crisis, a whole-of-government approach to combatting maternal mortality and morbidity. For far too many people, complications related to pregnancy, childbirth, and the postpartum period can lead to devastating health outcomes and result in hundreds of deaths each year. This maternal health crisis is particularly devastating for Black and American Indian and Alaska Native people, and those in rural communities, who all experience maternal mortality and morbidity at significantly higher rates than their white and urban counterparts.

In July, CMS released its Maternity Care Action Plan to support the implementation of the Biden-Harris Administration's Blueprint, which includes postpartum coverage extensions through Medicaid and CHIP. The action plan takes a holistic and coordinated approach across CMS to improve health outcomes and reduce disparities for people during pregnancy, childbirth, and the postpartum period. CMS' implementation of the action plan will support the Biden-Harris Administration's broad vision and call to action to improve maternal health.

"Hawaii, Maryland, and Ohio now join an ever-growing cadre of state partners supporting the promise that comes with health care coverage in the critical first year after pregnancy," said CMS Administrator Chiquita Brooks-LaSure. "The American Rescue Plan forms the bedrock for this opportunity, and gives states the foundation to support the health and well-being of postpartum women and families. Now, as part of CMS' Maternity Care Action Plan, we're putting even more gears into motion to make improved maternal health a reality for communities across the country."

This extension of coverage was made possible by a new state plan authority established by the ARP, under which states may extend postpartum coverage in their Medicaid and CHIP programs from the current mandatory 60-day period to 12 months. Hawaii, Maryland, and Ohio are the latest states to extend Medicaid and CHIP coverage for 12 months following pregnancy, joining the following states that received approval under either the ARP state plan option or section 1115 demonstration authority: California; Connecticut; Florida; Illinois; Kansas; Kentucky; Louisiana; Maine; Massachusetts; Michigan; Minnesota; New Jersey; New Mexico; Oregon; South Carolina; Tennessee; Virginia; Washington state; and Washington, D.C. CMS continues to work with states that have proposed adopting the ARP option to extend postpartum coverage to 12 months.

Medicaid covers 42% of all births in the nation. This new option for states to extend Medicaid and CHIP postpartum coverage is part of the ongoing efforts of HHS and the Biden-Harris Administration to address disparities in maternal health outcomes by opening the door to postpartum care for hundreds of thousands of people.

As noted in a report published by the HHS Office of Assistant Secretary for Planning and Evaluation, one in three pregnancy-related deaths occur between one week and one year after childbirth. The postpartum period is critical for recovering from childbirth, addressing complications of delivery, ensuring mental health, managing infant care, and transitioning from obstetric to primary care.

Visit Medicaid.gov to learn more about the Medicaid state plan amendment extension of postpartum coverage in Hawaii, Maryland, and Ohio.

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TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 17/08/2022 06:14

Thanks Krisann!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Re: University of Utah/SLCo Contraception Project and Free IUDs
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 17/08/2022 06:35

Thank you!

I'd like to review more about HER before reaching out to them directly while we are evaluating the feasibility of offering this program.

This is great information. Do we know if other states are covering LARCs?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Aug 16, 2022 at 1:59 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Hello (sorry for the length of this but I put snippets of what I found in italics if you're interested),

So I found the project that Tracy mentioned to me today, it was called HER Salt Lake (Highly Effective Reversible Contraceptive Initiative Salt Lake), they provided free birth control to more than 7,400 people (4,400 enrolled in the longitudinal study). http://www.hersaltlake.org/

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I've talked to DOPL and scheduled a series of meetings with internal staff and with DOPL over the next week.

Also, Colorado has seen a lot of success with a free LARC (or IUD) program, but it appears it was funded in the beginning by a private donor and then bridge funding came from foundations. https://cdphe.colorado.gov/fpp/about-us/colorados-success-long-acting-reversible-contraception-larc.

Some snippets from their 2017 report are interesting and could provide somewhat of a roadmap for us:

In 2007, a private funder chose Colorado to invest $27 million in expanding family planning services to reduce unintended pregnancy. Colorado had a national reputation for providing such services, a strong network of Title X family planning clinics, and a demonstrated willingness to expand access and use of LARCs.

During the implementation of the Colorado Family Planning Initiative between 2009 and 2015, the long-term goal was always to find sustainable funding to continue making a positive impact on the health and well-being of Colorado women.

In 2015, CDPHE worked with family planning advocates and legislators to secure sustainable funding to continue the Colorado Family Planning Initiative. While funding legislation was unsuccessful that year, the investment in public awareness paid off. Colorado foundations stepped forward with $2.1 million in bridge funding and the momentum obtained through positive media coverage, improved collaboration and enhanced legislative relationships led to the passage of a $2.5 million increase in funding for the CDPHE Family Planning Program in 2016.

With cost and access no longer an issue, the number of LARCs inserted nearly quadrupled in the first six years, and the percentage of LARC users in Title X clinics increased from 6.4 percent to 30.5 percent.

The Colorado Family Planning Initiative helped cut unintended pregnancy rates by 40 percent among women aged 15-19 and 20 percent for women aged 20-24 between 2009 and 2014.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

[redacted]

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TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 17/08/2022 07:49

So far this is the only state program I've found specific to LARCs, I will keep looking. Maryland's program covers everything but it's through a Medicaid waiver similar to what we're proposing (their program goes up to 264% of FPL). Many states have passed laws with respect to state regulated health insurers, and of course there are quite a few states that have opted for the Medicaid option at a higher FPL. I'm compiling all of that now, also some of our staff that have worked on this may know of other states that have programs.

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Hold for Discussion on Contraception Access Policy Recommendation

Wednesday Aug 17, 2022 · 5pm – 6pm (Mountain Time - Denver)

Greetings, Tracy has asked me to develop a policy recommendation to increase pharmacy participation in creating access to contraception for the Lieutenant Governor and Governor. There is some urgency, need to have something in 2-3 weeks. I'm also talking to DOPL so we can get an entire workgroup put together but wanted to get this on your calendars.
Jen, You are booked all week, is this time a possibility for you? Also, Tracy mentioned the new Pharmacy Director, I'm not sure who that is, can we include them as well and anyone else you think might make sense?

Guests
krisannbacon@utah.gov - organizer
Michelle Hofmann (DHHS)
Laurie Baksh (DHHS)
jstrohecker@utah.gov
langelos@utah.gov
natechecketts@utah.gov - optional

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SUBJECT: Summary - Family ... - IUD
FROM: "Tracy Gruber (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 17/08/2022 19:11

Tracy Gruber (DHHS) added a comment to the following document

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are subscribed to all discussions on Summary - Family Policy Options.docx. Change what Google sends you. You cannot reply to this email. View Summary - Family Policy Options.docx to reply.

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: ACC: Re: The Salt Lake Tribune, Aug 18, 2022 Page 1
FROM: "Angella Pinna (DHHS)" <apinna@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Tony Patterson <tonypatterson@utah.gov>, "Katie England (DHHS)" <katieengland@utah.gov>, Emily Iwasaki <eiwasaki@agutah.gov>
CC: Tonya Hales <thales@utah.gov>, Jamie Wuthrich <jwuthric@utah.gov>
DATE: 18/08/2022 17:06

Hi Nate et al,
Over the past year, a professor at the University of Utah had reached out to USDC, asking about sterilization practices, how many people had been sterilized, etc. We worked with Katie and Emily I. on our responses.

There had been sterilizations in the past at USDC but not for many years.

The professor was asking if there should be some kind of plaque or memorial acknowledgment of the practice and its end.

As we work towards equity, diversity, inclusion and access, this is an area where people with disabilities are treated differently from the rest of the population.

We support people to date and have relationships and expect services to match people's needs and respect their rights. We have people in services who have children.

Conversations in our system include not having the right to require a person to use birth control to prevent them from becoming pregnant when they have expressed an interest in becoming pregnant.

While the article is focused on sterilization, it highlights other issues as well. Reports consistently indicate that people with disabilities have a high rate of sexual assault. Accessing support and resources in response to this can be difficult.

Jamie W. works with her team, when we receive incident reports indicating any sexual incident, to reach out to SCEs and offer to help them navigate accessing needed services and any steps needed to address the incident.

They are also developing a training for people with disabilities regarding internet safety and a second one regarding safety and online dating.

Thanks
Angie

On Thu, Aug 18, 2022 at 10:26 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

> Does your team have any thoughts on the issues raised in the sterilization article?
>
> Thanks,
>
> Nate

The Salt Lake Tribune Aug 18, 2022 Page 1
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Rarely used Utah law still allows sterilization of disabled people

By BECKY JACOBS | The Salt Lake Tribune

In Utah, it is legal to forcibly sterilize a person with a disability. And that fact may surprise some people, a University of Utah professor said.

"I think most people just assumed, 'Hey, this is something that sort of disappeared in the '30s and '40s when people stopped proudly declaring that they were eugenicists,'" said James Tabery, who has studied this topic in the Beehive State. "But it turns out that that's not the case."

The law on Utah's books today looks vastly different, but it "is sort of the descendant" of earlier versions from the state's eugenics history, Tabery said.

And while the U.S. Supreme Court recently struck down the 1973 landmark abortion case Roe v. Wade, the justices have never overturned Buck v. Bell, an earlier case that allows these sterilization laws to still be in place in Utah and 30 other states, plus Washington D.C., according to a report from the National Women's Law Center released earlier this year.

"We, as a country right now, are trying to figure out what bodies we

ILLUSTRATION BY CHRISTOPHER CHERRINGTON | The Salt Lake Tribune

Still on the books in Utah are statutes that allow forced sterilization of people with disabilities—primarily women and girls.

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The Salt Lake Tribune

THURSDAY, AUGUST 18, 2022

PULITZER PRIZE WINNER

Habitat loss clouds pheasants' future

Deaths of hundreds of hatchlings raise more questions about efforts to maintain a hunting program while the wild population dwindles.

By ERIC PETERSON | Special to the Tribune

The following story was reported by The Utah Investigative Journalism Project in partnership with The Salt Lake Tribune.

Less than two weeks after the Utah Division of Wildlife Resources (DWR) received a shipment of 500 pheasant hatchlings in June, "approximately 470" of the chicks were found dead in their pens.

The dead hatchlings represented more than one-third of the pheasants the agency was planning on releasing for the fall pheasant hunts in Emery and Carbon counties.

The chicks at the arid Desert Lake Waterfowl Management Area in Emery County were young enough they needed to be fed and watered by a DWR employee. When that employee went on vacation, the agency said another employee didn't know which weekends to care for the birds.

"As a result of the miscommunication, the pheasant chicks were not fed or watered for three days, resulting in their deaths," said DWR spokeswoman Faith Jolley in an emailed statement.

Above » A stagnocked pheasant takes flight.

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» The Mix, A7

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UTAH IS NO EXCEPTION AS CRISIS SPREADS » Nation, A3

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Angie Pinna
(she, her, hers)
Director
C: 801.448.1782
apinna@utah.gov
dspd.utah.gov

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SUBJECT: Re: ACC: Re: The Salt Lake Tribune, Aug 18, 2022 Page 1
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Angella Pinna (DHHS)" <apinna@utah.gov>
DATE: 18/08/2022 18:19

Thank you for this information.

Nate

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Above: A stagecoached pheasant takes flight.

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SUBJECT: Access to Contraception: HER Salt Lake and Family Planning Elevated
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 19/08/2022 10:18

Hi everyone, (Again I apologize for the length of this email, I included snippets from one study that I've put in italics and bolded some of the findings)

Tracy, I reached out to you this morning and hopefully we can find time to connect on this either this weekend or early next week. I recommend that we pull the University of Utah's Family Planning Division into our work as soon as possible, Laurie B. already had a brief discussion (no details) with Dr. Jessica Sanders (who works for Dr. Turrok) to get a little more information about where their programs are at and what they're currently working on. They are presently working on policy recommendations for the upcoming legislative session including addressing barriers to access through pharmacies. If I have your permission we will engage with them as soon as possible.

We've already spoken with Carrie Dunford through Jen, she sits on the Utah Board of Pharmacy and currently works for Intermountain. DOPL also recommended including Carrie in our conversations. We have a meeting with DOPL next week and have included Carrie.

As a side note, Intermountain is also presently engaged in developing a directed effort around providing greater access through pharmacist prescribing throughout IHC.

I wanted to give you a bit of context as to why I'm recommending pulling in the University folks.

The HER Salt Lake Initiative was expanded in 2018 and relabeled Family Planning Elevated since it sought to serve a much broader population. This group has been deeply involved in legislative efforts including expanding Medicaid family planning services, the standing order, and HB 178.

In addition to multiple studies and research papers produced through HERSL, FPE released a detailed evaluation of the successes/barriers to the expanded program that was published in the American Journal of Public Health (funding for the program has ended and was largely funded through private foundations). Their findings demonstrated the significant gap between passing a policy and uptake of that policy. Here are a few snippets from the paper I found relevant:

- *Family Planning Elevated expands access to contraceptive education, training, and capacity-building for Utah health care centers and providers in an effort to improve equitable, person-centered, comprehensive contraceptive services across the state of Utah. We're helping uninsured, underinsured, and undocumented Utahns get the methods they want, without cost or distance being a barrier.*
- ***While contraceptive initiatives have become common in recent years, details of how these interventions are executed remain underreported, which results in new initiatives "reinventing the wheel" around programmatic development and implementation.***
- *FPE designed and utilized a comprehensive monitoring system to identify and respond to challenges implementing our initiative as they arose. Here, we describe the components of our monitoring system, and highlight how **FPE's monitoring system successfully identified that Utah's Medicaid expansion was not widely adopted by eligible individuals. We then describe how FPE adapted to this challenge.***
- *In response to low utilization of Medicaid reimbursement for family planning services at FPE CAP clinics, we increased discussions about available strategies for linking clients to Medicaid enrollment assistance. We encouraged clinics to use FPE CAP grant funds to staff in-clinic Medicaid navigators. No clinics opted for full-time onsite navigators, however, largely because of the constraints of the COVID-19 pandemic. Documentation of Medicaid applications and enrollment was not specifically part of the FPE evaluation, but based on anecdote; **very few individuals successfully navigated Medicaid enrollment at the point of contraceptive care.***
- *Despite FPE's efforts to remove Medicaid expansion barriers, utilization of Medicaid was lower in the FPE-eligible population than predicted. **The full Medicaid application includes 20 pages of self-reported information and documentation of family assets, employment history, and earnings; engaging in this lengthy process both challenges and stigmatizes people. These burdens highlight the importance of low-barrier approaches to augment coverage with programs like FPE and Title X.***
- *While policy change, such as Medicaid expansion, can provide potential improvements in access to care, such policies must also include sufficient budgeting and planning for their successful implementation to truly sustain change.*

https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2022.306935

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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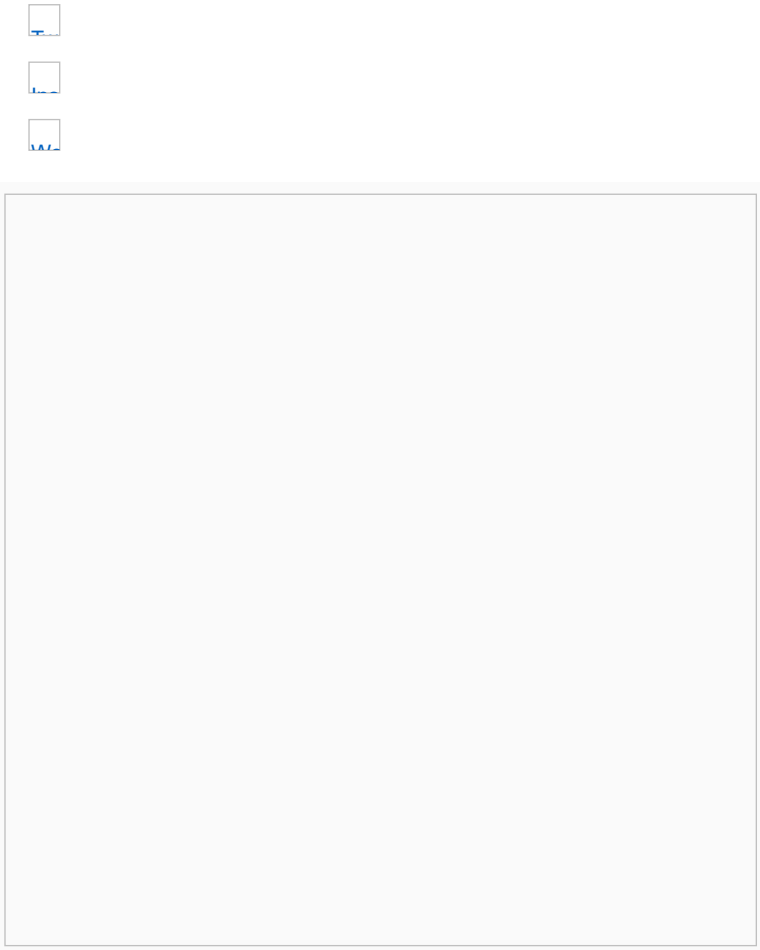
SUBJECT: Mental health resources, water conservation, and more
FROM: Office of Gov. Spencer Cox <govcomm@utah.gov>
TO: <natechecketts@utah.gov>
DATE: 19/08/2022 12:18

[redacted]

[redacted]

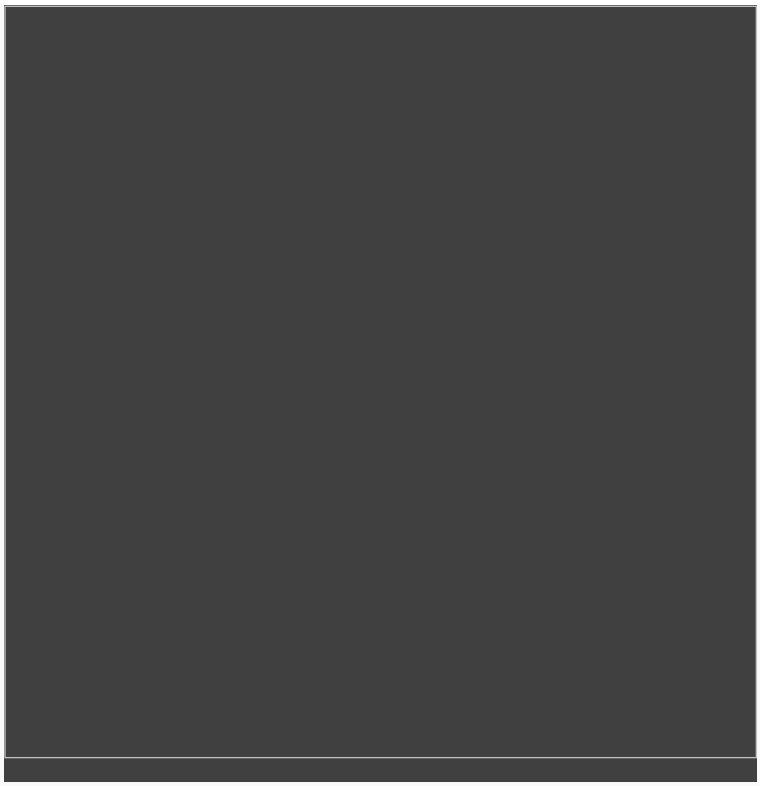
Fireworks, spotlighting service, and more

View this email in your browser



Happy Friday from #OneUtah, a weekly update from the office of Gov. Spencer J. Cox. Here's your recap of what we did this week, what's on the horizon, and more. Reply to this email with any questions or suggestions regarding the newsletter. And thank you for subscribing!

[redacted]



A reminder about mental health

If you or someone you know is struggling with thoughts of suicide, please reach out. Talk to someone you trust, call 988, or use the SafeUT app, a state-funded crisis chat and tip line, which experts say is saving the lives of at least two Utah students per day.

Help is available, and we need you here.

And if you – or someone you know – fear for your safety due to stalking or intimate partner violence, please contact the statewide domestic violence info line at 1-800-897-5465 for help, including counseling, shelter, transportation, and other services.

Honoring a mentor, friend, and leader

It was a great honor to be part of the opening of Utah Valley University's first and only public policy institute which is named for an outstanding mentor, friend, and governor, Gary R. Herbert.

The Herbert Institute will be a center where UVU students can learn about this great leader and what good government looks like.

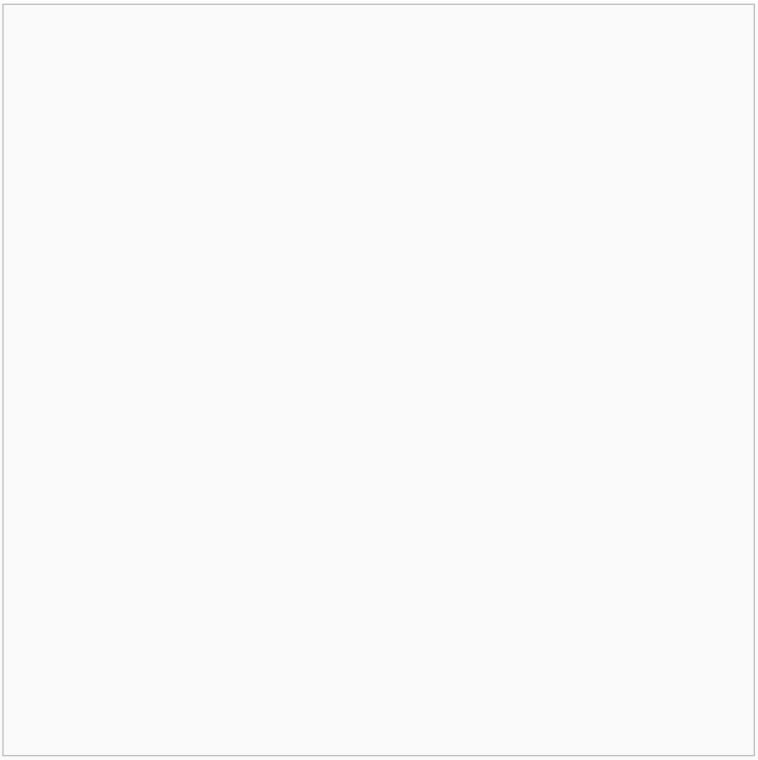
Congratulations to President Astrid Tuminez for her visionary effort to create a place where the next generation of Utah's policy leaders can gather, hear from diverse thought leaders, and learn about what makes Utah and our country great. And to Gov. Herbert: Congratulations on this monumental achievement. Your legacy of good governance and public service will benefit UVU and the state of Utah for years to come.

Got a minute?

Tell us what you think of the #OneUtah newsletter! Please click the button below to complete a brief satisfaction survey. We appreciate your feedback!

Tell us what you think!

[redacted]



Meeting with GoUtah and local business leaders

The Go Utah Board promotes and encourages economic opportunity for all Utahns and the state's commercial, financial, industrial, agricultural, and civic welfare. This week we were happy to join their board on two trips to Utah businesses.

First we met with Entrata, the leading operating system for multifamily communities worldwide. We discussed housing and growth in our state, Entrata's community service, and more. We look forward to visiting again soon!

We also toured the Rio Tinto Kennecott mine, a world-class, integrated copper mining operation and major employer in Utah. We appreciate Rio Tinto Kennecott's commitment to supporting and participating in the state's economic growth, environmental protection, and community support!

Staying focused on families and children in Utah

We're staying focused on families and children in Utah. On Wednesday, Lt. Gov. Deidre Henderson chaired the Governor's Early Childhood Commission with leaders from across state government. We're happy to report the commission is laser-focused on coordinating and streamlining support services and bolstering resources for families with young children, including with the DHHS Office of Early Childhood.

Thanks to the commission for doing such important work for the Beehive State.

We're also re-examining some of the policies and ideas that we think can make Utah an even better place to live and raise a family. Stay tuned!

PBS Utah Monthly News Conference

This week we answered questions at the PBS Monthly News Conference in a live exchange with reporters. Here are a couple topics we discussed:

Q: With school starting, how are we making schools safer?
A: The SafeUT app, while mainly used for helping with students' mental health, can also be used for school safety. It gives kids and parents the ability to anonymously connect with law enforcement to report any type of bullying or suspicious behavior. We've received close to 300 tips over the past year — some of which pointed to potential violence — so we're glad law enforcement could step in and intervene early.

Over the summer, the Utah Department of Public Safety has also been working very closely with school districts, the state superintendent, and the state school board to make sure everyone is implementing safety measures in every one of our schools. They've checked to make sure everyone is using proper training and that the schools' ingress and egress are figured out in a way that will add additional safety. We also have resource officers in many of our schools that are available to help with any issues that may arise in schools.

Q: What's your take on the energy provisions in the Inflation Reduction Act?
A: It's closer to a better approach. We have a unique opportunity in Utah to seek out an all-of-the-above energy approach that will ultimately lead to much better outcomes, and we appreciate the emphasis on both sides of the energy ledger. There's tremendous potential in Utah for solar, wind, geothermal, hydrogen, and more.

However, the most important thing that can come out of this legislation wasn't actually in the legislation — we're told part of the deal to get that legislation passed is permitting reform. The National Environmental Protection Act has unfortunately prevented, slowed down, or increased the cost of big projects that we know would have a good impact on the environment. Here in Utah we've seen NEPA slow down transmission lines. As we're trying to electrify things we do, like driving, we need to be able to transmit electricity, and in Utah it can take seven to 10 years to get these projects off the ground.

We care about the climate and about reducing emissions, but we must find ways to greatly increase the speed at which we're able to build these transmission lines.

You can watch the press conference in its entirety here.

Discussing the Utah way, conservation, and more

We also joined Washington Post reporter Jacqueline Alemany for a live discussion. Here's a look at a few of the questions we answered:

Q: How are you protecting the Great Salt Lake?
A: Historically, the state of Utah had a "use it or lose it" mentality. We changed that mentality in the state and set aside $40 million to purchase water rights from holders which allows farmers and ranchers to keep their water in the streambed. That is going to have a tremendous effect on the Great Salt Lake water levels.

We are using some great nonprofits to help us with preserving waterways and improving animal sanctuaries. We are also doing a significant amount of work to remove invasive species, which will leave more water in the stream and the Great Salt Lake.

We are also working with the federal government. There has been legislation run by members of Congress from the state of Utah with support from leadership in both parties to help us get some resources here as well as the Army Corps of Engineers who will help us understand what is happening with the lake and what we can do to save it.

Q: Why are Utahns able to compromise on such difficult issues?
A: Utahns are great at this. There are so many areas where we are not that far apart, and either side being willing to compromise a little bit would solve 90% of our problems and build bonds that bring Republicans and Democrats together.

Q: How are you addressing systemic issues that are tied in to abortion care?
A: One is trying to prevent unwanted pregnancies as much as possible. Access to contraception is one area that we can do more.

Supporting mothers, especially single mothers, who are living in poverty through access to child care and making health care more available is another aspect we are looking at as a state.

In addition, we are looking at ways to hold men more accountable. We recently passed a policy change that prohibited the procurement of hunting and fishing licenses for those men who are behind in their child support payments and we have seen that be successful.

I am hoping we have several policy proposals passed in the Legislature that will show that we do care about all life — life in the womb but especially life after birth and the women who are far too often bearing the responsibility of caring for these children.

Watch the discussion here.

Addressing drought in the West

We're continuing to share ways in which the state is working to conserve water and plan for a drier future. This week, we're talking about cross-state collaboration.

One-third of Utahns rely on the Colorado River for drinking water, and the river is a major contributor to the state's $189 billion economy. When it comes to resources like the Colorado River, Utah must work with neighboring states to preserve and protect water.

This is especially urgent given that far more Colorado River water is being used, especially by the Lower Basin states, than is available due to the current drought and climate change impacts. Recent estimates based on last year's use show the Lower Basin and Mexico are using about 10 million acre-feet, the Upper Basin states are using about 3.5 million acre-feet and the available flow is only around 6.3 million acre-feet.

We're all going to have to cut back. But Lower Basin states use more than twice the water than Upper Basin states, so it makes sense that the greatest cuts should be shouldered by the Lower Basin.

We support long-term reductions in use over short-term fixes if we are truly going to sustain the system. Utah, along with the other Upper Basin states, will continue to do our part to conserve and bring solutions to the table.

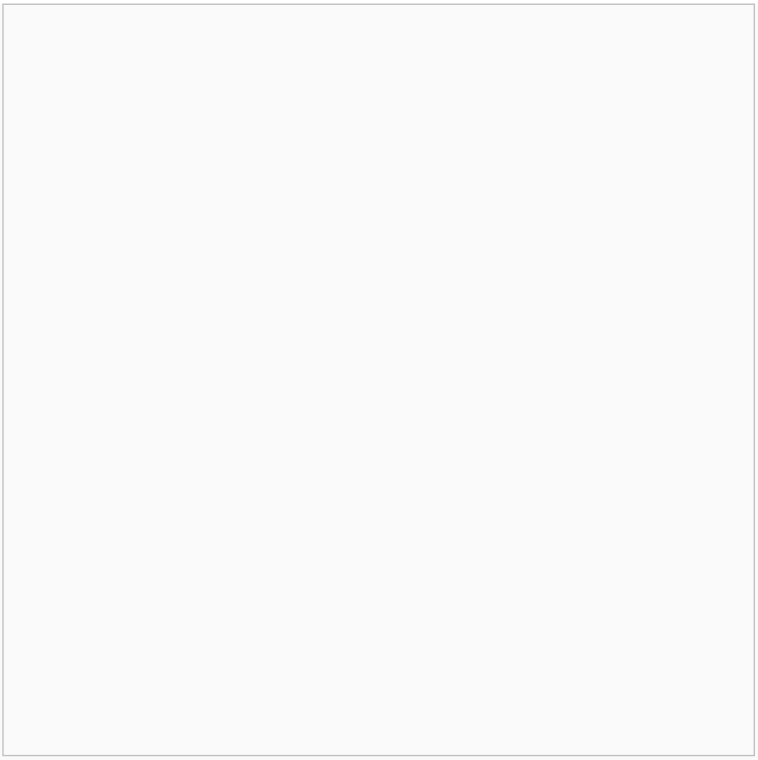
Read more about how we're addressing drought in the West here.

Closing a chapter in Utah history

For 71 years, the Draper prison served the people of Utah as a facility focused on keeping us safe. But over the years, we developed better ways to secure those who were paying their debt to society while at the same time teaching them to rebuild their lives and find a productive future on the outside. The transfer to the new State Correctional Facility in Salt Lake will fulfill this new mission more fully.

This week we were able to recognize those who made the transfer of 2,464 incarcerated individuals possible. We were also able to honor Gov. Gary Herbert for his initiation and support for the prison movement from day one.

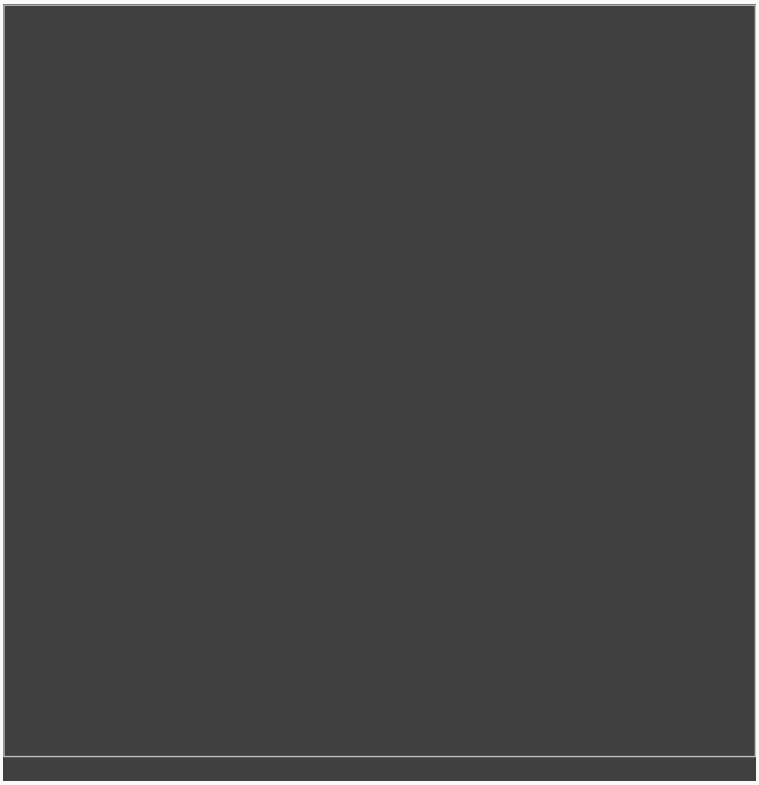
The Draper Prison Chapel will be preserved in recognition of its significance in the lives of many Utahns. As we close this chapter, we acknowledge the former Draper Prison and look forward to the future.



How to visit rock imagery sites safely

Rock imagery sites in Utah preserve important messages of the past. Familiar symbols etched into colorful rock formations communicate messages from early Native Americans intended for their posterity.

These tips will help you appreciate rock imagery locations respectfully and in the interest of preservation.



Spotlighting Utah's 'Spirit of Service'

In our inaugural Governor's Spirit of Service Award Ceremony, we recently recognized the outstanding service that Utahns are doing throughout the state. Each week, we'll highlight one of these unsung heroes. This week, we're highlighting the Ruff Haven Crisis Sheltering Center.

Ruff Haven Crisis Sheltering Center works to prevent individuals from having to surrender their pets by providing shelter when someone is experiencing a crisis, temporary hardships, medical emergencies and more.

Read more about Ruff Haven Crisis Sheltering Center and the other honorees here.

ICYMI

- We're proud to report that the executive branch took the trophy — figuratively — at this year's executive-legislative softball game. We appreciate the legislative branch's good sportsmanship and look forward to next year's match!
- Speaking of baseball … we'd love to welcome an MLB team to Utah soon.
- Now for the most important baseball-related item to attend to: We're incredibly proud of the Snow Canyon Little League baseball team for making it to the Little League World Series! But we were devastated to hear about one player's recent injuries. Please join us in praying for Easton Oliverson, his family, and his team. You can also show support with one of the team's hats.
- KSL NewsRadio's "Let Me Speak to the Governor" is back! This month, we answered your questions about water conservation, transportation projects, and more. Listen here!
- On Mondays we wear pink? Lt. Gov. Henderson joined ABC4's Good Things Utah on Monday to give a brief update on the state of the Beehive State. She picked out a pink blazer that morning – and so did the hosts. Watch the segment here.

- Good news for conservation efforts: Weber Basin's study of metered usage in the 2021 season concluded that the presence of meters reduced consumption by 20% to 29%. Read the Standard-Examiner story here.
- Vote Utah launched a new TikTok account this week! Staff from the Lieutenant Governor's Office will explore voting in the Beehive State, notary public, entity registration, document authentication, and other responsibilities that fall under the lieutenant governor's role. Follow Vote Utah on TikTok here.

Coming up

- Aug. 22: We'll welcome many of Utah's mayors to the Capitol and to the Governor's Mansion to learn more about their communities and thank them for their service.
- Aug. 22: Lt. Gov. Henderson will host a luncheon for yet another successful class of returnees. The third Return Utah cohort is wrapping up before the next group starts the 16-week return-to-work program.
- Aug. 25: Join us for a free, in-person discussion with the Women's Leadership Institute about how to elevate Utah women in leadership. Details here.
- Aug. 25-26: Lt. Gov. Henderson will connect with local leaders in Weber County on Thursday and Box Elder County on Friday. Don't miss her at the 97th Annual Box Elder County Fair in Tremonton. It's gonna be fun!
- Sept. 1: We'll help host a town hall with Utah's agricultural community. Stay tuned for details!

Get involved!

Looking for a new job opportunity? From great employee benefits to versatile work schedules, the career opportunities with the state are truly endless. Join Team Utah today!

Those looking to volunteer can also consider more than 300 boards and commissions. Find out which openings are available and how you can get involved here!

Get in touch!

You can reach the Governor's Office here. And you can follow us on Twitter, Facebook, Instagram, TikTok, and YouTube for the latest news and updates.

Contact the Governor's Office

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Salt Lake City, UT 84114-2220

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SUBJECT: Re: Access to Contraception: HER Salt Lake and Family Planning Elevated
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 19/08/2022 15:29

I know you all might not have time but this video presentation really demonstrates how active this group is in lobbying the legislature, it seems they have a very mature lobbying effort keeping in mind the rules of engagement as a quasi-state agency with active engagement with their General Counsel's Office and their Office of Government Affairs. It's about 53 minutes but if you do have any time it's worth the watch, I've already taken notes on it but thought I would share.

https://prod.obgyn.medicine.utah.edu/obgyn/grandrounds/video?video=0_4vvcs06b

[redacted]

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Aug 19, 2022 at 10:18 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Hi everyone, (Again I apologize for the length of this email, I included snippets from one study that I've put in italics and bolded some of the findings)

Tracy, I reached out to you this morning and hopefully we can find time to connect on this either this weekend or early next week. I recommend that we pull the University of Utah's Family Planning Division into our work as soon as possible, Laurie B. already had a brief discussion (no details) with Dr. Jessica Sanders (who works for Dr. Turrok) to get a little more information about where their programs are at and what they're currently working on. They are presently working on policy recommendations for the upcoming legislative session including addressing barriers to access through pharmacies. If I have your permission we will engage with them as soon as possible.

We've already spoken with Carrie Dunford through Jen, she sits on the Utah Board of Pharmacy and currently works for Intermountain. DOPL also recommended including Carrie in our conversations. We have a meeting with DOPL next week and have included Carrie.

As a side note, Intermountain is also presently engaged in developing a directed effort around providing greater access through pharmacist prescribing throughout IHC.

I wanted to give you a bit of context as to why I'm recommending pulling in the University folks.

The HER Salt Lake Initiative was expanded in 2018 and relabeled Family Planning Elevated since it sought to serve a much broader population. This group has been deeply involved in legislative efforts including expanding Medicaid family planning services, the standing order, and HB 178.

In addition to multiple studies and research papers produced through HERSL, FPE released a detailed evaluation of the successes/barriers to the expanded program that was published in the American Journal of Public Health (funding for the program has ended and was largely funded through private foundations). Their findings demonstrated the significant gap between passing a policy and uptake of that policy. Here are a few snippets from the paper I found relevant:

- *Family Planning Elevated expands access to contraceptive education, training, and capacity-building for Utah health care centers and providers in an effort to improve equitable, person-centered, comprehensive contraceptive services across the state of Utah. We're helping uninsured, underinsured, and undocumented Utahns get the methods they want, without cost or distance being a barrier.*
- ***While contraceptive initiatives have become common in recent years, details of how these interventions are executed remain underreported, which results in new initiatives "reinventing the wheel" around programmatic development and implementation.***
- *FPE designed and utilized a comprehensive monitoring system to identify and respond to challenges implementing our initiative as they arose. Here, we describe the components of our monitoring system, and highlight how* ***FPE's monitoring system successfully identified that Utah's Medicaid expansion was not widely adopted by eligible individuals. We then describe how FPE adapted to this challenge.***
- *In response to low utilization of Medicaid reimbursement for family planning services at FPE CAP clinics, we increased discussions about available strategies for linking clients to Medicaid enrollment assistance. We encouraged clinics to use FPE CAP grant funds to staff in-clinic Medicaid navigators. No clinics opted for full-time onsite navigators, however, largely because of the constraints of the COVID-19 pandemic. Documentation of Medicaid applications and enrollment was not specifically part of the FPE evaluation, but based on anecdote;* ***very few individuals successfully navigated Medicaid enrollment at the point of contraceptive care.***
- *Despite FPE's efforts to remove Medicaid expansion barriers, utilization of Medicaid was lower in the FPE-eligible population than predicted.* ***The full Medicaid application includes 20 pages of self-reported information and documentation of family assets, employment history, and earnings; engaging in this lengthy process both challenges and stigmatizes people. These burdens highlight the importance of low-barrier approaches to augment coverage with programs like FPE and Title X.***
- *While policy change, such as Medicaid expansion, can provide potential improvements in access to care, such policies must also include sufficient budgeting and planning for their successful implementation to truly sustain change.*

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C: 385.377.4168
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[redacted]

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FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 20/08/2022 06:51

Thank you!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Fri, Aug 19, 2022 at 3:27 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

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[redacted]

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SUBJECT: Fwd: Mental health resources, water conservation, and more
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: Tracy Gruber <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Krisann Humphreys Bacon <krisannbacon@utah.gov>
DATE: 22/08/2022 07:30

Not sure if you all saw the plug on the "Family-Friendly Policy" conversations we have been having with the LG in the Governor's interview with the Washington Post reporter.

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **Office of Gov. Spencer Cox** <govcomm@utah.gov>
Date: Fri, Aug 19, 2022 at 12:18 PM
Subject: Mental health resources, water conservation, and more
To: <davidlitvack@utah.gov>

View this email in your browser

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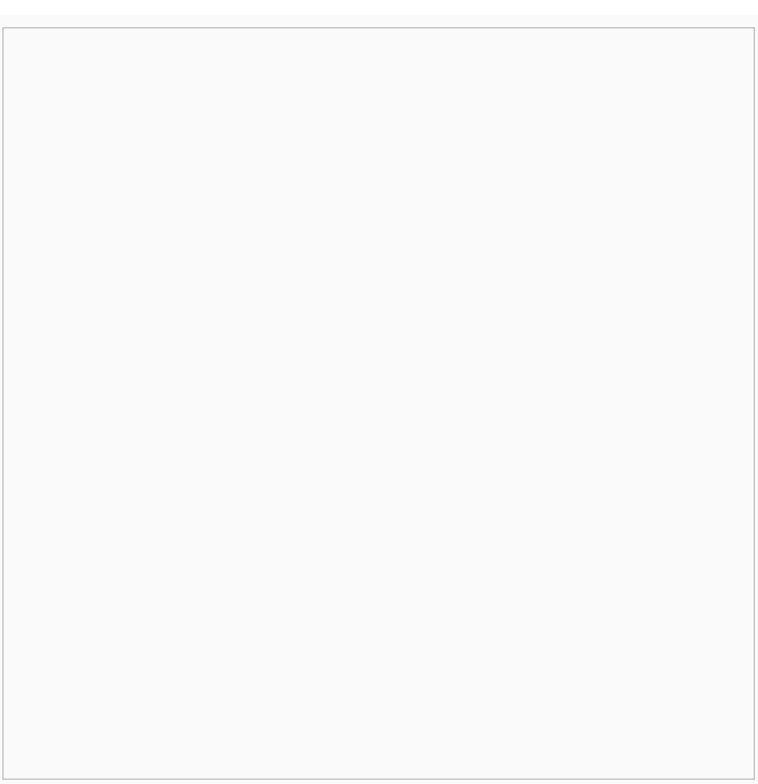

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[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Leavitt Partners Weekly Health Intelligence
FROM: Leavitt Partners <info@leavittpartners.com>
TO: natechecketts@utah.gov
DATE: 22/08/2022 10:12

[redacted]

LP_WHI_Header

A reminder about mental health

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August 22, 2022

This Week in Health Policy News

On August 14, HHS did not announce that the COVID-19 Public Health Emergency (PHE) would be ending, thus implicitly signaling that the PHE will continue past October 13 and into 2023. HHS has repeatedly promised to notify states at least 60 days before the end of the PHE. The ending of the PHE will signal the beginning of a year-long unwinding of different protections and policies that were put in place at the beginning of the COVID-19 pandemic.

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LP HEALTH SPEAKERS

If you are interested in booking Leavitt Partners for your upcoming virtual or in-person event, click **here** to learn more about our speakers.

Health Care Policy and Politics

On August 16, the FDA issued a final rule to make available over-the-counter certain air-conduction hearing aids intended for people 18 years of age and older who have perceived mild to moderate hearing impairment. Beginning in mid-October, consumers will be able purchase these over-the-counter (OTC) hearing aids directly from stores or online retailers without the need for a medical exam, prescription, or fitting adjustment by an audiologist. The FDA projects that 29 million Americans could benefit from hearing aid use, while also predicting that OTC availability could mean nearly $3,000 in savings per pair. Furthermore, the final rule amends existing rules that apply to prescription hearing aids for consistency with the new OTC category, repeals the conditions for sale for hearing aids, and includes provisions that address some of the effects of the FDA OTC hearing aid regulations on state regulation of hearing aids. The FDA also released final guidance related to "Regulatory Requirements for Hearing Aid Devices and Personal Sound Amplification Products." This guidance document connects to the final rule and clarifies the intended uses, regulatory requirements, and distinctions of hearing aids and personal sound amplification products. The new class of hearing aids created by the regulation do not require medical

examination, a prescription, or other specialty evaluations, and are intended for adults with mild to moderate hearing problems. These efforts follow years of pressure from medical experts and consumer advocates; the move could also remove red tape and promote innovation and competition in a historically concentrated marketplace. (Articles here and here)

Over the next several months, the Medicare Payment Advisory Commission (MedPAC) will hold several public meetings to discuss Medicare policy issues and to vote on recommendations to send to Congress. The Medicaid and CHIP Payment and Access Commission (MACPAC) will hold three public meetings from September to December to discuss Medicaid and CHIP policy, reports, and recommendations to Congress. Time will be allotted during each meeting for public comments. Details of the agenda are typically posted one week prior to the meeting.

Innovation and Technology

Telehealth platform KeyCare announced that the company garnered $24 million in its recent series A funding. The virtual-first platform is the only of its kind to be developed with electronic health records giant Epic. Its certified use of Epic allows KeyCare to provide a broader range of care including primary and specialty care as well as remote patient monitoring. Patients can access their health records and engage virtual providers all within the same portal. (Article here)

Maven Health, a provider of virtual family health, announced that it is adding menopause care to its list of service offerings. Employers using Maven Health can now offer the benefit to the 1 million users currently accessing the platform. The new service is one of the many offerings provided by the female-focused startup which reached unicorn status, a valuation of $1 billion, in 2021. (Article here)

Following the company's rapid growth in 2021, healthcare career marketplace Incredible Health announced it has raised $80 million in its most recent round of series B funding. The platform, which helps healthcare organizations with their permanent staffing positions, grew its number of partners from 200 hospitals three years ago to more than 600 in 2021. That expansion came with a near five-fold increase in revenue from 2020 to 2021. Incredible's matching algorithms provides customized work mainly for nurses and has helped grow the company's valuation to $1.65 billion after this most recent round. (Article here)

Digital Health platform Get Well announced this week that it is launching an industry first digital care management plan for monkeypox. The tool will help patients and clinicians monitor symptoms and triage patients as needed. In all, Get Well will provide a 21-day care plan with education on the disease and information about what steps to take as symptoms arise. The plan will also provide guidance regarding [illegible] and monitoring with [illegible] opportunities to infect others and what precautions to take. (Press Release here)

Mount Sinai Health System and Regeneron announced an ambitious joint research project that would [illegible] participants whose genomes will be paired with de-identified patient records in a database to help drive the project entitled the Million Health Discoveries. Regeneron and Mount Sinai will build on past partnerships based on genomic research such as BioMe, a biobank that helped link genomic data with [illegible] taking place for those receiving blood test5s as part of routine care. (Article here)

KeyCare, the only telehealth platform developed with medical records provider Epic Systems, raised $24 million in series A funding. The series was backed by Bvic, Lov Health, Bond Capital and Spectrum Health Ventures with hopes in the platform's ability to expand digital access to care through its unique system. KeyCare offers a one-stop shop for digital health needs unified by Epic's electronic health [illegible] patients' primary care physicians on the platform, freeing patients from functioning as a medical go-between. (Article here)

Coverage & Incentives

J.D. Power's annual study of Medicare Advantage (MA) plans found member's general satisfaction is up from 2021 and is higher than satisfaction reported by people in employer-sponsored plans. While members are happy with access to preventive and routine care, coverage of mental health and substance abuse treatment is lacking. Most [illegible] have enough coverage for routine diagnostics and 89% have enough coverage for preventive care. In comparison, 38% have mental health coverage and 27% for substance abuse treatment. The findings offer an opportunity for insurers to [illegible] (Article here)

According to an Aon report, U.S. employers will pay 6.5% more on average for employee healthcare coverage in 2023 compared to this year. The last predicted rise, with a jump of 3.7% growth in employer costs between 2021-2022, stilling below the 9.1% Consumer Price Index, resulting from inflation. Inflation hits healthcare costs later than other goods and services due to the multi-year nature of contracts between providers and insurers, but impacts will become more prevalent over the year. (Article here)

Health Care Service Corporation signed a definitive agreement to buy Trustmark Health Benefits from Trustco Holdings to bulk up its ability to provide customizable, flexible benefit solutions to a broader platform of customers. Financial terms of the deal were not disclosed. Trustmark Health Benefits builds and manages custom plans that are designed to better manage costs and personalize member support. The companies are expected to close the deal later this year, pending regulatory approval. (Article here)

Payment and Delivery Transformation

Despite a decade of value-based payment policy working to improve the quality and cost efficiency of care, analysis shows little improvement in reducing health inequities. In fact, many value-based models unintentionally exacerbate inequities for marginalized communities by setting financial incentives that contradict equity goals. Five potential policy/organizational actions that could address such issues include: 1) mandating that certain organizations enroll in payment models to limit selective participation; 2) establishing spending targets that support equity even at the cost of higher spending; 3) decoupling spending for marginalized populations from overall spending calculations; 4) stratifying quality metrics by race, ethnicity, and indicators of socioeconomic status; and 5) reworking performance-based incentives to reward participants serving marginalized populations with larger incentive amounts. (Articles here and here)

Honoring a mentor, friend, and leader

It was a great honor to be part of the opening of Utah Valley University's first and only public policy institute which is named for an outstanding mentor, friend, and governor, Gary R. Herbert.

The Herbert Institute will be a center where UVU students can learn about this great leader and what good government looks like.

Congratulations to President Astrid Tuminez for her visionary effort to create a place where the next generation of Utah's policy leaders can gather, hear from diverse thought leaders, and learn about what makes Utah and our country great. And to Gov. Herbert: Congratulations on this monumental achievement. Your legacy of good governance and public service will benefit UVU and the state of Utah for years to come.

Got a minute?

Tell us what you think of the #OneUtah newsletter! Please click the button below to complete a brief satisfaction survey. We appreciate your feedback!

The Centers for Medicare and Medicaid Services (CMS) recently published the list of organizations provisionally accepted to participate in the ACO REACH model beginning in 2023, along with the organizations participating in the optional Implementation Period (IP3) between August 1st and December 31st The list includes the ACO Type (Standard, New Entrant, or High Needs) and the risk sharing arrangement (Professional or Global), and for organizations participating in IP3, the states where the ACO operates. Of the 275 applicants, 128 were provisionally accepted, though 18 have already withdrawn their applications; 34 of these provisionally accepted applicants will participate in IP3. Including the 99 organizations that participated in the Global and Professional Direct Contracting model (GPDC) that preceded ACO REACH, and who have the option to transition to the model provided they meet the new requirements, there is potential for up to 209 organizations to participate in 2023. (Article here)

Debate continues in response to a pair of 2021 *Health Affairs* articles criticizing Medicare Advantage (MA) and the now-canceled GPDC model. Although confirming that MA plans appear to cost more than Traditional Medicare (TM) with little *reported* quality benefits—as argued in the articles—proponents of MA contend that these arguments are misguided and rejected by both Congress and CMS. For example, MA proponents explain the seemingly unimpressive results in MA by clarifying that capitated MA plans consistently reflect significantly better quality, lower hospital utilization, and lower total cost of care than Traditional Fee-For-Service (FFS) Medicare; these results simply do not stand out because the 18.4 percent of models applying capitation are almost always aggregated with broader FFS model MA plans when assessing MA HMO effectiveness. (Articles here and here)

The CY 2023 Medicare Physician Fee Schedule (PFS) proposed rule changes include changes to the Medicare Shared Savings Program (MSSP) and a conversion factor decrease of $1.53. In reaction to these changes, healthcare attorneys say that while they may offer incentives for provider groups to consider alternative payment models, the policies will likely need more to significantly impact the shift to value-based care. The proposed changes would also introduce advanced shared savings payments to certain new accountable care organizations (ACOs) that focus on rural and underserved populations. The attorneys go on further to state that while these changes may remove perceived barriers to participating in the MSSP, it is still unclear whether they would drive a significant number of new providers to establish ACOs, especially if organizations have not already been considering participation. (Article here)

Recent Q2 earnings point to VBP enablers and Advanced Primary Care companies, including Privia, agilon, ApolloMed, and CareMax, gaining traction in the care delivery sector. Privia's growth continues to be driven by enabling physician partners to take on more risk and entering new markets. agilon's total Q2 revenue of $670 million was an increase of 34% from the previous quarter and its Medicare Advantage (MA) membership grew 44% year-over year (YoY), driven by partnerships with health systems (as evidenced in a recent partnership with MaineHealth) and PCPs. Using tech-powered strategies as a VBP enabler, ApolloMed saw strong growth in capitated revenues, increasing 57% YoY; management continues to execute and pursue strategies to enable independent physicians throughout its geographic footprint and noted the recent formation of ApolloMed Health Choice. Strong financial performance was also seen for CareMax, which grew its MA membership 72% YoY. (Article here)

Meeting with GoUtah and local business leaders

The Go Utah Board promotes and encourages economic opportunity for all Utahns and the state's commercial, financial, industrial, agricultural, and civic welfare. This week we were happy to join their board on two trips to Utah businesses.

First we met with Entrata, the leading operating system for multifamily communities worldwide. We discussed housing and growth in our state, Entrata's community service, and more. We look forward to visiting again soon!

We also toured the Rio Tinto Kennecott mine, a world-class, integrated copper mining operation and major employer in Utah. We appreciate Rio Tinto Kennecott's commitment to supporting and participating in the state's economic growth, environmental protection, and community support!

Public Health and Prevention

According to Dr. Ashish Jha the White House Covid coordinator booster shots designed to target both omicron subvariants BA.4 and BA.5 will be available "in a few short weeks". Currently, only adults 50 and older as well as immunocompromised populations are eligible for secondary boosters (four months after their initial booster) however, the dosages currently in circulation are not designed to target the omicron variants specifically. Health officials say whether the new boosters will be made immediately available to all U.S adults or if certain populations such as those at higher risk will be the first to receive the updated version. The anticipation of new boosters has led to some confusion among U.S adults as to when they would be most effective to receive a booster but according to some experts "the best way to time your shot is around the end of October" (Article here)

A recent paper published in *JAMA Network Open* assessed changes in pregnancy-related complications and obstetric outcomes before and during the COVID-19 pandemic, finding significant increases in pregnancy-related complications and maternal death. The paper analyzed data from over 1.6 million pregnant patients who gave birth in 765 hospitals in the US prior to the pandemic and during the first 14 months of the pandemic. The analysis found that maternal death during delivery hospitalization increased from 5.17 deaths per 100,000 pregnant patients prior to the pandemic and 8.69 deaths per 100,000 pregnant patients during the pandemic. The authors suggest that increases in poor outcomes demonstrates that the COVID-19 pandemic negatively affected obstetric care and pregnancy-related outcomes, adding that outpatient prenatal care experienced extensive disruptions. Additionally, the paper found that people of color were more likely to experience disrespectful care and perceived discrimination, which is linked to postpartum stress. (Articles here and here)

A federal judge in Ohio ordered three major pharmacy chains to pay a total of $650.5 million to two Ohio counties for their roles in fueling the opioid epidemic by improperly distributing drugs. The money will be used to fight the opioid crisis in Lake and Trumbull counties outside Cleveland. In the same week, another opioid maker, Endo, filed for bankruptcy after reaching a settlement with 36 states to resolve allegations for falsely marketing opioids, agreeing to pay the states $450 million over 10 years to support treatment and prevention of opioid use problems. (Articles here and here)

[redacted] Fireworks, spotlighting service, and more

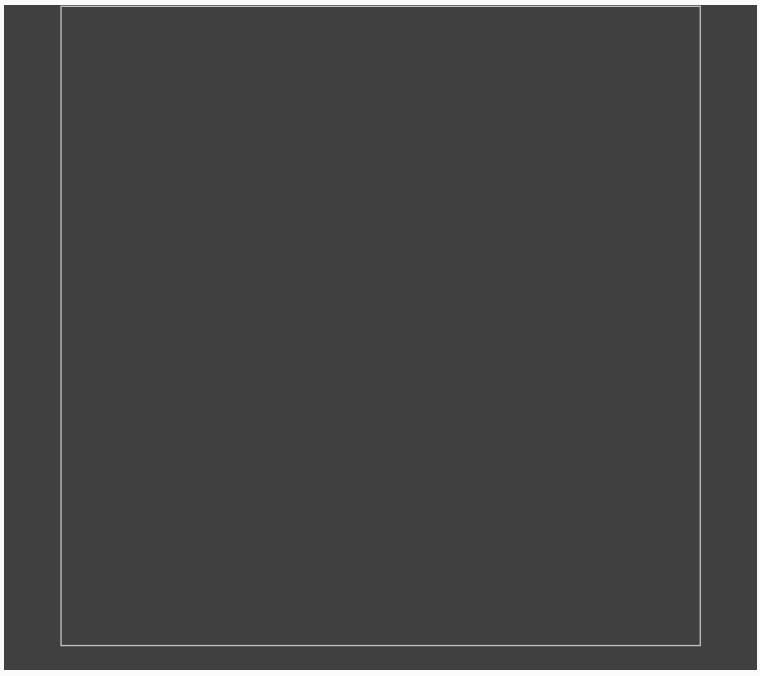
SUBJECT: CDC Monkeypox Partner Updates: August 22, 2022
FROM: "CDC IMS STLT Policy, Public Health Partnerships andCommunication" <eocevent382@CDC.GOV>
TO: <CDC-COVID19-ALL-STLT-UPDATE@LISTSERV.CDC.GOV>
DATE: 22/08/2022 15:56

Staying focused on families and children in Utah

We're staying focused on families and children in Utah. On Wednesday, Lt. Gov. Deidre Henderson chaired the Governor's Early Childhood Commission with leaders from across state government. We're happy to report the commission is laser-focused on coordinating and streamlining support services and bolstering resources for families with young children, including with the DHHS Office of Early Childhood.

Thanks to the commission for doing such important work for the Beehive State.

We're also re-examining some of the policies and ideas that we think can make Utah an even better place to live and raise a family. Stay tuned!



PBS Utah Monthly News Conference

[redacted]

Dear Partners,

Please see below for a list of recently released or updated resources related to monkeypox.

Please feel free to share this email with your organization's members. If you have questions or if you would like additional information, please email CDC's Monkeypox Partnerships To at eocevent434@cdc.gov.

Thank you for your partnership.

August 22, 2022

Mark Your Calendars!

The CDC Monkeypox Response will host a *Public Health Partner Update* on **Thursday, August 25th, from 1:00–1:45 pm ET.** Feel free to share the updated Zoom link within your respe organizations.

Please note that CDC does not send out a calendar invitation for this call. We strongly encourage you to establish your own calendar appointment for this call. This link will be valid the upcoming months.
Join Here: https://cdc.zoomgov.com/j/1605142539?pwd=djBxcHNxenpXR2d0U0g5YXRtb2tzZz09

CDC Resources:

New and Updated:
Schools, Early Care and Education Programs, and Other Settings Serving Children or Adolescents **NEW**
FACT SHEET: White House Announces New Actions to Combat Monkeypox Outbreak **NEW**
Disinfecting Home and Other Non-Healthcare Settings **NEW**
Seven Questions on Monkeypox Vaccines with Dr. Daskalakis **NEW**
Vaccine Administration Errors and Deviations **NEW**
FDA: Emergency Use Authorization Fact Sheet **NEW**
Preparation and Collection of Specimens **NEW**
Testing Patients for Monkeypox (print resource) **NEW**
MMWR: High-Contact Object and Surface Contamination in a Household of Persons with Monkeypox Virus Infection — Utah, June 2022 **NEW**
The American College Health Association (ACHA) and the American Council on Education (ACE) invite you to **Safe Return to Campus: Preparing for Monkeypox and COVID-19**, a web
town hall for college presidents, campus health professionals, and student administrators on **Wednesday, August 24** from **2:00–3:15pm ET**. Register Here. **NEW**
Monkeypox in Animals **UPDATED**
Pets in the Home **UPDATED**
Monkeypox Frequently Asked Questions **UPDATED**
Obtaining and Using TPOXX (Tecovirimat) **UPDATED**
Clinical Considerations for Treatment and Prophylaxis of Monkeypox Virus Infection in People with HIV **UPDATED**
Information For Healthcare Professionals **UPDATED**
Information for Health Departments **UPDATED**

General
Schools, Early Care and Education Programs, and Other Settings Serving Children or Adolescents **NEW**
FACT SHEET: White House Announces New Actions to Combat Monkeypox Outbreak **NEW**
Monkeypox in Animals **UPDATED**
Pets in the Home **UPDATED**
Monkeypox Frequently Asked Questions **UPDATED**
2022 U.S. Monkeypox Outbreak
- U.S. Map & Case Count
- U.S. Monkeypox Case Trends Reported to CDC
- Global Map & Case Count

Signs and Symptoms
Treatment
What You Need to Know about Monkeypox if You are a Teen or Young Adult (print resource)
Considerations for Reducing Monkeypox Transmission in Congregate Living Settings
Technical Report: Multi-National Monkeypox Outbreak, United States, 2022

If You Are Sick
Disinfecting Home and Other Non-Healthcare Settings **NEW**
What to Do If You Are Sick
Preventing Spread to Others
Notifying Close Contacts

Vaccination
Seven Questions on Monkeypox Vaccines with Dr. Daskalakis (YouTube) **NEW**
Vaccine Administration Errors and Deviations **NEW**
FDA: Emergency Use Authorization Fact Sheet **NEW**
Interim Clinical Considerations for Use of JYNNEOS and ACAM2000 Vaccines
Vaccination Strategies
How to administer a JYNNEOS vaccine intradermally

This week we answered questions at the PBS Monthly News Conference in a live exchange with reporters. Here are a couple topics we discussed:

Q: With school starting, how are we making schools safer?
A: The SafeUT app, while mainly used for helping with students' mental health, can also be used for school safety. It gives kids and parents the ability to anonymously connect with law enforcement to report any type of bullying or suspicious behavior. We've received close to 300 tips over the past year — some of which pointed to potential violence — so we're glad law enforcement could step in and intervene early.

Over the summer, the Utah Department of Public Safety has also been working very closely with school districts, the state superintendent, and the state school board to make sure everyone is implementing safety measures in every one of our schools. They've checked to make sure everyone is using proper training and that the schools' ingress and egress are figured out in a way that will add additional safety. We also have resource officers in many of our schools that are available to help with any issues that may arise in schools.

Q: What's your take on the energy provisions in the Inflation Reduction Act?
A: It's closer to a better approach. We have a unique opportunity in Utah to seek out an all-of-the-above energy approach that will ultimately lead to much better outcomes, and we appreciate the emphasis on both sides of the energy ledger. There's tremendous potential in Utah for solar, wind, geothermal, hydrogen, and more.

However, the most important thing that can come out of this legislation wasn't actually in the legislation — we're told part of the deal to get that legislation passed is permitting reform. The National Environmental Protection Act has unfortunately prevented, slowed down, or increased the cost of big projects that we know would have a good impact on the environment here in Utah. We've seen NEPA slow down transmission lines. As we're trying to electrify things we do, like driving, we need to be able to transmit electricity, and in Utah it can take seven to 10 years to get these projects off the ground.

We care about the climate and about reducing emissions, but we must find ways to greatly increase the speed at which we're able to build these transmission lines.

You can watch the press conference in its entirety here.

ASPR: Operational Planning Guide
JYNNEOS Smallpox and Monkeypox Vaccine Storage and Handling Summary
COCA Call - CDC and FDA Update: Interim Clinical Consideration for Monkeypox Vaccination

For Healthcare Workers
Preparation and Collection of Specimens **NEW**
Testing Patients for Monkeypox (print resources) **NEW**
Obtaining and Using TPOXX (Tecovirimat) **UPDATED**
Clinical Considerations for Treatment and Prophylaxis of Monkeypox Virus Infection in People with HIV **UPDATED**
Information For Healthcare Professionals **UPDATED**
Clinician FAQs
Clinical Recognition
Interim Clinical Guidance for the Treatment of Monkeypox
Guidance for Tecovirimat Use Under Expanded Access Investigational New Drug Protocol
Isolation and Prevention Practices for People with Monkeypox
Infection Control: Healthcare Settings
Isolation and Infection Control at Home
Monitoring and Risk Assessment for Persons Exposed in the Community

Laboratory
Preparation and Collection of Specimens **NEW**
How to Report Test Results
Information for Laboratory Personnel

Health Departments
Information for Health Departments **UPDATED**
Intervention Services for People with or Exposed to Monkeypox
Case Definitions† for Use in the 2022 Monkeypox Response
Case Reporting Recommendations for Health Departments

Community Engagement
Safer Sex, Social Gatherings, and Monkeypox
Reducing Stigma in Monkeypox Communication and Community Engagement

Recent Morbidity and Mortality Weekly Reports (MMWR)
MMWR: High-Contact Object and Surface Contamination in a Household of Persons with Monkeypox Virus Infection — Utah, June 2022 **NEW**

Additional Resources

- The American College Health Association (ACHA) and the American Council on Education (ACE) invite you to **Safe Return to Campus: Preparing for Monkeypox and COVID-19**, a webinar town hall for college presidents, campus health professionals, and student affairs administrators on **Wednesday, August 24,** from **2:00–3:15pm ET**. Register Here. **NEW**
- WHO Interim Rapid Response Guidance: Clinical Management and Infection Prevention and Control of Monkeypox
- WHO: Community Engagement

References to non-CDC sites are provided as a service and do not constitute or imply endorsement of these organizations or their programs by CDC or the U.S. Department of Health and Human Services. CDC is not responsible for the content of pages found at these sites. URL addresses listed were current as of the date of publication.

Discussing the Utah way, conservation, and more

We also joined Washington Post reporter Jacqueline Alemany for a live discussion. Here's a look at a few of the questions we answered:

Q: How are you protecting the Great Salt Lake?

A: Historically, the state of Utah had a "use it or lose it" mentality. We changed that mentality in the state and set aside $40 million to purchase water rights from holders which allows farmers and ranchers to keep their water in the streambed. That is going to have a tremendous effect on the Great Salt Lake water levels.

We are using some great nonprofits to help us with preserving waterways and improving animal sanctuaries. We are also doing a significant amount of work to remove invasive species, which will leave more water in the stream and the Great Salt Lake.

We are also working with the federal government. There has been legislation run by members of Congress from the state of Utah with support from leadership in both parties to help us get some resources here as well as the Army Corps of Engineers who will help us understand what is happening with the lake and what we can do to save it.

Q: Why are Utahns able to compromise on such difficult issues?

A: Utahns are great at this. There are so many areas where we are not that far apart, and either side being willing to compromise a little bit would solve 90% of our problems and build bonds that bring Republicans and Democrats together.

Q: How are you addressing systemic issues that are tied in to abortion care?

A: One is trying to prevent unwanted pregnancies as much as possible. Access to contraception is one area that we can do more.

Supporting mothers, especially single mothers, who are living in poverty through access to child care and making health care more available is another aspect we are looking at as a state.

In addition, we are looking at ways to hold men more accountable. We recently passed a policy change that prohibited the requirement of hunting and fishing licenses for those men who are behind in their child support payments and we have seen that be successful.

I am hoping we have several policy proposals passed in the Legislature that will show that we do care about all life — life in the womb but especially life after birth and the women who are far too often bearing the responsibility of caring for these children.

Watch the discussion here.

If you would like to unsubscribe from this ListServ LIST, please send an email to LIST@cdc.gov, enter CDC in the email Subject, and include the following "one" line in the Body of the email: signoff CDC-COVID19-ALL-STLT-UPDATE

SUBJECT: Fwd: Pharmacist Contraception Care Delivery Model.docx
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 22/08/2022 19:59

FYI- meeting with Intermountain tomorrow at 3pm to discuss this proposal.
I wasn't sure who else to include so please forward to anyone else.
Thank you!
jen

---------- Forwarded message ---------
From: **Carrie Dunford** <Carrie.Dunford@imail.org>
Date: Fri, Aug 19, 2022 at 4:48 PM
Subject: Pharmacist Contraception Care Delivery Model.docx
To: Jennifer Strohecker <jstrohecker@utah.gov>

Hello,

This still has a draft watermark but it's mostly there. Please let me know if Nate has other questions or concerns he thinks we can address.

Thanks,

Carrie

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If you are not the intended recipient, any distributions or copying of this message, or the taking of any action based on its content is strictly prohibited.

SUBJECT: Re: Mental health resources, water conservation, and more
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Krisann Humphreys Bacon <krisannbacon@utah.gov>
DATE: 23/08/2022 06:40

Thanks David!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

Addressing drought in the West

We're continuing to share ways in which the state is working to conserve water and plan for a drier future. This week, we're talking about cross-state collaboration.

One-third of Utahns rely on the Colorado River for drinking water, and the river is a major contributor to the state's $189 billion economy. When it comes to resources like the Colorado River, Utah must work with neighboring states to preserve and protect water.

This is especially urgent given that far more Colorado River water is being used, especially by the Lower Basin states, than is available due to the current drought and climate change impacts. Recent estimates based on last year's use show the Lower Basin and Mexico are using about 10 million acre-feet, the Upper Basin states are using about 3.5 million acre-feet and the available flow is only around 6.3 million acre-feet.

We're all going to have to cut back. But Lower Basin states use more than twice the water than Upper Basin states, so it makes sense that the greatest cuts should be shouldered by the Lower Basin.

We support long-term reductions in use over short-term fixes if we are truly going to sustain the system. Utah, along with the other Upper Basin states, will continue to do our part to conserve and bring solutions to the table.

Read more about how we're addressing drought in the West here.

On Mon, Aug 22, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Not sure if you all saw the plug on the "Family-Friendly Policy" conversations we have been having with the LG in the Governor's interview with the Washington Post reporter.

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **Office of Gov. Spencer Cox** <govcomm@utah.gov>
Date: Fri, Aug 19, 2022 at 12:18 PM

[redacted] Fireworks, spotlighting service, and more

Subject: Mental health resources, water conservation, and more
To: <davidlitvack@utah.gov>

View this email in your browser

Closing a chapter in Utah history

For 71 years, the Draper prison served the people of Utah as a facility focused on keeping us safe. But over the years, we developed better ways to secure those who were paying their debt to society while at the same time teaching them to rebuild their lives and find a productive future on the outside. The transfer to the new State Correctional Facility in Salt Lake will fulfill this new mission more fully.

This week we were able to recognize those who made the transfer of 2,464 incarcerated individuals possible. We were also able to honor Gov. Gary Herbert for his initiation and support for the prison movement from day one.

The Draper Prison Chapel will be preserved in recognition of its significance in the lives of many Utahns. As we close this chapter, we acknowledge the former Draper Prison and look forward to the future.

Happy Friday from #OneUtah, a weekly update from the office of Gov. Spencer J. Cox. Here's your recap of what we did this week, what's on the horizon, and more. Reply to this email with any questions or suggestions regarding the newsletter. And thank you for subscribing!

[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: Follow-up: ASTHO Opioid Preparedness Learning Community EstablishingContinuity of Care
FROM: Stephanie Swanson <sswanson@astho.org>
TO:
DATE: 23/08/2022 07:39

[redacted]

How to visit rock imagery sites safely

Rock imagery sites in Utah preserve important messages of the past. Familiar symbols etched into colorful rock formations communicate messages from early Native Americans intended for their posterity.

These tips will help you appreciate rock imagery locations respectfully and in the interest of preservation.

A reminder about mental health

If you or someone you know is struggling with thoughts of suicide, please reach out. Talk to someone you trust, call 988, or use the SafeUT app, a state-funded crisis chat and tip line, which experts say is saving the lives of at least two Utah students per day.

Help is available, and we need you here.

And if you – or someone you know – fear for your safety due to stalking or intimate partner violence, please contact the statewide domestic violence info line at 1-800-897-5465 for help, including counseling, shelter, transportation, and other services.

[redacted]

Spotlighting Utah's 'Spirit of Service'

[redacted]

Good morning,

Thank you to those that joined our previous Opioid Preparedness Learning Community session, *Establishing Continuity of Care*. You can now access the session recording here and attac
a PDF copy of the slides. If you have any questions or if we can provide additional information, please do not hesitate to reach out.

We look forward to seeing you all at our fourth learning community session on September 15!

Best,
Stephanie

Stephanie Swanson, MPH
Director, Overdose Preparedness and Response
She/Her/Hers
Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 600 Peachtree Street NE, Suite 1000, Atlanta, GA 30308
Twitter | Facebook | LinkedIn | Newsletters | Blog | Podcast | Daily Newscast

In our inaugural Governor's Spirit of Service Award Ceremony, we recently recognized the outstanding service that Utahns are doing throughout the state. Each week, we'll highlight one of these unsung heroes. This week, we're highlighting the Ruff Haven Crisis Sheltering Center.

Ruff Haven Crisis Sheltering Center works to prevent individuals from having to surrender their pets by providing shelter when someone is experiencing a crisis, temporary hardships, medical emergencies and more.

Read more about Ruff Haven Crisis Sheltering Center and the other honorees here.

Honoring a mentor, friend, and leader

It was a great honor to be part of the opening of Utah Valley University's first and only public policy institute which is named for an outstanding mentor, friend, and governor, Gary R. Herbert.

The Herbert Institute will be a center where UVU students can learn about this great leader and what good government looks like.

Congratulations to President Astrid Tuminez for her visionary effort to create a place where the next generation of Utah's policy leaders can gather, hear from diverse thought leaders, and learn about what makes Utah and our country great. And to Gov. Herbert: Congratulations on this monumental achievement. Your legacy of good governance and public service will benefit UVU and the state of Utah for years to come.

IC YMI

- We're proud to report that the executive branch took the trophy — figuratively — at this year's executive-legislative softball game. We appreciate the legislative branch's good sportsmanship and look forward to next year's match!
- Speaking of baseball … we'd love to welcome an MLB team to Utah soon.
- Now for the most important baseball-related item to attend to: We're incredibly proud of the [illegible] baseball team for making it to the Little League World Series! But we were devastated to hear about one player's recent injuries. Please join us in praying for Easton Oliverson, his family, and his team. You can also show support with one of the team's hats.
- KSL NewsRadio's "Let Me Speak to the Governor" is back! This month, we answered your questions about water conservation, transportation projects, and more. Listen here!
- On Mondays we wear pink? Lt. Gov. Henderson joined ABC4's Good Things Utah on Monday to give a brief update on the state of the Beehive State. She picked out a pink blazer that morning – and so did the hosts. Watch the segment here.

Got a minute?

Tell us what you think of the #OneUtah newsletter! Please click the button below to complete a brief satisfaction survey. We appreciate your feedback!

Tell us what you think!

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SUBJECT: Re: Pharmacist Contraception Care Delivery Model.docx
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 23/08/2022 07:55

Thank you Jen! I'm not sure if you've talked to Tracy yet Nate? I texted her this morning to let her know.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Mon, Aug 22, 2022 at 7:59 PM Jennifer Strohecker (DHHS) <jstrohecker@utah.gov> wrote:
FYI- meeting with Intermountain tomorrow at 3pm to discuss this proposal.
I wasn't sure who else to include so please forward to anyone else.
Thank you!
jen

---------- Forwarded message ---------
From: **Carrie Dunford** <Carrie.Dunford@imail.org>
Date: Fri, Aug 19, 2022 at 4:48 PM
Subject: Pharmacist Contraception Care Delivery Model.docx
To: Jennifer Strohecker <jstrohecker@utah.gov>

Hello,

This still has a draft watermark but it's mostly there. Please let me know if Nate has other questions or concerns he thinks we can address.

Thanks,

Carrie

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SUBJECT: SAPT and MH Combined Block Grant Application
FROM: "Shanel Long (DHHS)" <shlong@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, Brent Kelsey <bkelsey@utah.gov>, "Eric Tadehara (DHHS)" <erictadehara@utah.gov>, "Pamela Bennett (DHHS)" <pbennett1@utah.gov>
DATE: 23/08/2022 09:03

Greetings from SUMH,

The combined Mental Health and Substance Abuse Prevention and Treatment Block Grant application is due to submit to SAMHSA on September 1st, 2022.

- Good news for conservation efforts: Weber Basin's study of metered usage in the 2021 season concluded that the presence of meters reduced consumption by 20% to 29%. Read the Standard-Examiner story here.
- Vote Utah launched a new TikTok account this week! Staff from the Lieutenant Governor's Office will explore voting in the Beehive State, notary public registration, document authentication, and other responsibilities that fall under the lieutenant governor's role. Follow Vote Utah on TikTok here.

Coming up

- Aug. 22: We'll welcome many of Utah's mayors to the Capitol and to the Governor's Mansion to learn more about their communities and thank them for their service.
- Aug. 22: Lt. Gov. Henderson will host a luncheon for yet another successful class of returnees. The third Return Utah cohort is wrapping up before the next group starts the 16-week return-to-work program.
- Aug. 25: Join us for a free, in-person discussion with the Women's Leadership Institute about how to elevate Utah women in leadership. Details here.
- Aug. 25-26: Lt. Gov. Henderson will attend local leaders in Weber [illegible] Box Elder County Fair in Tremonton. It's gonna be fun!
- Sept. 1: We'll help host a town hall with Utah's agricultural community. Stay tuned for details!

Meeting with SoUtah and local business leaders

The Go Utah Board promotes and encourages economic opportunity for all Utahns and the state's commercial, financial, industrial, agricultural, and civic welfare. This week we were happy to join their board on two trips to Utah businesses.

First we met with Entrata, the leading operating system for multifamily communities worldwide. We discussed housing and growth in our state, Entrata's community service, and more. We look forward to visiting again soon!

We also toured the Rio Tinto Kennecott mine, a world-class, integrated copper mining operation and major employer in Utah. We appreciate Rio Tinto Kennecott's commitment to supporting and participating in the state's economic growth, environmental protection, and community support!

Get involved!

Looking for a new job opportunity? From great employee benefits to versatile work schedules, the career opportunities with the state are truly endless. Join Team Utah today!

[redacted]

Fireworks, spotlighting service, and more

We thank everyone's support in getting the application completed for submission. Here is a link where the application can be reviewed, I have also attached it for your convenience. https://dsamh-training.utah.gov/_documents/blockGrant/SAMSHA-Combined-Block-Grant-application-FY2023.pdf

SAMHSA Block Grant application and report time frames:

- The combined full application is done every 2 years with a mini or partial application due on the off year between. These are due by September 1st.
- Annual financial and data reports due by December 1st.
- Annual Synar reports are due by December 31st.

Please let us know if you have any questions. We would be happy to discuss further and provide more information pertaining to the Block Grant application and requirements.

--
Shanel Long
Administrator III
C: 801.995.2176
shlong@utah.gov
https://dsamh.utah.gov/

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SUBJECT: SHVS Bi-Weekly Digest
FROM: Heather Howard <heatherh@princeton.edu>
TO: <natechecketts@utah.gov>
DATE: 23/08/2022 10:49

Staying focused on families and children in Utah

We're staying focused on families and children in Utah. On Wednesday, Lt. Gov. Deidre Henderson chaired the Governor's Early Childhood Commission with leaders from across state government. We're happy to report the commission is laser-focused on coordinating and streamlining support services and bolstering resources for families with young children, including with the DHHS Office of Early Childhood.

Thanks to the commission for doing such important work for the Beehive State.

We're also re-examining some of the policies and ideas that we think can make Utah an even better place to live and raise a family. Stay tuned!

Get in touch!

You can reach the Governor's Office here. And you can follow us on Twitter, Facebook, Instagram, TikTok, and YouTube for the latest news and updates.

Contact the Governor's Office

Published every other week, this Digest features publications, noteworthy products and upcoming webinars. Be sure to also check out the most recent additions

PBS Utah Monthly News Conference

[redacted]

This week we answered questions at the [COVID-19 Recent Questions and Resources](#) | [Health IT Weekly Update](#) | [Conference for States on Unwinding the Medicaid Continuous Coverage Requirement](#).

live exchange with reporters. Here are a couple topics we discussed:

Q: With school starting, how are we making schools safer?

New Expert Perspective

Communicating the PHE Unwinding: How States are Conducting Outreach and Planning

some of which pointed to potential violence — so we're glad law enforcement could step in and intervene early.

SHVS Resources

Over the summer, the Utah Department of Public Safety has also been working very closely with school districts, the state superintendent, and the state school board to make sure everyone is implementing safety measures in every one of our schools. They've checked to make sure everyone is using proper training and that the schools' ingress and egress are figured out in a way that will add additional safety. We also have resource officers in many of our schools that are available to help with any issues that may arise in schools.

- New expert perspective: *Healthcare Provisions in the Inflation Reduction Act: Implications for States*
- Updated expert perspective: *Leveraging Section 1902(e)(14) Waiver Authority Amid Unwinding*
- Updated toolkit: *Planning for the End of the Continuous Coverage Requirement: Communications Resources for States*

Q: What's your take on the energy provisions in the Inflation Reduction Act?

State Updates

- California – Governor Gavin Newsom unveiled [California's Master Plan for Kids' Mental Health](#) investing $4.7B to transform mental health systems, including [redesigning](#) the state's approach to [children's behavioral health](#) and [expanding](#) access to essential services, including mental health [training](#) and [tools](#), and $3 billion in a Medi-Cal initiative to better integrate health and behavioral health services for low-income kids.
- Illinois – Governor JB Pritzker and the Department of Healthcare and Family Services [announced](#) the launch of the Program of All-Inclusive Care for the Elderly (PACE) to better meet the needs of older adults across Illinois. The PACE program provides older adults in Illinois who are dually eligible for Medicaid and Medicare and who are certified by the state as qualifying for nursing home care, but are able to safely continue living in the community at the time of their enrollment, with customized and coordinated medical care and social services.
- Hawaii, Maryland & Ohio – CMS [approved](#) the extension of Medicaid and CHIP coverage for 12 months after pregnancy in Hawaii, Maryland, and Ohio. As a result, up to an additional [34,000 people annually](#)—including 2,000 in Hawaii, 11,000 in Maryland, and 21,000 in Ohio—will now be eligible for Medicaid or Title XXI-funded Medicaid expansion CHIP coverage for a full year after pregnancy. As a reminder, SHVS published an [issue brief](#) on the American Rescue Plan's Act option to extend postpartum coverage.

See More

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[redacted]

Fireworks, spotlighting service, and more

You are receiving this email because you opted in via our website.

Discussing the Utah way, conservation, and more

We also joined Washington Post reporter Jacqueline Alemany for a live discussion. Here's a look at a few of the questions we answered:

Q: How are you protecting the Great Salt Lake?

A: Historically, the state of Utah had a "use it or lose it" mentality. We changed that mentality in the state and set aside $40 million to purchase water rights from holders which allows farmers and ranchers to keep their water in the streambed. That is going to have a tremendous effect on the Great Salt Lake water levels.

We are using some great nonprofits to help us with preserving waterways and improving animal sanctuaries. We are also doing a significant amount of work to remove invasive species, which will leave more water in the stream and the Great Salt Lake.

We are also working with the federal government. There has been legislation run by members of Congress from the state of Utah with support from leadership in both parties to help us get some resources here as well as the Army Corps of Engineers who will help us understand what is happening with the lake and what we can do to save it.

Q: Why are Utahns able to compromise on such difficult issues?

A: Utahns are great at this. There are so many areas where we are not that far apart, and either side being willing to compromise a little bit would solve 90% of our problems and build bonds that bring Republicans and Democrats together.

Q: How are you addressing systemic issues that are tied in to abortion care?

A: One is trying to prevent unwanted pregnancies as much as possible. Access to contraception is one area that we can do more.

Supporting mothers, especially single mothers, who are living in poverty through access to child care and making health care more available is another aspect we are looking at as a state.

In addition, we are looking at ways to hold men more accountable. We recently passed a policy change that prohibited the procurement of hunting and fishing licenses for those men who are behind in their child support payments and we have seen that be successful.

I am hoping we have several policy proposals passed in the Legislature that will show that we do care about all life — life in the womb but especially life after birth and the women who are far too often bearing the responsibility of caring for these children.

Watch the discussion here.

SUBJECT: Re: Agenda for August 26
FROM: Kirk Benge <kbenge@tricountyhealth.com>
TO: "Tamara Hampton (DHHS)" <thampton@utah.gov>
CC: HL-HAC <hl-hac@utah.gov>, "Nathan Checketts (DHS)" <natechecketts@utah.gov>
DATE: 23/08/2022 11:08

HAC members,

Almost everyone accepted the calendar invite. Is everyone planning to attend in person? Please let Tamara and I know if you are NOT planning to attend in-person, so we can plan accordingly.

Additionally, I have a small reading assignment in preparation for our afternoon discussion. I've attached a brief history of public health in Utah, also available at https://health.utah.gov/wp-content/uploads/A-HISTORY-OF-PUBLIC-HEALTH-IN-UTAH.pdf
I recommend reading the entire document, but at the very least, reading the section titled "THE CHALLENGE - PUBLIC HEALTH VS POLITICS" which starts on page 3 would be beneficial in adding some historical context to our afternoon discussions.

Kirk Benge
Director / Health Officer
TriCounty Health Department
133 S. 500 E.
Vernal, UT 84078
435.247.1172

On Mon, Aug 22, 2022 at 10:56 AM Tamara Hampton (DHHS) <thampton@utah.gov> wrote:

Attached is the agenda for the August 26th Health Advisory Council meeting.

The meeting will be held at the Capitol Board Room, at the State Capitol.

If you have any questions, please let me know.

--

Tamara Hampton
Executive Assistant
DHHS Executive Director's Office
801-520-9445
thampton@utah.gov

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[redacted]

SUBJECT: Outreach for Contraception Access Policy Recommendation
FROM: Ashley Beyer <abeyer@utah.gov>
TO: carrie.dunford@imail.org, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Lisa Angelos (DHHS)" <langelos@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, Lisa Martin <lmartin@utah.gov>, Larry Marx <lmarx@utah.gov>, matthew.m.wells@imail.org, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 24/08/2022 09:04

1. Evaluate who is doing this and who isn't.
    a. Survey to Pharmacists
        i. Comfortability of those participating
        ii. What is making pharmacies/pharmacists wary of participating
2. Outreach to Associations and District Representatives to discuss increasing participation by Pharmacies
3. Create a video training on requirements and how to participate (hire out)
    a. Patient Pre-Qualification Survey/Questionnaire
4. Create a letter on official letterhead targeting pharmacies not participating – post on dopl.utah.gov
5. Create a graphic in an email that targets pharmacists/pharmacies with basic information that links to the official letter
6. Email the information to pharmacies/pharmacists not participating
7. In the same email, notify pharmacists and pharmacies that DOPL will be sending a press release regarding the availability of contraception through pharmacies
8. About a week later, share a press release regarding contraception availability at pharmacies.
9. Social Media Posts on Department of Commerce pages

Ashley Beyer | Outreach Manager

O: 801-530-6727 | abeyer@utah.gov

SUBJECT: Re: Outreach for Contraception Access Policy Recommendation
FROM: Lisa Martin <lmartin@utah.gov>
TO: Ashley Beyer <abeyer@utah.gov>
CC: carrie dunford <carrie.dunford@imail.org>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Lisa Angelos (DHHS)" <langelos@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, Larry Marx <lmarx@utah.gov>, matthew.m.wells@imail.org, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 24/08/2022 11:45

As we discussed the intention is to create one survey to send out regardless of if they currently participate or not; please send any recommended questions or direction of questions to assist in the creation of the survey.

Ashley- could we create questions that [illegible] their answers?

On Wed, Aug 24, 2022 at 9:04 AM Ashley Beyer <abeyer@utah.gov> wrote:

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Ashley Beyer | Outreach Manager

O: 801-530-6727 | abeyer@utah.gov

--
Lisa Martin | Bureau Manager

O: 801-530-7632 | lmartin@utah.gov

How to visit rock imagery sites safely

Rock imagery sites in Utah preserve important messages of the past. Familiar symbols etched into colorful rock formations communicate messages from early Native American cultures and the beliefs they held.

These tips will help you appreciate rock imagery locations respectfully and in the interest of preservation.

[redacted]

[redacted]

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SUBJECT: Re: Outreach for Contraception Access Policy Recommendation
FROM: Ashley Beyer <abeyer@utah.gov>
TO: Lisa Martin <lmartin@utah.gov>
CC: carrie dunford <carrie.dunford@imail.org>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Lisa Angelos (DHHS)" <langelos@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, Larry Marx <lmarx@utah.gov>, matthew.m.wells@imail.org, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 24/08/2022 14:11

Yes, we can filter to different questions based on respondents' answers.

On Wed, Aug 24, 2022, 11:45 AM Lisa Martin <lmartin@utah.gov> wrote:

> As we discussed the intention is to create one survey to send out regardless of if they currently participate or not; please send any recommended questions or direction of questions to assist in the creation of the survey.
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> Ashley- could we create questions that filter in one direction or another based upon their answers?
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Ashley Beyer | Outreach Manager

O: 801-530-6727 | abeyer@utah.gov

--

Lisa Martin | Bureau Manager

O: 801-530-7632 | lmartin@utah.gov

SUBJECT: Fwd: Outreach for Contraception Access Policy Recommendation
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Tracy Gruber DHHS <tracygruber@utah.gov>
DATE: 24/08/2022 14:32

FYI - It looks like this group (I'm assuming it's the pharmacy board) is planning to collect information about the pharmacist option for contraception.

Thanks,

Nate

On Wed, Aug 24, 2022 at 2:11 PM Ashley Beyer <abeyer@utah.gov> wrote:

> Yes, we can filter to different questions based on respondents' answers.
>
> On Wed, Aug 24, 2022, 11:45 AM Lisa Martin <lmartin@utah.gov> wrote:
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Get involved!

Looking for a new job opportunity? From great employee benefits to versatile work schedules, the career opportunities with the state are truly endless. Join Team Utah today!

[redacted]

Fireworks, spotlighting service, and more

i. Comfortability of those participating
ii. What is making pharmacies/pharmacists wary of participating
2. Outreach to Associations and District Reps. Find out which meetings are available and how
3. Create a video training on requirements and how to participate (hire out)
   a. Patient Pre-Qualification Survey/Questionnaire
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9. Social Media Posts on Department of Commerce pages

Those looking to volunteer can also consider more than 300 boards and commissions. Find out which openings are available and how you can get involved here!

Ashley Beyer | Outreach Manager

O: 801-530-6727 | abeyer@utah.gov

--
Lisa Martin | Bureau Manager

O: 801-530-7632 | lmartin@utah.gov

SUBJECT: Out-of-Office: Delayed Response Re: Fwd: Outreach for Contraception Access Policy Recommendation
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: natechecketts@utah.gov
DATE: 24/08/2022 14:32

Thank you for contacting me.

I am currently out of the office attending [redacted] meeting. As a result, there will be a delay in response time.

If you have a scheduling request or general questions please contact Lori Erickson at llerickson@utah.gov.

Thank you,

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

--

Tracy S. Gruber

Executive Director

O: 435.772.6550

tracygruber@utah.gov

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SUBJECT: Re: Outreach for Contraception Access Policy Recommendation
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>

Get in touch!

You can reach the Governor's Office here. And you can follow us on Twitter, Facebook, Instagram, TikTok, and YouTube for the latest news and updates.

Contact the Governor's Office

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[redacted]

[redacted] Fireworks, spotlighting service, and more

TO: Ashley Beyer <abeyer@utah.gov>
CC: Lisa Martin <lmartin@utah.gov>, carrie dunford <carrie.dunford@imail.org>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Lisa Angelos (DHHS)" <langelos@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, Larry Marx <lmarx@utah.gov>, matthew.m.wells@imail.org, "Michelle Hofmann (DHHS)" <mhofmann@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 24/08/2022 14:44

Lisa/Laurie, Could you work together to start creating the survey questions? I think it would be beneficial then to have this group collaborate on them, thoughts from anyone else?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Wed, Aug 24, 2022 at 2:11 PM Ashley Beyer <abeyer@utah.gov> wrote:
Yes, we can filter to different questions based on respondents' answers.

On Wed, Aug 24, 2022, 11:45 AM Lisa Martin <lmartin@utah.gov> wrote:
As we discussed the intention is to create one survey to send out regardless of if they currently participate or not; please send any recommended questions or direction of questions to assist in the creation of the survey.

Ashley- could we create questions that filter in one direction or another based upon their answers?

On Wed, Aug 24, 2022 at 9:04 AM Ashley Beyer <abeyer@utah.gov> wrote:

1. Evaluate who is doing this and who isn't.
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        i. Comfortability of those participating
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6. Email the information to pharmacies/pharmacists not participating
7. In the same email, notify pharmacists and pharmacies that DOPL will be sending a press release regarding the availability of contraception through pharmacies
8. About a week later, share a press release regarding contraception availability at pharmacies.
9. Social Media Posts on Department of Commerce pages

Ashley Beyer | Outreach Manager

O: 801-530-6727 | abeyer@utah.gov

--
Lisa Martin | Bureau Manager

O: 801-530-7632 | lmartin@utah.gov

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SUBJECT: Re: Outreach for Contraception Access Policy Recommendation
FROM: Lisa Martin <lmartin@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: Ashley Beyer <abeyer@utah.gov>, carrie dunford <carrie.dunford@imail.org>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Lisa Angelos (DHHS)" <langelos@utah.gov>, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, Larry Marx <lmarx@utah.gov>, matthew.m.wells@imail.org, "Michelle

[redacted]

Hofmann (DHHS)" <mhofmann@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 24/08/2022 16:53

Yes, I can do that.

On Wed, Aug 24, 2022 at 2:44 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Lisa/Laurie, Could you work together to start creating the survey questions? I think it would be beneficial then to have this group collaborate on them, thoughts from anyone else?

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C: 385.377.4168
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Ashley Beyer | Outreach Manager

O: 801-530-6727 | abeyer@utah.gov

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Lisa Martin | Bureau Manager

O: 801-530-7632 | lmartin@utah.gov

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--
Lisa Martin | Bureau Manager

[redacted]

O: 801-530-7632 | lmartin@utah.gov

SUBJECT: Re: Outreach for Contraception Access Policy Recommendation
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 25/08/2022 06:35

Thank you. Do you know to what end? Is it to increase participation or just information gathering?

We are going to have an internal meeting next week so that we can reconvene with the LG and give her some specific proposals.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Aug 24, 2022 at 2:32 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
FYI - It looks like this group (I'm assuming it's the pharmacy board) is planning to collect information about the pharmacist option for contraception.

Thanks,

Nate

On Wed, Aug 24, 2022 at 2:11 PM Ashley Beyer <abeyer@utah.gov> wrote:
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SUBJECT: FY 24 Budget Request_Recover Lossed DSH Funding
FROM: "Dallas Earnshaw (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 25/08/2022 13:36

[redacted]

Reply

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[redacted]

[redacted]

[redacted]

Nate[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: Fwd: Follow-up: ASTHO Opioid Preparedness Learning CommunityEstablishing Continuity of Care
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: Brent Kelsey <bkelsey@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 26/08/2022 07:05

FYI.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Stephanie Swanson** <sswanson@astho.org>
Date: Tue, Aug 23, 2022 at 7:41 AM
Subject: Follow-up: ASTHO Opioid Preparedness Learning Community Establishing Continuity of Care
To:
Cc: Richa Ranade <rranade@astho.org>

Good morning,

Thank you to those that joined our previous Opioid Preparedness Learning Community session, *Establishing Continuity of Care*. You can now access the session recording here and attached, a PDF copy of the slides. If you have any questions or if we can provide additional information, please do not hesitate to reach out.

We look forward to seeing you all at our fourth learning community session on September 15!

Best,
Stephanie

Stephanie Swanson, MPH
Director, Overdose Preparedness and Response
She/Her/Hers
Association of State and Territorial Health Officials
National Headquarters: 2231 Crystal Drive, Suite 450, Arlington, VA 22202
Regional Office: 600 Peachtree Street NE, Suite 1000, Atlanta, GA 30308
Twitter | Facebook | LinkedIn| Newsletters| Blog | Podcast | Daily Newscast

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SUBJECT: Document shared with you: "DHHS Family Policies - LegislationRequest/Review "
FROM: "Krisann Humphreys Baco... (via Google Docs)" <drive-shares-dm-noreply@google.com>

[redacted] Fireworks, spotlighting service, and more

TO: natechecketts@utah.gov
CC: davidlitvack@utah.gov, tracygruber@utah.gov
DATE: 26/08/2022 10:15

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

[redacted]

[redacted]

[redacted]

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SUBJECT: MD Contraception
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 26/08/2022 17:38

https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-0123-mcea-enacted-20180119-story.html

Free contraception

SUBJECT: Aligning Contraception Access to the One Utah Roadmap
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
DATE: 29/08/2022 10:14

Good morning,

As I'm working on the information for Tracy I was exploring how to link access to contraception to the Governor's One Utah Roadmap 2.0. Under Health Security there is one area that I think this could link to.

The main priority in 2.0 is this:

A. VALUE-BASED CARE AND TRANSPARENCY – Enable Utahns to make informed health care decisions i. Transition to value-based approach for health care by partnering with payers and providers to improve health care cost transparency.

[redacted]

[redacted] Fireworks, spotlighting service, and more

In 2016, the National Quality Forum endorsed three contraceptive care quality measures to assess the degree to which women access effective methods of contraception in a value-based care model.

The contraceptive care quality measures are as follows:

- **Post-Partum Women: Most- & Moderately Effective Methods (NQF #2902)** — Among women aged 15–44 who had a live birth, the percentage who are provided a most-effective (sterilization, implants, or intrauterine devices or systems (IUD/IUS)) or moderately effective (injectables, oral pills, patch, ring, or diaphragm) contraceptive method within three to 60 days of delivery.
- **All Women: Most- & Moderately Effective Methods (NQF #2903)** — The percentage of women aged 15–44 at risk of unintended pregnancy who are provided a most-effective (sterilization, implants, or IUD/ IUS) or moderately effective (injectables, oral pills, patch, ring, or diaphragm) contraceptive method.
- **All Women: Access to LARC (NQF #2904)** — The percentage of women aged 15–44 at risk of unintended pregnancy who are provided a LARC method (implants or IUD/IUS).

I'm not sure if we've adopted these for the ACOs (and honestly my memory of how these are chosen is a bit foggy) but could this be a strategy we include? My thought is could we propose pursuing a VBC model for one or more of these quality measures for the ACOs?

Let me know your thoughts on this. Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Fwd: HHS Letter to Governors on Reproductive Healthcare
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 29/08/2022 10:45

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Gordon Larsen** <gordonlarsen@utah.gov>
Date: Mon, Aug 29, 2022 at 10:30 AM
Subject: Fwd: HHS Letter to Governors on Reproductive Healthcare
To: Jon Pierpont <jonpierpont@utah.gov>, Tracy Gruber (DHHS) <tracygruber@utah.gov>, Jennifer Napier-Pearce <jnp@utah.gov>

HHS sent this letter to all Governors Friday. It's a little vague but they're clearly trying to figure out how to get past state restrictions on abortion, incluing through the use of EMTALA. It may have less impact on Utah than other states given some of the exceptions in our trigger law, but I'm not sure. I wanted to make sure you all had it in case we get questions. It might be worth having our Medicaid staff take a look at both the letter and the linked report to decipher the meaning for us.

---------- Forwarded message ---------
From: **Stevens, Lee (OS/IEA)** <Lee.Stevens@hhs.gov>
Date: Fri, Aug 26, 2022 at 6:49 AM
Subject: HHS Letter to Governors on Reproductive Healthcare
To: Stevens, Lee (OS/IEA) <Lee.Stevens@hhs.gov>

Dear Governors,

[redacted]

[redacted] Fireworks, spotlighting service, and more

Access to the full range of reproductive health care is essential to individuals' health. In light of the Supreme Court's decision in Dobbs v. Jackson Women's Health Organization, we write to you to highlight the opportunity for states to partner with us to promote access to critical reproductive health care services and to underscore the importance of federal laws that protect individuals' access to abortion in certain situations, including protections in the Emergency Medical Treatment and Labor Act (EMTALA).

Attached please find a letter sharing more details on access to care for Medicaid enrollees and emergency medical care. Links to the letter, report and press release can be found below:

Letter: https://www.hhs.gov/sites/default/files/hhs-letter-to-governors-reproductive-health-care.pdf

Report: https://www.hhs.gov/sites/default/files/hhs-report-reproductive-health.pdf

Release: https://www.hhs.gov/about/news/2022/08/26/hhs-takes-action-strengthen-access-reproductive-health-care-including-abortion-care.html

Marvin Figueroa, Director
Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
Washington, D.C.

--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

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[redacted]

[redacted]

SUBJECT: Medicaid Post Partum
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Nate Winters DHS <natewinters@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>
DATE: 30/08/2022 09:54

This morning we talked to Tracy about the Medicaid Post Partum budget request in context of the potential family policy budget request. We agreed that we would expand this item to include a package of Family Support items:

- Medicaid contraception to 250%
- Contraception education
- Contraception at pharmacy app
- Medicaid 12 months post partum coverage

We will be working with Krisann to come up with a description of what will go in this proposal.

Thanks,

Nate

SUBJECT: Re: Medicaid Post Partum
FROM: "Nate Winters (DHHS)" <natewinters@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "David Litvack (DHS)" <davidlitvack@utah.gov>
DATE: 30/08/2022 10:59

Sounds great - thank you for letting us know.

On Tue, Aug 30, 2022 at 9:54 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

> This morning we talked to Tracy about the Medicaid Post Partum budget request in context of the potential family policy budget request. We agreed that we would expand this item to include a package of Family Support items:
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> - Contraception education
> - Contraception at pharmacy app
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[redacted]

[redacted]

[redacted] Fireworks, spotlighting service, and more

SUBJECT: Legislative Review Sheet for Contraception Access: Ready for Review
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 31/08/2022 09:34

Greetings,

I am still waiting for Valli's team and DTS to finalize an estimate for creating an interactive web-based screening tool and app, they will have that to me by the end of the week. I've made a note about that in the document. I've embedded the google budget worksheet I have developed with information from the University and from Joe about the public awareness campaign costs (this is very fluid and we could reduce or spend more depending on how much reach we want to have, although I do believe the major healthcare systems, particularly IHC and the University, will also want to partner). I also have a few other comments/questions in the document for your review.

Otherwise, this document is ready for your review. I am technically off tomorrow and Friday but will continue to work on this as needed so it's ready for the meeting if it happens next week.

Let me know if you have any questions/concerns or would like to touch base again this week or early next week.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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[redacted]

SUBJECT: MSLN Newsletter: September 2022
FROM: "Kate McEvoy" <info@milbank.org>
TO: "Nathan Checketts - Milbank State Leadership Network" <natechecketts@utah.gov>
DATE: 01/09/2022 07:58

[redacted]

September 1, 2022

Dear Colleagues:

I hope that you are well. The dog days of summer are past, and a new season of policy initiatives, state budgeting, and legislative sessions beckons.

One of the most challenging tasks of state service for me was rapidly translating complex federal legislation for the people who are carrying out the work on a day-to-day basis. To support you in that task, this newsletter offers a shorthand of which health provisions were enacted by the Inflation Reduction Act of 2022 (IRA, Public Law 117-169) and which Build Back Better provisions were not included.

Please don't hesitate to be in touch if we can support you with more information on any of this. Happy almost fall!

I wish you all well.

In partnership,

Kate McEvoy
Program Officer
Milbank Memorial Fund

What's In and What's Not

The IRA includes a number of significant health provisions that will have direct and indirect impact on people at the state level. That said, it is also important to note many of the proposals that were originally embedded in the draft Build Back Better legislation were negotiated out of the IRA. See below for an overview.

What's In:

Expanded subsidies for health insurance coverage purchased through the ACA exchange

The IRA extends the expanded subsidies that were enacted by the American Rescue Plan Act (ARPA), which would otherwise have sunset at the end of 2022, for an additional three years. See below for a helpful chart from the Kaiser Family Foundation that synopsizes this assistance. These subsidies have improved the affordability of exchange-based plans and demonstrably reduced the national rate of uninsured individuals.

Enhanced Medicare prescription drug coverage

The IRA expands eligibility for the Medicare Part D Low-Income Subsidy (LIS) Program. Depending on an individual's financial situation, LIS covers:

- all or some of the monthly prescription drug premium, up to an annual “benchmark” amount (in 2022, $33.37);
- all or some of the annual deductible (in 2022, $480); and
- all or some of the co-payments for which beneficiaries are responsible.

Want more information on LIS eligibility? While it has not yet been updated to reflect IRA changes, this chart produced by the National Council on Aging is a great resource.

Efforts to control the overall rate of cost growth in Medicare-purchased drugs

The IRA includes two provisions that endeavor to address the high rate of cost growth for Medicare-purchased drugs.

The first permits the federal government to negotiate the cost of a small number of drugs on which Medicare spends the most, as follows:

- 10 Part D drugs in 2026
- 15 Part D drugs in 2027
- 15 Part D and Part B drugs in 2028
- 20 Part D and Part B drugs in 2029 and subsequent years.

The second requires drug manufacturers to make rebates if the cost of their drugs increases at a rate greater than inflation.

Lower Medicare Part D cost-sharing

The IRA significantly defrays the out-of-pocket (OOP) spending that Medicare beneficiaries must make on prescription drugs. This includes:

- reduced cost sharing, in the form of:
  - elimination of the required 5% coinsurance in the catastrophic period, effective in 2024;
  - establishment of an overall $2,000 OOP spending cap in 2025; and
  - limitations on annual increases in the cost of Part D premiums, over the period from 2024–2030;
- a cap of $35 on cost sharing for insulin products; and
- elimination of cost-sharing for adult vaccines.

Medicaid coverage of vaccines

The IRA mandates coverage of and eliminates cost sharing for adult vaccines covered by Medicaid and the Children’s Health Insurance Program (CHIP).

Here is a helpful Kaiser Family Foundation implementation timeline of the prescription drug provisions:

What's Not In:

The IRA does not include these Build Back Better proposals:

Permanent funding for CHIP

This elimination of this proposal leaves CHIP subject to periodic Congressional renewal. CHIP was last reauthorized in 2018 by the Bipartisan Budget Act (P.L. 115–123) for four years through the end of FY 2027 (September 30, 2027).

Eligibility provisions designed to maximize coverage:

- **Medicaid "fallback"/look-alike program:** This proposal would have created an alternative vehicle through which individuals could qualify for Medicaid-equivalent coverage in states that have not pursued ACA Medicaid expansion.
- **Annual Medicaid and CHIP enrollment periods for children:** This proposal for 12 continuous months of coverage aimed to minimize migration of children on and off Medicaid and CHIP.
- **Extension of pregnancy coverage from 60 days post-partum to one year:** Effective April 1, 2022 through March 31, 2027, Sections 9812 and 9822 of the ARPA enabled states to extend Medicaid and CHIP postpartum coverage from 60 days postpartum to one year postpartum. This proposal would have made the option obligatory and permanent.

Permanency for increased resources for Medicaid home- and community-based long-term services and supports

This proposal sought to build on the durationally limited enhanced federal medical assistance percentage (FMAP) for home- and community-based services (HCBS) that was authorized under ARPA. It provides states with planning grants, six additional points of FMAP for implementation of HCBS improvements, and 80% FMAP for the administrative costs of implementing those initiatives.

Our Mission

The Milbank Memorial Fund is an endowed operating foundation that works to improve the health of populations by connecting leaders and decision makers with the best available evidence and experience

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[redacted] Fireworks, spotlighting service, and more

SUBJECT: Re: Legislative Review Sheet for Contraception Access: Ready for Review
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 01/09/2022 08:06

Good morning,

Valli was able to get me her fiscal note last night, I'm clarifying with her that I understood it correctly because there are two versions. I've added what I understand to be the numbers and some explanation to the review sheet but here's her fiscal note document if you'd like to review, her team did an amazing job in just a few days time. Let me know if you have any questions!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Wed, Aug 31, 2022 at 9:34 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

> Greetings,
>
> I am still waiting for Valli's team and DTS to finalize an estimate for creating an interactive web-based screening tool and app, they will have that to me by the end of the week. I've made a note about that in the document. I've embedded the google budget worksheet I have developed with information from the University and from Joe about the public awareness campaign costs (this is very fluid and we could reduce or spend more depending on how much reach we want to have, although I do believe the major healthcare systems, particularly IHC and the University, will also want to partner). I also have a few other comments/questions in the document for your review.
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> Otherwise, this document is ready for your review. I am technically off tomorrow and Friday but will continue to work on this as needed so it's ready for the meeting if it happens next week.
>
> Let me know if you have any questions/concerns or would like to touch base again this week or early next week.
>
> **Krisann Bacon**
> Special Projects | Executive Director's Office
> C: 385.377.4168
> krisannbacon@utah.gov
> dhhs.utah.gov

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[redacted]

[redacted] Fireworks, spotlighting service, and more

[redacted]

SUBJECT: Re: Legislative Review Sheet for Contraception Access: Ready for Review
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 03/09/2022 12:47

Thank you!

I requested access to the actual note. The document attached summarizing the functionality of the app is great!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Sep 1, 2022 at 8:05 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Good morning,

Valli was able to get me her fiscal note last night, I'm clarifying with her that I understood it correctly because there are two versions. I've added what I understand to be the numbers and some explanation to the review sheet but here's her fiscal note document if you'd like to review, her team did an amazing job in just a few days time. Let me know if you have any questions!

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Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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Let me know if you have any questions/concerns or would like to touch base again this week or early next week.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: DHHS Family Polic... - @natechecketts@utah.gov I think Tracy...
FROM: "Tracy Gruber (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 03/09/2022 13:13

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

[redacted]

1[redacted]

[redacted]

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

[redacted]

[redacted]

[redacted]

[redacted]

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google sends you. You can reply to this email to reply to the discussion.

SUBJECT: Fwd: Aligning Contraception Access to the One Utah Roadmap
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: Nate Checketts <natechecketts@utah.gov>
DATE: 05/09/2022 18:46

Sent from my iPhone

Begin forwarded message:

From: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
Date: September 5, 2022 at 4:51:40 PM MDT
To: "Eric Grant (DHHS)" <egrant@utah.gov>, "Gregory Trollan (DHHS)" <gtrollan@utah.gov>
Subject: Fwd: Aligning Contraception Access to the One Utah Roadmap

Hi! I just wanted to check and see if these quality measures were included in the ACO contracts by chance?
Thank you!

[redacted]

jen

---------- Forwarded message ---------
From: **Krisann Humphreys Bacon (DHHS)** <krisannbacon@utah.gov>
Date: Mon, Aug 29, 2022 at 10:12 AM
Subject: Aligning Contraception Access to the One Utah Roadmap
To: Nate Checketts (DHHS) <natechecketts@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>, Tracy Gruber (DHHS) <tracygruber@utah.gov>

Good morning,

As I'm working on the information for Tracy I was exploring how to link access to contraception to the Governor's One Utah Roadmap 2.0. Under Health Security there is one area that I think this could link to.

The main priority in 2.0 is this:

A. VALUE-BASED CARE AND TRANSPARENCY – Enable Utahns to make informed health care decisions i. Transition to value-based approach for health care by partnering with payers and providers to improve health care cost transparency.

In 2016, the National Quality Forum endorsed three contraceptive care quality measures to assess the degree to which women access effective methods of contraception in a value-based care model.

The contraceptive care quality measures are as follows:

- **Post-Partum Women: Most- & Moderately Effective Methods (NQF #2902)** — Among women aged 15–44 who had a live birth, the percentage who are provided a most-effective (sterilization, implants, or intrauterine devices or systems (IUD/IUS)) or moderately effective (injectables, oral pills, patch, ring, or diaphragm) contraceptive method within three to 60 days of delivery.
- **All Women: Most- & Moderately Effective Methods (NQF #2903)** — The percentage of women aged 15–44 at risk of unintended pregnancy who are provided a most-effective (sterilization, implants, or IUD/ IUS) or moderately effective (injectables, oral pills, patch, ring, or diaphragm) contraceptive method.
- **All Women: Access to LARC (NQF #2904)** — The percentage of women aged 15–44 at risk of unintended pregnancy who are provided a LARC method (implants or IUD/IUS).

I'm not sure if we've adopted these for the ACOs (and honestly my memory of how these are chosen is a bit foggy) but could this be a strategy we include? My thought is could we propose pursuing a VBC model for one or more of these quality measures for the ACOs?

Let me know your thoughts on this. Thank you!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: Legislative Review Sheet for Contraception Access: Ready for Review
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 06/09/2022 07:00

It looks like you were given access to the fiscal note document, let me know if you need anything else!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

[redacted] Fireworks, spotlighting service, and more

On Sat, Sep 3, 2022 at 12:47 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Thank you!

I requested access to the actual note. The document attached summarizing the functionality of the app is great!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Sep 1, 2022 at 8:05 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Good morning,

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Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Wed, Aug 31, 2022 at 9:34 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Greetings,

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[redacted]

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SUBJECT: Re: Legislative Review Sheet for Contraception Access: Ready for Review
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 06/09/2022 07:12

Thank you!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 6:59 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
It looks like you were given access to the fiscal note document, let me know if you need anything else!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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Executive Director
O: 435.772.6550
tracygruber@utah.gov

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Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: Title X Family Planning Grants
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Marc Watterson <mwatterson@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 08:11

Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage

sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Tracy -

I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>

[redacted] Fireworks, spotlighting service, and more

Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law.
(https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
> *(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.*

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?

[redacted]

Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.

Thank you!

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

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SUBJECT: SHVS Bi-Weekly Digest
FROM: Heather Howard <heatherh@princeton.edu>
TO: <natechecketts@utah.gov>
DATE: 06/09/2022 09:49

State Health and Value Strategies

Bi-Weekly Digest

Published every other week, this Digest features publications, noteworthy products and upcoming webinars. Be sure to also check out the most recent additions to our COVID-19 Resource Page, our Health Equity Resources and our Resources for States on Unwinding the Medicaid Continuous Coverage Requirement.

New Expert Perspective

Expanding Equitable Telehealth Access: Federal Funding Opportunities to Support Universal Broadband

SHVS Resources

- New expert perspective: *The No Surprises Act Final Rule: Implications for State Regulators*
- Updated toolkit: *Medicaid Managed Care Contract Language: Health Disparities and Health Equity*
- Updated toolkit: *Medicaid Managed Care Procurements: A Toolkit for State Medicaid Agencies*

State Updates

- Minnesota – The Minnesota Department of Health released its first-ever Minnesota Maternal Mortality Report, which examined maternal deaths during or within one year of pregnancy from 2017 to 2018. While the report shows the state's overall maternal mortality rate is lower than the national average, it also shows stark disparities in mortality—especially among Black and American Indian Minnesotans. Black Minnesotans represent 13% of the birthing population but made up 23% of pregnancy-associated deaths, and American Indian Minnesotans represent 2% of the birthing population, but 8% of pregnancy-associated deaths.
- New Jersey – First Lady Tammy Murphy and Human Services Commissioner Sarah Adelman announced NJ FamilyCare's Perinatal Episode of Care program, a three-year pilot to test a new alternative payment model for prenatal, labor, and postpartum services statewide. The pilot's goal is to improve maternity care by encouraging NJ FamilyCare obstetrical providers to broadly engage in all aspects of their patient's care, from pregnancy through the postpartum period, including emergency room visits and newborn pediatric care. Clinicians who choose to participate in the program are financially incentivized to take on comprehensive responsibility for the quality and cost of their patients' care.
- North Carolina – The North Carolina Department of Health and Human Services released the 2022 North Carolina State Health Improvement Plan (NC SHIP), which includes key strategies for health equity, education and economic stability for all North Carolinians. A major focus of NC SHIP is advancing health equity by reducing disparities in opportunity and outcomes for historically marginalized populations across the state.

See More

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Our mailing address is:
State Health and Value Strategies
[redacted]
Princeton, NJ 08540

[redacted] Fireworks, spotlighting service, and more

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Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are a participant in this thread. Change what Google sends you. You can reply to this email to reply to the discussion.

SUBJECT: DHHS Family Polic... - @natechecketts@utah.gov I think this ...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 06/09/2022 10:03

[redacted]

[redacted] Fireworks, spotlighting service, and more

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) assigned you an action item in the following document

[redacted]

1[redacted]

[redacted]

[redacted]

View files with action items assigned to you

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google sends you. You can reply to this email to reply to the discussion.

SUBJECT: Re: Title X Family Planning Grants
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 10:47

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Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
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O: 435.772.6550
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Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

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tracygruber@utah.gov

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Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and

that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
> *(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.*

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**
> Deputy Director

[redacted]

He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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SUBJECT: Re: Title X Family Planning Grants
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 10:48

For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law.
(https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
> *(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.*

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!

[redacted]

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov

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********** IMPORTANT MESSAGE **********

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: DHHS Family Polic... - @natechecketts@utah.gov I think this ...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 06/09/2022 11:24

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

[redacted]

View files with action items assigned to you

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google sends you. You can reply to this email to reply to the discussion.

SUBJECT: Re: Title X Family Planning Grants
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 11:27

Marc -

[redacted]

My recollection is that the current draft of the legislative review sheet from Laurie & Lynne recommends that we do not submit a grant application because we are not eligible due to the state's parental consent requirement. Maybe we just need to ask that the legislative review sheet be rewritten to incorporate potential changes to state statute based on what Laurie provided last week in response to Congressman Moore's request.

What do you think?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Tue, Sep 6, 2022 at 10:49 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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David -

Lynne and Lauri have been working on a Legislative Review Sheet for the past two weeks on this proposal. I'll upload it to our "2023 Proposed Legislation" sheet for all of you to see when I receive it from them.

Marc B. Watterson
Director
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On Tue, Sep 6, 2022 at 8:10 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168

[redacted]

krisannbacon@utah.gov
dhhs.utah.gov

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Tracy -

I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed,

and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
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Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources, **such as Title X**.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

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>
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>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
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> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**

Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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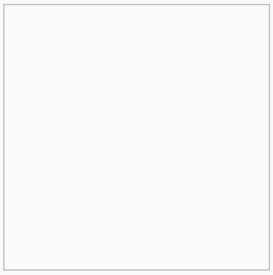
--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov



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SUBJECT: Re: Title X Family Planning Grants
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 06/09/2022 11:33

I will communicate that expectation to them. Thanks David

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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Marc -

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What do you think?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Tue, Sep 6, 2022 at 10:49 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

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- [redacted]

Marc B. Watterson
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Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.

Tracy S. Gruber
Executive Director
O: 435.772.6550

[redacted]

tracygruber@utah.gov

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

[redacted]

Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of

confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
> *(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.*

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David
>
> **David Litvack**
> Deputy Director
> *He/Him/His*
> O: 385.382.6099
> davidlitvack@utah.gov
>
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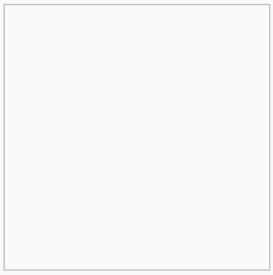
--
Laurie Baksh, MPH
Director, Office of Maternal and Child Health

[redacted]

O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov



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[redacted] [redacted]

[redacted]

SUBJECT: Family Policies
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
DATE: 06/09/2022 15:02

Hello Everyone,

Ok so I cleaned up the naming conventions for ease so the ones I have all start with 'Family Policies - *Specific Policy Title'*, I added an overview document to link to all the other documents so they're easy to find. All it has is the summary with links. I don't have the following links yet:

For the following I have the Family Policy - Increasing Coverage document but not the Legislative Review sheets:

- **Continuous Medicaid coverage for 12 months postpartum**
- **Caregiver Compensation**
- **Accept and Implement Oral Contraceptive Pharmacist Counseling and Dispensing Proposa**l --I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet
- **Expand Medicaid coverage for contraceptives up to 250% Federal Poverty Level (FPL)**--I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet

Also missing the **Title X Funding Legislative Review Sheet**.

Here are the links to the legislative review sheets I have:

Family Policies - Improving Access to Contraception
Family Policies - Data Privacy
Family Policies - ORS Health Care Coverage

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: Family Policies
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/09/2022 06:08

Thank you!

What about the ORS drivers license and the RV license? I believe we intend to include those in the discussion as well. Again, the legislation review sheets can be super brief.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 3:01 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
> Hello Everyone,

[redacted]

Ok so I cleaned up the naming conventions for ease so the ones I have all start with 'Family Policies - *Specific Policy Title'*, I added an overview document to link to all the other documents so they're easy to find. All it has is the summary with links. I don't have the following links yet:

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- **Expand Medicaid coverage for contraceptives up to 250% Federal Poverty Level (FPL)**--I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet

Also missing the **Title X Funding Legislative Review Sheet**.

Here are the links to the legislative review sheets I have:

Family Policies - Improving Access to Contraception
Family Policies - Data Privacy
Family Policies - ORS Health Care Coverage

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SUBJECT: Fwd: Introduction
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 07/09/2022 06:25

Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

[redacted]

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Derrick,
>
> I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."

[redacted]

As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.

More to come next week. Enjoy your weekend!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey Tracy,
>
> I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.
>
> Kindly,
>
> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
> Sign up for our weekly newsletter!
>
> **From:** Derrick, Will <Will.Derrick@mail.house.gov>
> **Date:** Friday, August 19, 2022 at 9:09 AM
> **To:** Tracy Gruber (DHHS) <tracygruber@utah.gov>
> **Cc:** Gordon Larsen <gordonlarsen@utah.gov>
> **Subject:** Re: Introduction
>
> That would be tremendous. Thank you, Tracy.
>
> **From:** Tracy Gruber (DHHS) <tracygruber@utah.gov>
> **Date:** Friday, August 19, 2022 at 8:13 AM
> **To:** Derrick, Will <Will.Derrick@mail.house.gov>
> **Cc:** Gordon Larsen <gordonlarsen@utah.gov>
> **Subject:** Re: Introduction
>
> Thanks Will. That's helpful.
>
> Let me do some work internally and then get back to you. How does by the end of next week sound?
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey there,
>
> Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.
>
> Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Thursday, August 18, 2022 at 12:07 PM
To: Gordon Larsen <gordonlarsen@utah.gov>
Cc: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted]

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

> Will,
>
> Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.
>
> I'm flexible next week, particularly next Tuesday.
>
> Thanks in advance for your help!
>
> Gordon
>
> On Thu, Aug 18, 2022 at 8:26 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:
>
> > Hey Gordon,
> >
> > Picking up this convo from last year –
> >
> > I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of “family planning” in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.
> >
> > Kindly,
> >
> > Will Derrick
> > Legislative Assistant
> > Congressman Blake Moore (UT-01)
> > will.derrick@mail.house.gov
> >
> > Sign up for our weekly newsletter!
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> > **From:** Gordon Larsen <gordonlarsen@utah.gov>
> > **Date:** Thursday, June 17, 2021 at 11:34 AM
> > **To:** Derrick, Will <Will.Derrick@mail.house.gov>
> > **Subject:** Re: Introduction
> >
> > Hi Will,

[redacted]

Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?

And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

Gordon

On Thu, Jun 17, 2021 at 8:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey there,
>
> My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?
>
> On a more specific note, my understanding is that the Utah Department of Health may have applied for a Title X Family Planning Grant last year. I know that Utah would have to be granted an exemption to accommodate state law mandating minors have parental consent to access contraceptive services. I was curious if there was a contact at the Utah Department of Health I could connect with to discuss if the Department plans to apply again. Do you know of anyone I could chat with on this topic?
>
> Thank you so much for your help. I hope to connect soon!
>
> Kindly,
>
> Will Derrick
> Junior Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
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--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

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Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

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SUBJECT: Re: Family Policies
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>

CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/09/2022 06:27

David, Is Liesa completing that one too?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Wed, Sep 7, 2022 at 6:08 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you!

What about the ORS drivers license and the RV license? I believe we intend to include those in the discussion as well. Again, the legislation review sheets can be super brief.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 3:01 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Hello Everyone,

Ok so I cleaned up the naming conventions for ease so the ones I have all start with 'Family Policies - *Specific Policy Title'*, I added an overview document to link to all the other documents so they're easy to find. All it has is the summary with links. I don't have the following links yet:

For the following I have the Family Policy - Increasing Coverage document but not the Legislative Review sheets:

- **Continuous Medicaid coverage for 12 months postpartum**
- **Caregiver Compensation**
- **Accept and Implement Oral Contraceptive Pharmacist Counseling and Dispensing Proposa**l --I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet
- **Expand Medicaid coverage for contraceptives up to 250% Federal Poverty Level (FPL)**--I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet

Also missing the **Title X Funding Legislative Review Sheet**.

Here are the links to the legislative review sheets I have:

Family Policies - Improving Access to Contraception
Family Policies - Data Privacy
Family Policies - ORS Health Care Coverage

Krisann Bacon
Special Projects | Executive Director's Office
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krisannbacon@utah.gov
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[redacted]

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SUBJECT: Re: Title X Family Planning Grants
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, Heather Borski <hborski@utah.gov>
DATE: 07/09/2022 07:30

Thanks Marc - our meeting with the LG has been bumped-up to tomorrow. Can you please check with Laurie to see if we can get an updated review sheet by close of business today.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Tue, Sep 6, 2022 at 11:33 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

I will communicate that expectation to them. Thanks David

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Sep 6, 2022 at 11:28 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Marc -

My recollection is that the current draft of the legislative review sheet from Laurie & Lynne recommends that we do not submit a grant application because we are not eligible due to the state's parental consent requirement. Maybe we just need to ask that the legislative review sheet be rewritten to incorporate potential changes to state statute based on what Laurie provided last week in response to Congressman Moore's request.

What do you think?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

[redacted]

On Tue, Sep 6, 2022 at 10:49 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
For those that might not have had access to that sheet before. Here is the link:

- [redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Sep 6, 2022 at 10:47 AM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
David -

Lynne and Lauri have been working on a Legislative Review Sheet for the past two weeks on this proposal. I'll upload it to our "2023 Proposed Legislation" sheet for all of you to see when I receive it from them.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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On Tue, Sep 6, 2022 at 8:10 AM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Good morning,

If I'm understanding correctly I started an overview sheet in the Legislative Review Template where we can link to all of the policy recommendations, I left some of the information I had for contraception access and linked to both the contraception access legislative review sheet and the Increasing Coverage sheet that Nate linked to but it doesn't have any more detail behind the other proposals yet and I'd need help filling all of that out. Is this what you had in mind Tracy?

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Tue, Sep 6, 2022 at 7:34 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
David,

I think it's a great idea to have Laurie do a legislative review sheet and we can share it with the LG and Neil on this topic. It seems like we may operate on a dual track with Rep. Moore and see if he can make the requested changes through Congress. I think the state changes would be quicker and easier, if the LT is comfortable with that.

[redacted]

Maybe we should make a Google Doc with the legislative review sheets so we know what's in play.

Thank you.
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 7:31 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

It seems like a good idea to add this to the Family Friendly Policy list. I am adding Krisann here as I am a little anxious about which documents to add it to since there seems to be multiple documents and I want to make sure it gets to the right place. I, also, think it's a good idea to discuss this with the LG on the 20th as she was the senate sponsor of the house bill that required parental consent (which may or may not be indicative of strong feelings about parental consent).

Do we want to ask Laurie to complete a legislative review sheet for the idea of amending state law?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Sat, Sep 3, 2022 at 9:38 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Should we add this to the proactive legislation list and the list of family policies? If we think we should, please add it to both documents and we can have Marc follow up with Neil. It is my understanding that the Lt. Governor sponsored the legislation to require parent consent. If we take the suggestion to amend state Code to not require consent if doing so prevents the state from receiving family planning funds, we should discuss this with the LG when we meet with her on 9/20. The landscape has changed since this language was added to state code. She may be supportive of this adjustment.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Sep 1, 2022 at 7:00 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

I am comfortable with you sending Laurie's response directly to Will. We should probably include Gordon, right?

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Aug 31, 2022 at 7:36 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Thank you! Can I just forward Laurie's response to Will?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Aug 31, 2022 at 7:30 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:
Good Morning Tracy & Nate -

Below is information and suggestions from Maternal & Child Health in response to the request from the Office of Congressman Blake Moore regarding changes necessary to allow Utah to receive Title X funds. While MCH did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. MCH, also, provided information on changes that could be made in State code to allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized; including some example language from Texas.

As I am still trying to understand the basics of this issue, please let me know how you all would like to proceed in reaching-out to the Congressman's office.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

---------- Forwarded message ---------
From: **Laurie Baksh (DHHS)** <lbaksh@utah.gov>
Date: Tue, Aug 30, 2022 at 2:49 PM
Subject: Re: Title X Family Planning Grants
To: David Litvack (DHHS) <davidlitvack@utah.gov>
Cc: Lynne Nilson (DHHS) <lpnilson@utah.gov>, Noel Taxin <ntaxin@utah.gov>, Heather Borski <hborski@utah.gov>, Nickee Palacios <npalacios@utah.gov>

David -

There are two possible approaches to Congressman Moore's request. A federal statute change or a change at the state level. For a federal statute change to be "enacted", as we understand it, would require an actual act of congress. The specific federal code that would need to be addressed, and that applies here, is the Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). It states:

> ***§ 59.5(a) What requirements must be met by a family planning project***
> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability,* ***age****, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

Another part of the federal code states this -

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

[redacted]

The Title X philosophy (and in federal code) highly encourages the inclusion of parents/guardians in these important life decisions, but minors will not be turned away at a Title X funded facility.

We do not have specific language to suggest regarding changes to this section of federal statute.

In the August 2020 letter denying Utah's waiver request, from the Deputy Assistant Secretary, Office of Population Affairs to Dr. Joseph Miner, it stated "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." A second idea would be to add language to this section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

For Utah -
There is a way to allow Title X funds into the state without changing the Utah parental consent law. We explored this option when we were tentatively offered Title X funds in 2020, but were not granted the "waiver" we requested, and were not able to receive the funds (Please refer to HB377, legislation passed in 2020).

When notifying leadership of the denial of Utah's waiver request, we put forward another suggestion for the Utah legislature and executive leadership to consider. Other states receiving Title X funds with similar parental notification or consent laws **suspend state law for Title X funds only.** A thorough example is one from Texas, who created an exemption to their parental notification law. (https://www.lbb.texas.gov/Documents/GAA/General_Appropriations_Act_2020_2021.pdf (see page 190/II-70, section 79(a)(2))

> *(a) Consent for Services.*
> *(2) HHSC may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Family Code Chapter 32. In the event that compliance with this subsection would result in the loss of Federal Funds to the state, HHSC may modify, or suspend this subsection to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.*

Language such as this would allow for minors to be served without consent if federal funding would be in jeopardy. Guidance given by the Texas Department of Health specifies:

> *… providers and their parent organizations may serve clients who are funded through sources outside of the Health and Human Services Commission (HHSC). When requirements differ, policies and procedures concerning services for programs administered by HHSC must be distinguished from those governing family planning services provided through other contracts or funding sources,* ***such as Title X****.*

For Utah this type of approach could be taken. Another approach to consider would be to allow an exemption for Title X funds only.

Please let me know if you have any follow up questions.

Thank you,
Laurie, Lynne and Nickee

On Mon, Aug 29, 2022 at 8:01 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

> Good Morning Laurie & Lynne -
>
> Congressman Moore's office has reached-out to DHHS and the Governor's office with a desire to assist Utah in accessing Title X Family Planning Grants that we are currently ineligible for due to Utah's parental consent law.
>
> One idea floating around is to alter federal law in such a way to allow states like Utah to access these federal family planning dollars while complying with state law (i.e., without forcing us to change our parental consent law which the legislature is not willing to do).
>
> Is there specific language that you would recommend that we could provide to Congressman Moore that would accomplish this end? Is there federal rule or code that would need to be amended or grant requirements altered?
>
> Will you please take a look at this and get back to Heather and I in the next day or two so we can respond back to the Governor's office and Congressman Moore's office.
>
> Thank you!
>
> David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

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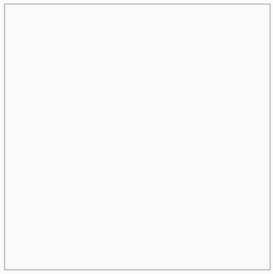
Laurie Baksh, MPH
Director, Office of Maternal and Child Health
O: 801-273-2857
lbaksh@utah.gov
dhhs.utah.gov



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[redacted] Fireworks, spotlighting service, and more

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[redacted]

--
[redacted]

[redacted]

[redacted]

SUBJECT: Re: Family Policies
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 07/09/2022 11:21

We have budget requests sheets for 12 months post partum and caregiver compensation. Are you OK if we use those documents or do you want them reformatted to the legislative review sheet format?

Thanks,

Nate

On Tue, Sep 6, 2022 at 3:01 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

Hello Everyone,

Ok so I cleaned up the naming conventions for ease so the ones I have all start with 'Family Policies - *Specific Policy Title'*, I added an overview document to link to all the other documents so they're easy to find. All it has is the summary with links. I don't have the following links yet:

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Also missing the **Title X Funding Legislative Review Sheet**.

Here are the links to the legislative review sheets I have:

Family Policies - Improving Access to Contraception
Family Policies - Data Privacy
Family Policies - ORS Health Care Coverage

Krisann Bacon
Special Projects | Executive Director's Office

[redacted]

C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Re: Family Policies
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/09/2022 11:35

I just sent a text about the RV license. We have a problem with the information sharing with DMV (I forwarded an e-mail from Liesa a few weeks ago) that we would need to figure-out otherwise it would be very labor intensive. I need to circle back with Liesa to see if she has gathered any additional information.

Regarding driver's licenses, I think we wanted to ask the LG if she is interested in pursuing automating the temporary suspension of driver's licenses. ORS already has authority to suspend driver's licenses but it is manual and not utilized. Liesa recommended automating the process at a certain level of arrears. There is an exception to driving for work and children visits. Not sure where to head on this.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Sep 7, 2022 at 6:08 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Thank you!

What about the ORS drivers license and the RV license? I believe we intend to include those in the discussion as well. Again, the legislation review sheets can be super brief.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 3:01 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Hello Everyone,

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[redacted]

Also missing the **Title X Funding Legislative Review Sheet**.

Here are the links to the legislative review sheets I have:

Family Policies - Improving Access to Contraception
Family Policies - Data Privacy
Family Policies - ORS Health Care Coverage

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SUBJECT: Re: Family Policies
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "David Litvack (DHHS)" <davidlitvack@utah.gov>
CC: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/09/2022 15:39

David,

I think we should draft the legislative review sheet with our recommendation on the needed policy changes with respect to the suspension of the drivers license and any needed funding. That will help clearly articulate the policy so that a determination about pursuing the policy.

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Sep 7, 2022 at 11:36 AM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

I just sent a text about the RV license. We have a problem with the information sharing with DMV (I forwarded an e-mail from Liesa a few weeks ago) that we would need to figure-out otherwise it would be very labor intensive. I need to circle back with Liesa to see if she has gathered any additional information.

Regarding driver's licenses, I think we wanted to ask the LG if she is interested in pursuing automating the temporary suspension of driver's licenses. ORS already has authority to suspend driver's licenses but it is manual and not utilized. Liesa recommended automating the process at a certain level of arrears. There is an exception to driving for work and children visits. Not sure where to head on this.

David

David Litvack
Deputy Director

[redacted]

He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Sep 7, 2022 at 6:08 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Thank you!

What about the ORS drivers license and the RV license? I believe we intend to include those in the discussion as well. Again, the legislation review sheets can be super brief.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 3:01 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:

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Also missing the **Title X Funding Legislative Review Sheet**.

Here are the links to the legislative review sheets I have:

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Family Policies - Data Privacy
Family Policies - ORS Health Care Coverage

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
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CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 07/09/2022 15:57

Those items don't require legislation just funding so I think the budget requests are sufficient. Is that correct?

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Executive Director
O: 435.772.6550
tracygruber@utah.gov

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> Thanks,
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> Nate
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> > Special Projects | Executive Director's Office
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> > krisannbacon@utah.gov
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SUBJECT: Family Policies-I... - @natechecketts@utah.gov I think this ...
FROM: "Tracy Gruber (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 07/09/2022 16:10

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google sends you. You can reply to this email to reply to the discussion.

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David Litvack
Deputy Director
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--
David Litvack
Deputy Director
He,Him,His
385-382-6099(c)
davidlitvack@utah.gov

Inline image

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Inline image

[redacted] Fireworks, spotlighting service, and more

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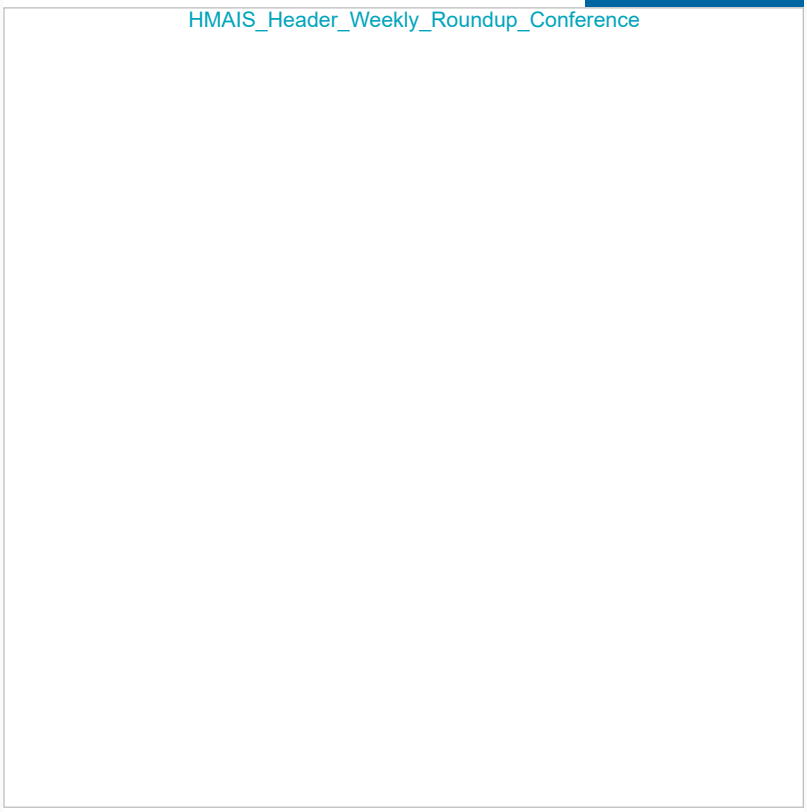
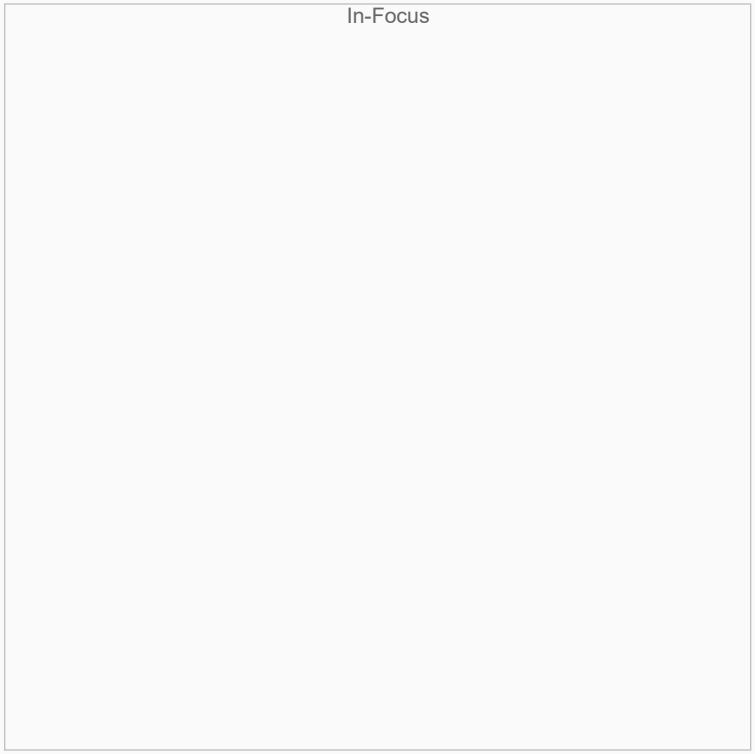
SUBJECT: HMA Weekly Roundup: How Can Medicare and Medicaid Providers Utilize CMS' COVID-19 Roadmap?
FROM: HMA Weekly Roundup <hmaweeklyroundup@healthmanagement.com>
TO: natechecketts@utah.gov
DATE: 07/09/2022 16:26

September 7, 2022





[redacted]

[redacted]

Fireworks, spotlighting service, and more

How Can Medicare and Medicaid Providers Utilize CMS' COVID-19 Roadmap?

This week, our *In Focus* section identifies steps that Medicare and Medicaid plans and providers can undertake to effectively return to normal operations after the end of the COVID-19 public health emergency (PHE) declaration. On August 18, 2022, the Centers for Medicare & Medicaid Services (CMS) released a roadmap to support healthcare providers with preparing for the eventual end of the PHE. CMS also published a series of fact sheets summarizing the status of Medicare Blanket waivers and flexibilities by provider type as well as flexibilities applicable to the Medicaid providers and stakeholders... Read More

HMA-Roundup

Arkansas Seeks Federal Approval to Offer Full Medicaid Coverage to Pregnant Women

California Awards $340 Million Population Health Management Contract to Gainwell

California Medi-Cal Contract Awards Face Appeals

Iowa Awards NEMT Contract to MTM

Maryland Releases Dental Benefits Administrator RFP

Maryland Releases Medicaid NEMT Broker RFP

New Mexico Delays Medicaid Managed Care RFP Release to Third Quarter of 2022

Oklahoma Releases Medicaid Dental Managed Care RFP

Tennessee Proposes PMPM Medicaid Spending Cap to Replace Aggregate Spending Cap

Texas Delays Releases of STAR/CHIP, STAR Kids RFPs

MedPAC Eyes Potential Standardized Benefit Options for Medicare Advantage

CMS Proposes Rule to Standardize Medicaid, CHIP Eligibility and Enrollment

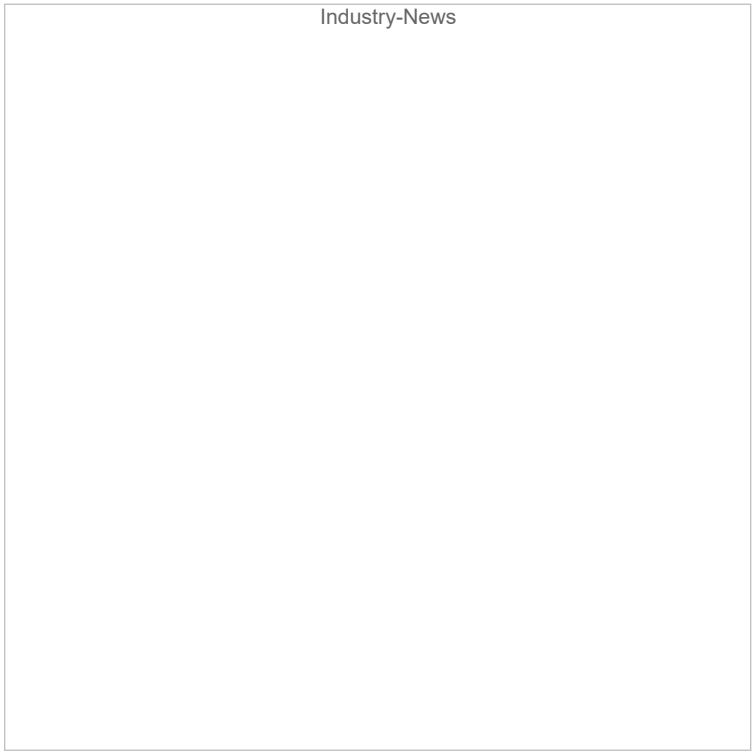
More Articles

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Industry-News



CVS to Acquire Signify Health

Maximus Retains Contract to Support CMS Contact Center Operations

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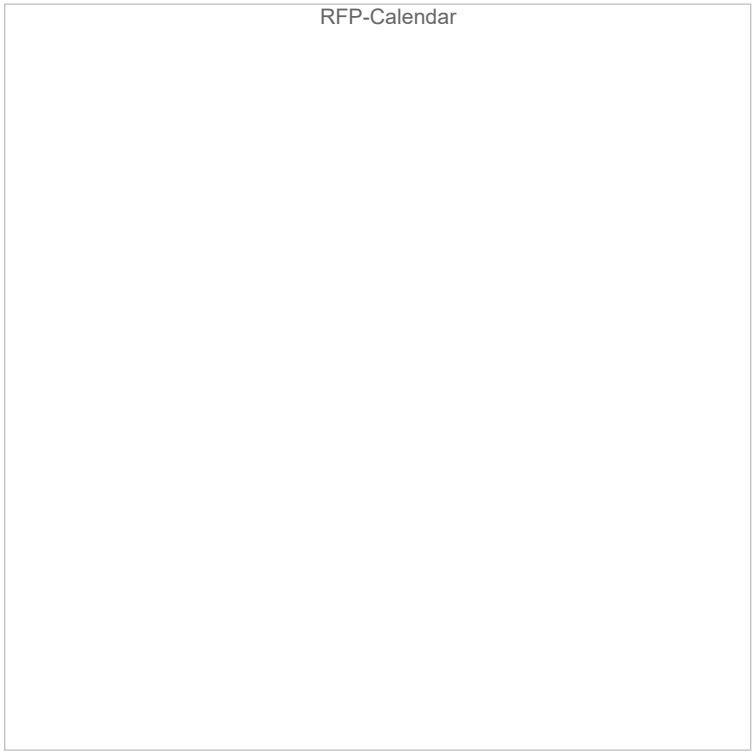
HMA-News-and-Events-1

New this week on HMA Information Services... Read More

[redacted]

RFP-Calendar



An updated Medicaid managed care RFP calendar... Read More

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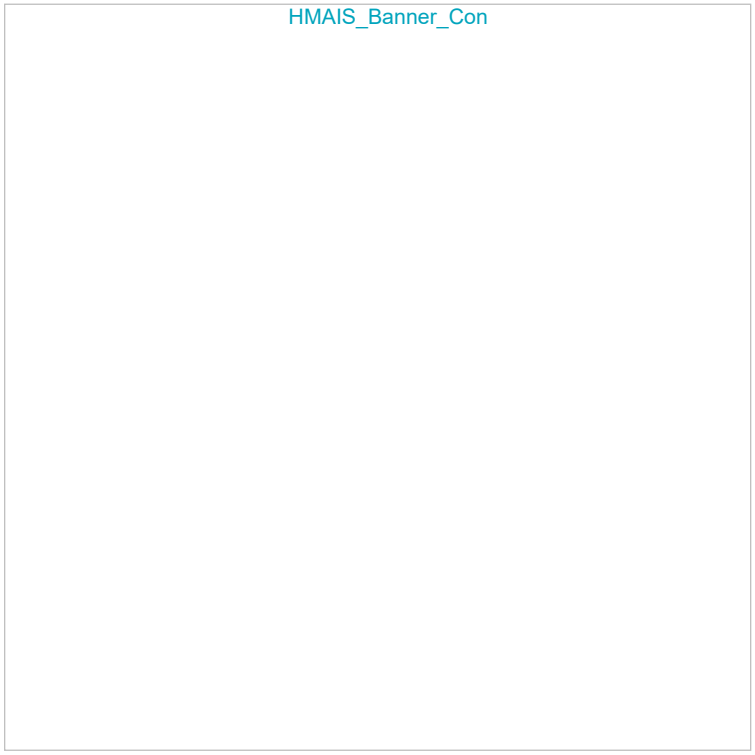

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Contact us at:

1-800-678-2299

weeklyroundup@healthmanagement.com

Previous Roundups

[redacted] Fireworks, spotlighting service, and more

Email Signup

Editors:
Carl Mercurio, New York
Alona Nenko, New York

Health Management Associates, 120 North Washington Square, Suite 705, Lansing, MI 48933
Unsubscribe Manage preferences

SUBJECT: Family Policies-I... - @natechecketts@utah.gov I think this ...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 07/09/2022 16:43

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in an action item in the following document

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread. Change what Google sends you. You can reply to this email to reply to the discussion.

SUBJECT: Re: Introduction
FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/09/2022 18:45

I spoke with Laurie and Lynne.
Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

[redacted]

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

HB

On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

Thanks.
Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

[redacted]

§ 59.5(a) What requirements must be met by a family planning project

*(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

§ 59.10 Confidentiality
(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Derrick,
>
> I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."
>
> As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.
>
> More to come next week. Enjoy your weekend!
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey Tracy,
>
> I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.
>
> Kindly,
>
> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov

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From: Derrick, Will <Will.Derrick@mail.house.gov>
Date: Friday, August 19, 2022 at 9:09 AM
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

That would be tremendous. Thank you, Tracy.

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Friday, August 19, 2022 at 8:13 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey there,
>
> Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.
>
> Kindly,
>
> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
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> **From:** Tracy Gruber (DHHS) <tracygruber@utah.gov>
> **Date:** Thursday, August 18, 2022 at 12:07 PM
> **To:** Gordon Larsen <gordonlarsen@utah.gov>
> **Cc:** Derrick, Will <Will.Derrick@mail.house.gov>
> **Subject:** Re: Introduction
>
> Thank you for pulling me in.
>
> Will, nice to meet you virtually. What support can we offer to you and Representative Moore?
>
> I will be in meetings most of the day today but feel free to communicate via text: [redacted]
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

[redacted]

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

Will,

Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.

I'm flexible next week, particularly next Tuesday.

Thanks in advance for your help!

Gordon

On Thu, Aug 18, 2022 at 8:26 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey Gordon,

Picking up this convo from last year –

I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of "family planning" in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Gordon Larsen <gordonlarsen@utah.gov>
Date: Thursday, June 17, 2021 at 11:34 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Hi Will,

Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?

And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

Gordon

On Thu, Jun 17, 2021 at 8:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Hey there,

My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?

On a more specific note, my understanding is that the Utah Department of Health may have applied for a Title X Family Planning Grant last year. I know that Utah would have to be granted an exemption to accommodate state law mandating minors have parental consent to access contraceptive services. I was curious if there was a contact at the Utah Department of Health I could connect with to discuss if the Department plans to apply again. Do you know of anyone I could chat with on this topic?

Thank you so much for your help. I hope to connect soon!

Kindly,

Will Derrick
Junior Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

--
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SUBJECT: Re: Introduction
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 07/09/2022 18:59

Tracy -

Heather or Nate may know the answer to your question, but I do not. I am going to forward the e-mail to Laurie Baksh.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

[redacted]

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

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Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
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Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
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I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

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Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

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Public Health Service Act, 42 CFR Part 59 Subpart A (https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

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Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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> **Tracy S. Gruber**
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> O: 435.772.6550
> tracygruber@utah.gov

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> > Legislative Assistant
> > Congressman Blake Moore (UT-01)
> > will.derrick@mail.house.gov
> >
> > Sign up for our weekly newsletter!
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> **From:** Derrick, Will <Will.Derrick@mail.house.gov>
> **Date:** Friday, August 19, 2022 at 9:09 AM
> **To:** Tracy Gruber (DHHS) <tracygruber@utah.gov>
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> **Cc:** Gordon Larsen <gordonlarsen@utah.gov>
> **Subject:** Re: Introduction

[redacted]

Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
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> Sign up for our weekly newsletter!

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Thursday, August 18, 2022 at 12:07 PM
To: Gordon Larsen <gordonlarsen@utah.gov>
Cc: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted]

Tracy
Tracy S. Gruber
Executive Director
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tracygruber@utah.gov

On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:

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Date: Thursday, June 17, 2021 at 11:34 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

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SUBJECT: Re: Introduction
FROM: "David Litvack (DHHS)" <davidlitvack@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Heather Borski (DHHS)" <hborski@utah.gov>
DATE: 07/09/2022 18:59

Thank you Heather - you were much faster than me!!!!!

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Sep 7, 2022 at 6:59 PM David Litvack (DHHS) <davidlitvack@utah.gov> wrote:

Tracy -

Heather or Nate may know the answer to your question, but I do not. I am going to forward the e-mail to Laurie Baksh.

David

David Litvack
Deputy Director
He/Him/His
O: 385.382.6099
davidlitvack@utah.gov

On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

Thanks.

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tracygruber@utah.gov

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Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

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I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

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Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

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While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

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It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

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tracygruber@utah.gov

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> **Date:** Friday, August 19, 2022 at 9:09 AM
> **To:** Tracy Gruber (DHHS) <tracygruber@utah.gov>
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will.derrick@mail.house.gov

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To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

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FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 07/09/2022 19:18

Thank you!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Sep 7, 2022 at 6:45 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

I spoke with Laurie and Lynne.
Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

HB

On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

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Cc: Gordon Larsen <gordonlarsen@utah.gov>

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(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

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[redacted]

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey there,
>
> Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.
>
> Kindly,
>
> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
> Sign up for our weekly newsletter!

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Thursday, August 18, 2022 at 12:07 PM
To: Gordon Larsen <gordonlarsen@utah.gov>
Cc: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Thank you for pulling me in.

Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted]

Tracy
Tracy S. Gruber
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tracygruber@utah.gov

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> Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.
>
> I'm flexible next week, particularly next Tuesday.
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> Thanks in advance for your help!
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To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Hi Will,

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And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

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> Hey there,
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> My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?
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[redacted]

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SUBJECT: Invitation: Meeting with Lt. Gov. Henderson Re: Pro Life @ Thu Sep 8,2022 2:30pm - 3pm (MDT) (natechecketts@utah.gov)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: natechecketts@utah.gov, awn@utah.gov, beckiepage@utah.gov, davidlitvack@utah.gov, nabercrombie@utah.gov
CC: thampton@utah.gov, trudyellis@utah.gov
DATE: 07/09/2022 19:37

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

[redacted]

(1) Overview Document (contains all of the links listed below)
(2) Legislation Review Sheet: Improving Access to Contraception
(3) Legislation Review Sheet: Fem Tech App Data Privacy
(4) Legislation Review Sheet: Office of Recovery Services Health Care Coverage
(5) Legislation Review Sheet: Title X Funding for Family Planning (new to the list)
(6) Budget Request: 12-month Post-partum Coverage
(7) Budget Request: Caregiver Compensation
(8) Summary Document--Increasing Coverage (some is repeated in other documents)

When
Thursday Sep 8, 2022 · 2:30pm – 3pm (Mountain Time - Denver)

Location
Lieutenant Governor's Office, 350 State St #200, Salt Lake City, UT 84103, USA
View map

Guests
tracygruber@utah.gov - organizer
awn@utah.gov
beckiepage@utah.gov
davidlitvack@utah.gov
nabercrombie@utah.gov
natechecketts@utah.gov
thampton@utah.gov - optional
trudyellis@utah.gov - optional
View all guest info

Reply for natechecketts@utah.gov

Yes No Maybe More options

Invitation from Google Calendar
You are receiving this email because you are subscribed to calendar notifications. To stop receiving these emails, go to Calendar settings, select this calendar, and change "Other notifications".
Forwarding this invitation could allow any recipient to send a response to the organizer, be added to the guest list, invite others regardless of their own invitation status, or modify your RSVP. Learn more

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SUBJECT: Accepted: Meeting with Lt. Gov. Henderson Re: Pro Life @ Thu Sep 8,2022 2:30pm - 3pm (MDT) (tracygruber@utah.gov)
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: tracygruber@utah.gov
DATE: 08/09/2022 08:01

Nate Checketts (DHHS) has accepted this invitation.

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

[redacted]

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When
Thursday Sep 8, 2022 · 2:30pm – 3pm (Mountain Time - Denver)

Location
Lieutenant Governor's Office, 350 State St #200, Salt Lake City, UT 84103, USA
View map

Guests
tracygruber@utah.gov - organizer
awn@utah.gov
beckiepage@utah.gov
davidlitvack@utah.gov
nabercrombie@utah.gov
natechecketts@utah.gov
thampton@utah.gov - optional
trudyellis@utah.gov - optional
View all guest info

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SUBJECT: Re: Introduction
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/09/2022 09:04

It seems like 76-7-325 would be the section that could potentially apply outside of state government agencies.

76-7-322 and 76-7-323 apply to the state and its political subdivisions.

Thanks,

Nate

On Wed, Sep 7, 2022 at 6:45 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:
I spoke with Laurie and Lynne.
Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

HB

On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

[redacted]

Thanks.
Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

Sign up for our weekly newsletter!

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

> ***§ 59.10 Confidentiality***
> *(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.*

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

[redacted]

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Derrick,
>
> I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."
>
> As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.
>
> More to come next week. Enjoy your weekend!
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

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> > Hey Tracy,
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> > I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.
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> >
> > Will Derrick
> > Legislative Assistant
> > Congressman Blake Moore (UT-01)
> > will.derrick@mail.house.gov
> >
> > Sign up for our weekly newsletter!
>
> **From:** Derrick, Will <Will.Derrick@mail.house.gov>
> **Date:** Friday, August 19, 2022 at 9:09 AM
> **To:** Tracy Gruber (DHHS) <tracygruber@utah.gov>
> **Cc:** Gordon Larsen <gordonlarsen@utah.gov>
> **Subject:** Re: Introduction
>
> That would be tremendous. Thank you, Tracy.
>
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> **Date:** Friday, August 19, 2022 at 8:13 AM
> **To:** Derrick, Will <Will.Derrick@mail.house.gov>
> **Cc:** Gordon Larsen <gordonlarsen@utah.gov>
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CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/09/2022 09:10

Are you pointing to 76-7-325 because it says "whenever possible" notice will be given to parents?

Tracy S. Gruber
Executive Director
O: 435.772.6550
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Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Tue, Sep 6, 2022 at 8:13 AM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

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Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

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While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

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> **To:** Tracy Gruber (DHHS) <tracygruber@utah.gov>
> **Cc:** Gordon Larsen <gordonlarsen@utah.gov>
> **Subject:** Re: Introduction

[redacted]

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Will, nice to meet you virtually. What support can we offer to you and Representative Moore?

I will be in meetings most of the day today but feel free to communicate via text: [redacted]

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I'm flexible next week, particularly next Tuesday.

Thanks in advance for your help!

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Date: Thursday, June 17, 2021 at 11:34 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Hi Will,

Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?

And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

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(801) 538-1503 (o)
(202) 577-6355 (c)

[redacted]

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SUBJECT: Re: Introduction
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Heather Borski (DHHS)" <hborski@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 08/09/2022 09:49

Yes

On Thu, Sep 8, 2022 at 9:11 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Are you pointing to 76-7-325 because it says "whenever possible" notice will be given to parents?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Sep 8, 2022 at 9:04 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
It seems like 76-7-325 would be the section that could potentially apply outside of state government agencies.

76-7-322 and 76-7-323 apply to the state and its political subdivisions.

Thanks,

Nate

On Wed, Sep 7, 2022 at 6:45 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:
I spoke with Laurie and Lynne.
Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

HB

On Wed, Sep 7, 2022 at 6:26 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Please see Will's follow up about Planned Parenthood getting Title X dollars. Is the code relating to parent consent only applicable to the department?

I would appreciate a response as soon as possible. Or, if David or Heather want to directly correspond that would probably be easier than having me in the middle.

Thanks.
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TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
DATE: 08/09/2022 10:37

A bit late in my response here but I believe we can implement both of these changes with an appropriation and wouldn't need a bill.

On Wed, Sep 7, 2022 at 3:57 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Those items don't require legislation just funding so I think the budget requests are sufficient. Is that correct?

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Sep 7, 2022 at 11:21 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
We have budget requests sheets for 12 months post partum and caregiver compensation. Are you OK if we use those documents or do you want them reformatted to the legislative review sheet format?

Thanks,

Nate

On Tue, Sep 6, 2022 at 3:01 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
Hello Everyone,

Ok so I cleaned up the naming conventions for ease so the ones I have all start with 'Family Policies - *Specific Policy Title*', I added an overview document to link to all the other documents so they're easy to find. All it has is the summary with links. I don't have the following links yet:

For the following I have the Family Policy - Increasing Coverage document but not the Legislative Review sheets:

- **Continuous Medicaid coverage for 12 months postpartum**
- **Caregiver Compensation**
- **Accept and Implement Oral Contraceptive Pharmacist Counseling and Dispensing Proposa**l --I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet
- **Expand Medicaid coverage for contraceptives up to 250% Federal Poverty Level (FPL)**--I did include this cost and some verbiage about this one in the 'Improving Access to Contraception' Review sheet

Also missing the **Title X Funding Legislative Review Sheet**.

Here are the links to the legislative review sheets I have:

Family Policies - Improving Access to Contraception
Family Policies - Data Privacy
Family Policies - ORS Health Care Coverage

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

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SUBJECT: Document shared with you: "Family Policies-Improving Access to Contraception"
FROM: "Nate Checketts (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: dmh@utah.gov
DATE: 08/09/2022 14:48

Nate Checketts (DHHS) shared a document

Unknown profile [redacted]

[redacted]

[redacted]

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[redacted]

[redacted]

SUBJECT: Coordinate with Gordon
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 09/09/2022 08:11

Krisann,

As a follow up from the meeting yesterday, there is interest in getting those two letters written to the FDA on OTC for birth control. Can you reach out to Gordon and talk that through with him? I'm not sure if Gordon is aware of the issue but it was suggested that he help with the drafting of the letter.

Thank you! Let me know if you have any questions.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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SUBJECT: Re: Coordinate with Gordon
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 09/09/2022 08:16

Absolutely!

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Fri, Sep 9, 2022 at 8:12 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Krisann,
>
> As a follow up from the meeting yesterday, there is interest in getting those two letters written to the FDA on OTC for birth control. Can you reach out to Gordon and talk that through with him? I'm not sure if Gordon is aware of the issue but it was suggested that he help with the drafting of the letter.
>
> Thank you! Let me know if you have any questions.
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

[redacted]

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SUBJECT: Invitation: Internal Coordination-Access to Contraception/FamilyPoli... @ Tue Sep 20, 2022 7:30am - 8am (MDT) (natechecketts@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: natechecketts@utah.gov, "Laurie Baksh (DHHS)" <lbaksh@utah.gov>, "Noel Taxin (DHHS)" <ntaxin@utah.gov>, "Leisha Nolen (DHHS)" <lnolen@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>
DATE: 09/09/2022 10:22

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]
PIN: [redacted]

More phone numbers

I apologize for the early meeting, schedules are tough as you know and we thought it would be a good idea to coordinate internally as soon as possible on this topic since many discussions are taking place.

When
Tuesday Sep 20, 2022 · 7:30am – 8am (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
Laurie Baksh (DHHS)
Noel Taxin (DHHS)
Leisha Nolen (DHHS)
Tracy Gruber (DHHS)
David Litvack (DHHS)
natechecketts@utah.gov
View all guest info

Reply for natechecketts@utah.gov

Yes No Maybe More options

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[redacted]

[redacted]

SUBJECT: Fwd: TIME SENSITIVE: R414-2A five year review
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Nate Checketts (Work)" <natechecketts@utah.gov>
DATE: 14/09/2022 05:45

[redacted]

[redacted] Fireworks, spotlighting service, and more

Good morning.

There are references to abortion and detox in this rule. Since this is 5-year continuation, I approved it but It had me thinking about whether the time is right to look at the requirements of the rules given changes both legally and socially on these two issues. When was the last time those other requirements were reviewed? Are we still comfortable with the requirements included in those rules?

Tracy

---------- Forwarded message ---------
From: **Tracy Gruber (DHHS)** <tracygruber@utah.gov>
Date: Wed, Sep 14, 2022 at 7:38 AM
Subject: Re: TIME SENSITIVE: R414-2A five year review
To: Stephanie Saperstein <stephaniesaperstein@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>, Craig Devashrayee (DHHS) <cdevashrayee@utah.gov>, Jonah Shaw (DHHS) <jshaw@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Skyla Allen <skylaallen@utah.gov>

This rule is approved for continuation.

Tracy

Tracy S. Gruber
Executive Director
Utah Department of Health & Human Services

> On Sep 13, 2022, at 10:48 PM, Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
>
> Tracy,
>
> [redacted]
>
> [redacted]
>
> [redacted]
>
> Stephanie
>
> --
> Stephanie M. Saperstein
> Section Director, Health Section
> Environment and Health Division
> Assistant Attorney General
> 288 North 1460 West, P.O. Box 141000
> Salt Lake City, Utah 84114-0851
>
> Phone: 801-680-7690
>
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--
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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[redacted]

[redacted] Fireworks, spotlighting service, and more

SUBJECT: Re: TIME SENSITIVE: R414-2A five year review
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
CC: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 14/09/2022 07:38

Good question. I don't see anything immediately problematic in this rule related to those two issues; however, I don't know the last time those issues have been reviewed in policy. I remember Tonya did a thorough review of abortion policy and procedure but that may have been five years or so ago.

Thanks,

Nate

On Wed, Sep 14, 2022 at 5:45 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Good morning.

There are references to abortion and detox in this rule. Since this is 5-year continuation, I approved it but It had me thinking about whether the time is right to look at the requirements of the rules given changes both legally and socially on these two issues. When was the last time those other requirements were reviewed? Are we still comfortable with the requirements included in those rules?

Tracy

---------- Forwarded message ---------
From: **Tracy Gruber (DHHS)** <tracygruber@utah.gov>
Date: Wed, Sep 14, 2022 at 7:38 AM
Subject: Re: TIME SENSITIVE: R414-2A five year review
To: Stephanie Saperstein <stephaniesaperstein@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>, Craig Devashrayee (DHHS) <cdevashrayee@utah.gov>, Jonah Shaw (DHHS) <jshaw@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Skyla Allen <skylaallen@utah.gov>

This rule is approved for continuation.

Tracy

Tracy S. Gruber
Executive Director
Utah Department of Health & Human Services

On Sep 13, 2022, at 10:48 PM, Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:

Tracy,

I recommend continuation of the following rule:

[redacted]

Stephanie

--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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--
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

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SUBJECT: Document shared with you: "Self-Administered Hormonal ContraceptionMedication Web-Based Screening Tool FY24 Budget Request"
FROM: "Krisann Humphreys Baco... (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: natechecketts@utah.gov
CC: davidlitvack@utah.gov, tracygruber@utah.gov
DATE: 14/09/2022 11:01

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

[redacted]

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SUBJECT: Document shared with you: "Self-Administered Hormonal ContraceptionMedication Web-Based Screening Tool FY24 Budget Request"
FROM: "Krisann Humphreys Baco... (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: natechecketts@utah.gov
CC: davidlitvack@utah.gov, natewinters@utah.gov, swatkins@utah.gov, tracygruber@utah.gov
DATE: 14/09/2022 12:48

[redacted]

[redacted] Fireworks, spotlighting service, and more

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

[redacted]

[redacted]

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SUBJECT: Re: TIME SENSITIVE: R414-2A five year review
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 14/09/2022 13:47

Is it worth taking a look again given the changing landscape?

Tracy S. Gruber
Executive Director
Utah Department of Health & Human Services

> On Sep 14, 2022, at 9:38 AM, Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
>
> Good question. I don't see anything immediately problematic in this rule related to those two issues; however, I don't know the last time those issues have been reviewed in policy. I remember Tonya did a thorough review of abortion policy and procedure but that may have been five years or so ago.
>
> Thanks,
>
> Nate
>
> On Wed, Sep 14, 2022 at 5:45 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
> Good morning.
>
> There are references to abortion and detox in this rule. Since this is 5-year continuation, I approved it but It had me thinking about whether the time is right to look at the requirements of the rules given changes both legally and socially on these two issues. When was the last time those other requirements were reviewed? Are we still comfortable with the requirements included in those rules?
>
> Tracy
>
> ---------- Forwarded message ---------
> From: **Tracy Gruber (DHHS)** <tracygruber@utah.gov>
> Date: Wed, Sep 14, 2022 at 7:38 AM
> Subject: Re: TIME SENSITIVE: R414-2A five year review
> To: Stephanie Saperstein <stephaniesaperstein@utah.gov>
> CC: Nate Checketts <natechecketts@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>, Craig Devashrayee (DHHS) <cdevashrayee@utah.gov>, Jonah Shaw (DHHS) <jshaw@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Skyla Allen <skylaallen@utah.gov>

[redacted]

This rule is approved for continuation.

Tracy

Tracy S. Gruber
Executive Director
Utah Department of Health & Human Services

On Sep 13, 2022, at 10:48 PM, Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:

Tracy,

[redacted]

Stephanie

--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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--
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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[redacted]

[redacted] Fireworks, spotlighting service, and more

SUBJECT: Re: Document shared with you: "Self-Administered HormonalContraception Medication Web-Based Screening Tool FY24 Budget Request"
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: davidlitvack@utah.gov, natewinters@utah.gov, swatkins@utah.gov, tracygruber@utah.gov, Michelle Hofmann <mhofmann@utah.gov>
CC: "Krisann Humphreys Baco..." <krisannbacon@utah.gov>
DATE: 14/09/2022 13:49

Is this request one that we could fund with redirected funding and absorb the ongoing within existing budgets?

Thanks,

Nate

On Wed, Sep 14, 2022 at 12:48 PM Krisann Humphreys Baco... (via Google Docs) <drive-shares-dm-noreply@google.com> wrote:

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

[redacted]

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SUBJECT: Self-Administered... - @krisannbacon@utah.gov Is this the ri...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 14/09/2022 13:53

[redacted]

[redacted] Fireworks, spotlighting service, and more

Krisann Humphreys Bacon (DHHS) replied to an action item in the following document

[redacted]

[redacted]

[redacted]

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

[redacted] …

[redacted]

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--
Shari Watkins
Director, Finance and Administration
C: 801.702.9436
swatkins@utah.gov
health.utah.gov
hs.utah.gov

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SUBJECT: Re: Document shared with you: "Self-Administered HormonalContraception Medication Web-Based Screening Tool FY24 Budget Request"
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: "Shari Watkins (DHHS)" <swatkins@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 14/09/2022 14:04

I just developed it starting Friday per direction from Tracy so it's probably not on the list.

Krisann Bacon
Special Projects | Executive Director's Office

[redacted]

C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Wed, Sep 14, 2022 at 1:55 PM Shari Watkins (DHHS) <swatkins@utah.gov> wrote:
I didn't remember this being on our final prioritized list, but it may be on the internal funding list.

On Wed, Sep 14, 2022 at 1:49 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Is this request one that we could fund with redirected funding and absorb the ongoing within existing budgets?

Thanks,

Nate

On Wed, Sep 14, 2022 at 12:48 PM Krisann Humphreys Baco... (via Google Docs) <drive-shares-dm-noreply@google.com> wrote:

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

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--
Shari Watkins
Director, Finance and Administration
C: 801.702.9436
swatkins@utah.gov
health.utah.gov
hs.utah.gov

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SUBJECT: Re: Document shared with you: "Self-Administered HormonalContraception Medication Web-Based Screening Tool FY24 Budget Request"
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Shari Watkins (DHHS)" <swatkins@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>
DATE: 14/09/2022 14:13

Shari,

This request is being considered as part of the Family Policy item we have on our list. However, I am wondering if we should place it on the internal funding list instead.

Thanks,

Nate

On Wed, Sep 14, 2022 at 2:04 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
I just developed it starting Friday per direction from Tracy so it's probably not on the list.

Krisann Bacon
Special Projects | Executive Director's Office
C: 385.377.4168
krisannbacon@utah.gov
dhhs.utah.gov

On Wed, Sep 14, 2022 at 1:55 PM Shari Watkins (DHHS) <swatkins@utah.gov> wrote:
I didn't remember this being on our final prioritized list, but it may be on the internal funding list.

On Wed, Sep 14, 2022 at 1:49 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
Is this request one that we could fund with redirected funding and absorb the ongoing within existing budgets?

Thanks,

Nate

On Wed, Sep 14, 2022 at 12:48 PM Krisann Humphreys Baco... (via Google Docs) <drive-shares-dm-noreply@google.com> wrote:

[redacted]

[redacted] Fireworks, spotlighting service, and more

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

[redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because krisannbacon@utah.gov shared a document with you from Google Docs.

Google logo

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--
Shari Watkins
Director, Finance and Administration
C: 801.702.9436
swatkins@utah.gov
health.utah.gov
hs.utah.gov

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SUBJECT: Self-Administered... - @krisannbacon@utah.gov Is this the ri...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 14/09/2022 14:33

[redacted]

[redacted]

Fireworks, spotlighting service, and more

[redacted]

View files with action items assigned to you

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread by Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov). Change what Google sends you. You can reply to this email to reply to the discussion.

SUBJECT: Re: TIME SENSITIVE: R414-2A five year review
FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 14/09/2022 15:00

Hi Tracy and Nate,
I am really glad you brought up this 5 year renewal.
I had similar thoughts when I reviewed this rule (that i needed a further review).
We will plan to do that and let you know if any changes / updates are needed or not.

Thank you!
jen

On Wed, Sep 14, 2022 at 1:47 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Is it worth taking a look again given the changing landscape?

Tracy S. Gruber
Executive Director

[redacted]

[redacted] Fireworks, spotlighting service, and more

Utah Department of Health & Human Services

On Sep 14, 2022, at 9:38 AM, Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:

Good question. I don't see anything immediately problematic in this rule related to those two issues; however, I don't know the last time those issues have been reviewed in policy. I remember Tonya did a thorough review of abortion policy and procedure but that may have been five years or so ago.

Thanks,

Nate

On Wed, Sep 14, 2022 at 5:45 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
Good morning.

There are references to abortion and detox in this rule. Since this is 5-year continuation, I approved it but It had me thinking about whether the time is right to look at the requirements of the rules given changes both legally and socially on these two issues. When was the last time those other requirements were reviewed? Are we still comfortable with the requirements included in those rules?

Tracy

---------- Forwarded message ---------
From: **Tracy Gruber (DHHS)** <tracygruber@utah.gov>
Date: Wed, Sep 14, 2022 at 7:38 AM
Subject: Re: TIME SENSITIVE: R414-2A five year review
To: Stephanie Saperstein <stephaniesaperstein@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>, Craig Devashrayee (DHHS) <cdevashrayee@utah.gov>, Jonah Shaw (DHHS) <jshaw@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Skyla Allen <skylaallen@utah.gov>

This rule is approved for continuation.

Tracy

Tracy S. Gruber
Executive Director
Utah Department of Health & Human Services

On Sep 13, 2022, at 10:48 PM, Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:

Tracy,

[redacted]

Stephanie

--
Stephanie M. Saperstein
Section Director, Health Section
Environment and Health Division
Assistant Attorney General
288 North 1460 West, P.O. Box 141000
Salt Lake City, Utah 84114-0851

Phone: 801-680-7690

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--
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

[redacted]

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SUBJECT: Re: Document shared with you: "Self-Administered HormonalContraception Medication Web-Based Screening Tool FY24 Budget Request"
FROM: "Shari Watkins (DHHS)" <swatkins@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
CC: "David Litvack (DHHS)" <davidlitvack@utah.gov>, "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>, "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>, "Don Moss (DHHS)" <donmoss@utah.gov>
DATE: 14/09/2022 17:49

Yes, I think we should put it on the internal list.

On Wed, Sep 14, 2022 at 2:13 PM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
> Shari,
>
> This request is being considered as part of the Family Policy item we have on our list. However, I am wondering if we should place it on the internal funding list instead.
>
> Thanks,
>
> Nate
>
> On Wed, Sep 14, 2022 at 2:04 PM Krisann Humphreys Bacon (DHHS) <krisannbacon@utah.gov> wrote:
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> >
> > **Krisann Bacon**
> > Special Projects | Executive Director's Office
> > C: 385.377.4168
> > krisannbacon@utah.gov
> > dhhs.utah.gov
> >
> > On Wed, Sep 14, 2022 at 1:55 PM Shari Watkins (DHHS) <swatkins@utah.gov> wrote:
> > > I didn't remember this being on our final prioritized list, but it may be on the internal funding list.
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> > > > Is this request one that we could fund with redirected funding and absorb the ongoing within existing budgets?

[redacted]

Thanks,

Nate

On Wed, Sep 14, 2022 at 12:48 PM Krisann Humphreys Baco... (via Google Docs) <drive-shares-dm-noreply@google.com> wrote:

Krisann Humphreys Bacon (DHHS) shared a document

Unknown profile [redacted]

[redacted]

[redacted]

[redacted]

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--
Shari Watkins
Director, Finance and Administration
C: 801.702.9436
swatkins@utah.gov
health.utah.gov
hs.utah.gov

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[redacted]

[redacted] Fireworks, spotlighting service, and more

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Shari Watkins
Director, Finance and Administration
C: 801.702.9436
swatkins@utah.gov
health.utah.gov
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SUBJECT: Re: TIME SENSITIVE: R414-2A five year review
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 14/09/2022 19:27

Thank you!

Tracy S. Gruber
Executive Director
Utah Department of Health & Human Services

> On Sep 14, 2022, at 5:00 PM, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov> wrote:
>
> Hi Tracy and Nate,
> I am really glad you brought up this 5 year renewal.
> I had similar thoughts when I reviewed this rule (that i needed a further review).
> We will plan to do that and let you know if any changes / updates are needed or not.
>
> Thank you!
> jen
>
> On Wed, Sep 14, 2022 at 1:47 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
> Is it worth taking a look again given the changing landscape?
>
> Tracy S. Gruber
> Executive Director
> Utah Department of Health & Human Services
>
> > On Sep 14, 2022, at 9:38 AM, Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
> >
> > Good question. I don't see anything immediately problematic in this rule related to those two issues; however, I don't know the last time those issues have been reviewed in policy. I remember Tonya did a thorough review of abortion policy and procedure but that may have been five years or so ago.
> >
> > Thanks,
> >
> > Nate
> >
> > On Wed, Sep 14, 2022 at 5:45 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:
> > Good morning.
> >
> > There are references to abortion and detox in this rule. Since this is 5-year continuation, I approved it but It had me thinking about whether the time is right to look at the requirements of the rules given changes both legally and socially on these two issues.

[redacted]

When was the last time those other requirements were reviewed? Are we still comfortable with the requirements included in those rules?

Tracy

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To: Stephanie Saperstein <stephaniesaperstein@utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>, Jennifer Strohecker (DHHS) <jstrohecker@utah.gov>, Craig Devashrayee (DHHS) <cdevashrayee@utah.gov>, Jonah Shaw (DHHS) <jshaw@utah.gov>, Nate Winters (DHHS) <natewinters@utah.gov>, Skyla Allen <skylaallen@utah.gov>

This rule is approved for continuation.

Tracy

Tracy S. Gruber
Executive Director
Utah Department of Health & Human Services

> On Sep 13, 2022, at 10:48 PM, Stephanie Saperstein <stephaniesaperstein@utah.gov> wrote:
>
> Tracy,
>
> I recommend continuation of the following rule:
>
> [redacted]
>
> Stephanie
>
> --
> Stephanie M. Saperstein
> Section Director, Health Section
> Environment and Health Division
> Assistant Attorney General
> 288 North 1460 West, P.O. Box 141000
> Salt Lake City, Utah 84114-0851
>
> Phone: 801-680-7690
>
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--
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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SUBJECT: DAAS ASI
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Tonya Hales <thales@utah.gov>
DATE: 15/09/2022 11:31

Another one I can't forward

SUBJECT: Invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm - 3:45pm(MDT) (natechecketts@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: natechecketts@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, "Greg Bateman (DHHS)" <gbateman@utah.gov>, nholmgren@utah.gov, thales@utah.gov, jstrohecker@utah.gov
DATE: 15/09/2022 11:38

[redacted] Fireworks, spotlighting service, and more

Link to document: https://le.utah.gov/Interim/2022/html/00003428.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

1. Committee Business
* Call to order
* Approval of the minutes of the June 15, 2022, and August 17, 2022, meetings.
* Requests for committee bill files

2. Behavioral Health Receiving Centers **(Brent Kelsey, Amanda Alkema)**

3. Sunset Review - Behavioral Health Receiving Center Grant Program **(Brent Kelsey, Amanda Alkema)**

4. Sunset Review - Behavioral Health Crisis Response Commission**(Brent Kelsey, Amanda Alkema)**

5. Sunset Review - Forensic Mental Health Coordinating Council **(Eliason presenting; Brent Kelsey, Amanda Alkema available for questions)**

6. Healthcare Reform - Prescription Drugs **(Rep. Ward)**

7. Medicaid - Pregnancy Postpartum Coverage **(Rep. Lesser)**

8. Sunset Review - Assisted Living Facility Transfers **(Alianne Sipes/Donovan Bergstrom/Greg Bateman/Nels)**

9. Adjourn

When
Wednesday Sep 21, 2022 · 1:15pm – 3:45pm (Mountain Time - Denver)

Location
Room 30 House Building
View map

Guests
bkelsey@utah.gov
aalkema@utah.gov
asipes@utah.gov
dbergst@utah.gov
Greg Bateman (DHHS)
nholmgren@utah.gov
natechecketts@utah.gov
thales@utah.gov
jstrohecker@utah.gov
View all guest info

Reply for natechecketts@utah.gov

Yes No Maybe More options

Invitation from Google Calendar
You are receiving this email because you are subscribed to calendar notifications. To stop receiving these emails, go to Calendar settings, select this calendar, and change "Other notifications".
Forwarding this invitation could allow any recipient to send a response to the organizer, be added to the guest list, invite others regardless of their own invitation status, or modify your RSVP. Learn more

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SUBJECT: Updated invitation: HHS Interim Committee @ Wed Sep 21, 2022 1:15pm -3:45pm (MDT) (natechecketts@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: natechecketts@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, thales@utah.gov, jstrohecker@utah.gov, kristigrimes@utah.gov
DATE: 15/09/2022 12:35

This event has been updated
Changed: description

[redacted]

[redacted] Fireworks, spotlighting service, and more

Description CHANGED
Link to document: https://le.utah.gov/Interim/2022/html/00003428.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

1. Committee Business
* Call to order
* Approval of the minutes of the June 15, 2022, and August 17, 2022, meetings.
* Requests for committee bill files

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8. Sunset Review - Assisted Living Facility Transfers **(Alianne Sipes/Donovan Bergstrom/Kristi Grimes/Nels)**

9. Adjourn

When
Wednesday Sep 21, 2022 · 1:15pm – 3:45pm (Mountain Time - Denver)

Location
Room 30 House Building
View map

Guests
bkelsey@utah.gov
aalkema@utah.gov
asipes@utah.gov
dbergst@utah.gov
nholmgren@utah.gov
natechecketts@utah.gov
thales@utah.gov
jstrohecker@utah.gov
kristigrimes@utah.gov
View all guest info

Reply for natechecketts@utah.gov

Yes No Maybe More options

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SUBJECT: Canceled event with note: Internal Coordination-Access toContraception/Family Poli... @ Tue Sep 20, 2022 7:30am - 8am (MDT) (natechecketts@utah.gov)
FROM: "Krisann Humphreys Bacon (DHHS)" <krisannbacon@utah.gov>
TO: natechecketts@utah.gov
DATE: 16/09/2022 07:43

This event has been canceled and removed from your calendar with a note:
"Since Laurie, Leisha, Noel, and I connected last week we can cancel this meeting. "

[redacted]

[redacted] Fireworks, spotlighting service, and more

Join with Google Meet

Meeting link
[redacted]

Join by phone
(US) [redacted]

More phone numbers

I apologize for the early meeting, schedules are tough as you know and we thought it would be a good idea to coordinate internally as soon as possible on this topic since many discussions are taking place.

When
Tuesday Sep 20, 2022 · 7:30am – 8am (Mountain Time - Denver)

Guests
krisannbacon@utah.gov - organizer
Laurie Baksh (DHHS)
Noel Taxin (DHHS)
Leisha Nolen (DHHS)
Tracy Gruber (DHHS)
David Litvack (DHHS)
natechecketts@utah.gov

Invitation from Google Calendar
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SUBJECT: Medicaid Postpartum Coverage
FROM: "Paul Ray (DHHS)" <pray@utah.gov>
TO: Mike Kennedy <mkennedy@le.utah.gov>
CC: Nate Checketts <natechecketts@utah.gov>, Marc Watterson <mwatterson@utah.gov>
DATE: 16/09/2022 12:13

Sen. Kennedy,

Thank you for taking the time to chat this morning, I just wanted to follow up with answers to your questions.
1. What is the cost: $2,948,500
2. How many women are in coverage: On an annual basis, we have an average of 3,300 women who have coverage for 60 days. Of that number, 1600 normally qualify to continue coverage and 1,700 would be discontinued. With extension of coverage to 12 months, the remaining 1,700 that would have lost coverage will now maintain that coverage.

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Please let me know if you have any additional questions or concerns.

Thanks,

Paul

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Paul Ray
Assistant Director
Office of Legislative Affairs
C: 801-540-0714
pray@utah.gov

[redacted]

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TO: Brian Roach <broach@utah.gov>
CC: Jennifer Strohecker <jstrohecker@utah.gov>, "Eric Grant (DHHS)" <egrant@utah.gov>, Tonya Hales <thales@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>
DATE: 16/09/2022 12:26

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Nate

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TO: Tonya Hales <thales@utah.gov>, Brian Roach <broach@utah.gov>,Brent Kelsey DHS <bkelsey@utah.gov>,Jennifer Strohecker <jstrohecker@utah.gov>,"Eric Grant (DHHS)" <egrant@utah.gov>
DATE: 16/09/2022 13:42

Nate Checketts (DHHS), 2022-09-16 12:42:46
Did the ACO group have a recommendation on where the UMIC model would best apply? What counties? What populations?

Eric Grant (DHHS), 2022-09-16 12:45:12
They did not. I'll ask when there is a lull in the conversation.

Brian Roach, 2022-09-16 12:46:19
Eric, wasn't that part of the conversation in the first subworkgroup meeting?

Brian Roach, 2022-09-16 12:47:30
(I wasn't there, but I thought that was part)

Eric Grant (DHHS), 2022-09-16 12:47:33
Your right. I had to comb back through my notes. Nate, they suggested that it be limited to the 4 mandatory counties.

Eric Grant (DHHS), 2022-09-16 12:47:45
Wasatch front

Nate Checketts (DHHS), 2022-09-16 12:49:05

Nate Checketts (DHHS), 2022-09-16 12:49:19
All TAM?

Jennifer Strohecker, 2022-09-16 13:19:22
What we discussed is that O-track provides this report...but I didn't realize it didn't include jails

Nate Checketts (DHHS), 2022-09-16 13:19:24
Who from this group will be on the Dunnigan call with DWS?

Nate Checketts (DHHS), 2022-09-16 13:19:50
As Emma said, we didn't get funding to connect with jails.

Jennifer Strohecker, 2022-09-16 13:20:09
I would like to be on that call.
But yes, I didn't appreciate that during the convo on Monday

Nate Checketts (DHHS), 2022-09-16 13:20:19
We could use some of our one-time to fund the connections.

Jennifer Strohecker, 2022-09-16 13:20:39
Good idea.

Nate Checketts (DHHS), 2022-09-16 13:20:53
We should trouble shoot this current comment offline. it's not the way policy works.

Nate Checketts (DHHS), 2022-09-16 13:21:13
We need names after the meeting

Brian Roach, 2022-09-16 13:21:30

Agreed, it's not what's supposed to happen

Nate Checketts (DHHS), 2022-09-16 13:21:42
Is it a priority issue in eREP

Nate Checketts (DHHS), 2022-09-16 13:22:02
One plan taking priority over another

Brian Roach, 2022-09-16 13:22:13
TAM is supposed to be priority

Brian Roach, 2022-09-16 13:22:51
We'll investigate

Brian Roach, 2022-09-16 13:30:16
Ok, clarification from Michelle
TAM coverage will end prior to the 12-month certification period if the individual:
a. Turns age 65;
b. Moves out of state;
c. Fails to apply for other benefits;
d. Becomes institutionalized (See 604 for suspending coverage); or
e. Is determined eligible for another Medicaid program, with the exception of Adult Expansion, Refugee or Medically Needy.

So (e) is the problem here. We'll keep them on TAM if the alternative is those three programs. But if they become eligible for legacy Medicaid (PCR), they would change

Nate Checketts (DHHS), 2022-09-16 13:33:23
It's worth revisiting with Eligibility to see if we want to keep the current priority. Not sure how CMS would respond to a request to make this change.

Jennifer Strohecker, 2022-09-16 13:34:25
I like that idea, Nate. If our objective is to achieve stability /continuity and support services for this population, it would be hard....just as they make steps of improvement...to have them transition off

Brian Roach, 2022-09-16 13:35:38
I think CMS would accept that change as long as we pay traditional FMAP for those changes. So a TAM member that becomes pregnant or gets reunified with children would keep the TAM benefits, at the lower match rate

Nate Checketts (DHHS), 2022-09-16 13:44:53
Is the intent that the group vote today on a single recommendation or is DIH receiving the reports and taking them under consideration as it makes it decision?

Jennifer Strohecker, 2022-09-16 13:45:18
I was hoping to have the group vote today.... and then we take it back to work on it

Jennifer Strohecker, 2022-09-16 13:45:27
is everyone else in agreement with that?

Jennifer Strohecker, 2022-09-16 13:45:37
(are you in agreement with that?)

Brian Roach, 2022-09-16 13:46:06
Just as long as the vote has the nuance based on geographic area. We may want to take a vote by urban/rural/frontier?

Nate Checketts (DHHS), 2022-09-16 13:46:09
The final decision is our decision not the group's decision.

Jennifer Strohecker, 2022-09-16 13:46:38
**I was also going to make it clear that state/cms has to approve all of this... and this will be taken into consideration. And that the timeline is to have a recommended model by July..not to have it in place by then

Jennifer Strohecker, 2022-09-16 13:47:04
Yes- they are giving a recommendation, not a final decision

Nate Checketts (DHHS), 2022-09-16 13:47:49
Correct, we are directed to collaborate with the working group but the law doesn't give them the decision making authority

Nate Checketts (DHHS), 2022-09-16 13:50:15
Any recommendations from the group to handle things differently in urban vs. rural areas?

Brian Roach, 2022-09-16 13:51:07
My subgroup wanted FFS+Case Management to be a last resort if counties "failed" to select a different model

Brian Roach, 2022-09-16 13:51:21
And they envisioned that would likely only be in frontier areas

Brian Roach, 2022-09-16 13:53:01
Some workgroup members may not be on the call

Brent Kelsey DHS, 2022-09-16 13:54:25
I beleive that ACO in the current footprint makes sense. However, maybe we start with a request for statewide.

Brian Roach, 2022-09-16 13:55:25
To Pat's point... the ACO's are on this call already!?

Brian Roach, 2022-09-16 13:56:53

This is weird to talk about them in the third person and they are here

Nate Checketts (DHHS), 2022-09-16 13:58:14
I agree we should hold off on vote for now

Jennifer Strohecker, 2022-09-16 13:58:18
Does it need to stay in the working group for this?

Jennifer Strohecker, 2022-09-16 13:58:28
I mean this discussion with the ACO's?

Nate Checketts (DHHS), 2022-09-16 13:58:42
I don't agree with Scott. He is pushing one solution and I don't know if I agree with it.

Jennifer Strohecker, 2022-09-16 13:58:57
I am just wondering if it needs to be a public meeting

Brian Roach, 2022-09-16 13:59:03
I think it does Jen

Nate Checketts (DHHS), 2022-09-16 13:59:08
I don't know if we need one more party between us and the ACOs

Brian Roach, 2022-09-16 13:59:20
(I'll defer to Nate)

Nate Checketts (DHHS), 2022-09-16 13:59:45
I would set up a follow up meeting for the ACOs to present and then another meeting to vote

Jennifer Strohecker, 2022-09-16 14:00:32
Good idea.

Jennifer Strohecker, 2022-09-16 14:02:05
oh my

Brent Kelsey DHS, 2022-09-16 14:02:16
nice job jen.

Nate Checketts (DHHS), 2022-09-16 14:02:16
Jen, if possible, I would like to join you for your discussion with Dunnigan

Jennifer Strohecker, 2022-09-16 14:02:27
yes.

Nate Checketts (DHHS), 2022-09-16 14:02:48
It got a little bit messy but we ended up ok in the end

Jennifer Strohecker, 2022-09-16 14:03:05
I'll send him a text and include you

Nate Checketts (DHHS), 2022-09-16 14:03:11
We should find a time to coordinate and walk through the next steps for 413

Jennifer Strohecker, 2022-09-16 14:03:20
Yes.

Nate Checketts (DHHS), 2022-09-16 14:03:23
with this leadership group

Jennifer Strohecker, 2022-09-16 14:04:20
I think we will have to schedule it for Thur/Fri next week. I will find a time. Monday eveyrone is in leadership training and then I am in Denver Tues-Thur afternoon. I will see if we can meet THur before I fly home

Brent Kelsey DHS, 2022-09-16 14:08:45
Nate: I agree. we do not need one more party betwen us and the ACO's. It was an idea that really picked up steam with the providers in my group. I think the important issue for us to address is timely payment. I also think that strengthening our role and oversight of the ACO's could provide this function. The group disagreed.

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👍

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Please let me know if you have any additional questions or concerns.

Thanks,

Paul

--
Paul Ray
Assistant Director
Office of Legislative Affairs
C: 801-540-0714
pray@utah.gov

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SUBJECT: Re: Medicaid Postpartum Coverage
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Brian Roach (DHHS)" <broach@utah.gov>
CC: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Eric Grant (DHHS)" <egrant@utah.gov>, Tonya Hales <thales@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>
DATE: 16/09/2022 14:34

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FROM: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>

[redacted]

[redacted] Fireworks, spotlighting service, and more

CC: "Brian Roach (DHHS)" <broach@utah.gov>, "Eric Grant (DHHS)" <egrant@utah.gov>, Tonya Hales <thales@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>
DATE: 16/09/2022 14:37

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TO: "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 16/09/2022 14:40

👍

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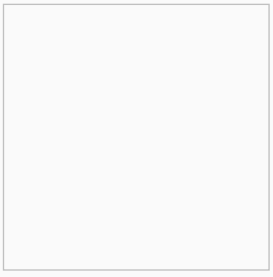

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SUBJECT: Re: Medicaid Postpartum Coverage
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: Mike Kennedy <mkennedy@le.utah.gov>
CC: Marc Watterson <mwatterson@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, Jennifer Strohecker <jstrohecker@utah.gov>
DATE: 16/09/2022 15:16

Senator,

We need to correct the number of women that would be impacted by this proposal. The total estimated cost is still correct; however, our analyst missed a portion of the information when he pulled the estimated number of women impacted by the change.

The correct figures

8,900 women in total per year:

- 2,000 women would gain new coverage
- 2,000 women would stay on the pregnant woman program instead of moving to adult expansion
- 4,900 women would stay on the pregnant woman program instead of moving to another non-expansion program

We wanted to make sure you had the correct numbers and apologize for the error.

Thanks,

Nate

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[redacted]

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SUBJECT: Fwd: DHHS-Tabula Rasa Data Sharing Agreement FInal
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Spencer Hall (DHHS)" <spencerhall@utah.gov>
CC: Jennifer Strohecker <jstrohecker@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, Tonya Hales <thales@utah.gov>
DATE: 18/09/2022 21:54

For your records

Thanks,

Nate

On Mon, Sep 12, 2022 at 9:08 AM Nate Checketts (DHHS) <natechecketts@utah.gov> wrote:
FYI - A group at the U brought us in contact with Tabula Rasa. Tabula offered to analyze Medicaid prescriptions for no charge and provide insight on where the program could improve its pharmacy program. After reviewing with legal and privacy, Jen and Kyle have signed this limited use data agreement. We will see what insights Tabula provides.

Thanks,

Nate

On Mon, Sep 12, 2022 at 7:58 AM Mark Munger <mark.munger@hsc.utah.edu> wrote:
Dear Jennifer, Stephanie, and Nate,

Here is the final signed Data Sharing Agreement. Thanks to all of you for your diligence and efforts towards this end.

We look forward to the next steps.

All the Best

Mark

Mark A. Munger, Pharm.D., F.C.C.P., F.A.C.C., F.H.F.S.A.

[redacted]

Professor, Pharmacotherapy
Adjunct Professor, Internal Medicine
Fellow, Academy of Health Science Educators
Associate Dean, College Affairs, College of Pharmacy
University of Utah
30 South, 2000 East, Rm #4958
SLC, Utah 84112-5820
(801) 581-6165
Fax: 801 587-8923

SUBJECT: Updated invitation with note: HHS Interim Committee @ Wed Sep 21,2022 1:15pm - 3:45pm (MDT) (natechecketts@utah.gov)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: natechecketts@utah.gov, bkelsey@utah.gov, aalkema@utah.gov, asipes@utah.gov, dbergst@utah.gov, nholmgren@utah.gov, thales@utah.gov, jstrohecker@utah.gov
DATE: 19/09/2022 10:25

This event has been updated with a note:
"A link for the Detailed Agenda has been added to the meeting description. "

Changed: description

Description CHANGED
Link to Detailed Agenda: https://le.utah.gov/interim/2022/pdf/00003491.pdf

Link to document: https://le.utah.gov/Interim/2022/html/00003428.htm
Link to committee page: https://le.utah.gov/committee/committee.jsp?year=2022&com=INTHHS

1. Committee Business
* Call to order
* Approval of the minutes of the June 15, 2022, and August 17, 2022, meetings.
* Requests for committee bill files

2. Behavioral Health Receiving Centers **(Brent Kelsey, Amanda Alkema)**

3. Sunset Review - Behavioral Health Receiving Center Grant Program **(Brent Kelsey, Amanda Alkema)**

4. Sunset Review - Behavioral Health Crisis Response Commission**(Brent Kelsey, Amanda Alkema)**

5. Sunset Review - Forensic Mental Health Coordinating Council **(Eliason presenting; Brent Kelsey, Amanda Alkema available for questions)**

6. Healthcare Reform - Prescription Drugs **(Rep. Ward)**

7. Medicaid - Pregnancy Postpartum Coverage **(Rep. Lesser)**

8. Sunset Review - Assisted Living Facility Transfers **(Alianne Sipes/Donovan Bergstrom/Kristi Grimes/Nels)**

9. Adjourn

When
Wednesday Sep 21, 2022 · 1:15pm – 3:45pm (Mountain Time - Denver)

Location
Room 30 House Building
View map

Guests
bkelsey@utah.gov
aalkema@utah.gov
asipes@utah.gov
dbergst@utah.gov
nholmgren@utah.gov
natechecketts@utah.gov
thales@utah.gov
jstrohecker@utah.gov
kristigrimes@utah.gov
View all guest info

Reply for natechecketts@utah.gov
Yes No Maybe More options

[redacted]

[redacted] Fireworks, spotlighting service, and more

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SUBJECT: REMINDER - Legislative Reports Due by October 1st
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
CC: "Braden Ainsworth (DHHS)" <bainsworth@utah.gov>, "Brandi Frandsen (DHHS)" <btfrands@utah.gov>, "Rebekka Wilkinson (DHHS)" <rnwilkinson@utah.gov>, "Tyler Fisher (DHHS)" <tfisher@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "Andreas Rohrwasser (DHHS)" <arohrwasser@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Ethan Farnsworth (DHHS)" <efarnsworth@utah.gov>, "Al Romeo (DHHS)" <alromeo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, "Shari Watkins (DHHS)" <swatkins@utah.gov>, "Taylor Kauffman (DHHS)" <tckauffman@utah.gov>
DATE: 19/09/2022 12:40

If you are on this email you have either been identified as:

1. Responsible for writing a report; or
2. Responsible for reviewing a report

The following reports are due to the Legislature by October 1, 2022:

- For those reports ready for EDO review, a google doc link has been included.
- For those reports that do not have a google doc included, **these reports are due to EDO no later than this FRIDAY, September 23** (to give EDO at least one week for review).

As a reminder, these reports are legislatively required. Some of them are recurring reports that have individual citations in code. Other reports are required as intent language passed in various budget bills this year.

If you feel you were incorrectly identified as being responsible for the report, please send a message to me, your ELT-level supervisor, and the staff member you feel should be responsible.

Please make these a priority so we can meet these legislative deadlines.

Here is the link for the NEW DHHS Legislative Report Template

- Report Templates: Click on "File" the third option down is "Make a Copy". This will allow you and your team to make a copy while preserving the template.

These are just the reports that OLA has taken the lead on. DFA has another list of required reports they are responsible for

Report	Code	Who is Writing	Google Link	Approved?
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	Aug-22
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
The Legislature intends that the Department of Health and Human Services report to the Social Services Appropriations Subcommittee by October 1, 2022 projected Medicaid match by funding source for tobacco cessation efforts based on new cost allocation methodology.	HB 7	Brandi Frandsen and Rebekka Wilkinson (Braden Ainsworth support)	[redacted]	
In accordance with UCA 63J-1-903, the Legislature intends that the Department of Health and Human Services report on the following performance measures for the Public Health, Prevention, and Epidemiology line item, whose mission is "prevent chronic disease and injury, rapidly detect and investigate communicable diseases and environmental	HB 7	Tyler Fisher (for 1) Teresa Brechlin (for 2) Braden Ainsworth (for 3)	1) https://ptc.health.utah.gov/wp-content/uploads/2021/10/2019-Utah-Gonorrhea-Profile-1.pdf 2) 3) 7.8%	

[redacted]

health hazards, provide prevention-focused education, and institute control measures to reduce and prevent the impact of disease." The department shall report to the Office of the Legislative Fiscal Analyst and to the Governor's Office of Planning and Budget before October 1, 2022, the final status of performance measures established in FY 2022 appropriations bills. For FY 2023, the department shall report the following performance measures: 1) gonorrhea cases per 100,000 population (Target = 109 people or less); 2) Accidental/Undetermined Overdose Deaths Involving at Least One Opioid Prescription (Target = 220); and 3) The rate of youth in grades 8, 10, and 12 who are current vape product users (Target = 7% or less).				
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Checketts?		
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger		
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-	Ethan		

[redacted]

	11(5)	Farnsworth?		
Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin		
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo		
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie		
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker (Medicaid)		

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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[redacted]

[redacted]

SUBJECT: SHVS Bi-Weekly Digest
FROM: Heather Howard <heatherh@princeton.edu>
TO: <natechecketts@utah.gov>
DATE: 20/09/2022 10:28

[redacted]

State Health and Value Strategies

Bi-Weekly Digest

Published every other week, this Digest features publications, noteworthy products and upcoming webinars. Be sure to also check out the most recent additions to our COVID-19 Resource Page, our Health Equity Resources and our Resources for States on Unwinding the Medicaid Continuous Coverage Requirement.

New Expert Perspective

Federal Court Decision Threatens the ACA's Preventive Services Benefit: State Options to Mitigate Harm to Consumers

SHVS Resources

- New issue brief: *Protecting Coverage for Postpartum Individuals at the End of the Public Health Emergency*
- New expert perspective: *CMS Proposed Rule on Medicaid and CHIP Eligibility, Enrollment, and Renewal*
- New expert perspective: *Overview of the Public Charge Final Rule*

State Updates

- California – Governor Gavin Newsom signed the Community Assistance, Recovery, and Empowerment Act to enact CARE Court, a framework which will provide more upstream care to individuals with severe mental health and substance use disorders. This will allow families, clinicians, and first responders to make psychiatric referrals ahead of conservatorships and outside the walls of institutions. The law is bolstered by the state's $15.3 billion in funding to tackle homelessness and $11.6 billion annually in mental health services.
- Oklahoma – A task force created by Oklahoma Governor Kevin Stitt recommended that the state extend Medicaid postpartum coverage to 12 months from 60 days and increase the Medicaid eligibility income limit for

pregnant woman to 205% of poverty. The current limit is 138%. Both policy changes will require CMS approval and would extend coverage to 2,500 women in the state.

- Oregon – The U.S. Department of Health and Human Services (HHS), through CMS, approved the Oregon Health Authority's (OHA) state plan amendment (SPA) to offer Medicaid community-based mobile crisis intervention services for individuals experiencing mental health and substance use crises. This first-in-the-nation SPA was made possible through the American Rescue Plan Act, which became available to states in April 2022. For more on this new option for states to invest in equitable, comprehensive and integrated crisis services, see this SHVS brief.

See More

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Princeton, NJ 08540

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SUBJECT: Self-Administered... - @swatkins@utah.gov @tckauffman@utah.g...
FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 09:22

[redacted]

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in a comment in the following document

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because you are mentioned in this thread by Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov). Change what Google sends you. You can reply to this email to reply to the discussion.

SUBJECT: Self-Administered... - @swatkins@utah.gov @tckauffman@utah.g...
FROM: "Taylor Kauffman (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 10:16

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Krisann Humphreys Bacon (DHHS) (krisannbacon@utah.gov) mentioned you in a comment in the following document

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SUBJECT: Copy of Building ... - @natechecketts@utah.gov are we comple...
FROM: Google Docs <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 11:00

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Taylor Kauffman (DHHS) (tckauffman@utah.gov) mentioned you in a comment in the following document

[redacted]

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FROM: "Krisann Humphreys Baco... (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 11:02

[redacted]

[redacted]

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FROM: "Taylor Kauffman (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 11:15

[redacted]

[redacted]

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[redacted]

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[redacted]

[redacted]

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FROM: Google Docs <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 11:43

[redacted]

[redacted]

Fireworks, spotlighting service, and more

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[redacted]

[redacted]

[redacted]

[redacted] Fireworks, spotlighting service, and more

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FROM: Google Docs <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 12:17

[redacted]

[redacted]

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SUBJECT: Copy of Building ... - @natechecketts@utah.gov are we comple...
FROM: "Brian Roach (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 12:28

[redacted]

[redacted]

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[redacted]

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FROM: "Taylor Kauffman (DHHS) (Google Docs)" <comments-noreply@docs.google.com>
TO: natechecketts@utah.gov
DATE: 21/09/2022 14:11

[redacted]

[redacted]

Fireworks, spotlighting service, and more

Taylor Kauffman (DHHS) (tckauffman@utah.gov) mentioned you in a comment in the following document

[redacted]

[redacted]

[redacted]

[redacted] Fireworks, spotlighting service, and more

SUBJECT: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: DHHS_EDO <dhhsedo@utah.gov>
CC: "Paul Ray (DHHS)" <pray@utah.gov>, "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 23/09/2022 17:41

EDO -

Below is a table of the latest batch of Legislative Required Reports. Please conclude your review by COB next Friday (September 30th) so I can turn them into the legislature on time.

We are still waiting for the links to three reports. I have Cc'd those staff and their immediate supervisors so they can reply to this thread with those links once they are ready for EDO review. The three reports are:

- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.
- The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.
- Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention

Here are the reports ready for your review:

Report	Code	Who is Writing	Current Status	Approved?
The Legislature intends that the Department of Health and Human Services report in collaboration with the Tax Commission, Public Safety, State Board of Education, and local health departments, to the Social Services Appropriations Subcommittee by October 1, 2022 on projected shortfalls in the Electronic Cigarette Substance and Nicotine Product Tax Restricted Account and potential solutions.	HB 7	Braden Ainsworth	[redacted]	8/1/2022 [redacted] ard in August SSA)
Suicide technical assistance program--technical assistance to health care organizations in the preceding year	62A-15-121(5)	Brent Kelsey (Carol Ruddell)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the impacts of Health's interventions to reduce the 7.8% non-compliance rate of retailers selling tobacco products to youth as well as what other state's with lower noncompliance rates are doing that Utah is not.	HB 7	Braden Ainsworth	[redacted]	
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The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on the cost and likely impact of suggested interventions to reduce the number of sudden unexplained infant deaths.	HB 7	Teresa Brechlin		
The Legislature directs the Utah Department of Environmental Quality and the Utah Department of Health (the Departments) to develop a comprehensive plan for 1) the most cost-effective mechanisms to procure high volume environmental chemistry analyses with emphasis on the states ambient water quality monitoring needs, 2) a structure for development of new laboratory methods that are not commercially available but would benefit the public interest, 3) an optimal governance structure to oversee state environmental testing resources, and 4) Health's plan to internally fund future equipment purchases and report on their plans by October 1, 2022.	HB 7	Andreas Rohrwasser (DHHS) and Chris Otto (DEQ)	[redacted]	
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 to the Social Services Appropriations Subcommittee on options to expand Medicaid Graduate Medical Education funding by reviewing what other states have done on: (1) How many settings in Utah other than hospital settings that could be eligible?, (2) What new providers of third party match not currently participating could qualify?, (3) Estimates of costs for new match money where General Fund match would be required and options for related programs where match might be transferred, and (4) interest of new third party match providers in participating.	HB 7	John Curless and Ashley Moretz?		
The Legislature intends that the Department of Health and Human Services report by October 1, 2022 on all the recommendations that it had anticipated implementing from A Performance Audit of the Culture and Grant Management Process of the Department of Health to the Social Services Appropriations Subcommittee.	HB 7	Nate Winters/Kendall Woffinden	[redacted]	
HB 341 - "Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate fees."	HB 341	Linda Wininger	[redacted]	
Health Coverage Improvement Program--number enrolled, cost, recommendations for eligibility criteria	26-18-411(8)	Jennifer Strohecker	[redacted]	
Adult Autism Treatment Program--recommendations for improvement	26-67-202(4)	Colin Kingsbury	[redacted]	
Hepatitis C Outreach Pilot Program--outcomes	26-7-11(5)	Bree Barbeau	[redacted]	

[redacted]

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention	26-7-14(2)	Teresa Brechlin	
Report on the Drinking While Pregnant Prevention Media and Education Campaign--expenditures and impact and result of campaign	62A-15-403(4)	Al Romeo	[redacted]
Air medical transport--report on charges, flights, and responsibility for payment	26-8a-203(3)(a)(i)	Guy Dansie	(Guy reports [redacted] getting voluntary data from provider
Psychotropic medication oversight	80-2-503.5	Tonya Myrup	[redacted]
Child Protection Ombudsman (Child Protection Ombudsman within DHHS)	80-2-1104	Tonya Myrup/Paul Schaff	[redacted]
American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito	[redacted]

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 23/09/2022 23:50

SUID Legislative Report

[redacted]

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention
The legislative report under 26-7-14 is required every other year starting in 2021. The last report was for 2021 so the next report is not due until 2023. Additionally, there is no new information to provide from the last report. I have attached the report that was submitted last year, below.

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:

EDO -

Below is a table of the latest batch of Legislative Required Reports. Please conclude your review by COB next Friday (September 30th) so I can turn them into the legislature on time.

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[redacted]

[redacted]

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American Indian-Alaskan Native Health Liaison--activities and accomplishments	26B-1a-107	Melissa Zito [redacted]

Marc B. Watterson
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Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Teresa Brechlin (DHHS)" <tbrechlin@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Janae Duncan (DHHS)" <janaeduncan@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>
DATE: 24/09/2022 14:47

Thanks Teresa

On Fri, Sep 23, 2022, 11:51 PM Teresa Brechlin (DHHS) <tbrechlin@utah.gov> wrote:
SUID Legislative Report

[redacted]

Violent incidents and fatalities involving substance abuse; drug overdose deaths; and recommendations for prevention
The legislative report under 26-7-14 is required every other year starting in 2021. The last report was for 2021 so the next report is not due until 2023. Additionally, there is no new information to provide from the last report. I have attached the report that was submitted last year, below.

On Fri, Sep 23, 2022 at 5:42 PM Marc Watterson (DHHS) <mwatterson@utah.gov> wrote:
EDO -

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getting
voluntar
from pro

Marc B. Watterson
Director
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C: 385.321.6473

[redacted]

[redacted] Fireworks, spotlighting service, and more

mwatterson@utah.gov

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FROM: "Heather Borski (DHHS)" <hborski@utah.gov>
TO: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 24/09/2022 18:38

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: "Marc Watterson (DHHS)" <mwatterson@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 25/09/2022 07:35

Same. Please grant access to these reports so we can do the necessary review as quickly as possible given the timeline.

Have these reports gone through PAE for review for editing? There are several line edits I find myself making. It would be good to have a line editor review these reports. If they don't have that capability, let me know. We may need to find an editor in the department.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Sat, Sep 24, 2022 at 6:38 PM Heather Borski (DHHS) <hborski@utah.gov> wrote:

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TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 26/09/2022 13:36

My apologies. I thought when I sent the original email that it had a pop-up to give everyone access. I'll go through and do that now.

Tracy, to your question, it is my understanding that the assigned Comms team members should also be part of the OU review process. We will build that into the PowerDMS system once we get that up and going. I'll also emphasize that with ELT.

Marc B. Watterson
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Marc B. Watterson
Director

[redacted]

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mwatterson@utah.gov

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SUBJECT: Document shared with you: "Legislative Report Drinking While PregnantPrevention Media and Education Campaign FY2022"
FROM: "Marc Watterson (DHHS) (via Google Docs)" <drive-shares-dm-noreply@google.com>
TO: natechecketts@utah.gov
CC: aslater@utah.gov, mhofmann@utah.gov, natewinters@utah.gov, rebeccab@utah.gov, thales@utah.gov
DATE: 26/09/2022 13:46

Marc Watterson (DHHS) shared a document

Unknown profile [redacted]

[redacted]

[redacted]

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because mwatterson@utah.gov shared a document with you from Google Docs.

Google logo

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SUBJECT: Re: REQUEST: EDO Review of Legislative Required Reports (Due Oct. 1)
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 26/09/2022 15:42

[redacted]

Just to round back on this, I worked with PIO to get permission to edit the Reports Template. Along with a few minor formatting items, we've added a note to the page to remind staff about font size/line spacing and let them know about the expected workflow of reviews before these get to EDO. Hopefully this clarity with mean less items for us to address during our reviews.

Marc B. Watterson
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CC: "Heather Borski (DHHS)" <hborski@utah.gov>, DHHS_EDO <dhhsedo@utah.gov>, "Paul Ray (DHHS)" <pray@utah.gov>
DATE: 27/09/2022 05:27

Thank you!

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

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[redacted] Fireworks, spotlighting service, and more

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FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: "Heather Borski (DHHS)" <hborski@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 27/09/2022 05:39

Good morning.

Please have those involved in family planning review this proposed legislation from Rep. Moore as soon as possible.

The idea is to allow Utah access to these funds even though our state has a law on the books requiring parental consent.

Thank you!

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Derrick, Will** <Will.Derrick@mail.house.gov>
Date: Mon, Sep 26, 2022 at 2:09 PM
Subject: Re: Introduction
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>

Hey Tracy,

We've got some text for you on this. Would your team be able to review? This, implemented, should ameliorate any issues with Utah becoming an award recipient while also reimplementing some pro-life protections from the prior administration.

Let me know if your team has thoughts or any concerns that as written Utah would still not be able to access funds.

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

Sign up for our weekly newsletter!

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Wednesday, September 7, 2022 at 9:20 PM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

Will,

The following is the response we received from DHHS staff:

Planned Parenthood of Utah has applied for and received this funding for decades---since the 80s.

We don't fully know or understand federal statute and pre-emption factors well enough to know how they interact with state law. Planned Parenthood would be better positioned to speak for themselves about their legal authority to accept these funds, but believe the precedence comes from these two cases:
Planned Parenthood Association of Utah v. Matheson
Planned Parenthood Association of Utah v. Dandoy

Tracy
Tracy S. Gruber

[redacted]

Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Wed, Sep 7, 2022 at 6:24 AM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

Will,

That sounds great!

I am not sure about PPU ability to access these funds. I will follow up with our staff.

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Tue, Sep 6, 2022 at 8:13 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

Thank you for this, Tracy. I will work to develop some text to amend this issue and run it by your team to see if it would correct this issue.

I did have a quick question. It appears that in 2022, Planned Parenthood of Utah received funding through this grant program. https://opa.hhs.gov/grant-programs/title-x-service-grants/current-title-x-service-grantees/fy2022-title-X-service-grant-awards

How exactly were they able to access Title X funds? Is it just that the state itself is unable to access funds but Planned Parenthood still can?

Kindly,

Will Derrick
Legislative Assistant
Congressman Blake Moore (UT-01)
will.derrick@mail.house.gov

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From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Saturday, September 3, 2022 at 11:33 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

Will,

I am so sorry for the delay in responding. That is my fault.

While our staff did not offer specific language they did highlight the two areas in federal code that have prohibited Utah from receiving Title X funds that would need to be amended. I suspect you are aware of these but they are listed below. Our previous recommendation to amend the confidentiality language to allow states to access the funds at a prorated amount is still a good possible solution. The two regulations relevant are as follows:

Public Health Service Act, 42 CFR Part 59 Subpart A
(https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-59/subpart-A). :

§ 59.5(a) What requirements must be met by a family planning project

> *(4) Provide services in a manner that does not discriminate against any client based on religion, race, color, national origin, disability, **age**, sex, sexual orientation, gender identity, sex characteristics, number of pregnancies, or marital status.*

§ 59.10 Confidentiality

[redacted]

(b) To the extent practical, Title X projects shall encourage family participation.[3] However, Title X projects may not require consent of parents or guardians for the provision of services to minors, nor can any Title X project staff notify a parent or guardian before or after a minor has requested and/or received Title X family planning services.

It's worth noting the specific objection Utah was provided in 2020 from HHS when it sought a waiver for Title X funds: "The U.S. Department of Health and Human Services (HHS) is unable to grant this request for a waiver. This requirement for provision of confidential contraceptive services is statutory and, thus, HHS does not have the authority to provide such a waiver." Our team suggested language be considered to the relevant section of the Public Health Service Act that would allow the Federal Department of Health and Human Services to grant waivers requested by states.

We also have some changes in state code that we will want to consider and we will plan to discuss those with the Governor's Office. These changes may include an amendment to code that would allow for an exemption to the parental consent law in narrow cases where Title X funding is being utilized. Apparently Texas has provided such an allowance.

I hope this is helpful. Again, I apologize for the delay in getting you this information. Between travel and COVID, this response was not as timely as is typical for our department or for me.

Tracy

Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Fri, Aug 26, 2022 at 7:19 PM Tracy Gruber (DHHS) <tracygruber@utah.gov> wrote:

> Derrick,
>
> I received some feedback from our team but expecting possible additional suggestions early next week. The initial thought is that the language could clearly indicate that state's like Utah that require parental consent can still access these funds, even if a prorated amount. The suggestion from one of our deputies is the following: "alter federal law in such a way to allow states which require parental consent to benefit from those federal family planning funds without forcing such states to remove or modify parental consent law."
>
> As noted in previous discussions, we miss out on millions of dollars each year because youth in Utah can't get these services without parental consent.
>
> More to come next week. Enjoy your weekend!
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov

On Fri, Aug 26, 2022 at 12:20 PM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey Tracy,
>
> I just wanted to check in. Do you have an expected timeline for when you'll have text on this? Thanks again for your help. If you need anything from me, just let me know.
>
> Kindly,
>
> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
> Sign up for our weekly newsletter!

From: Derrick, Will <Will.Derrick@mail.house.gov>
Date: Friday, August 19, 2022 at 9:09 AM
To: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

That would be tremendous. Thank you, Tracy.

From: Tracy Gruber (DHHS) <tracygruber@utah.gov>
Date: Friday, August 19, 2022 at 8:13 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Cc: Gordon Larsen <gordonlarsen@utah.gov>
Subject: Re: Introduction

Thanks Will. That's helpful.

Let me do some work internally and then get back to you. How does by the end of next week sound?

Tracy
Tracy S. Gruber
Executive Director
O: 435.772.6550
tracygruber@utah.gov

On Thu, Aug 18, 2022 at 11:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey there,
>
> Tracy – if there are any specific changes to the regs in Title X family planning grants that you would suggest that would ameliorate the fact that Utah is ineligible, that would be very helpful. Additionally, I think we may have an interest in expanding Title X grants to allow for adoption costs to be included in what the funds could be used for. If you have recommendations on how the grant could be amended to allow for this given the funding stream is currently more narrow, that would be helpful as well.
>
> Kindly,
>
> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
> Sign up for our weekly newsletter!
>
> **From:** Tracy Gruber (DHHS) <tracygruber@utah.gov>
> **Date:** Thursday, August 18, 2022 at 12:07 PM
> **To:** Gordon Larsen <gordonlarsen@utah.gov>
> **Cc:** Derrick, Will <Will.Derrick@mail.house.gov>
> **Subject:** Re: Introduction
>
> Thank you for pulling me in.
>
> Will, nice to meet you virtually. What support can we offer to you and Representative Moore?
>
> I will be in meetings most of the day today but feel free to communicate via text: [redacted]
>
> Tracy
> **Tracy S. Gruber**
> Executive Director
> O: 435.772.6550
> tracygruber@utah.gov
>
> On Thu, Aug 18, 2022 at 9:59 AM Gordon Larsen <gordonlarsen@utah.gov> wrote:
>
> > Will,
> >
> > Good to hear from you, and thanks for picking this back up where we left it. I think it would be a worthy effort to alter federal law in such a way to allow states like Utah to benefit from those federal family planning funds without forcing us to change our parental consent law. As you know, the HHS leadership under the prior administration was eager to get those funds to us but couldn't find a way to do so without a change in Utah law, something our legislature was understandably wary of doing. I think the

[redacted]

first step would be a conversation with the leadership of Utah's Department of Health and Human Services. I've copied Tracy Gruber, the Executive Director of the Department. She may want to pull in Lynne Nilson and others from our Bureau of Maternal and Child Health, who were involved in our Title X application a few years ago and could help us in drafting appropriate language, but I'll defer to Tracy on whom to pull into that meeting.

I'm flexible next week, particularly next Tuesday.

Thanks in advance for your help!

Gordon

On Thu, Aug 18, 2022 at 8:26 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey Gordon,
>
> Picking up this convo from last year –
>
> I am looking into developing leg text for a proposal that would loosen statutory requirements so that Utah would be able to access these funds. Additionally, I may want to include a provision that would allow these funds to be used as grants to assist families seeking to adopt, which would expand the definition of "family planning" in a sense. I am curious if you have thoughts on where to best direct funds to ensure that goal could be achieved, and if you have any general thoughts on this.
>
> Kindly,
>
> Will Derrick
> Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
> Sign up for our weekly newsletter!

From: Gordon Larsen <gordonlarsen@utah.gov>
Date: Thursday, June 17, 2021 at 11:34 AM
To: Derrick, Will <Will.Derrick@mail.house.gov>
Subject: Re: Introduction

Hi Will,

Thanks for reaching out, and congratulations on the new job with Rep. Moore. I'd be happy to chat next Tuesday. I'm pretty flexible between 10-12 MT and after 2:30 MT. Do any of those times work for you?

And yes, we went through quite a process over the past several years to apply for the Title X funding, in part based on the strong encouragement of the Trump Administration HHS. However it was always understood that we couldn't get around the statutory requirements surrounding our parental consent requirements, and the legislature had no interest in adjusting or loosening that requirement. So my understanding is that we would not pursue Title X again, but I'll check. If anything has changed then I can connect you with our Department of Health staff who worked on the application.

Gordon

On Thu, Jun 17, 2021 at 8:04 AM Derrick, Will <Will.Derrick@mail.house.gov> wrote:

> Hey there,
>
> My name is Will Derrick, and I just joined the staff of Congressman Blake Moore. I am taking over the healthcare portfolio from Devon and handling a number of other issues for the office as well. On that point, I would love to connect and introduce myself. Would you have any time to connect over zoom on Tuesday of next week?
>
> On a more specific note, my understanding is that the Utah Department of Health may have applied for a Title X Family Planning Grant last year. I know that Utah would have to be granted an exemption to accommodate state law mandating minors have parental consent to access contraceptive services. I was curious if there was a contact at the Utah Department of Health I could connect with to discuss if the Department plans to apply again. Do you know of anyone I could chat with on this topic?
>
> Thank you so much for your help. I hope to connect soon!
>
> Kindly,
>
> Will Derrick
> Junior Legislative Assistant
> Congressman Blake Moore (UT-01)
> will.derrick@mail.house.gov
>
> Sign up for our weekly newsletter!

--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

[redacted]

--
Gordon Larsen
Senior Advisor for Federal Affairs
Office of the Governor | State of Utah
(801) 538-1503 (o)
(202) 577-6355 (c)

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

SUBJECT: Fwd: Roe vs Wade Question
FROM: "Utah Dept of Health and Human Services (DHHS)" <dhhs@utah.gov>
TO: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 29/09/2022 15:53

Hi Nate,

Joe recommended I forward this to you. Please let me know if you need any comms support.

Sarah W.

---------- Forwarded message ---------
From: **Donovan Bergstrom (DHHS)** <dbergst@utah.gov>
Date: Mon, Sep 26, 2022 at 1:15 PM
Subject: Roe vs Wade Question
To: Utah Dept of Health and Human Services (DHHS) <dhhs@utah.gov>

I was forwarded the voice mail from EDO on Friday 9/23. Levi Schomas is looking for department guidance for his clinicians regarding duty to report to CPS if one of their clients wants to pursue an abortion. Following is a brief overview of Reach Counseling from their website:

[redacted]

"Where beginning the journey to your healing is a phone call away. We are an outpatient mental health clinic that offers general outpatient counseling services for individuals from age 3 and up, couples and families. We also offer treatment for postpartum depression, anxiety, and other mood related disorders."

Please send your response to Levis@reachcounselingutah.com and Ashleyh@reachcounselingutah.com or contact levi at 801-830-6573.

Thank you.

Donovan

--
Donovan A. Bergstrom
Director, Division of Customer Experience
He/Him/His
C: 801.330.2699
dbergst@utah.gov
dhhs.utah.gov

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SUBJECT: LG meeting next week
FROM: "Shari Watkins (DHHS)" <swatkins@utah.gov>
TO: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>, "Nate Checketts (DHHS)" <natechecketts@utah.gov>, "Nate Winters (DHHS)" <natewinters@utah.gov>
CC: Taylor Kauffman <tkauffman@utah.gov>
DATE: 30/09/2022 09:13

This is GOPB's binder document that the Lt. Governor, Chief Pierpont, Sophia and GOPB staff will be using next week. GOPB has summarized the requests, but ask that if there is something we would like changed in the verbiage, to let them know.

--
Shari Watkins
Director, Finance and Administration
C: 801.702.9436
swatkins@utah.gov
health.utah.gov
hs.utah.gov

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SUBJECT: Updated Agenda for Youth and Mental Health Convening
FROM: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
TO: "Eric Tadehara (DHHS)" <erictadehara@utah.gov>
CC: Brent Kelsey DHS <bkelsey@utah.gov>
DATE: 30/09/2022 12:22

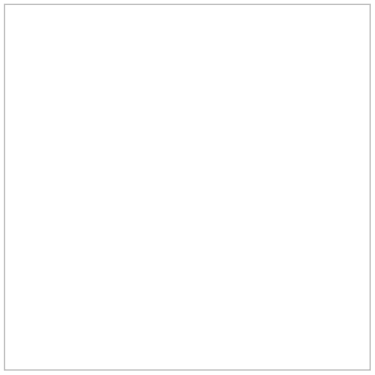
SUBJECT: This Week In Washington
FROM: APHSA - American Public Human Services Association <memberservice@aphsa.org>
TO: natechecketts@utah.gov
DATE: 30/09/2022 14:47

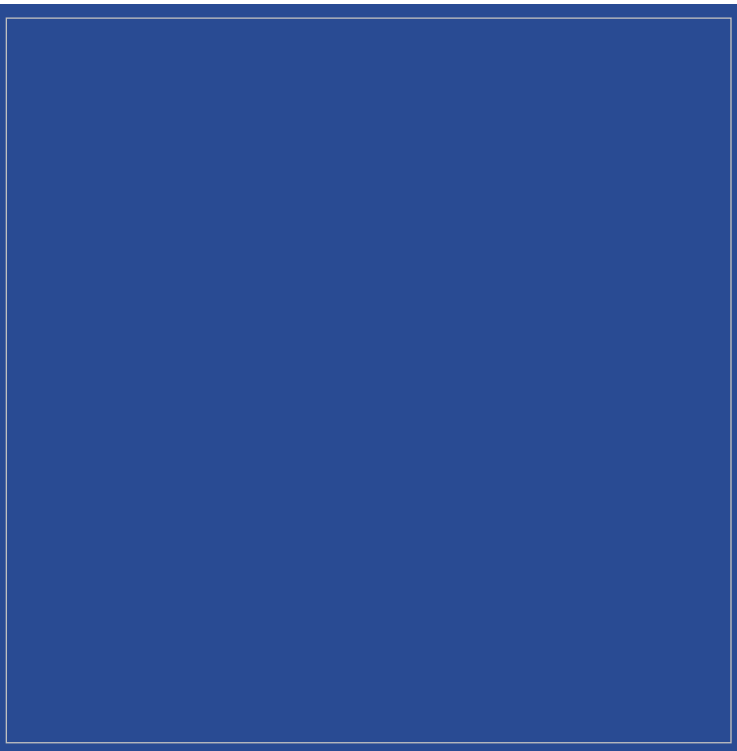
{Having trouble viewing this email? View it in your browser.}

[redacted]

[redacted]

Fireworks, spotlighting service, and more





September 30, 2022

Tweet Link

Hello Nate,

The White House Conference on Hunger, Nutrition, and Health was held on September 28. The Administration released its National Strategy that highlights key proposed actions across policy and practice to meet the goal of ending hunger in America and increasing healthy eating and physical activity by 2030. Read APHSA's special statement and our summary of key provisions for human services agencies.

APHSA and Share Our Strength, No Kid Hungry are excited to announce the launch of our Request for Proposals for our second round of Coordinating SNAP & Nutrition Supports (CSNS) grant funding. Proposals will be accepted until December 30. Join us for an informational webinar discussing this funding opportunity on Tuesday, October 18 at 1:00 PM ET.

We have partnered with the Beeck Center for Social Impact + Innovation at Georgetown University to launch a Digital Benefits Hub—a dynamic, open-source library of resources, case studies, and implementation tools for public benefits professionals. Join us virtually on Thursday, October 20th at 1:00 PM ET for our launch, featuring a demonstration of features and content, with the opportunity to ask questions, provide feedback, and contribute to the hub! RSVP here.

Help us support APHSA's EDI journey! We are requesting proposals to contract with an organization to provide leadership development, staff learning, and facilitated discussions/coaching that continue to advance APHSA's culture of racial equity and justice. Over the past year, led by staff input, APHSA developed a strategic roadmap that will guide our work for the next 3-5 years. Proposal deadline is October 14. Learn more here.

[redacted]

As we round out the month we have new blog posts, ranging in topic from the 2023 Farm Bill to Pregnancy and Poverty. Check them out on our Catalyst blog.

Legislative Updates

Congress Passes Continuing Resolution, Avoids a Government Shutdown

Today, the House passed a Continuing Resolution (CR) extending government funding until December 16 and avoiding a government shutdown. Key provisions impacting human services include:

- Ensuring that mandatory programs and entitlements, including the Supplemental Nutrition Assistance Program (SNAP), will remain funded through the end of the CR and provides a path for January payments in case of a shutdown at the conclusion of the CR
- Extending Temporary Assistance for Needy Families (TANF) through December 16
- Adding an additional $1 billion in FY 2023 funding for the Low Income Home Energy Assistance Program (LIHEAP)
- Authorizing additional funding for refugee and entrant assistance programs and extending authorization of refugee benefits provided to Afghan parolees during the continued resolution

The bill now heads to the White House where it is fully expected to be signed into law.

Read Section-by-Section
Read Bill Text

OSTP Request for Information on Equitable Data Engagement and Accountability

The White House Office of Science and Technology Policy (OSTP), on behalf of the Subcommittee on Equitable Data of the National Science and Technology Council, is requesting feedback from individuals and organizations on how federal agencies may better support collaboration between other levels of government, the research community, and civil society on the production and use of equitable data. Those interested are invited to submit comments by October 3, 5:00 PM ET.

Read Notice and Submit Comment

Child and Family Well-Being

Cornyn, Colleagues Introduce Bipartisan Bill to Improve FBI Child Victim Protocols

On September 22, Senators John Cornyn (R-TX), Chris Coons (D-DE), Lindsey Graham (R-SC), and Amy Klobuchar (D-MN) introduced the Respect for Child Survivors Act, inspired by Nassar survivors. The act would require trauma-informed experts to partake in interviews with any victim who reports child abuse or trafficking to the FBI in order to improve FBI treatment of child-victim witnesses.

Read More

CCDF Uploading of ACF-801 into CARS and Using the ACF-801 Data Assessment Report

This technical bulletin from the Administration for Children and Families (ACF) describes Child Care and Development Fund (CCDF) uploading of the ACF-801data file in the Child Care Automated Reporting System (CARS). The bulletin also provides guidance on how to use the Summary Data Assessment Report (Summary Report or SAR) so that state and territory users can access the reported data.

Read Bulletin

HHS Awards $3 Million for Initiative to Promote Black Youth Mental Health

The U.S. Department of Health and Human Services (HHS) Office of Minority Health (OMH) has announced that it will provide $3 million in grants to eight organizations for a three-year initiative to demonstrate policy effectiveness to promote Black youth mental health (BYMH). The hope is that the initiative will help to identify successful health and wellness policies, including suicide prevention.

Read Press Release

Employment and Economic Well-Being

FNS Shares Interim Final Rule for NAC

The USDA Food and Nutrition Service (FNS) shared the interim final rule for the National Accuracy Clearinghouse (NAC), scheduled to be published in the Federal Register on Monday. The purpose of the NAC is to prevent issuance of the Supplemental Nutrition Assistance Program (SNAP) to an individual in more than one state at the same time.

Read More

ACF Colleague Letter for FY 2023 Federal Offset and Pre-Offset Notice Program Fees

In this Dear Colleague Letter, the Administration for Children and Families (ACF) describes the fee for federal tax refund offsets and the fee for a federal administrative offset in fiscal year 2023. The fees represent a tax refund offset fee reduction and an administrative offset fee increase.

Read Letter

ACF Collecting Data on Impact of State Changes to TANF Policies

The Administration for Children and Families (ACF) is proposing to collect data to explore how one state's changes to Temporary Assistance for Needy Families (TANF) policies and services in response to the COVID-19 pandemic were experienced by different racial and ethnic groups in that state. ACF will collect information at the state level and from three purposively selected sites in one state, selected to represent the racial and ethnic diversity within the state. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain*. The notice was published on September 22.

Read Notice & Submit Comment

FNS Shares Response to the White House Conference

The USDA Food and Nutrition Service (FNS) shared a report entitled *"Leveraging the White House Conference to Promote and Elevate Nutrition Security: The Role of the USDA Food and Nutrition Service."* The report outlines recent actions from FNS and future plans such as building out the Supplemental Nutrition Assistance Program (SNAP) Education branch.

Read Report

Upcoming APHSA Events

Informational Webinar: RFP for Coordinating SNAP & Nutrition Supports, Cohort 2

Share Our Strength, No Kid Hungry, in partnership with APHSA, will be launching a second round of Coordinating SNAP & Nutrition Supports (CSNS) grant funding. State or local SNAP agencies, in partnership with their trusted community partners are invited to submit applications for funding to implement community-led process changes to scale solutions that reduce hunger and advance equity in their state or county. Join APHSA and SOS for an informational webinar discussing this funding opportunity.

Tuesday, October 18, 1:00 PM ET

Register Today

APHSA and Beeck Center Digital Benefits Hub Launch

APHSA and the Beeck Center for Social Impact + Innovation at Georgetown University have partnered to launch a Digital Benefits Hub—a dynamic, open-source library of resources, case studies, and implementation tools for public benefits professionals. Join us virtually for our launch, featuring a demonstration of features and content, with the opportunity to ask questions, provide feedback, and contribute to the hub!

Thursday, October 20, 1:00 PM ET

Register Today

Webinar – Going Beyond Self-Care: Re-Focusing on Worker Well-Being to Combat Turnover

Join us for a webinar with Northwoods, sharing strategies to help with retention and turnover within your organization. Attendees will leave this webinar with practical tools to assess their agency's culture, strategies to foster psychological safety culture, and best practices to help with retention and turnover within your organization.

Wednesday, October 5, 3:00 PM ET

Register Now

Peer Learning Webinar — Continuous Quality Improvement in VA: Applying DAPIM™ in Fairfax County DFS and Richmond DSS

Join us to hear how two agencies in Virginia – Fairfax County's Department of Family Services and Richmond's Department of Social Services – partnered with APHSA and used DAPIM™ to implement their plans around organizational development and strategic change management. We welcome you to join this discussion and share your experiences and practices around CQI and managing change in the human services sector.

Thursday, October 6, 2:00–3:30 PM ET

Register Today

Upcoming APHSA Conferences

American Association of Health and Human Services Attorneys (AAHHSA) Annual Education Conference

The 2022 American Association of Health and Human Services Attorneys (AAHHSA) Annual Education Conference will be held at the Sheraton Columbus Hotel at Capitol Square, Columbus, OH. The AAHHSA conference is a comprehensive learning and networking experience for attorneys who represent the state and local government agencies that administer health and human services programs. This conference promotes pragmatic innovation in health and human services while facilitating the exchange of information between attorneys from across the nation.

October 9–12, 2022

Register Today

National Staff Development and Training Association (NSDTA) Education Conference

The 2022 National Staff Development and Training Association (NSDTA) Education Conference will be held at the DoubleTree by Hilton Spokane City Center in Spokane, WA. This conference brings together human services organizational development, staff development, and training professionals at the local, state, and federal levels. Join us for the opportunity to share ideas, resources, and engage in robust sessions. We are focusing on forward-thinking ideas about instructional design, workforce development, evaluation and research, and much more!

October 16–19, 2022

The 2022 NSDTA Conference registration is sold out! If you missed the opportunity to register, it's not too late. Please complete this form so we can add you to our waitlist should we have any cancellations in the next few weeks. Sign up now for the on-demand package, which will include the live stream during the conference of all general sessions. Normally priced at $295, we are offering a pre-purchase price of $200, a $95 savings when purchased prior to October 19. If you have any questions, please contact the APHSA Events Team at aphsaconferences@aphsa.org.

Information Technology Solutions Management for Human Services (ISM) Annual Conference & Expo

The 2022 Information Technology Solutions Management for Human Services (ISM) Annual Conference & Expo will be held at the Gaylord National Resort &

Convention Center in National Harbor, MD. This event brings together agency leaders in technology, along with the private sector firms focused on providing solutions for health and human services agencies. The content presented will promote IT solutions and best practices that enhance the delivery of health and human services.

October 23–26, 2022

Register Today

Upcoming Partner Events

HSITAG Family Feud Event

Join the Human Services IT Advisory Group (HSITAG) for a fun HHS technology-focused event! The goal of this event is to explore new technologies that have use cases in HHS and share IT concepts/best practices without sounding like a lecture. HSITAG surveyed HHS professionals just like you to collect Family Feud "the survey says..." answers. Two "families" consisting of federal, state and local HHS leaders from around the country will compete live to win donations for a charity of their choice with some fun audience involvement too!

Thursday, October 6, 1:00 PM ET

Register Now

Medicaid and CHIP Continuous Enrollment Unwinding: What to Know and How to Prepare, A Partner Education Monthly Series

Join the Centers for Medicare and Medicaid Services (CMS) for a series of calls running through December 2022 on the Medicaid and CHIP Continuous Enrollment Unwinding, to share what agencies and partners should know and guidance on how to prepare for the forthcoming unwinding.

October 26, 12:00 PM ET
December 7, 12:00 PM ET

Register Today

APHSA Career Center – Post Your Open Positions Today

APHSA serves as a clearinghouse for job opportunities throughout the health and human services (H/HS) field. Employers reach a wide audience of candidates looking for careers in H/HS and job seekers will find a bevy of opportunities throughout the country.

Visit the Career Center

Visit Our Website | Update APHSA Account | Contact Us

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[redacted]

<tbudd@utah.gov>,"tracygruber@utah.gov" <tracygruber@utah.gov>, "xthomas@utah.gov"<xthomas@utah.gov>, "xthomas@utah.gov" <xthomas@utah.gov>
DATE: 30/09/2022 15:16

2023FL0177, Pregnancy Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://secure.utah.gov/ufn/ and completing a response.

SUBJECT: FW: FN: Input on Fiscal Note for 2023FL0171
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "GOMB_LFA_Requests@utah.gov" <GOMB_LFA_Requests@utah.gov>, "Amanda Slater(DHS)" <aslater@utah.gov>, Austin Preston <austinpreston@utah.gov>, "Borski,Heather" <HBORSKI@utah.gov>, David Litvack <davidlitvack@utah.gov>, "Hales,Tonya" <THALES@utah.gov>, Marc Watterson <mwatterson@utah.gov>, MichelleHofmann <mhofmann@utah.gov>, "Moss, Don" <donmoss@utah.gov>, Nate Winters<natewinters@utah.gov>, Nathan Checketts <natechecketts@utah.gov>, "Ray,Paul" <pray@utah.gov>, Rebecca Brown <rebeccab@utah.gov>, Shari Watkins<SWATKINS@utah.gov>, Taylor Kauffman <tckauffman@utah.gov>, Tracy Gruber<tracygruber@utah.gov>
DATE: 30/09/2022 16:05

Hi Taylor - Please provide your input in the fiscal note system for the attached bill by the end of Friday, October 7th. The final fiscal note must be completed ahead of October interim. Also explain in detail differences in cost estimates for similar parts in this bill compared to https://le.utah.gov/~2022/bills/static/HB0220.html.

-----Original Message-----
From: Legislative Automated Email System <boyd@le.utah.gov>
Sent: Friday, September 30, 2022 3:15 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; fiscalnotes@agutah.gov; brianjensen@utah.gov; benelson@utah.gov; chet.loftis@pehp.org; Dan.Andersen@urs.org; dschuring@utah.gov; Dave.Hansen@pehp.org; davidlitvack@utah.gov; davidlund@agutah.gov; dee.larsen@urs.org; gcottrell@utah.gov; ggopez@agutah.gov; Jfhart@utah.gov; jakehennessy@utah.gov; jenevans@utah.gov; Jill Parker <jparker@ualhd.org>; jshaw@utah.gov; kburt@utah.gov; kimbeck2@utah.gov; kharvey@utah.gov; kharvey@utah.gov; mwatterson@utah.gov; mwatterson@utah.gov; natechecketts@utah.gov; nmjohansen@utah.gov; natetalley@utah.gov; natewinters@utah.gov; nharrison@utah.gov; pwlee@utah.gov; Paul.Anderton@pehp.org; pray@utah.gov; pray@utah.gov; panjewierden@utah.gov; rmstringham@utah.gov; ryancowley@utah.gov; swatkins@utah.gov; shellyjackson@utah.gov; swang@utah.gov; swang@utah.gov; tnorthrup@utah.gov; tjfornelius@utah.gov; tbudd@utah.gov; tracygruber@utah.gov; xthomas@utah.gov; xthomas@utah.gov
Subject: FN: Input on Fiscal Note for 2023FL0171

2023FL0171, Postpartum Medicaid Coverage Amendments by Lesser, R. has been assigned to the following analyst(s) for a Fiscal Note:

Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

Please help us to determine any fiscal impact by logging on to https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsecure.utah.gov%2Fufn%2F&data=05%7C01%7Crfrandsen%40le.utah.gov%7Cfab732930d0540dcd8e908daa328d66e%7Caa1 and completing a response.

SUBJECT: (yes two bills) FW: FN: Input on Fiscal Note for 2023FL0177
FROM: Russell Frandsen <rfrandsen@le.utah.gov>
TO: "Amanda Slater (DHS)" <aslater@utah.gov>, Austin Preston<austinpreston@utah.gov>, "Borski, Heather" <HBORSKI@utah.gov>, David Litvack<davidlitvack@utah.gov>, "Hales, Tonya" <THALES@utah.gov>, Marc Watterson<mwatterson@utah.gov>, Michelle Hofmann <mhofmann@utah.gov>, "Moss, Don"<donmoss@utah.gov>, Nate Winters <natewinters@utah.gov>, Nathan Checketts<natechecketts@utah.gov>, "Ray, Paul" <pray@utah.gov>, Rebecca Brown<rebeccab@utah.gov>, Shari Watkins <SWATKINS@utah.gov>, Taylor Kauffman<tckauffman@utah.gov>, Tracy Gruber <tracygruber@utah.gov>
CC: "GOMB_LFA_Requests@utah.gov" <GOMB_LFA_Requests@utah.gov>
DATE: 30/09/2022 16:05

Hi Taylor - Please provide your input in the fiscal note system for the attached bill by the end of Friday, October 7th. The final fiscal note must be completed ahead of October interim. Also explain in detail differences in cost estimates for similar parts in this bill compared to https://le.utah.gov/~2022/bills/static/HB0220.html.

-----Original Message-----
From: Legislative Automated Email System <boyd@le.utah.gov>
Sent: Friday, September 30, 2022 3:16 PM
To: Russell Frandsen <rfrandsen@le.utah.gov>; fiscalnotes@agutah.gov; brianjensen@utah.gov; benelson@utah.gov; chet.loftis@pehp.org; Dan.Andersen@urs.org; dschuring@utah.gov; Dave.Hansen@pehp.org; davidlitvack@utah.gov; davidlund@agutah.gov; dee.larsen@urs.org; gcottrell@utah.gov; ggopez@agutah.gov; Jfhart@utah.gov; jakehennessy@utah.gov; jenevans@utah.gov; Jill Parker <jparker@ualhd.org>; jshaw@utah.gov; kburt@utah.gov; kimbeck2@utah.gov; kharvey@utah.gov; kharvey@utah.gov; mwatterson@utah.gov; mwatterson@utah.gov; natechecketts@utah.gov; nmjohansen@utah.gov; natetalley@utah.gov; natewinters@utah.gov; nharrison@utah.gov; pwlee@utah.gov; Paul.Anderton@pehp.org; pray@utah.gov; pray@utah.gov; panjewierden@utah.gov; rmstringham@utah.gov; ryancowley@utah.gov; swatkins@utah.gov; shellyjackson@utah.gov; swang@utah.gov; swang@utah.gov; tnorthrup@utah.gov; tjfornelius@utah.gov; tbudd@utah.gov; tracygruber@utah.gov; xthomas@utah.gov; xthomas@utah.gov
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Russell T. Frandsen - Lead Analyst

The attorney assigned to this bill is Daniel M. Cheung

[redacted]

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and completing a response.

SUBJECT: DHHS Legislatively Required Reports
FROM: "Marc Watterson (DHHS)" <mwatterson@utah.gov>
TO: Seth Anderson <sanderson@le.utah.gov>, Mark Andrews <markandrews@le.utah.gov>
CC: DHHS_EDO <dhhsedo@utah.gov>, "Guy Dansie (DHHS)" <gdansie@utah.gov>, "Al Romeo (DHHS)" <alromeo@utah.gov>, "Cindy Burnett (DHHS)" <cburnett@utah.gov>, "Bree Barbeau (DHHS)" <bbarbeau@utah.gov>, "Colin Kingsbury (DHHS)" <ckingsbury@utah.gov>, "Jennifer Strohecker (DHHS)" <jstrohecker@utah.gov>, "John Curless (DHHS)" <jcurless@utah.gov>, "Carol Ruddell (DHHS)" <cgruddell@utah.gov>, Brent Kelsey DHS <bkelsey@utah.gov>, "Linda Wininger (DHHS)" <lindaw@utah.gov>, "Kyle Lunt (DHHS)" <kylelunt@utah.gov>, Jill Parker <jparker@ualhd.org>
DATE: 30/09/2022 18:11

HHS Staff -

Attached are the following DHHS legislatively required reports due by October 1st, 2022:

- DHHS | LHD Recommendations on Birth Certificate Fees (HB 341, 2022)
- Suicide Prevention Technical Assistance Report
- Health Coverage Improvement Program Report
- Adult Autism Treatment Program Advisory Committee
- Hepatitis C Outreach Pilot Program
- Drinking While Pregnant Prevention Media and Education Campaign
- Air Ambulance Rates Report

Please let us know if you have any questions.

Marc B. Watterson
Director
Office of Legislative Affairs
C: 385.321.6473
mwatterson@utah.gov

dhhs.utah.gov

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SUBJECT: Fwd: FN: Input on Fiscal Note for 2023FL0177
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 01/10/2022 10:47

Marc,

Is Neil aware of this draft?

Tracy

Tracy S. Gruber
Executive Director
O: 801-538-4001
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Legislative Automated Email System** <boyd@le.utah.gov>
Date: Fri, Sep 30, 2022 at 3:16 PM
Subject: FN: Input on Fiscal Note for 2023FL0177
To: Russell Frandsen <rfrandsen@le.utah.gov>, fiscalnotes@agutah.gov <fiscalnotes@agutah.gov>, brianjensen@utah.gov <brianjensen@utah.gov>,

[redacted]

benelson@utah.gov <benelson@utah.gov>, chet.loftis@pehp.org <chet.loftis@pehp.org>, Dan.Andersen@urs.org <Dan.Andersen@urs.org>, dschuring@utah.gov <dschuring@utah.gov>, Dave.Hansen@pehp.org <Dave.Hansen@pehp.org>, davidlitvack@utah.gov <davidlitvack@utah.gov>, davidlund@agutah.gov <davidlund@agutah.gov>, dee.larsen@urs.org <dee.larsen@urs.org>, gcottrell@utah.gov <gcottrell@utah.gov>, ggopez@agutah.gov <ggopez@agutah.gov>, Jfhart@utah.gov <Jfhart@utah.gov>, jakehennessy@utah.gov <jakehennessy@utah.gov>, jenevans@utah.gov <jenevans@utah.gov>, Jill Parker <jparker@ualhd.org>, jshaw@utah.gov <jshaw@utah.gov>, kburt@utah.gov <kburt@utah.gov>, kimbeck2@utah.gov <kimbeck2@utah.gov>, kharvey@utah.gov <kharvey@utah.gov>, mwatterson@utah.gov <mwatterson@utah.gov>, natechecketts@utah.gov <natechecketts@utah.gov>, nmjohansen@utah.gov <nmjohansen@utah.gov>, natetalley@utah.gov <natetalley@utah.gov>, natewinters@utah.gov <natewinters@utah.gov>, nharrison@utah.gov <nharrison@utah.gov>, pwlee@utah.gov <pwlee@utah.gov>, Paul.Anderton@pehp.org <Paul.Anderton@pehp.org>, pray@utah.gov <pray@utah.gov>, panjewierden@utah.gov <panjewierden@utah.gov>, rmstringham@utah.gov <rmstringham@utah.gov>, ryancowley@utah.gov <ryancowley@utah.gov>, swatkins@utah.gov <swatkins@utah.gov>, shellyjackson@utah.gov <shellyjackson@utah.gov>, swang@utah.gov <swang@utah.gov>, tnorthrup@utah.gov <tnorthrup@utah.gov>, tjfornelius@utah.gov <tjfornelius@utah.gov>, tbudd@utah.gov <tbudd@utah.gov>, tracygruber@utah.gov <tracygruber@utah.gov>, xthomas@utah.gov <xthomas@utah.gov>

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SUBJECT: Fwd: FN: Input on Fiscal Note for 2023FL0171
FROM: "Tracy Gruber (DHHS)" <tracygruber@utah.gov>
TO: Marc Watterson <mwatterson@utah.gov>
CC: "Nate Checketts (DHHS)" <natechecketts@utah.gov>
DATE: 01/10/2022 10:49

This one too with respect to notifying Neil.

Thanks.
Tracy
Tracy S. Gruber
Executive Director
O: 801-538-4001
tracygruber@utah.gov

---------- Forwarded message ---------
From: **Legislative Automated Email System** <boyd@le.utah.gov>
Date: Fri, Sep 30, 2022 at 3:15 PM
Subject: FN: Input on Fiscal Note for 2023FL0171
To: Russell Frandsen <rfrandsen@le.utah.gov>, fiscalnotes@agutah.gov <fiscalnotes@agutah.gov>, brianjensen@utah.gov <brianjensen@utah.gov>, benelson@utah.gov <benelson@utah.gov>, chet.loftis@pehp.org <chet.loftis@pehp.org>, Dan.Andersen@urs.org <Dan.Andersen@urs.org>, dschuring@utah.gov <dschuring@utah.gov>, Dave.Hansen@pehp.org <Dave.Hansen@pehp.org>, davidlitvack@utah.gov <davidlitvack@utah.gov>, davidlund@agutah.gov <davidlund@agutah.gov>, dee.larsen@urs.org <dee.larsen@urs.org>, gcottrell@utah.gov <gcottrell@utah.gov>, ggopez@agutah.gov <ggopez@agutah.gov>, Jfhart@utah.gov <Jfhart@utah.gov>, jakehennessy@utah.gov <jakehennessy@utah.gov>, jenevans@utah.gov <jenevans@utah.gov>, Jill Parker <jparker@ualhd.org>, jshaw@utah.gov <jshaw@utah.gov>, kburt@utah.gov <kburt@utah.gov>, kimbeck2@utah.gov <kimbeck2@utah.gov>, kharvey@utah.gov <kharvey@utah.gov>, mwatterson@utah.gov <mwatterson@utah.gov>, natechecketts@utah.gov <natechecketts@utah.gov>, nmjohansen@utah.gov <nmjohansen@utah.gov>, natetalley@utah.gov <natetalley@utah.gov>, natewinters@utah.gov <natewinters@utah.gov>, nharrison@utah.gov <nharrison@utah.gov>, pwlee@utah.gov <pwlee@utah.gov>, Paul.Anderton@pehp.org <Paul.Anderton@pehp.org>, pray@utah.gov <pray@utah.gov>, panjewierden@utah.gov <panjewierden@utah.gov>, rmstringham@utah.gov <rmstringham@utah.gov>, ryancowley@utah.gov <ryancowley@utah.gov>, swatkins@utah.gov <swatkins@utah.gov>, shellyjackson@utah.gov <shellyjackson@utah.gov>, swang@utah.gov <swang@utah.gov>, tnorthrup@utah.gov <tnorthrup@utah.gov>, tjfornelius@utah.gov <tjfornelius@utah.gov>, tbudd@utah.gov <tbudd@utah.gov>, tracygruber@utah.gov <tracygruber@utah.gov>, xthomas@utah.gov <xthomas@utah.gov>

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[redacted]

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[redacted]